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

TWENTY-FIRST SUPPLEMENTAL EXECUTIVE ORDER AND PROCLAMATION BY THE GOVERNOR OF THE UNITED STATES VIRGIN ISLANDS MODIFYING CONDITIONS OF THE "SAFER-AT-HOME" PHASE IN RESPONSE TO COVID-19 STATE OF EMERGENCY

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WHEREAS, On March 13, 2020, the Governor issued the Executive Order and Proclamation Declaring a State of Emergency in response to the COVID-19 – CORONAVIRUS PANDEMIC ("Declaration of a State of Emergency"), and the Government has been coordinating the Territory's response and enforcing protective actions to address "COVID-19", a public health emergency that currently requires the Government to act and provide for the health, safety, and welfare of residents and visitors located in the Virgin Islands; and

WHEREAS, On April 2, 2020, the President of the United States declared that a major disaster exists in the Territory of the U.S. Virgin Islands-based on COVID-19, and this major disaster declaration has not been lifted; and

WHEREAS, From March 13, 2020, through December 2020, the Governor has issued subsequent Executive Orders or Supplements with additional requirements and lifting of other restrictions of previous Executive Orders and Supplements to return to the "Stay-at-Home Phase"; and

WHEREAS, The "Safer-at-Home Phase" requires continuous guidance to be given to the public about what is restricted and permissible during this phase and while still within a "State of Emergency" due to the danger and threat of Covid-19; and

WHEREAS, The Executive Order Declaring a State of Emergency dated March 13, 2020, invoked the Virgin Islands Territorial Emergency Management Act, 23 V.I.C. § 1001 - 1016 and authorized the Governor to exercise the powers and duties set forth therein to direct and aid the response to, recovery from, and guidance for the mitigation as well as response to emergencies; and

WHEREAS, The Virgin Islands Department of Health ("DOH") received confirmation that, as of January 26, 2020, as many as 2,373 persons, including 24 deceased persons, tested positive for COVID-19 in the Virgin Islands, and additional testing of individuals for COVID-19 are still being made or pending; and

WHEREAS, Imposing guidelines and restrictions during the Territory's "Safer-at-Home Phase" is vital to the protection, health, safety, and welfare of residents and visitors of the Territory as well as continuing the response and mitigation process;

NOW, THEREFORE, I, Albert Bryan Jr, Governor of the United States Virgin Islands, under the authority granted to me by Section 11 of the Revised Organic Act of 1954 (as amended), 23 V.I.C. § 1005, and pursuant to all the afore-cited sections of the Virgin Islands Code, as well as all previous Executive Orders issued from March 13, 2020, through December 14, 2020, as amended, supplemented, renewed, and extended, do hereby ORDER:

SECTION 1. General COVID-19 Orders: The following ORDERS shall remain in full force and effect so long as the Territory remains in the State of Emergency declared on March 13, 2020, as amended, supplemented, extended, and renewed unless earlier lifted or until rescinded or superseded by another applicable Executive Order by the Governor of the U.S Virgin Islands:

A. ***Masks***: Any person who is not in his/her private home or vehicle, for any purpose, including but not limited to visitors, patrons, employees, managers, directors, or owners of commercial entities or businesses, public or private, is required to wear a face mask or facial covering when 2 or more individuals meet or interact in any manner and are not able to utilize social distancing techniques (as listed below in *Subsection B. Social Distancing*). The following guidelines shall apply:
    1) Masks or facial coverings must cover both the nose and mouth of the individual.
    2) Masks with exhalation valves or vents should NOT be worn to help prevent the person wearing the mask from spreading COVID-19 to others.
    3) Ski masks and stocking caps are prohibited as use for facial coverings.
    4) Masks or facial coverings should NOT be worn by children under the age of 2 or anyone who is unconscious, incapacitated, or otherwise unable to remove the mask without assistance.
    5) Those individuals with chronic respiratory conditions a) should seek advice from their primary care physician for alternative types of masks, b) should avoid crowds, and c) must engage in social distancing to prevent putting others at risk.
    6) Masks or facial coverings do not have to be worn during active exercise, indoor or outdoor.

