



**THE UNITED STATES VIRGIN ISLANDS
OFFICE OF THE GOVERNOR
GOVERNMENT HOUSE
Charlotte Amalie, V.I. 00802
340-774-0001**

**NINTH SUPPLEMENTAL EXECUTIVE ORDER AND PROCLAMATION
BY THE GOVERNOR
OF THE UNITED STATES VIRGIN ISLANDS
REVISING CONDITIONS UNDER THE OPEN DOORS PHASE
IN RESPONSE TO COVID-19 STATE OF EMERGENCY**

WHEREAS, On March 13, 2020, the Governor issued the Executive Order and Proclamation Declaring a State of Emergency in response to the COVID-19 – CORONAVIRUS PANDEMIC (“Declaration of a State of Emergency”), and the Government has been coordinating the Territory’s response and enforcing protective actions to address “COVID-19”, a public health emergency that currently requires the Government to act and provide for the health, safety, and welfare of residents and visitors located in the Virgin Islands; and

WHEREAS, On April 2, 2020, the President of the United States declared that a major disaster exists in the Territory of the U.S. Virgin Islands-based on COVID-19 and this major disaster declaration has not been lifted; and

WHEREAS, From March 13, 2020 through June 2020, the Governor issued eight subsequent Executive Orders or Supplements with additional requirements and lifting of other restrictions of previous Executive Orders and Supplement to begin its “Open Door Phase”; and

WHEREAS, The implementation of the “Open Door Phase” requires continuous guidance to be given to the public about what is restricted and permissible during the “Open Door Phase” and while still within a “State of Emergency” due to the danger and threat of Covid-19; and

WHEREAS, Declaration of a State of Emergency Executive Order dated March 13, 2020, invoked the Virgin Islands Territorial Emergency Management Act, 23 V.I.C. § 1001 - 1016 and authorizes the Governor to exercise the powers and duties set forth therein to direct and aid the response to, recovery from, and guidance for the mitigation as well as response to emergencies; and

WHEREAS, The Virgin Islands Department of Health (“DOH”) received confirmation from the Center for Disease Control (“CDC”) that ninety (90) persons, including six (6) deceased persons, tested positive for COVID-19 in the Virgin Islands and additional testing of individuals for COVID-19 are still being made or pending; and

WHEREAS, Imposing guidelines and restrictions during the Government’s Open Door Phase is vital to the protection, health, safety, and welfare of residents and visitors of the Territory;

NOW, THEREFORE, I, Albert Bryan, Jr., Governor of the United States Virgin Islands, under the authority granted to me by Section 11 of the Revised Organic Act of 1954 (as amended), and through the afore-cited sections of the Virgin Islands Code, as well as all previous Executive Orders issued from March 13, 2020, through May 31, 2020, including Executive Orders dated March 20, 2020, March 23, 2020, March 30, 2020, April 6, 2020, April 20, 2020, April 29, 2020, May 4, 2020, May 7, 2020, and May 30, 2020, as amended, renewed, and extended, do hereby **ORDER**:

SECTION 1. To effectuate the terms for the Open Doors Phase of the State of Emergency declared in response to the COVID-19 – CORONAVIRUS PANDEMIC as amended, renewed, and extended, the following terms from my previous orders in response to the Covid-19 pandemic shall be amended as follows:

- A. Section 2 of the Order issued on March 20, 2020 suspending the provisions of Title 3, Chapter 25, Subchapter IV, Section 530(b) of the Virgin Islands Code as it applies to the Public Employees Relations Board, and all the Orders of the PERB issued under Sections 530 and 531 of Title 3 of the Virgin Islands Code, shall expire on **July 1, 2020**.
- B. Section 4 subsection A of the Order issued on March 23, 2020, suspending the provisions of Title 28, Chapter 13, Section 281 and Chapter 13, Sections 751(b), 782(a) of the Virgin Islands Code, relating to landlord-tenant actions and establishing the right of actions to recover possession of real property, demand for rent, or for forceable entry and detainer, shall expire on **July 27, 2020**, as limited by the Coronavirus Aid, Relief, and Economic Stimulus Act (CARES Act). (**Note- the provisions of Section 4 of the Order issued on April 20, 2020, forbidding increases in rent shall remain in full force and effect.*)
- C. Section 5 of the Order issued on March 30, 2020, suspending the provisions of the Virgin Islands Plant Closing Act, Title 24, Chapter 18, Virgin Islands Code, and all rules and regulations promulgated thereunder by the Commissioner of Labor, shall expire on **July 1, 2020**.

