

EXECUTIVE ORDER NO. 237

WHEREAS, in light of the dangers posed by Coronavirus disease 2019 ("COVID-19"), I issued Executive Order No. 103 on March 9, 2020, the facts and circumstances of which are adopted by reference herein, which declared both a Public Health Emergency and State of Emergency; and

WHEREAS, through Executive Order Nos. 119, 138, 151, 162, 171, 180, 186, 191, 200, 210, 215, and 231, issued on April 7, 2020, May 6, 2020, June 4, 2020, July 2, 2020, August 1, 2020, August 27, 2020, September 25, 2020, October 24, 2020, November 22, 2020, December 21, 2020, January 19, 2021, February 17, 2021, March 17, 2021, and April 15, 2021, respectively, the facts and circumstances of which are adopted by reference herein, I declared that the COVID-19 Public Health Emergency continued to exist and declared that all Executive Orders and Administrative Orders adopted in whole or in part in response to the COVID-19 Public Health Emergency remained in full force and effect; and

WHEREAS, in accordance with N.J.S.A. App. A:9-34 and -51, I reserve the right to utilize and employ all available resources of State government to protect against the emergency created by COVID-19; and

WHEREAS, as COVID-19 has continued to spread across New Jersey, I have issued a series of Executive Orders pursuant to my authority under the New Jersey Civilian Defense and Disaster Control Act and the Emergency Health Powers Act, to protect the public health, safety, and welfare against the emergency created by COVID-19, including Executive Order Nos. 104-133, Nos. 135-138, Nos. 140-166, Nos. 168-173, No. 175, Nos. 177-181, No. 183, Nos. 186-187, Nos. 189-198, No. 200, Nos. 203-204, No. 207, and 210-211 (2020) and Nos. 214-216, Nos. 219-220, Nos. 222-223,

No. 225, and Nos. 228-235 (2021), the facts and circumstances of which are all adopted by reference herein; and

WHEREAS, to limit community spread from person-to-person contact through use of social mitigation measures, Executive Order No. 107 (2020) closed all recreational and entertainment businesses, and limited certain activities, including gatherings; and

WHEREAS, after consultation with officials from the Department of Health ("DOH"), I announced a multi-stage New Jersey's Road Back Plan for the methodical and strategic reopening of businesses and activities based on scientific data and metrics concerning the level of disease transmission risk and essential classification; and

WHEREAS, because of the progress we had made in our fight against the COVID-19 pandemic in New Jersey, I was able to announce a series of reopening steps over the course of several months; and

WHEREAS, Executive Order No. 149, issued May 30, 2020, permitted youth summer camps to operate starting June 15, but prohibited residential and overnight camps from operating; and

WHEREAS, in the past year, we have gained critical knowledge regarding COVID-19, including a better understanding of the risks associated with certain activities, the activities that are most conducive to spread of the virus, and the safeguards that can be implemented to mitigate those risks; and

WHEREAS, this information, together with expanded access to testing, personal protective equipment, and other materials necessary to protect individuals from spread of the virus, as well as the ongoing COVID-19 Vaccination Plan ("Plan") discussed below, allows for certain activities to continue subject to more limited restrictions; and

WHEREAS, given the recent decreases in key statistics, such as the number of hospitalized patients in the State, and the continuation of the State's vaccination plan, described more fully below, the State can take cautious, incremental steps to lift certain restrictions that were designed to limit person-to-person contact; and

WHEREAS, the Centers for Disease Control and Prevention continues to emphasize that outdoor environments pose less risk than indoor environments; and

WHEREAS, youth summer camps provide our workforce with necessary alternatives to child care; and

WHEREAS, heightened health and safety protocols can be instituted for summer camps to ensure an environment that would limit spread of COVID-19; and

WHEREAS, the State has significantly more robust testing capacity than it did during the spring and summer months of 2020, so that testing can now be a useful tool in permitting overnight camps to reopen for the 2021 season; and