7) All passengers and drivers of mass or public transportation, including but not limited to Vitran buses, taxicabs, and automobiles for hire, shall be required to wear a mask or facial covering.

8) Violation of this Subsection shall be punishable by a fine of fifty dollars ($50) for a first offense and one hundred dollars ($100) for each additional offense pursuant to ***Section 4 of the Twelfth Supplemental Executive Order issued on August 10, 2020***.

B. ***Social Distancing***: In coordination with the Commissioner of the DOH and in alignment with guidance from the Centers for Disease Control (CDC), all persons are required to maintain social distancing of at least six feet away from other people that are not of their same household, whenever possible. All individuals are urged to continue to wash their hands, utilize hand sanitizer, and practice proper respiratory etiquette (including coughing into the elbow) as often as possible.

C. ***Mass Gatherings***: For purposes of the Safer-at-Home Phase, a "mass gathering" is defined as any event or convening that brings together more than **one hundred (100) persons** in a single room or single space at the same time. "Spaces" shall include but not be limited to: an auditorium, stadium, arena, large conference room, meeting hall, theater, restaurant, bar, parking lot, or any other confined indoor or outdoor space. This includes all parades, fairs, campaign events, festivals, and camping on public beaches or parks:

1) Mass gatherings shall be prohibited in the Territory of the U.S. Virgin Islands.

2) A mass gathering does not include operations for standard essential services and infrastructure such as grocery stores and big-box stores, operations at airports, seaports, bus stops, medical facilities, or hotels. It also does not include office (government and private) environments, factories, refineries, marinas, construction sites, grocery stores, pharmacies, fuel service stations, or other retail establishments that provide essential services and are large enough to accommodate for the practice of social distancing of six feet or more between persons.

3) The Enforcement Authority and Penalties: All Enforcement Officers are hereby directed to fully enforce the provisions of Title 23 VIC Sections 371, 372, 372, and 374 regarding Mass Gatherings as prohibited. Any violation of these provisions shall be punishable by a fine of One Thousand Dollars ($1,000.00) per congregating person and Five Thousand Dollars ($5,000.00) per organizer of any such prohibited mass event.

4) Organized Activities – Any and all organized activities, as authorized by this Subsection, as amended, supplemented, renewed, and extended, must obtain approval from the Commissioner of Health in addition to any other regulatory agency with jurisdiction, prior to the gathering.

D. ***Beaches***: All beaches in the Territory of the U.S. Virgin Islands shall be closed from 4:00 p.m. until 6:00 a.m. the following day on Saturdays, Sundays, and holidays. Only fishermen may be on the beach during the beach closure to access their vessels or cast their nets. There shall be no picnics, no parties, no disc-jockey (DJ), no DJ equipment or the

likes, no camping, no bonfire, no cooking, no barbecuing, or grilling allowed on any beach in the Territory of the U.S. Virgin Islands at any time during the State of Emergency.

SECTION 2. Operations of Government: The following ORDERS shall remain in full force and effect so long as the Territory remains in the State of Emergency declared on March 13, 2020, as amended, supplemented, extended, and renewed unless earlier lifted or until rescinded or superseded by another applicable Executive Order by the Governor of the U.S Virgin Islands:

A. 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, are hereby suspended during the Declared State of Health Emergency for purchases of goods and services related to COVID-19 – Coronavirus preparedness and response. This Subsection hereby applies to the Virgin Islands Hospitals and Health Facilities Corporation, the Juan F. Luis Hospital, and Roy Lester Schneider Hospital.

B. The provisions of Title 3, Chapter 27, Sections 706(c) and 706a; Chapter 28A, Sections 755(c) and 755a, and all other provisions that place restrictions on the re-hiring of Government retirees are hereby suspended, in order to allow Government retirees to reenter government service in a position supporting the COVID-19 preparedness, response, and mitigation, either by appointment or contract, while continuing to receive annuity payments as a current employee of the Government.

C. The provisions of Title 17 of the Virgin Islands Code, Chapter 7, Section 61a establishing the school calendar and Chapter 9, Section 101, establishing rules and regulations covering free transportation generally for school children, are hereby suspended in order to allow the Commissioner of the Virgin Islands Department of Education, with the approval of the Governor, to effectively plan, adapt, and respond to the COVID-19 Pandemic in the protection of health, safety, and welfare of children, families and Department employees of the Territory.

