

Which businesses may be open and what guidelines must be followed?



Written by Business.NJ.gov Team
Updated this week

Businesses opening brick and mortar locations are advised, in addition to all State rules below, to follow [CDC business guidance](#) and [OSHA workplace guidance](#), which includes: [industry-specific guidelines](#) for a variety of industries; a 35-page [guide on preparing workplaces \[PDF\]](#); and [record keeping requirements](#).

The CDC offers a [decision-making tool](#) to assist employers in making (re)opening decisions, especially to protect vulnerable workers. Employers with questions about their responsibilities regarding return to work can review the [NJ Department of Labor's site for Employers and Businesses](#).

Businesses That May Be Open

If your business is not a retail business, you have been allowed—and may continue—to operate, but you must let your workers work from home whenever possible. The U.S. Department of Labor has [guidance on the Fair Labor Standards Act](#) pertaining to your obligations to employees regarding telework. If you have employees that need to be on site, you must keep them to the minimum number needed for critical operations; examples of these include cashiers, store clerks, construction workers, repair workers, warehouse workers, lab researchers, custodial staff, and certain administrative staff. Any building open to workers must follow minimum cleaning protocols as described in [Executive Order 122](#).

Retail businesses may be open to customers while following [Department of Health Guidance for Retail Businesses \[PDF\]](#), including limiting occupancy to 50% of store capacity, installing a physical barrier such as a shield guard where possible and wherever you cannot maintain 6 feet of social distancing, all required infection control practices, and mandating everyone in the store to wear face coverings. Indoor portions of retail

shopping malls may be open, while common areas such as communal seating and food courts and entertainment businesses must remain closed.

Bars and restaurants are open for drive-through, delivery takeout, and outdoor dining, while following [Department of Health Guidance for Bars and Restaurants \[PDF\]](#) and [Department of Health Protocols for Outdoor Dining \[PDF\]](#). The reopening of indoor dining spaces has been indefinitely postponed; indoor dining is not currently allowed.

Microbreweries and brewpubs may be open for home delivery. Depending on the type of license they hold, outdoor service may also be allowed; business owners should consult Executive Orders [150](#) and [157](#) and the [Division of Alcoholic Beverage Control's ruling \[PDF\]](#) to determine if they qualify.

Personal care businesses may be open. These include: beauty salons; barber shops; cosmetology shops; day spas (but not saunas, steam rooms, or shared bathing facilities) and medical spas which solely perform elective and cosmetic medical procedures; electrology facilities; hair braiding shops; massage parlors; nail salons; tanning salons; and tattoo parlors. Licensed businesses must abide by the [Division of Consumer Affairs' comprehensive safety standards for Cosmetology, Massage, and Bodywork licensees \[PDF\]](#), including providing services by appointment only, prescreening and temperature checks of clients and staff, and staff-client pairs remaining at least 6 feet apart unless separated by physical barriers. Tattoo and tanning facilities must follow [Department of Health standards for tanning and body art establishments \[PDF\]](#). Everyone in a personal care business must wear a face covering; clients may receive services that require the removal of a face covering, provided that clients wear a face covering at all times before and after the service.

Child care centers may be open to all clients. The [Department of Children and Families' Child Care Safety Requirements \[PDF\]](#) specify rules which centers must abide, and each child care center must submit an attestation to the Department of Children and Families no later than 24 hours prior to the anticipated opening date, or in the case of previously operating emergency child care centers, within fourteen days of the effective date of [Executive Order No. 149](#), attesting that it will follow all applicable health and safety standards.

All outdoor recreational and entertainment businesses may be open, including outdoor amusement parks and outdoor water parks as of July 2, 2020, following Department of Health [Standards for Pools and Aquatic Recreation Facilities \[PDF\]](#) and [Standards for Outdoor Amusement and Water Parks \[PDF\]](#), including that park attendance must be kept at 50% of capacity, face coverings are required of all staff and

attendees where practicable, and rides must be configured to ensure 6 feet distance between groups and those waiting for rides.

Indoor recreational facilities, museums, and aquariums may be open, following all requirements of Executive Orders [157](#) and [158](#), including 25% capacity and required face coverings. Examples of indoor recreational facilities include indoor bowling alleys, batting cages, shooting ranges, and arcades, and facilities for activities like dance, karate, arts and crafts, music lessons, theatre programs, gymnastics, indoor tennis, and yoga. Pools may be open and must follow requirements in Executive Orders [153](#) and [157](#) and the Department of Health [Standards for Pools and Aquatic Recreation Facilities \[PDF\]](#), including implementing a COVID-19 Pool Operation Prevention Plan. Any activity in **gyms, fitness centers, or health facilities must comply with protocols for individualized training sessions** in [Section 10 of Executive Order 157](#), including limiting training to an individual and their household members, separated by room or floor-to-ceiling barriers. Gyms and fitness centers must remain closed for all other purposes, including classes. Indoor entertainment venues such as movie theaters, performing arts centers, concert venues, and nightclubs remain closed. Indoor amusement parks and water parks remain closed.

Casinos may be open, at 25% capacity and following all requirements from Executive Orders [157](#) and [158](#), the [Division of Gaming Enforcement](#), and [reopening protocols from the Casino Association of New Jersey](#), and they must submit a reopening plan to the Division of Gaming Enforcement. Racetracks may be open for in-person bets, including at their sportsbooks and lounges, as long as they abide by applicable gathering limits.

