

**HAWAII, OAHU, MAUI, AND KAUAI COUNTY EMERGENCY ORDERS**  
Emergency Stay at Home, Work at Home Orders

DENTONS US LLP: March 27, 2020

HAWAII, OAHU, MAUI, AND KAUAI COUNTY EMERGENCY ORDERS Emergency Stay at Home, Work at Home Orders			
STATE OF HAWAII	CITY & COUNTY OF HONOLULU	COUNTY OF MAUI	COUNTY OF KAUAI
Third Supplemental Proclamation	Order No. 2020-02	Public Health Emergency Rules	Emergency Rules #2 to #5 (as Amended)
<b>INDIVIDUALS MUST STAY AT HOME</b> <b>Leave Home only for Essential Activities, Government, Infrastructure or Businesses</b>			
<p>All Persons in the State Must Stay at Home or in Their Place of Residence Pursuant to sections 127A-12(a)(5), 127A-12(a)(14), 127A-13(a)(1), and 127A13(a)(7), HRS, all persons within the State of Hawai'i are ordered to stay at home or in their place of residence except as necessary to maintain continuity of operations of the federal critical infrastructure sectors, as identified at <a href="https://www.cisa.gov/identifying-critical-infrastructure-during-covid-19">https://www.cisa.gov/identifying-critical-infrastructure-during-covid-19</a> and as further designated below or by the Director of the Hawai'i Emergency Management Agency (HIEMA). With respect to persons residing in hotels, condominiums, townhomes, apartments, or other multi-unit dwellings, "place of residence" means the person's individual hotel room or unit. To the extent persons use shared or outdoor spaces when outside their residence, they must comply with the social distancing requirements set forth herein to the fullest extent possible. All persons may leave their home or place of residence only for essential activities or to engage in the essential businesses and operations identified herein.</p>	<p><b>Order 1:</b> All individuals currently living within the City are ordered to stay at their place of residence. To the extent individuals are using shared or outdoor spaces, they must at all times as reasonably possible maintain social distancing of at least six feet from any other person when they are outside their residence and comply with Social Distancing Requirements (as defined in Section II). All persons may leave their residences only for Essential Activities, Essential Governmental Functions, or to operate Essential Businesses, as those terms are defined in Section II. Individuals experiencing homelessness are exempt from this section, but are strongly urged to obtain shelter, and governmental and other entities are strongly urged to make such shelter available as soon as possible and to the maximum extent practicable (and to use COVID-19 risk mitigation practices in their operation).</p>	<p><b>Rule 1:</b> All individuals currently within the County are ordered to stay at their residence or place of lodging. All persons may leave their residence or place of lodging only for Essential Activities, Essential Government Functions, or to operate Essential Businesses, as defined in these Rules.</p>	<p>Pursuant to HRS §127A-12(a)(5)(D), §127A-12(c)(12), and §127A-25, a curfew from 9:00 pm to 5:00 am is established. Every individual within the County of Kaua'i must remain in their residence during the specified hours. The only exceptions to this rule are individuals:</p> <ol style="list-style-type: none"> <li>1. Commuting to and from work;</li> <li>2. Working for an essential service provider whose shifts are within the curfew window;</li> <li>3. Delivery services associated with food service establishments or stores that sell food and household supplies; and</li> <li>4. Seeking medical attention.</li> </ol>
<b>PERMITTED ACTIVITIES OUTSIDE THE HOME</b> <b>Engaging in Essential Activities</b>			

STATE OF HAWAII	CITY & COUNTY OF HONOLULU	COUNTY OF MAUI	COUNTY OF KAUAI
<p>Permitted Activities Outside the Home or Place of Residence. This order shall not apply to the following activities outside a person's home or place of residence:</p> <ol style="list-style-type: none"> <li>1. Travel for health and safety;</li> <li>2. Travel to engage in, receive or obtain goods or services from the essential businesses or operations identified herein;</li> <li>3. Travel to engage in minimum basic operations of non-essential businesses, including the minimum necessary activities to maintain the value of the business's inventory, ensure security, process payroll and employee benefits, and related functions as well as the minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences;</li> <li>4. Travel to care for elderly, minors, dependents, persons with disabilities, or other high risk persons;</li> <li>5. Travel from a person's home or place of residence to the nearest airport or other facility for departure from the State;</li> <li>6. Travel required by law enforcement or court order, including to transport children pursuant to a custody agreement;</li> <li>7. Outdoor exercise activities, including ocean activities such as surfing and swimming, so long as social distancing requirements are maintained; and</li> <li>8. Walking pets on a leash.</li> </ol>	<p>Individuals may leave their residence only to perform any of the following "Essential Activities." However, people at high risk of severe illness from COVID-19 and people who are sick are urged to stay in their residence to the extent possible except as necessary to seek medical care.</p> <ol style="list-style-type: none"> <li>1. To engage in activities or perform tasks essential to their health and safety, or to the health and safety of their family or household members (including, but not limited to, pets), such as, by way of example only and without limitation, obtaining medical supplies or medication, visiting a health care professional, or obtaining supplies needed to work from home.</li> <li>2. To obtain necessary services or supplies for themselves and their family or household members, or to deliver those services or supplies to others, such as, by way of example only and without limitation, canned food, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, and any other household consumer products, and products necessary to maintain the safety, sanitation, and essential operation of residences.</li> <li>3. To engage in outdoor activity in locations as allowed by law, provided the individuals comply with Social Distancing Requirements as defined in this section, such as, by way of example and without limitation, walking, hiking, or running (with or without pets).</li> <li>4. To perform work providing essential products and services at an Essential Business or to otherwise carry out activities specifically permitted in this Order, including Minimum Basic Operations.</li> <li>5. To care for a family member or pet in another household.