D. All Virgin Islands Driver's Licenses set to expire during the State of Emergency declared on March 13, 2020, as amended, supplemented, and extended are hereby extended for a period of six months from the date of expiration of the license.

E. The statutory deadlines contained in Title 12, Chapter 21, Section 910 of the Virgin Islands Code are hereby suspended.

SECTION 3. Medical Support Orders: The following ORDERS shall remain in full force and effect so long as the Territory remains in the State of Emergency declared on March 13, 2020, as amended, supplemented, extended, and renewed unless earlier lifted or until rescinded or superseded by another applicable Executive Order by the Governor of the U.S Virgin Islands:

A. Upon the finding that there is a need for qualified physicians to provide medical services in the Virgin Islands during the State of Emergency declared on March 13, 2020, due to the COVID-19, the emergency adoption of this rule to provide for the issuance of an emergency license to physicians licensed in other states who may assist with this health emergency is warranted. The intent of this rule is to provide for the expedited issuance of medical licenses to qualified physicians who desire to provide health care via telehealth or telemedicine to citizens of the U.S. Virgin Islands suffering from and affected by the 2019 novel coronavirus known as COVID-19. As such, the following shall be effective immediately:

1) Any physicians who obtain an emergency certificate of qualification under the provisions of Title 27 V.I.C. Chapter 1, Subchapter I, by endorsement from the V.I. Board of Medical Examiners to assist with the response to COVID-19 is eligible for an emergency medical license for medical diagnosis and treatment of persons in the US Virgin Islands by means of telemedicine or telehealth. An emergency medical license issued under this rule shall expire 120 days after the effective date of this rule, or at such time the Governor of the U.S. Virgin Islands proclaims the termination of the Territory's public health emergency, whichever is sooner. An emergency license shall not be renewed. Applicants for an emergency license shall not be required to pay a fee.

2) Any physician with a current Drug Enforcement Administration registration in any jurisdiction, upon issuance of the Temporary Emergency Medical License pursuant to Subsection A above, will be allowed to prescribe medication to persons in the U.S. Virgin Islands for the sole purpose of treating patients suffering from and affected by COVID-19 by means of telemedicine or telehealth.

3) Physicians licensed in the U.S. Virgin Islands who have access to a patient's personal health record maintained by a physician may establish a professional relationship with a patient using any technology and software deemed appropriate by a provider, including telephonic and video, to diagnose, treat, and, if clinically appropriate, prescribe medication as needed for persons in the U.S. Virgin Islands.

4) Any out-of-state personnel, including, but not limited to, medical personnel, entering the U.S. Virgin Islands to assist in preparing for, responding to, mitigating the effects of, and recovering from COVID-19 shall be permitted to provide services in the same manner as prescribed in Title 27 V.I.C., Chapter 1, Subchapter I, with respect to licensing and certification. Permission for any such individual rendering service is subject to the approval of the Commissioner of Health for other medical and non-medical personnel and shall be in effect for a period of time not to exceed the duration of this emergency.

B. Upon the finding that there is a need for additional qualified nurses to provide medical services in the U.S. Virgin Islands during the State of Emergency declared on March 13, 2020, due to the COVID-19, the emergency adoption of this rule to provide for the extension of temporary licenses issued to nurses licensed in other states who may assist with this health emergency is warranted. The intent of this rule is to provide for the expedited issuance and extension of temporary licenses to qualified nurses who desire to provide health care to residents and visitors of the U.S. Virgin Islands suffering from and affected by the 2019 novel coronavirus known as COVID-19. As such, the following shall be effective immediately:

1) All temporary licenses issued under the provisions of Title 27 V.I.C. Chapter 1, Subchapter IV and Subchapter V, by endorsement from the V.I. Board of Nursing Licensure, to qualified nurses licensed in any other State or Territory of the United States of America to assist with the response to COVID-19, shall be extended under this rule and shall expire at such time as the Governor of the U.S. Virgin Islands proclaims the termination of the Territory's public health emergency. Applicants for a temporary license may, but are not required to, apply for a permanent license.
2) Permission for any such individual rendering service is subject to the approval of the Commissioner of Health for other medical and non-medical personnel and shall be in effect for a period not to exceed the duration of this emergency.

