



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

**THIRD SUPPLEMENTAL EXECUTIVE ORDER AND PROCLAMATION
BY THE GOVERNOR
OF THE UNITED STATES VIRGIN ISLANDS
RENEWING THE STATE OF EMERGENCY, EXTENDING THE STAY-AT-HOME
ORDER, SUSPENDING THE VIRGIN ISLANDS PLANT CLOSING ACT, ALLOWING
FOR TEMPORARY MOORING AND ANCHORING AREAS, AND AMENDING
PREVIOUS EXECUTIVE ORDERS
IN RESPONSE TO COVID-19 STATE OF EMERGENCY**

WHEREAS, the undersigned issued Executive Order and Proclamation Declaring a State of Emergency COVID-19 – CORONAVIRUS PANDEMIC dated March 13, 2020 to coordinate the Territory’s response and protective actions to address the Coronavirus Disease 2019 (“COVID-19”) public health emergency and to provide for the health, safety, and welfare of residents and visitors located in the Virgin Islands (“Declaration of a State of Emergency”) and have supplemented such Executive Order and Proclamation with additional Orders; and

WHEREAS, the undersigned established a VI Task Force on COVID-19 Preparedness, Response and Mitigation to work with territorial, local and federal partners in responding to challenges posed by COVID-19; and

WHEREAS, on March 13, 2020, the President of the United States declared the ongoing COVID-19 a pandemic of sufficient severity and magnitude to warrant an emergency declaration for all states, tribes, territories, and the District of Columbia pursuant to Section 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. § 5121-5207 (the ‘Stafford Act’); and

WHEREAS, on March 13, 2020, the President of the United States pursuant to Sections 201 and 301 of the National Emergencies Act, 50 U.S.C. § 1601, *et. seq.* and consistent with Section 1135 of the Social Security Act, as amended (42 U.S.C. § 1320b-5), declared a national emergency that the COVID-19 outbreak in the United States constitutes a national emergency beginning January 20, 2020; and

WHEREAS, the undersigned designated the Commissioner of the Virgin Islands Department of Health as the Incident Commander to direct the territorial response and directed the

Commissioner of the Virgin Islands Department of Human Services to provide any necessary support to the Incident Commander; and

WHEREAS, the Virgin Islands Department of Health (“DOH”) received confirmation from the Center for Disease Control (“CDC”) that thirty persons have tested positive for COVID-19 and currently await results of tests conducted on additional individuals; and

WHEREAS, Declaration of a State of Health 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 mitigation against emergencies; and

WHEREAS, the DOH has organized a Public Health Incident Management Team to manage the public health impacts of COVID-19 in the Territory; and

WHEREAS, first responders and health care professionals remain integral to ensuring the Territory is best situated to respond to and mitigate the threat posed by COVID-19 and such first responders and health care professionals should have the availability of all necessary personal protective equipment and continue to follow all necessary response protocols;

WHEREAS, the local, national, and international impacts of the Coronavirus/COVID-19 Pandemic are extensive and, the interests of businesses, consumers, employers, and employees alike, necessitate the suspension of specified Virgin Islands labor laws to provide the Virgin Islands economy with the flexibility to adjust to and outlast this crisis and its accompanying economic hardships on our entire community;

WHEREAS, on March 29, 2020, due to the rising number cases of COVID-19 across the country and the projections for continued exponential growth of the number of cases, the President of the United States of America extended the voluntary national shutdown and application of the CDC Social Distancing Guidelines to April 30, 2020;

WHEREAS, pursuant to Title 23, Section 1005(d) of the Virgin Islands Code, the existing State of Emergency may not last longer than thirty (30) days unless renewed by the Governor; and

WHEREAS, the need for the Territory of the United State Virgin Islands to remain in a State of Emergency to respond to and combat this COVID-19 pandemic for the safety of our people is paramount and needs to comply with federal guidelines;

NOW, THEREFORE, I, Albert Bryan, Jr., Governor of the United States Virgin Islands, by virtue of the authority granted to me by Section 11 of the Revised Organic Act of 1954, as amended, and afore-cited sections of the Virgin Islands Code, in addition to the Executive Order dated March 13, 2020, Declaring a State of Health Emergency in the U.S. Virgin Islands, and subsequent Supplemental Executive Orders dated March 20, 2020 and March 23, 2020, do hereby ORDER:

SECTION 1. The State of Emergency declared effective March 13, 2020, which is set to expire on April 12, 2020, pursuant to Title 23, Section 1005(d) of the Virgin Islands Code, along with all terms declared and ordered, as supplemented on March 20, 2020, and March 23, 2020, is hereby renewed for an additional 30 days from the initial expiration date of April 12, 2020, and shall continue in full force and effect through **May 12, 2020**, unless earlier lifted or extended by order of the Governor of the United States Virgin Islands.