</li> </ol>	<p>Essential activities (except for those in quarantine) include:</p> <ol style="list-style-type: none"> <li>1. Tasks essential to maintain health and safety, such as obtaining medicine or seeing a doctor;</li> <li>2. Getting necessary services or supplies for an individual or that individual's family or household members, such as getting food, pet food, and supplies necessary for staying at home;</li> <li>3. Engaging in solitary outdoor activity, such as walking, hiking, or running;</li> <li>4. Performing work related to operation of an essential business or essential government function (defined below);</li> <li>5. Caring for a family member in another household;</li> <li>6. Caring for elderly, minors, dependents, person with disabilities, or other vulnerable persons.</li> </ol>	<p>Local Rules Repect to this section: See and add to Governors Order:</p> <p>Gov #2: One (1) person per household recommended at a time to limit exposure of the other members of the household.</p> <p>Gov #3: Online work encouraged as much as possible. Social distancing is required.</p> <p>Gov #4: One (1) person per household recommended at a time to limit exposure of the other members of the household.</p> <p>Gov #5: Also includes picking up arrivals at the airport.</p> <p>Gov #7: Reaffirming that Mayor's Emergency Rule #4 in effect. Only with members of same household encouraged. Must maintain 6 feet of separation in public spaces.</p> <p>Gov #8: Only with members of same household encouraged. Must maintain 6 feet of separation in public spaces.</p>
<b>Engaging in Essential Government Functions</b>			
<p>Government functions. For purposes of this Third Supplementary Proclamation, all first responders, emergency management personnel, emergency dispatchers, health workers, court personnel, law enforcement and corrections personnel, hazardous materials responders, child protection and child welfare personnel, housing and shelter personnel, national guard, and other governmental employees working for or to support essential businesses and operations are exempt. Nothing in this Third Supplementary Proclamation shall prohibit any person from performing or accessing essential governmental functions. Furthermore, this Third Supplementary Proclamation does not apply to the United States government.</p>	<p>For purposes of this Order, all first responders, emergency management personnel, emergency dispatchers, court personnel, and law enforcement personnel, jails and prisons personnel, and others working for or to support Essential Businesses are categorically exempt from this Order. Further, nothing in this Order shall prohibit any individual from performing or accessing "Essential Governmental Functions." "Essential Governmental Functions" means all services needed to ensure the continuing operation of the government agencies and provide for the health, safety and welfare of the public. All Essential Governmental Functions shall be performed in compliance with Social Distancing Requirements as defined this section, to the extent possible.</p>	<p>Includes all services needed to ensure the continuing operation of the government agencies and provide for the health, safety, and welfare of the public. **All first responders, emergency management personnel, emergency dispatchers, and law enforcement personnel, as well as others working to support essential government or essential business functions are categorically exempt from these Rules.</p>	<p>Must have government identification while conducting business, or be conducting work in a clearly marked government vehicle.</p>
<b>Engaging in Essential Business Functions</b>			
<p>Work in essential businesses or operations. Persons may travel to and from the following essential businesses and operations to the extent that such businesses or operations cannot be conducted through remote technology from homes or places of residence. Businesses include for-profit, non-profit, or educational entities, regardless of the nature of the service, the function they perform, or their corporate or entity structure. Note: See lists of essential business functions below.</p>	<p>All Essential Businesses are strongly encouraged to remain open. To the greatest extent feasible, Essential Businesses shall comply with Social Distancing Requirements (defined in Section II), including by maintaining six-foot social distancing for both employees and members of the public, including, but not limited to, customers standing in line.</p>	<p>Essential businesses may remain open. Includes businesses conducting legally mandated activities. To limit exposure to the virus for those most vulnerable, all stores selling groceries and household consumer products shall provide shopping hours where only people over the age of 60, or who have pre-existing medical conditions, will be permitted to shop. Notice of the date and time for special shopping hours shall be posted at the front entrance of each store. Note: List of essential businesses are referenced below.</p>	
<b>Work at Home Permitted</b>			

STATE OF HAWAII	CITY & COUNTY OF HONOLULU	COUNTY OF MAUI	COUNTY OF KAUAI
<p>Work in essential businesses or operations. Persons may travel to and from the following essential businesses and operations to the extent that such businesses or operations cannot be conducted through <u>remote technology from homes or places of residence</u>. Businesses include for profit, non-profit, or educational entities, regardless of the nature of the service, the function they perform, or their corporate or entity structure.</p>	<p>For clarity, businesses may also continue operations consisting exclusively of employees or contractors performing activities at their own residences (i.e., working from home). All Essential Businesses are strongly encouraged to remain open. To the greatest extent feasible, Essential Businesses shall comply with Social Distancing Requirements (defined in Section II), including by maintaining six-foot social distancing for both employees and members of the public, including, but not limited to, customers standing in line.</p>		
<b>Cease Non-Essential Business Operations</b>			