SECTION 4. Travel Restrictions and Operations: The following ORDERS shall remain in full force and effect so long as the Territory remains in the State of Emergency declared on March 13, 2020, as amended, supplemented, extended, and renewed unless earlier lifted or until rescinded or superseded by another applicable Executive Order by the Governor of the U.S Virgin Islands:

A. All travelers, by sea or by air, are required to comply with Travelers Advisory posted by the V.I. Department of Tourism and the V.I. Port Authority, including but not limited to the wearing of facial coverings, temperature scan, testing, and quarantine. Facial coverings shall be required to be worn at all times on board all public transportation ferries between all islands in or entering the Territory of the U.S. Virgin Islands.

B. Every person who travels to or enters the Territory of the U.S. Virgin Islands, before boarding the aircraft or vessel, must present a COVID-19 negative PCR test result obtained within 5-days of commencement of travel to the US Virgin Islands or a Covid-19 positive Antibody test result received within four (4) months of travel to the U.S. Virgin Islands.

This travel restriction currently applies to passengers age 5 years and older. Every person covered under this section shall be responsible for all associated costs, including transportation, lodging, food, and medical care.

C. These travel restrictions apply fully to all travelers, including U.S.V.I. residents, traveling to or through the Territory from any port of embarkation outside of the Territory, regardless of destination outside of the Territory.

SECTION 5. Marine Restrictions and Operations: The following ORDERS shall remain in full force and effect so long as the Territory remains in the State of Emergency declared on March 13, 2020, as amended, supplemented, extended, and renewed unless earlier lifted or until rescinded or superseded by another applicable Executive Order by the Governor of the U.S Virgin Islands:

A. Temporary Moorings: (a) the Commissioner of the Department of Planning and Natural Resources ("DPNR") is authorized and directed, 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 the 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. 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.

C. In addition to the "DPNR TO ENFORCE NEW ANCHORING GUIDELINES" issued on July 28, 2020, by the Department of Planning and Natural Resources, the following shall apply to all vessels in the Territory of the U.S. Virgin Islands:
   1) There shall be NO rafting (vessels tying up together) of vessels at any time in any of the bays or anchorages of the Territory, and such vessels must maintain at least twelve (12) feet between vessels at all times, unless as a result of a medical emergency.
   2) No vessels shall anchor in designated swim zones.
   3) Any violation of this section shall result in a fine of up to $10,000 per incident and/or possible seizure of the vessel by the Government of the U.S. Virgin Islands.

SECTION 6. Business Operations Orders: The following ORDERS shall remain in full force and effect so long as the Territory remains in the State of Emergency declared on March 13, 2020,

as amended, supplemented, extended, and renewed unless earlier lifted or until rescinded or superseded by another applicable Executive Order by the Governor of the U.S Virgin Islands:

A. ***All non-essential businesses:*** shall be allowed to open, as limited by any other sections and subsections of this ORDER and any applicable terms and conditions of the previous orders still in effect:

1) Private business offices currently closed are allowed to re-open. All employees that are not critical to in-person operations or that are not classified as essential are recommended to continue working from home or remotely.

2) Retail stores shall limit the number of patrons in the establishment to **50 percent** of the regular occupancy per room capacity set by Business License or the Fire Marshall prior to the COVID-19 Pandemic, or **100** customers, **whichever is less,** based on which temporary occupancy certificates may be issued. This limitation on the capacity of individuals shall not apply to establishments previously exempted pursuant to Subsection C.2). above, to include grocery stores, big-box stores, grocery stores, pharmacies, and fuel service stations. Still, the practice of social distancing of six feet or more between persons must be maintained.

B. ***Restaurants:*** All restaurants in the Territory of the U.S. Virgin Islands shall be allowed to open for in-house dining, take out, and delivery services pursuant to the COVID-19 GUIDANCE FOR RESTAURANTS, BARS AND NIGHTCLUBS, issued on May 30, 2020, attached hereto and incorporated by reference, as supplemented or amended by the following terms and conditions:

1) In all restaurants in the Territory of the U.S. Virgin Islands, NO patrons shall be allowed to congregate standing around the restaurant bar counter area; there shall be no sitting and no serving of alcohol at bar counters. Seated patrons may order food, or alcohol, or both, so long as they are seated at designated seating areas.