SECTION 2. The Stay-at-Home Order issued in the Supplemental Executive Order declared on March 23, 2020 shall continue in full force and effect until **April 30, 2020**. This shall include:

- A. Section 1 B.ii.1. of the March 23, 2020, ordering the public to STAY AT HOME;
- B. Section 1 B.ii.2. of the March 23, 2020, ordering that all non-essential businesses shall cease in-person business operations and shall require their employees to stay home.
- C. Section 1 B.ii.3. of the March 23, 2020, ordering all hotels, guest-houses, villas, bed and breakfasts, shared economy hospitality bookings, AirBnBs, any temporary vacation housing, charter vessels, or any similar business known by any other terminology, to not accept, receive, check-in, or register any new guest.

All other terms, requirements, and conditions of the March 23, 2020, Supplemental Executive Order shall continue in full force and effect unless earlier lifted, amended, or extended by order of the Governor of the United States Virgin Islands.

SECTION 3. The School Closure Order and the Government Operations Restricted to Essential Services Order issued in Section 2 and Section 3 of the Supplemental Executive Order declared on March 23, 2020 shall continue in full force and effect until **April 30, 2020**.

SECTION 4. Section 1 B.i. of the March 23, 2020 is amended as follows:

- A. In subsection 1. by inserting “and all standalone restaurants, bars, and foodtrucks located on or adjacent to a beach, unless said restaurant is a part of a hotel or resort,” after the words “Virgin Islands”
- B. In subsection 2. by inserting the word “foodtruck” after the word “restaurant” wherever it appears.

SECTION 5. 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, are suspended for a period one hundred twenty (120) days or until further order of the Governor;

SECTION 6. Notwithstanding Section 5 above, all employers closing their businesses, temporarily or otherwise, are required to give written notice of the closing of the business to the

Virgin Islands Department of Labor, separate and apart from the Plant Closing Act.

SECTION 7. The Supplemental Executive Order issued on March 23, 2020 is amended in Section 1.B.ii.4.c. Core life services by adding another bullet point with the following language: “Professional services, such as legal services, accounting services, and insurance companies when necessary to assist in compliance withlegally mandated activities”.

SECTION 8. Section 1. of the Executive Order Proclaimed on March, 20, 2020 suspending the provisions of Title 31, Chapter 23, Section 236 of the Virgin Islands Code, establishing the procedures for formal advertising of competitive bids and the attendant rules and regulations promulgated thereunder, hereby applies to the Virgin Islands Hospitals and Health Facilities Corporation, the Juan F. Luis Hospital and Roy Lester Schneider Hospital.

SECTION 9. (a) I authorize and direct Commissioner of the Department of Planning and Natural Resources (“DPNR”), pursuant to Title 25, Chapter 16 of the Virgin Islands Code, to designate additional temporary areas within the USVI for temporary mooring and anchoring for 30 days or until the Emergency Declaration is lifted. Such temporary moorings and anchoring shall be subject to the following conditions and requirements:

- 1) each vessel obtaining a mooring or anchoring permit under the provisions of Title 25 VIC Sec. 404 and 405;
- 2) each vessel making a report to the DOH, via the DPNR or Virgin Islands Police Department (“VIPD”), on any health issues of passengers and crew on board such vessel on forms prescribed by the DOH; and
- 3) each vessel complying with all applicable laws of the Virgin Islands and the terms of all applicable provisions of all Executive Orders related to the State of Emergency for the COVID-19 Pandemic.

(b) No Vessels shall on-board any new passengers during the period of the State of Emergency as initially declared on March 13, 2020.

(c) Marine personnel and vessels of The West Indian Company Limited and Virgin Islands Port Authority are deputized and directed to assist DPNR and VIPD in the patrol of the territorial waters.

SECTION 10. Subject to the execution of a Memorandum of Agreement with the respective federal agencies, all agents of signatory federal agencies presently assigned to service in the U.S. Virgin Islands may be deputized as local Peace Officers.

SECTION 11. This Executive Order is effective immediately and shall remain in effect so long as the Territory remains in a State of Health Emergency as declared on March 13, 2020, and amended on March 20, 2020, March 23, 2020, and herein or until rescinded or superseded by another 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 Christiansted, St. Croix, Virgin Islands, this 30th day of March, A.D., 2020.



A handwritten signature in blue ink, appearing to read "Albert Bryan, Jr.", written over a horizontal line.

Albert Bryan, Jr.
Governor

ATTEST:

A handwritten signature in blue ink, appearing to read "Tregenza A. Roach", written over a horizontal line.

Tregenza A. Roach
Lt. Governor