<p>All businesses or operations not identified as federal critical infrastructure sectors at <a href="https://www.cisa.gov/identifyingcritical-infrastructure-during-covid-19">https://www.cisa.gov/identifyingcritical-infrastructure-during-covid-19</a> or designated by the Director of HIEMA or listed below, must cease</p>	<p><b>Order 2:</b> All businesses with a facility in the City, except Essential Businesses (as defined in Section II), are required to cease all activities within such facilities, except <u>Minimum Basic Operations</u> (as defined in Section II). For the purposes of this Order, "Minimum Basic Operations" include the following, provided that employees comply with Social Distancing Requirements as defined this section, to the extent possible, while carrying out such operations:</p> <ol style="list-style-type: none"> <li>1. The minimum necessary activities to maintain the value of the business's inventory, ensure security, process payroll and employee benefits, or for related functions.</li> <li>2. The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences.</li> </ol>	<p><b>Rule 8:</b> All bars, nightclubs, theaters, public gathering venues, and tourist attractions are ordered closed. <b>Rule 9:</b> Gyms, recreational facilities, and other places of public gathering are closed. <b>Rule 11:</b> Non-essential businesses shall close.</p>	<p>The following list of businesses are closed:</p> <ul style="list-style-type: none"> <li>• Bars and clubs.</li> <li>• Restaurants and cafes that serve food, except solely for drive-thru, pickup, or delivery service.</li> <li>• Theatres, entertainment centers, and visitor attractions.</li> </ul>
<b>Engaging in Essential Infrastructure Functions</b>			
<p>All persons within the State of Hawai'i are ordered to stay at home or in their place of residence except as necessary to maintain continuity of operations of the federal critical infrastructure sectors, as identified at <a href="https://www.cisa.gov/identifyingcritical-infrastructure-during-covid-19">https://www.cisa.gov/identifyingcritical-infrastructure-during-covid-19</a> and as further designated below or by the Director of the Hawai'i Emergency Management Agency (HIEMA).</p>	<p>For purposes of this Order, individuals may leave their residence to provide any services or perform any work necessary to the operations and maintenance of "Essential Infrastructure," including, but not limited to, public works construction, construction of housing (in particular affordable housing or housing for individuals experiencing homelessness), airport operations, water, sewer, gas, electrical, oil refining, roads and highways, public transportation, solid waste collection and removal, internet, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services), provided that they carry out those services or that work in compliance with Social Distancing Requirements as defined this section, to the extent possible. This Order shall be construed and applied in compliance and consistent with the United States Department of Homeland Security, Cybersecurity &amp; Infrastructure Security Agency Memorandum on Identification of Essential Critical Infrastructure Workers During COVID-19 Response, dated March 19,2020 (and any subsequent guidance memoranda thereto).</p>	<p>Essential infrastructure, including operation of public transportation and utilities</p>	
<b>No Public or Private Gatherings</b>			

STATE OF HAWAII	CITY & COUNTY OF HONOLULU	COUNTY OF MAUI	COUNTY OF KAUAI
<p>Prohibited Activities Outside the Home or Place of Residence. Pursuant to current guidance from the CDC, any gathering of more than ten people is prohibited unless exempted by this Third Supplementary Proclamation. Nothing herein prohibits the gathering of members of a household or residence. All other places of public gathering, whether indoors or outdoors, including but not limited to fitness centers, gyms, locations with amusement rides, carnivals, water parks, aquariums, zoos, museums, arcades, fairs, children's play centers, playgrounds, funplexes, theme parks, bowling alleys, movie and other theaters, concert and music halls, and social clubs shall be closed to the public.</p>	<p><b>Order 3:</b> All public and private gatherings of any number of people occurring outside a single household or living unit are prohibited, except for the limited purposes as expressly permitted in Section II. Nothing in this Order prohibits the gathering of members of a household or living unit.</p>	<p><b>Rule 4:</b> All public and private gatherings of any number of people occurring outside a single household or living unit are prohibited, except for the limited purposes expressly permitted in these Rules.</p>	
<b>Six-Foot Social Distancing Requirement</b>			
<p>All essential businesses and operations identified herein and persons engaged in permitted activities identified herein, shall exercise the following social distancing requirements to the fullest extent possible:</p> <ol style="list-style-type: none"> <li>1. Six-foot distances. All persons shall maintain a minimum of six-feet of physical separation from all other persons to the fullest extent possible. Essential businesses and operations shall designate with signage, tape, or by other means sixfoot spacing for employees and customers in line to maintain appropriate distance.</li> <li>2. Hand sanitizer and sanitizing products. Essential businesses and operations shall make hand sanitizer and sanitizing products readily available for employees and customers.</li> <li>3. Separate operating hours for high risk populations. Essential businesses and operations shall implement separate operating hours for elderly and high risk customers. High risk persons, including those who are sick, are urged to stay in their residence to the extent possible except as necessary to seek medical care.</li> <li>4. Online and remote access. Essential businesses and operations shall post online whether a facility is open and how best to reach the facility and continue services by phone or remotely.</li> </ol>	<p>For purposes of this order Social Distancing Requirements includes maintaining at least six-foot social distancing from other individuals, washing hands with soap and water for at least twenty seconds as frequently as possible or using hand sanitizer, covering coughs or sneezes (into the sleeve or elbow, not hands), regularly cleaning high-touch surfaces, and not shaking hands.</p>	<p><b>Rule 5:</b> Any concentration of individuals outside their home must be limited to workers providing essential services and social distancing must be practiced.</p> <p><b>Rule 6:</b> Businesses and entities that provide essential services must implement rules that help facilitate social distancing of at least 6 feet.</p>	<p>For the purposes of this rule, "Social Distancing" includes maintaining at least six (6) foot social distancing from other individuals, washing hands with soap and water for at least twenty seconds as frequently as possible or using hand sanitizer, covering coughs or sneezes (into sleeve or elbow, not hands), regularly cleaning high-touch surfaces, and not shaking hands.</p>
<b>Travel Restrictions</b>			