2) There shall be no seating of more than 6 persons per table, and patrons may only be seated at allocated seating within the social distancing guidelines of six (6) feet away from other tables.

3) Patrons awaiting a take-out order must wait outside of the restaurant. Restaurants may sell alcoholic beverages to patrons with take-out orders. There shall be no service of alcohol alone to persons outside of the restaurant.

4) All restaurants and any other establishments with the following alcohol licenses: Storekeeper Liquor License, Tavernkeeper-Storekeeper Liquor License, Tavernkeeper Liquor License (A), Tavernkeeper Liquor License (B), Hotelkeeper Liquor License, and Club Liquor License in the Territory of the U.S. Virgin Islands shall cease the sale or distribution of alcohol from 11:00 p.m. until 8:00 a.m. daily.

5) Restaurants shall be closed to patrons from 12:00 a.m. until 6:00 a.m. daily.

6) Restaurants shall limit the number of patrons in the establishment to 50 percent of the regular occupancy capacity set by Business License or the Fire Marshall prior to the COVID-19 Pandemic, or 100 customers, ***whichever is less,*** based on which temporary occupancy certificates may be issued.

7) Effective October 13, 2020, the requirement for the use of disposable dishes, utensils, napkins, and drink containers mandated by the COVID-19 GUIDANCE FOR RESTAURANTS, BARS AND NIGHTCLUBS issued in the ***Eighth Supplemental Executive Order on May 30, 2020***, as amended and supplemented, is suspended.

C. ***Bars, Nightclubs, and Cabarets:*** All cabarets and nightclubs in the Territory of the U.S. Virgin Islands shall remain closed until further Order of the Governor of the U.S. Virgin Islands. All bars in the Territory of the U.S. Virgin Islands shall be allowed to open pursuant to the COVID-19 GUIDANCE FOR RESTAURANTS, BARS AND NIGHTCLUBS, issued on May 30, 2020, attached hereto and incorporated by reference, as supplemented or amended by the following terms and conditions:

1) Only SEATED service shall be allowed.

2) NO patrons shall be allowed to congregate standing around the bar counter area; there shall be no sitting and no serving of alcohol at bar counters. Patrons seated at tables may order food, or alcohol, or both, so long as they are seated at designated seating areas.

3) There shall be no seating of more than 6 persons per table, and patrons may only be seated at allocated seating within the social distancing guidelines of six (6) feet away from other tables.

4) Any establishments with the following alcohol licenses: Storekeeper Liquor License, Tavernkeeper-Storekeeper Liquor License, Tavernkeeper Liquor License (A), Tavernkeeper Liquor License (B), Hotelkeeper Liquor License, and Club Liquor License in the Territory of the U.S. Virgin Islands shall cease the sale or distribution of alcohol from 11:00 p.m. until 8:00 a.m. daily.

5) The establishment shall be closed to patrons from 12:00 a.m. until 6:00 a.m. daily.

6) Masks and facial covering shall be required, pursuant to Section 1 above, except when patrons are seated at their designated tables.

7) The use of pool tables is permitted with facial coverings worn at all times. Hand sanitizers should be made accessible to all players. The pool sticks and surrounding areas must be disinfected after each game.

8) Live music and Disc Jockey (DJ) entertainment will be allowed in licensed establishments pursuant to the COVID-19 GUIDANCE FOR RESTAURANTS,

BARS AND NIGHTCLUBS, issued on May 30, 2020, as amended, and any further guidance from the V.I. Department of Health. Live music or DJ entertainment **shall NOT be permitted AFTER 12:00 a.m., midnight.**

9) The number of patrons in the establishment shall be limited to 50 percent of the regular occupancy capacity set by Business License or the Fire Marshall prior to the COVID-19 Pandemic, or 100 customers, ***whichever is less,*** based on which temporary occupancy certificates may be issued.