All other terms, requirements, and conditions of the March 13, 2020, State of Emergency, as amended, supplemented, renewed, and extended, shall continue in full force and effect unless earlier lifted, further amended, or extended by order of the Governor of the United States Virgin Islands

SECTION 2. All beaches in the Territory of the U.S. Virgin Islands shall be closed from 4:00 p.m. to 6:00 a.m. daily, from July 3, 2020 at 4:00 p.m. to July 6, 2020 at 6:00 a.m., unless earlier

lifted or extended by order of the Governor of the U.S. Virgin Islands. Only fishermen may be on the beach during the beach closure to access their vessels or casting their nets.

At all times from 12:00 a.m. on July 3, 2020 to 6:00 a.m. on July 6, 2020, there shall be no sale or consumption of alcohol, no picnics, no parties, no disc-jockey (DJ), no DJ equipment or the likes, no camping, no bonfire, no cooking, no barbecuing or grilling allowed on any beach in the Territory of the U.S. Virgin Islands.

All enforcement officers are authorized to enforce this Order to the full extent of the law, under the direction of the Incident Commander, the Commissioner of the V.I. Police Department, the Commissioner of the V.I. Department of Licensing and Consumer Affairs, and The Commissioner of the V.I. Department of Planning and Natural Resources.

SECTION 3. Effective immediately, in addition to the **COVID-19 GUIDANCE FOR RESTAURANTS, BARS AND NIGHTCLUBS** issued on June 1, 2020:

- A. All nightclubs and cabarets in the Territory of the U.S. Virgin Islands shall remain closed, so long as the Territory remains in a State of Emergency as declared on March 13, 2020, as amended, supplemented, extended, and renewed, unless earlier lifted by order of the Governor of the U.S. Virgin Islands.
- B. All bars in the Territory of the U.S. Virgin Islands shall be closed from 12:00 a.m. until 6:00 a.m. daily, beginning at 12:00 a.m. July 3, 2020, so long as the Territory remains in a State of Emergency as declared on March 13, 2020, as amended, supplemented, extended, and renewed, unless earlier lifted by order of the Governor of the U.S. Virgin Islands.
- C. All restaurants and bars, and any other establishments with a Tavern Keeper A or Tavern Keeper B license in the Territory of the U.S. Virgin Islands shall cease the sale or distribution of alcohol from 11:00 p.m. until 8:00 a.m. daily, beginning at 11:00 p.m. July 2, 2020, so long as the Territory remains in a State of Emergency as declared on March 13, 2020, as amended, supplemented, extended, and renewed, unless earlier lifted by order of the Governor of the U.S. Virgin Islands.

SECTION 4. Effective immediately, all travelers, by sea or by air, are required to comply with Travelers Advisory posted by V.I. Department of Tourism and the V.I. Port Authority, including but not limited to the wearing of facial coverings, temperature scan, testing, and quarantine. Facial coverings shall be required to be worn at all times on board all public transportation ferries between all islands in, or entering, the Territory of the U.S. Virgin Islands until further notice so long as the Territory remains in a State of Emergency as declared on March 13, 2020, as amended, supplemented, extended, and renewed, unless earlier lifted by order of the Governor of the U.S.

Virgin Islands.

SECTION 5. Pursuant to section 8 of the Governor’s Declaration of a State of Emergency Executive Order dated March 13, 2020, the provision of this Order shall be enforced by law enforcement officers.

Violations of this section or orders issued pursuant to 23 V.I.C. § 1005(g) related to the duty to protect the health of Virgin Islanders may be subject to prosecution pursuant to 14 V.I.C. § 885, as violation of a public health order and is punishable as a misdemeanor in accordance with 14 V.I.C. § 2(b)(2).

Violations of this section or orders issued pursuant to the Governor’s powers under 23 V.I.C. § 1005(g) may be subject to administrative enforcement action through the Department of Licensing and Consumer Affairs (the “DLCA”), which is hereby authorized and directed to assess administrative fines pursuant to its powers set forth in 3 V.I.C. § 272(b)(5) and/or the commencement of suspension and/or revocation proceedings of the establishment’s business license in accordance with 27 V.I.C. § 304.

SECTION 6. This Executive Order is effective immediately, and it shall remain in effect so long as the Territory remains in a State of Emergency as declared on March 13, 2020, as amended, renewed, and extended on March 20, 2020, March 23, 2020, March 30, 2020, April 6, 2020, April 22, 2020, April 29, 2020, May 4, 2020, May 7, 2020, and May 30, 2020, and as further amended, renewed, and extended, until rescinded or superseded by any other applicable Executive Order.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the Government of the United States Virgin Islands to be affixed at Charlotte Amalie, St. Thomas, Virgin Islands, this 1st day of July, A.D., 2020.



Handwritten signature of Albert Bryan, Jr. in blue ink, consisting of stylized initials and a surname.

Albert Bryan, Jr.
Governor

ATTEST:

Handwritten signature of Tregenza A. Roach in blue ink, written in a cursive style.

Tregenza A. Roach, Esquire
Lieutenant Governor