<p>Persons may travel to and from the following essential businesses and operations to the extent that such businesses or operations cannot be conducted through remote technology from homes or places of residence.</p>	<p><b>Order 4:</b> All travel, including, but not limited to, travel on foot, bicycle, scooter, motorcycle, automobile, or public transit, except Essential Travel and Essential Activities (as defined in Section II), is prohibited. People must use public transit only for purposes of performing Essential Activities or to travel to and from work to operate Essential Businesses or maintain Essential Governmental Functions. People riding on public transit must comply with Social Distancing Requirements (as defined in Section II), to the greatest extent feasible. This Order allows travel into or out of the City to perform Essential Activities, operate Essential Businesses, or maintain Essential Governmental Functions.</p>	<p><b>Rule 14:</b> All travel, including, but not limited to, travel on foot, bicycle, scooter, motorcycle, automobile, or public transit must be limited to essential activities or operation of essential business of essential government function.</p>	<p>Every individual within the County of Kaua'i must remain in their residence during the specified hours. The only exceptions to this rule are individuals:</p> <ol style="list-style-type: none"> <li>1. Commuting to and from work;</li> <li>2. Commuting to and from the airport;</li> <li>3. Subsistence fishing or hunting;</li> <li>4. Conducting work for an essential services provider;</li> <li>5. Delivery services associated with food service establishments or stores that sell food and household supplies; and</li> <li>6. Seeking medical attention.</li> </ol>

STATE OF HAWAII	CITY & COUNTY OF HONOLULU	COUNTY OF MAUI	COUNTY OF KAUAI
	<p>For the purposes of this Order, "Essential Travel" includes travel for any of the following purposes. Individuals engaged in any Essential Travel must comply with all Social Distancing Requirements as defined in this section.</p> <ol style="list-style-type: none"> <li>1. Any travel related to the provision of or access to Essential Activities, Essential Governmental Functions, Essential Businesses, or Minimum Basic Operations.</li> <li>2. Travel to care for elderly, minors, dependents, persons with disabilities, or other vulnerable persons.</li> <li>3. Travel to or from educational institutions for purposes of receiving materials for distance learning, for receiving meals, and any other related services.</li> <li>4. Travel to return to a place of residence from outside the jurisdiction.</li> <li>5. Travel required by law enforcement or court order.</li> <li>6. Travel required for non-residents to return to their place of residence outside the City. Individuals are strongly encouraged to verify that their transportation out of the City remains available and functional prior to commencing such travel.</li> </ol>		
<b>PERSONS EXPERIENCING HOMELESSNESS</b>			
<p>Persons experiencing homelessness are exempt from Section I of this Third Supplementary Proclamation but must comply with the social distancing requirements to the fullest extent possible and are strongly urged to obtain shelter. Governmental and other entities are strongly urged to make such shelter available as soon as possible and to the maximum extent practicable and to use in their operation COVID-19 risk mitigation practices recommended by the CDC.</p>	<p>Individuals experiencing homelessness are exempt from this section, but are strongly urged to obtain shelter, and governmental and other entities are strongly urged to make such shelter available as soon as possible and to the maximum extent practicable (and to use COVID-19 risk mitigation practices in their operation).</p>		
<b>FINES AND PENALTIES</b>			
<p>Criminal Penalties. Any person who intentionally or knowingly violates any provision set forth in this Section I shall be guilty of a misdemeanor, and upon conviction, the person shall be fined not more than \$5,000, or imprisoned not more than one year, or both.</p>	<p>Violation of any of the Rules is punishable as a misdemeanor, with fines of up to \$5,000, up to a year in jail, or both.</p>	<p>Violation of any of the following rules is punishable as a misdemeanor, with fines of up to \$5,000, up to a year in jail, or both.</p>	<p>Upon conviction, the person shall be fined not more than \$5,000, or imprisoned not more than one year, or both.</p>
<b>DURATION OF THE ORDERS</b>			
<p>This order shall take effect on March 25, 2020 at 12:01 am and remain in place until 11:59 pm on April 30, 2020.</p>	<p>This Order is effective at 4:30p.m. on Monday, March 23, 2020, and will continue through Thursday, April 30, 2020, at 4:30 p.m.</p>	<p>These rules shall take effect on Wednesday, March 25, 2020 at 12:01 a.m. and repeal the Emergency Rules promulgated March 21, 2020. With the exception of Rule 3, these Rules shall be repealed upon the earlier of: 1) subsequent promulgation or 2) April 30, 2020.</p>	
<b>ESSENTIAL BUSINESSES FUNCTIONS</b> Able to Remain Open for Business, subject to Social Distancing Healthcare Operations and Services			

STATE OF HAWAII	CITY & COUNTY OF HONOLULU	COUNTY OF MAUI	COUNTY OF KAUAI
Healthcare services and facilities. Hospitals, clinics, physician offices, assisted living facilities, and other healthcare facilities and services	"Healthcare Operations" including hospitals, clinics, dentists, pharmacies, pharmaceutical and biotechnology companies, other healthcare facilities, healthcare suppliers, home healthcare services providers, mental health providers, or any related and/or ancillary healthcare services, organizations collecting blood, platelets, plasma, and other necessary materials, licensed medical marijuana dispensaries and licensed medical marijuana production centers, eye care centers, including those that sell glasses and contact lenses. "Healthcare Operations" also includes veterinary care and all healthcare services provided to animals. Further, "Healthcare Operations" includes prepaid health care plan contractors as that term is defined under Haw. Rev. Stat. ch. 393, and other employer-sponsored health and welfare benefit plans, and/or individual or group health insurance plans that provides healthcare insurance benefits for payment or reimbursement for healthcare services provided by Healthcare Operations. This exemption shall be construed broadly to avoid any impacts to the delivery of healthcare, broadly defined. "Healthcare Operations" does not include fitness and exercise gyms and similar facilities.	Healthcare operations, including home health workers	Includes those training medical professionals finishing a course of study and expected to immediately enter the health response to the disaster.