10) There shall be no dancing by anyone, including staff, inside or outside any establishment with a bar, cabaret, or nightclub license.

D. ***Food Trucks:*** shall operate on a "drive-through," "take-out," or "delivery" basis only. If a food truck has a seating area that was previously permitted, the food truck shall then be allowed to operate under *Subsection B. Restaurants* above.

E. ***Indoor/Outdoor Recreation Facilities***: facilities such as bowling alleys, movie theaters, casinos, and gaming centers are allowed to re-open pursuant to the following additional conditions:

1) Facilities shall be closed to patrons from 12:00 a.m. until 6:00 a.m. daily.

2) Facilities shall limit the number of patrons in the establishment to 50 percent of the regular occupancy capacity set by Business License or the Fire Marshall prior to the COVID-19 Pandemic, or 100 customers, ***whichever is less,*** based on which temporary occupancy certificates may be issued

F. ***Athletic Facilities:*** such as wellness centers, fitness centers, gyms, tennis courts, and golf courses are allowed to re-open in accordance with COVID-19 GUIDANCE FOR GYM AND FITNESS CENTER RE-OPENING issued on May 30, 2020, attached hereto and incorporated by reference, as supplemented or amended by the following terms and conditions:

1) The recommended social distancing requirement of 6 feet or more between individuals is maintained, and group limits are set within the mass gathering limitations.

2) All equipment must be properly sanitized before and after each use and not shared.

3) The overall facility must be sanitized regularly throughout the day. Hand sanitizer must be provided for all patrons entering the establishment.

4) Due to fluctuating positivity rates, **contact sports are strictly prohibited**. The following lower risk individual or team sports are allowed to have training exercises and practice but no formal games: Track and field/cross country, swimming, tennis, sailing, canoeing, kayaking, baseball, softball, and cricket. No formal games Spectators must be limited as per previous executive orders and by

accommodations for physical distancing, compliance with the social distancing and mass gathering Order above. Allowance of the sports above may be rescinded based on increases in positive tests and positivity rates.

G. ***Personal Grooming Services:*** businesses such as barbershops, hair salons, nail salons, massage therapists are permitted to re-open as long as:

1) All equipment, furniture, and counters are disinfected after use with each client, and the facility is sanitized regularly throughout the day. Hand sanitizer must be provided for all patrons entering the establishment.
2) All customers awaiting services are to wait outside of the business establishment and must be socially distanced.
3) Any additional guidelines for these types of services provided by the Department of Health shall be strictly followed.

H. ***Houses of Worship***: Although we encourage churches to protect their members by continuing to provide virtual services to the greatest extent possible, churches are allowed to be opened to conduct service, in accordance with the COVID-19 GUIDANCE FOR RE-OPENING HOUSES OF WORSHIP FOR SERVICES issued on May 30, 2020, attached hereto and incorporated by reference, as supplemented or amended by the following terms and conditions:

1) No more than 50 percent of the regular occupancy per room capacity set by Business License or the Fire Marshall prior to the COVID-19 Pandemic, or **100** individuals, **whichever is less,** including pastoral leaders, employees, and volunteers, are allowed in the establishment.
2) Everyone, including the pastoral leaders, employees, and volunteers, wears a facial covering at all times.
3) Religious leaders may conduct service without a mask provided that they stay 10 ft away from all persons while unmasked.
4) Attendance at a funeral or memorial is limited to immediate family only and no more than 10 family members at any one time.
5) Churches are permitted to provide communion provided it is presented to the receivers in protected containers that do not require any administration by the officiant.

I. ***Nursing Homes***: Visitation to nursing homes is strictly prohibited.

J. ***Schools:***

1) Childcare facilities are to remain closed subject to guidance provided by the Department of Human Services through the Center for Disease Control and Prevention (CDC).

2) All public-school campuses will be closed for students. Virtual learning programs or classes are allowed as scheduled by the Virgin Islands Department of Education.
3) All private and parochial school campuses are allowed to re-open subject to review and approval of guidelines provided by the Department of Health and continued adherence to all Department of Health guidelines

K. All taxicabs and safaris are limited to one-half of their previously allowable capacity so long as the Territory remains in the State of Emergency declared on March 13, 2020, as amended, supplemented, extended, and renewed, unless earlier lifted by order of the Governor of the U.S. Virgin Islands. All Taxis, Taxi-Vans, Safaris, and Limousine Services shall operate in accordance with the terms of the COVID-19 GUIDANCE - TAXI VAN, SAFARIS, AND LIMOUSINE SERVICES issued on May 30, 2020, attached hereto, and incorporated by reference, not inconsistent with this Order.

