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MASK REQUIREMENTS

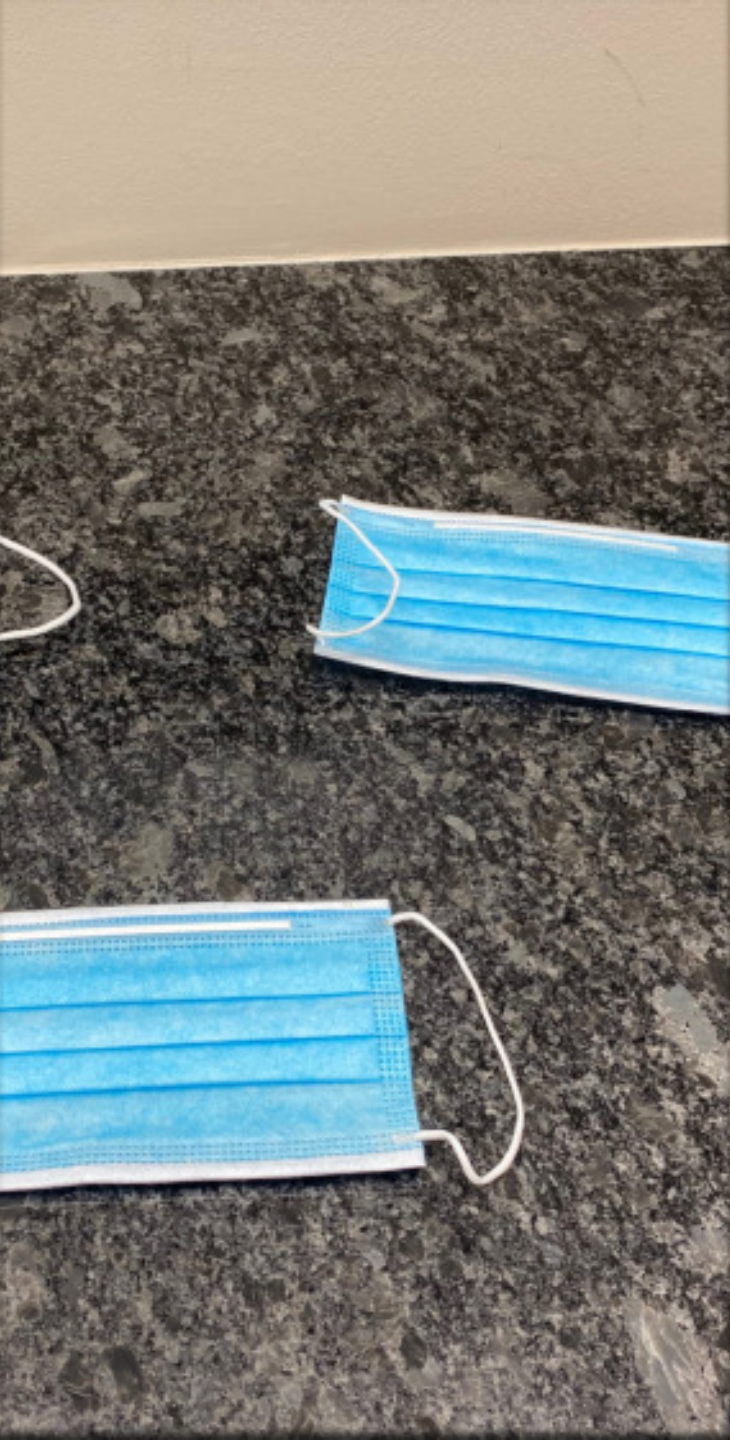
UNDERSTANDING EXECUTIVE ORDER 2020-147

CONDUCTED BY GREATER ROCHESTER CHAMBER OF COMMERCE

- ▶ In Effect 7.10 and 7.13
- ▶ Cites Supportive Studies (pp 2-3)
- ▶ No Expiration Date
- ▶ Applies to Individuals and Businesses
- ▶ “Businesses” Should Be Applied Broadly
- ▶ Does Not Supersede Other Orders