<b>Grocery and Drug Stores</b>			
Stores that sell groceries and medicine. Grocery stores, pharmacies, licensed medical cannabis dispensaries, certified farmers' markets, farm and produce stands, supermarkets, convenience stores, and other establishments engaged in the sale of groceries, canned food, dry goods, frozen foods, fresh fruits and vegetables, pet supplies, fresh meats, fish, and poultry, alcoholic and non-alcoholic beverages, and any other household consumer products (such as cleaning and personal care products). This includes establishments that sell groceries, medicine, including medication not requiring a medical prescription, supplies for children under the age of five and also that sell other non-grocery products, and products necessary to maintain the safety, sanitation, health and essential operation of residences and essential businesses and operations.	Grocery stores, certified farmers' markets, farm and produce stands, supermarkets, food banks, convenience stores, and other establishments engaged in the retail sale of canned food, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, and any other household consumer products (such as cleaning and personal care products). This includes stores that sell groceries and also sell other nongrocery products, and products necessary to maintaining the safety, sanitation, and essential operation of residences.	<p>*Grocery stores, food banks, convenience stores.</p> <p>*To limit exposure to the virus for those most vulnerable, all stores selling groceries and household consumer products shall provide shopping hours where only people over the age of 60, or who have pre-existing medical conditions, will be permitted to shop. Notice of the date and time for special shopping hours shall be posted at the front entrance of each store.</p> <p>*Pharmacies, health care supply stores, and health care facilities</p>	<p>*Must primarily provide the products (e.g. an establishment that sells snacks on the side is not a store under this rule).</p> <p>*Establishments under 2,500 square feet must only allow 5 patrons at a time.</p> <p>*Establishments 2,500 to 5,000 square feet must only allow 10 patrons at a time</p> <p>*Establishments 5,001 to 10,000 square feet must only allow 25 patrons at a time</p> <p>*Establishments 10,001 to 25,000 square feet must only allow 50 patrons at a time</p> <p>Establishments 25,001 to 50,000 square feet must only allow 75 patrons at a time.</p> <p>*Establishments over 50,001 square feet must allow only 100 patrons at a time.</p> <p>*All establishments must implement controls to discourage hoarding of essential supplies.</p> <p>*All establishments must establish wait in line procedures that require patrons waiting to enter must be six (6) feet apart at all times.</p>
<b>Food, Beverage, and Agriculture Production</b>			
Food, beverage, cannabis production and agriculture. Food and beverage manufacturing, production, processing, and cultivation, including farming, livestock, hunting, gathering, fishing, baking, and other agriculture, including marketing, production, cultivation and distribution of animals and goods for consumption; licensed cannabis cultivation centers; and businesses that provide food, shelter, and other necessities of life for animals, including animal shelters, rescues, shelters, kennels, and adoption facilities	Food cultivation, including farming, livestock, and fishing	Agricultural operations, provided measures are implemented to ensure worker safety, including a minimum of six feet of distancing between individuals	<p>*Cannabis production only for medical cannabis.</p> <p>*Fishing includes subsistence and commercial fishing for fish sales, not recreational or sport fishing.</p> <p>*Food production means food for consumption.</p> <p>*Any indoor facilities must require social distancing consistent with the CDC guidelines.</p>
<b>Education Institutions</b>			

STATE OF HAWAII	CITY & COUNTY OF HONOLULU	COUNTY OF MAUI	COUNTY OF KAUAI
Educational institutions. Educational institutions – including public and private pre-K-12 schools, colleges, and universities – for purposes of implementing appropriate learning measures, performing critical research, or performing essential functions, provided that the social distancing requirements identified herein are maintained to the greatest extent possible	Educational institutions-including public and private K-12 schools, colleges, and universities-for purposes of facilitating distance learning, performing critical research, or performing essential functions, provided that social distancing of six-feet per person is maintained to the greatest extent possible.	Educational institutions, both public and private, K – 12 schools, colleges and universities, for purposes of facilitating distance learning, performing critical research or performing essential functions	Class sizes, including the teacher, cannot be more than five (5) individuals.
<b>Charitable Organizations</b>			
Organizations that provide charitable and social services. Businesses and religious and secular nonprofit organizations, including food banks, when providing food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals, individuals who need assistance as a result of this emergency, and people with disabilities	Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals	Businesses that provide necessities of life for economically disadvantaged individuals and shelter facilities	*Organizations must be actively providing the needs articulated. Any gathering or work space cannot be more than five (5) individuals. *Recommend strongly that religious gatherings be postponed.
