Monday, March 23, 2020

On Sunday, March 22, 2020, Mayor Jim Kenney followed several large American cities and issued a “stay at home” Order for the City of Philadelphia, effective beginning Monday, March 23 at 8:00 a.m.

The Order requires all Philadelphia residents to remain home unless they are engaged in “essential personal activities.” Essential personal activities include obtaining goods or services from, or reporting to work to, “essential businesses.” Essential personal activities also include seeking medical attention or assistance from law enforcement, caring for family members, friends, or a pet in another household, and outdoor exercise (while practicing social distancing). Residents are also permitted to leave home (1) for educational, religious, or political reasons, (2) because of a reasonable fear for health or safety, (3) at the direction of law enforcement or another government agency, or (4) to engage in other activities essential to the health and safety of members of the household. The Order also prohibits public or private gatherings occurring outside a single household – no matter the size.

The Order incorporates the restrictions put in place by Pennsylvania Governor Tom Wolf last week requiring all non-life sustaining business to shut down physical
operations, and provides some additional detail regarding non-essential business activities in Philadelphia.

Philadelphia deems the following “essential retail businesses and activities” (within Governor Wolf’s previously defined categories):

- “Grocery stores” include supermarkets, farmers’ markets, convenience stores, and mini-markets;
- “Automotive parts, accessories, and tire stores” includes auto-repair shops, but not car dealerships;
- “Building material and supplies dealers” includes hardware stores, but not lawn and garden stores;
- “Personal household goods repair and maintenance” businesses include bicycle or motorcycle repair shops, cell phone repair stores, and urgent household repairs or maintenance (e.g., HVAC, plumbing, electrical, utilities, and similar);
- “Couriers and messengers” include shipping and freight services and package delivery companies;
- “Dry-cleaning and laundry services” includes laundromats;
- “Rooming and boarding houses” includes hotels;
- “Financial activities” include consumer banks and credit unions using drive-through and limited lobby services;
- “Services to buildings and dwellings” includes extermination and pest control services;
- “Clothing stores” are permitted to operate if they “only or primarily sell essential uniforms and apparel for medical/healthcare professionals and public safety workers”; and
- Veterinary hospitals and pet stores are included in “other miscellaneous stores.”

Philadelphia further expands on the following “essential infrastructure and industrial businesses and activities” (within Governor Wolf’s previously defined categories):

- Construction is permitted for medical, pharmaceutical, and healthcare facilities, and for emergency projects and repairs;
- “Transit and ground passenger transportation” includes urban transit systems, taxi and limousine services, inter-urban and rural bus transportation, and rideshare services;
- “Air, rail, water, truck transportation” and “support activities” includes Philadelphia ports and port-related activities;
“Publishing industries” includes newspapers, periodicals, books, magazines, and director publishers;

“Telecommunications” includes wireless telecommunications carriers;

“Manufacturing” is permitted for food and beverages; medical supplies and equipment; HVAC equipment; plastics, rubber, cement/concrete, iron, steel, ferroalloy, and aluminum; semiconductor, electrical electromedical, navigational, control instrument components and products; and pharmaceuticals and medicine; and

“Scientific research and development services” includes all essential research and development and support activity for pharmaceutical and medical manufacturing and biotechnology activities.

Legal services and access to law offices and facilities are also permitted “to the degree necessary to allow attorneys to participate in court functions deemed essential by” a judge or orders of the court.

The Order confirms that office-based businesses – except those deemed essential or life sustaining – must cease operations, but may have “essential on-site personnel to maintain critical functions, such as security, processing of essential operations,” and providing “facilities support services” (e.g., janitorial, maintenance, trash disposal, guard and security, mail routing, and reception).

The Order requires all businesses still in operation to adhere to social distancing rules and other mitigation efforts, including frequent sanitation. It is effective beginning Monday, March 23, 2020 at 8:00 a.m., and will remain in place indefinitely.

The Order is available here.

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