EXECUTIVE ORDER 2020-147 ESSENTIALS



- ▶ Must Wear A Mask:
 - ▶ Indoor Public Space
 - ▶ Outdoors: can't maintain 6 feet
 - ▶ Public Transportation

RESTRICTIONS ON INDIVIDUALS (¶1)

- ▶ Five Years Old or Younger
- ▶ Medical intolerance
- ▶ Necessity (several)
- ▶ Hearing Impaired Listener
- ▶ Public Safety
- ▶ Religious Service
- ▶ Giving a Speech to Audience



INDIVIDUAL EXEMPTIONS (¶ 2)

- ▶ Business Must Be Open To Public
- ▶ Post Sign At Entrance
 - ▶ Legal Obligation to Wear Face Mask
 - ▶ MI LEO May Develop Required Signs
- ▶ Employees Not Mentioned
- ▶ “3 Questions” Not Specified
- ▶ Indoor Public Space (¶1)



BUSINESS RESTRICTIONS (¶ 3)



- ▶ To protect workers, shoppers, and the general public
 - ▶ Activates Many Agencies – State Police, Local Police
 - ▶ Attorney General
 - ▶ Public Health Departments
- ▶ Licensing Agencies Activated
 - ▶ Can Investigate Licensing
 - ▶ Liquor License Specifically Mentioned
- ▶ Local Enforcement
- ▶ Executive Order is Law Until Removed

ENFORCEMENT PROTOCOL AUTHORITIES



- ▶ Your Legal Duty – Do Not Serve Non-Compliant Objector
- ▶ Develop a Compliance Policy
 - ▶ Model Policies are available
 - ▶ Not specifically required
- ▶ Avoid Physical Force
 - ▶ Common law (breach the peace)
 - ▶ Comparable to Landlord/Tenant
 - ▶ Call Police/Keep Distance

ENFORCEMENT PROTOCOL BUSINESSES

- ▶ Rescinds EO 2020-126; Effective through 8.10.2020
- ▶ Two Hours/Week Exclusive Service: Vulnerable Populations
- ▶ Host of COVID-19 Exposure Reduction Strategies (¶2)
 - ▶ Access facilities (employees and customers)
 - ▶ Checkout employee restrictions, masks
 - ▶ No Self Serve stations or free samples
- ▶ Notify Employees and Vendors of Positive Tests
- ▶ Food Law strict compliance
- ▶ Grocery and Convenience Stores; Takeout Restaurants

EXECUTIVE ORDER 2020-149

FOOD SELLERS AND PHARMACIES

- ▶ Replaces Prior Order 2020-114
- ▶ Familiar Operating and Employee Protocols are Affirmed
- ▶ No Expiration Date
- ▶ Operating Protocols differ per business type
- ▶ Reaffirms 2020-36 (Cautious Objectors) remains effective

EXECUTIVE ORDER 2020-145 GENERAL OPERATING RESTRICTIONS

- ▶ Acting Under 1945 Law
- ▶ Governor Can Issue Reasonable Orders
- ▶ Affected Area References
- ▶ May Also Impact Eligibility for Federal Disaster Assistance

EXECUTIVE ORDER 2020-151 EMERGENCY DECLARATION





- ▶ Employment Law
- ▶ Real Estate
- ▶ Business and Commercial
- ▶ Personal Injury (Dan)
- ▶ Estate Planning and Probate
- ▶ Intellectual Property
- ▶ Litigation in these disciplines

LAMBERT LAW
LEGAL SERVICES



► We appreciate this opportunity to explore the legal challenges of meeting the reopening requirements in real time. Thank you for your attention to our presentations. We thank Alaina, Maggie and the Greater Rochester Chamber of Commerce for this opportunity.

THANK YOU!