<b>Media</b>			
Media. Newspapers, television, radio, and other media services	Newspapers, television, radio, and other media services	Newspapers, television, radio, and other media	
<b>Gas, Auto Repair, and Auto Supply</b>			
Gas stations and businesses needed for transportation. Gas stations and auto-supply, auto-repair, and related facilities and bicycle shops and related facilities	Gas stations and auto and bicycle supply, auto and bicycle repair, towing services, and related facilities	Gas stations, auto repair facilities, and auto supply stores	*Essential maintenance only (no paint jobs, detailing, etc.). *Establishments under 2,500 square feet must only allow 5 patrons at a time. *Establishments 2,500 to 5,000 square feet must only allow 10 patrons at a time *Establishments 5,001 to 10,000 square feet must only allow 15 patrons at a time *Establishments 10,001 to 25,000 square feet must only allow 25 patrons at a time *Establishments 25,001 to 50,000 square feet must only allow 30 patrons at a time. *Establishments over 50,000 square feet must allow only 50 patrons at a time. *All establishments must Implement controls to discourage hoarding of essential supplies. *All establishments must establish wait in line procedures that require patrons waiting to enter must be six (6) feet apart at all times.
<b>Banks and Financial Institutions</b>			

STATE OF HAWAII	CITY & COUNTY OF HONOLULU	COUNTY OF MAUI	COUNTY OF KAUAI
<p>Financial institutions. Financial institutions, currency exchanges, consumer lenders, including but not limited to payday lenders, pawnbrokers, consumer installment lenders and sales finance lenders, credit unions, appraisers, title companies, financial markets, trading and futures exchanges, affiliates of financial institutions, entities that issue bonds, related financial institutions, and institutions selling financial products</p>	<p>Banks and related financial institutions. This provision shall be construed and applied in compliance and consistent with the United States Department of Homeland Security, Cybersecurity &amp; Infrastructure Security Agency Memorandum on Identification of Essential Critical Infrastructure Workers During COVID-19 Response, dated March 19, 2020 (and any subsequent guidance memoranda thereto), and the United States Department of the Treasury Memorandum for Financial Services Sector Essential Critical Infrastructure Workers, dated March 22, 2020 (and any subsequent guidance memoranda thereto)</p>	<p>Financial institutions</p>	<p>*Online banking must be heavily promoted as an option to remain open.            *Establishments under 2,500 square feet must only allow 5 patrons at a time.            *Establishments 2,500 to 5,000 square feet must only allow 10 patrons at a time            *Establishments 5,001 to 10,000 square feet must only allow 15 patrons at a time            *Establishments 10,001 to 25,000 square feet must only allow 25 patrons at a time            *Establishments 25,001 to 50,000 square feet must only allow 30 patrons at a time.            *Establishments over 50,000 square feet must allow only 50 patrons at a time.            *All establishments must implement controls to discourage hoarding of essential supplies. *All establishments must establish wait in line procedures that require patrons waiting to enter must be six (6) feet apart at all times.</p>
<b>Hardware and Supply Stores</b>			
<p>Hardware and supply stores. Hardware stores and businesses that sell electrical, plumbing, and heating material;</p>	<p>Hardware stores</p>	<p>Hardware, lumber, and other building material stores</p>	<p>*Must primarily provide the products (e.g. an establishment that sells hammers on the side is not a store under this rule).            *Establishments under 2,500 square feet must only allow 5 patrons at a time.            *Establishments 2,500 to 5,000 square feet must only allow 10 patrons at a time            *Establishments 5,001 to 10,000 square feet must only allow 25 patrons at a time            *Establishments 10,001 to 25,000 square feet must only allow 50 patrons at a time            *Establishments 25,001 to 50,000 square feet must only allow 75 patrons at a time.            *Establishments over 50,001 square feet must allow only 100 patrons at a time.            *All establishments must implement controls to discourage hoarding of essential supplies.            *All establishments must establish wait in line procedures that require patrons waiting to enter must be six (6) feet apart at all times.</p>
<b>Critical Trades</b>			
<p>Critical trades. Building and Construction Tradesmen and Tradeswomen, and other trades including but not limited to plumbers, electricians, exterminators, cleaning and janitorial staff for commercial and governmental properties, security staff, operating engineers, HVAC, painting, moving and relocation services, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, essential activities, and essential businesses and operations</p>	<p>Critical trades. Building and construction tradesmen and tradeswomen, and other trades, including but not limited to, plumbers, electricians, exterminators, cleaning and janitorial staff for commercial and governmental properties, security staff, operating engineers, HV AC, painting, moving and relocation services, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operations of residences, Essential Activities, and Essential Businesses, provided that they must, at all times reasonably possible, comply with Social Distancing Requirements defined in this section.</p>	<p>*Maintenance service providers, such as plumbers, electricians, exterminators, and other service providers necessary to maintain the safety, sanitation, and essential operation of residences and businesses; and Refuse collection.            *Construction and maintenance, public and private, provided it is conducted in workplaces in a manner that ensures worker safety, including a minimum of six feet of distancing between individuals</p>	<p>*Does not include new market home, or commercial construction. Essential maintenance and repairs only, and construction related to the response and recovery effort as directed by a governmental agency.            *Utility and refuse workers are critical trade employees if actively engaging in work for that business.</p>



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	<p>*Plumbers, electricians, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, Essential Activities, and Essential Businesses.</p> <p>*Licensed private detectives and agencies and guards and agencies as those terms are defined under Haw. Rev. Stat. ch. 463.</p>		