WHEREAS, as part of the State's response to COVID-19, DOH has created a comprehensive Plan to manage the receipt, administration, and tracking of the vaccines developed to inoculate the State's residents and workforce against COVID-19; and

WHEREAS, the State has thus far administered over 8 million doses of COVID-19 vaccines to individuals that live, work, and are educated in New Jersey and as of April 19, 2021, has deemed all individuals ages 16 and older as eligible to receive the vaccine; and

WHEREAS, while New Jersey is rapidly expanding its capacity to vaccinate large numbers of individuals each day, it is still appropriate to maintain mitigation protocols, including strict health and safety standards for summer camp operations, and will continue to be appropriate through the summer months, as the younger populations engaging in camp activities will likely not have access to the vaccine at the time; and

WHEREAS, the Constitution and statutes of the State of New Jersey, particularly the provisions of N.J.S.A. 26:13-1 et seq., N.J.S.A. App. A: 9-33 et seq., N.J.S.A. 38A:3-6.1, and N.J.S.A. 38A:24 and all amendments and supplements thereto, confer upon the Governor of the State of New Jersey certain emergency powers, which I have invoked;

NOW, THEREFORE, I, PHILIP D. MURPHY, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. "Youth summer camps," for purposes of this Order, shall include youth day camps required to be licensed pursuant to N.J.S.A. 26:12-1 et seq., facilities operating programs as described in N.J.S.A. 30:5B-3(b)(4), and other entities that provide daily multi-hour programming for youths, without regard to whether the program is subject to the certification requirements pursuant to N.J.S.A. 26:12-1, et seq., including youth programs operated by municipal agencies. This shall not include summer educational programming that is offered to students by a Local Education Agency.

2. Youth summer camps, including residential and overnight camps, are permitted to operate provided that they comply with the 2021 COVID-19 Youth Summer Camp Standards and other applicable

statutes, regulations, and Executive Orders. Nothing in this Order shall be construed to impact youth staying overnight at recreational campgrounds operating in accordance with Executive Order No. 148 (2020), to the extent such overnight stays are otherwise permitted. Paragraphs 5 - 12 of Executive Order No. 149 (2020) are hereby superseded to the extent that they conflict with the provisions of this Order.

3. Youth camp operators, as defined by N.J.S.A. 26:12-3, wishing to operate a youth camp, may do so only if they have submitted an application for a certificate of approval, or renewal thereof, to operate the camp, as required by N.J.S.A. 26:12-6 and -7.

4. Any youth summer camp that fails to adhere to the COVID-19 Youth Summer Camp Standards is subject to closure by the Commissioner of DOH pursuant to N.J.S.A. 26:13-8.

5. Any actions taken by the Commissioner of DOH pursuant to this Order shall not be subject to the requirements of the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq.

6. The State Director of Emergency Management, who is the Superintendent of State Police, shall have the discretion to make additions, amendments, clarifications, exceptions, and exclusions to the terms of this Order.

7. It shall be the duty of every person or entity in this State or doing business in this State and of the members of the governing body and every official, employee, or agent of every political subdivision in this State and of each member of all other governmental bodies, agencies, and authorities in this State of any nature whatsoever, to cooperate fully in all matters concerning this Order.

8. No municipality, county, or any other agency or political subdivision of this State shall enact or enforce any order, rule, regulation, ordinance, or resolution which will or might in any way conflict with any of the provisions of this Order, or which will or might in any way interfere with or impede its achievement, except as otherwise provided in Executive Order No. 195 (2020).

9. Penalties for violations of this Order may be imposed under, among other statutes, N.J.S.A. App. A:9-49 and -50.

10. This Order shall take effect immediately and shall remain in effect until revoked or modified by the Governor, who shall consult with the Commissioner of DOH as appropriate.

GIVEN, under my hand and seal this
28th day of April,
Two Thousand and Twenty-one,
and of the Independence of
the United States, the Two
Hundred and Forty-Fifth.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Parimal Garg

Chief Counsel to the Governor