Golf courses may be open as long as they adopt policies that include: tee times at least 16 minutes apart; limiting golf carts to a single occupant; restricting players' ability to touch the flagstick, hole, and other surfaces; and requiring face coverings, sanitization, and social distancing. Four player tee-times, forecaddies, equipment rentals, and restrooms are allowed. Refer to Executive Orders [133](#) and [147](#) for all requirements.

Recreational campgrounds, both public and private, may be open. Certain other outdoor recreational areas and businesses may operate as well, within a capacity limit of 25 individuals. These include batting cages and golf ranges, shooting and archery ranges, horseback riding, private tennis clubs, and community gardens. Refer to [Executive Order 147](#) for all requirements.

Municipal and private-club swimming pools may be open. [Department of Health Pool Standards \[PDF\]](#) must be followed, which include but are not limited to: reduced capacity, social distancing in and out of the water, staff fever screening, and maintaining a patron sign-in sheet. Prior to June 22, pool facilities have been allowed to be open for

the purpose of lifeguard training and lifeguard swimming lessons. Summer camps will be able to use their pools when they reopen on July 6.

Organized sports activities may operate. Activities will be limited to sports activities conducted outside, and there can be no contact drills or activities. [Department of Health Guidance for Sports Activities](#) must be followed.

Career and training schools may be open as of July 1, 2020, following protocols found in [Executive Order 155](#).

Libraries may be open to patrons, following requirements in [Paragraph 7 of Executive Order 157](#), including limiting capacity to 25%.

Horse-racing can take place. Fans will not be allowed into racetrack grandstands.

Gatherings of vehicles, such as drive-in movies or religious services, are allowed, so long as all participants remain in their vehicle, all vehicles remain closed (unless the vehicles are at least 6 feet apart), organizers wear face coverings and all appropriate protective equipment, and contactless payment is offered.

Chartered-boat services, including fishing and watercraft rentals, may operate.

Transportation Carriers must comply with restrictions in [Executive Order 125](#), which include, but aren't limited to, cutting capacity on all trains, buses, light rail vehicles, and paratransit vehicles to 50% of maximum, allowing back door entry where possible, infection control practices, and requiring face coverings.

If your business falls into one of the blanket exemption categories, you may operate; these businesses include:

- Health care or medical service providers;
- Essential services for low-income residents, including food banks;
- The media;
- Law enforcement;
- Federal government operations, or the movement of federal officials in their official capacity.

Construction projects, including nonessential construction, may operate; construction projects must follow all protocols in [Paragraph 2 of Executive Order 142](#), including social distancing, limited sharing of tools or machinery, limited meeting size and staggered start times, all required infection control practices and sanitation, and required face coverings.

Businesses That Must Be Closed

Indoor entertainment venues must be closed, including movie theaters, performing arts centers, concert venues, and nightclubs. Indoor amusement parks and water parks remain closed.

In-person clinical, lab, and hands-on programming at institutions of higher education will be able to resume July 6, 2020, subject to the submission of the institution's restart plan.

Youth day camps will be able to resume on July 6, 2020, including municipal summer recreation programs, only if they comply with required youth camp COVID-19 standards and they submit an attestation at least 24 hours prior to opening; see the [Department of Health's Youth Camps page](#) for all guidelines and forms. Residential and overnight camps are prohibited from operating.

Other Information

Gatherings of individuals, such as parties, celebrations, or other social events, are allowed at limited capacities and also subject to all other current business closures and restrictions. Indoor gatherings are permitted at 25% of a room's capacity or 100 persons, whichever is lower; attendees at indoor gatherings must wear face coverings and stay 6 feet apart. Outdoor gatherings are limited to 500 persons, with an exception allowing no limits for First Amendment-protected outdoor activity, including political protests or outdoor religious services. (The CDC defines gatherings to include conferences, large meetings, parties, festivals, events, weddings, and other types of assemblies.)

Manufacturing, industrial, logistics, ports, shipping, food production, food delivery, and other commercial operations may continue to operate; manufacturing, warehouses, and other commercial buildings must follow protocols as described in [Paragraphs 3, 4, and 5 of Executive Order 122](#), including immediate separation of workers with COVID-19 symptoms, notification of any workers exposed to COVID-19, limited group size and staggered start times, all required infection control practices and sanitation, and required face coverings.

Marine terminals in the Port of New York and New Jersey are open and fully operational. For additional information and updates, please check the [Port of NY & NJ website](#) as well as register for [Port e-alerts](#), log into the [Port Truck Pass portal](#), or subscribe to the [Breaking Waves newsletter](#).

Medical facilities may continue to operate. Medical facilities include any facility where a sick or injured person is given care or treatment, such as: doctor's offices, hospitals, dentist offices, long-term care facilities, and other medical offices.

Governor Murphy also signed [Executive Order 108](#), which invalidates any county or municipal restrictions that conflict with Executive Order 107. The only exceptions are: 1) [short-term rentals](#) and online marketplaces offering lodging; 2) municipal or county parks; 3) beaches and boardwalks.

If any business is violating the required guidelines, you can report it to the State at [covid19.nj.gov/violation](https://www.covid19.nj.gov/violation), or to your Local Health Department, which you can identify with the [Find Your Local Health Department](#) tool.

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Source: Executive Order Nos. [107](#), [108](#), [110](#), [133](#), [142](#), [147](#), [149](#), [150](#), [152](#), [153](#), [154](#), [155](#), [157](#), [161](#); Administrative Orders [2020-5](#), [2020-6](#), [2020-8](#), [2020-10](#), [2020-13](#); [April 18 Press Release on Marinas and Boatyards](#)