<b>Mail and Delivery Services</b>			
<p>Mail, post, shipping, logistics, delivery, and pick-up services. Post offices and other businesses that provide shipping and delivery services, and businesses that ship or deliver groceries, food, alcoholic and non-alcoholic beverages, goods or services to end users or through commercial channels</p>	<p>Businesses providing mailing and shipping and delivery services, and businesses that ship or deliver groceries, food, alcoholic and non-alcoholic beverages, goods or services to residences and end users or through commercial channels, and including post office boxes.</p>	<p>Businesses that primarily ship or deliver groceries, food, and goods</p>	
<b>Laundry Services</b>			
<p>Laundry services. Laundromats, dry cleaners, industrial laundry services, laundry rooms in hotels, condominiums, townhomes, apartments, and other multi-unit dwelling structures, and laundry service providers</p>	<p>Laundromats, dry cleaners, industrial laundry services, and laundry service providers</p>	<p>Laundromats and laundry service providers</p>	<p>*Establishments under 2,500 square feet must only allow 5 patrons at a time.            *Establishments 2,500 to 5,000 square feet must only allow 10 patrons at a time            *Establishments 5,001 to 10,000 square feet must only allow 15 patrons at a time            *Establishments 10,001 to 25,000 square feet must only allow 25 patrons at a time                *Establishments 25,001 to 50,000 square feet must only allow 30 patrons at a time.            *Establishments over 50,000 square feet must allow only 50 patrons at a time.            *All establishments must establish wait in line procedures that require patrons waiting to enter must be six (6) feet apart at all times.</p>
<b>Restaurants</b>			
<p>Restaurants for consumption off-premises. Restaurants and other facilities that prepare and serve food, but only for consumption off-premises, through such means as in-house delivery, third-party delivery, drive-through, curbside pick-up, and carry-out. Entities that typically provide food services to members of the public may continue to do so under this Third Supplementary Proclamation on the condition that the food is provided on a pick-up, delivery or takeaway basis only. Entities that provide food services under this exemption shall not permit the food to be eaten at the site where it is provided, or at any other gathering site due to the virus's propensity to physically impact surfaces and personal property</p>	<p>Restaurants and other facilities that prepare and serve food, but only for delivery or carry out. a. Schools and other entities that typically provide food services to students or members of the public may continue to do so under this Order on the condition that the food is provided to students or members of the public on a pick-up and takeaway basis only, provided that social distancing of six-feet per person is maintained to the greatest extent possible. Schools and other entities that provide food services under this exemption shall not permit the food to be eaten at the site where it is provided, or at any other gathering site. b. Cafeterias, lunchrooms, or dining facilities providing food and beverage services located within "healthcare facilities" as that term is defined under Haw. Rev. Stat. § 321-15.2 and similar facilities, may continue to do so under this order, provided that consumption within the cafeteria, lunchroom, or dining facility located within the healthcare facility is restricted to employees B39of the healthcare facility~ patients of the healthcare facility~ and no more than two (2) authorized visitors of the patient of the healthcare facility that have been appropriately screened by the healthcare facility in compliance with all of the facility's protocols related to infectious disease control measures and processes.~</p>	<p>Restaurants and cafes that serve food within the premises shall be closed for inside seating but will be allowed to provide takeout and delivery service</p>	<p>*Restaurants must establish a front counter procedure that allows no more than one (1) household at a time into the restaurant.            *All establishments must establish wait in line procedures that require patrons waiting to enter must be six (6) feet apart at all times.            *Food cannot be consumed on site, including outdoor spaces.            *Electronic commerce encouraged, cash is discouraged.</p>
<b>Supplies to Work from Home</b>			

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Supplies to work from home. Businesses that sell, manufacture, or supply products needed for people to work from home	Businesses that supply products needed for people to work from home		Limited to essential supplies. Electronic commerce encouraged, cash is discouraged.
<b>Supplies for Essential Business Operations</b>			
Supplies for essential businesses and operations. Businesses that sell, manufacture, or supply other essential businesses and operations with the support or materials necessary to operate, including computers, audio and video electronics, household appliances; IT and telecommunication equipment; hardware, paint, flat glass; 5 of 8 electrical, plumbing and heating material; sanitary equipment; personal hygiene products; food, food additives, ingredients and components; medical and orthopedic equipment; optics and photography equipment; diagnostics, food and beverages, chemicals, soaps and detergent; and firearm and ammunition suppliers and retailers for purposes of safety and security	Businesses that supply other essential businesses with the support or supplies necessary to operate	Businesses that supply other essential business with the support or supplies necessary to operate	*Establishments under 2,500 square feet must only allow 5 patrons at a time. *Establishments 2,500 to 5,000 square feet must only allow 10 patrons at a time Establishments 5,001 to 10,000 square feet must only allow 15 patrons at a time *Establishments 10,001 to 25,000 square feet must only allow 25 patrons at a time *Establishments 25,001 to 50,000 square feet must only allow 30 patrons at a time. *Establishments over 50,000 square feet must allow only 50 patrons at a time. *All establishments must establish wait in line procedures that require patrons waiting to enter must be six (6) feet apart at all times.
<b>Transportation</b>			
Transportation. Airlines, taxis, transportation network providers (such as Uber and Lyft), vehicle rental services, paratransit, and other private, public, and commercial transportation and logistics providers necessary for essential activities and other purposes expressly authorized in this Third Supplementary Proclamation	Airlines, taxis, and other private transportation providers, vehicle rental services, paratransit, and other private, public, and commercial transportation and logistics providers providing transportation services necessary for Essential Activities and other purposes expressly authorized in this Order	Essential infrastructure, including operation of public transportation and utilities	Only to conduct or access essential businesses or operations. Must apply social distancing protocols prescribed by the CDC and enhanced sanitation and hygiene.
<b>Homecare</b>			
Home-based care and services. Home-based care for adults, seniors, children, and/or people with developmental disabilities, intellectual disabilities, substance use disorders, and/or mental illness, including caregivers such as nannies who may travel to the child's home to provide care, and other in-home services including meal delivery	Home-based care for seniors, adults, or children, and/or people with developmental disabilities, intellectual disabilities, substance use disorders, and/or mental illness, including care givers such as nannies who may travel to the child's home to provide care, and other in-home services, including meal delivery		Must apply social distancing protocols prescribed by the CDC and enhanced sanitation and hygiene.
<b>Residential Facilities</b>			
Residential facilities and shelters. Residential facilities and shelters for adults, seniors, children, and/or people with developmental disabilities, intellectual disabilities, substance use disorders, and/or mental illness	Residential facilities and shelters for seniors, adults, and children, and/or people with developmental disabilities, intellectual disabilities, substance use disorders, and/or mental illness		Must apply social distancing protocols prescribed by the CDC and enhanced sanitation and hygiene. Visitors discouraged.
<b>Professional Services</b>			
Professional services. Professional services, such as legal services, accounting services, insurance services, real estate services (including appraisal and title services)	Professional services, such as legal or accounting services, insurance services, real estate services (including appraisals and title services) when necessary to assist in compliance with legally mandated activities		Only as essential to maintain essential businesses or operations. Tax services are not essential given the federal and state extensions for filing.
<b>Childcare Facilities</b>			
Child care services for employees exempted by this Order. Child care services, licensed or authorized under the law, for the children of employees exempted by this Third Supplementary Proclamation	Childcare facilities providing services that enable employees exempted in this Order to work as permitted. To the extent possible, childcare facilities must operate under the following mandatory conditions. a. Childcare must be carried out in stable groups of 12 or fewer ("stable" means that the same 12 or fewer children are in the same group each day). b. Children shall not change from one group to another. c. If more than one group of children is cared for at one facility, each group shall be in a separate room. Groups shall not mix with each other. d. Childcare providers shall remain solely with one group of children.	Childcare facilities providing services that enable essential employees to go to work.	Class sizes, including the teacher, cannot be more than 5 individuals.

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<b>Manufacturing</b>			
Manufacture, distribution, and supply chain for critical products and industries. Manufacturing companies, distributors, and supply chain companies producing and supplying essential products and services in and for industries such as pharmaceutical, technology, biotechnology, healthcare, chemicals and sanitization, waste pickup and disposal, agriculture, food and beverage, transportation, energy, steel and steel products, petroleum and fuel, mining, construction, national defense, communications, as well as products used by essential businesses and operations	Various aspects of manufacturing are included in the County's definition of activities in essential businesses, essential infrastructure, and essential healthcare functions.	Various aspects of manufacturing are included in the County's listing of essential businesses.	
<b>Labor Unions Functions</b>			
Critical labor union functions. Labor Union essential activities including the administration of health and welfare funds and personnel checking on the 6 of 8 well-being and safety of members providing services in essential businesses and operations – provided that these checks should be done remotely where possible	Critical labor union functions that are essential activities that include the administration of health and welfare funds and personnel checking on the well-being and safety of members providing services in Essential Businesses, provided that these checks should be done by telephone or remotely.		
<b>Hotels and Motels</b>			
Hotels and motels. Hotels and motels, to the extent used for lodging and delivery or carry-out food services	Hotels and motels, to the extent used for lodging; and service providers to hotels and motels that provide services that are necessary to maintaining the safety, sanitation, and essential operations of the hotel and/or motel, provided that they must, at all times reasonably possible, comply with Social Distancing Requirements defined in this section	Hotels and motels, to the extent used for lodging; and service providers to hotels and motels that provide services that are necessary to maintaining the safety, sanitation, and essential operations of the hotel and/or motel	Tourist usage is discouraged. Individuals staying at these properties are not allowed to utilize any common spaces like pools, game rooms, and spas, etc.
<b>Funeral Services</b>			
Funeral services. Funeral, mortuary, cremation, burial, cemetery, and related services	Funeral, mortuary, cremation, burial, cemetery, and related services, provided, the services provided must comply with Social Distancing Requirements defined in this section at all times reasonably possible.	Funeral, mortuary, cremation, burial, cemetery, and related services, provided, the services provided must comply with Social Distancing Requirements at all times reasonably possible	A funeral may not exceed 10 individuals.
<b>Animal Care</b>			
Exemptions include ... other necessities of life for animals, including animal shelters, rescues, shelters, kennels, and adoption facilities.	Businesses that provide food, shelter, and other necessities of life for animals, including animal shelters, rescues, kennels, and adoption facilities, provided they must, at all times reasonably possible, comply with Social Distancing Requirements defined in this section	Businesses that provide food, shelter, and other necessities of life for animals, including animal shelters, rescues, kennels, and adoption facilities	

NOTE: Kauai Emergency Rule #5, as amended, applies to Local Rules relevant to Governor's Third Supplemental Proclamation