L. The requirement of personal appearance before a notary public under the Laws and Rules and Regulations of the U.S. Virgin Islands is suspended to the extent that any notarial act is authorized to be performed utilizing live audio-video technology between the principal, notary, and other necessary persons, which allows for observation, direct interaction, and communication at the time of signing and notarizing, provided that the following conditions are met:

1) the person must affirmatively represent that he or she is physically situated in the Territory of the U.S. Virgin Islands.
2) The notary must be physically located in the Territory of the U.S. Virgin Islands.
3) Any notarial act performed through live video conference in compliance with this order shall have the same force, effect, and validity as any other notarial act performed in compliance with U.S. Virgin Islands law and may be relied upon to the same extent as any other notarial act under U.S. Virgin Islands law.
4) The document must contain a notarial certificate, a jurat, or acknowledgment, which states the principal appeared remotely pursuant to this Executive Order.
5) Any person whose signature is to be notarized must display a valid photo ID to the notary during the video conference if the person is not personally or otherwise known to the notary.
6) If the document needs to be presented in a paper medium, it shall satisfy the requirements of being an original document and prima facie evidence if the notary prints the document and affixes an attestation stating that it is a true and correct copy of the electronic document, shall state it was performed pursuant to this Executive Order and the notary signs and affixes their notarial stamp and seal.
7) That the fees allowed for notarization under this executive order shall be the same as those allowed for other notarial acts pursuant to the Laws of the Territory of the U.S. Virgin Islands

M. The requirement of personal appearance or in-person attendance at any conference,

meeting, or hearing before any private corporate board or any Board, Commission, or Committee of the Government of the Virgin Islands or its governmental subdivisions, departments, agencies, instrumentalities, or public corporations under the Laws and Rules and Regulations of the U.S. Virgin Islands shall be authorized to include appearance via live audio-video technology between the necessary parties or persons, which allows for observation, direct interaction, and communication during the meeting or hearing or conference, provided that the following conditions are met:

1) Each person attending must affirmatively represent where he or she is physically situated.
2) Any act performed through live video conference in compliance with this order shall have the same force, effect, and validity as any other official act performed in compliance with U.S. Virgin Islands law and may be relied upon to the same extent as any other act under U.S. Virgin Islands law.
3) The minutes or transcript of such conference, meeting, or hearing must contain an acknowledgment stating which parties or persons appeared remotely pursuant to this Executive Order.

SECTION 7. Landlord Tennant Matters: The following ORDERS shall remain in full force and effect so long as the Territory remains in the State of Emergency declared on March 13, 2020, as amended, supplemented, extended, and renewed unless earlier lifted or until rescinded or superseded by another applicable Executive Order by the Governor of the U.S Virgin Islands:

There shall be no increase in rental fees allowed for residential and commercial property leaseholds or tenancies at-will, effective March 13, 2020, and so long as the Territory remains in the State of Health Emergency unless earlier lifted by order of the Governor of the United States Virgin Islands.

SECTION 8. The following ORDERS shall terminate as indicated below:

A. Section 2. A. of the ***Fourteenth Supplemental Executive Order*** issued on August 17, 2020, suspending the provisions of Title 3, Chapter 25, Subchapter IV, Section 530(b) of the Virgin Islands Code, requiring the Public Employees Relations Board (PERB) to meet within thirty (30) days after a filing of appeal by a government employee and to conduct a hearing no later than sixty (60) days from the date of the appeal filing date, and all the Orders of the PERB issued under Sections 530 and 531 of Title 3 of the Virgin Islands Code shall terminate on January 31, 2021.

B. Section 9. B. of the ***Third Supplemental Executive Order*** issued on March 30, 2020, is hereby terminated effective immediately.

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 27th day of January, A.D., 2021.

Albert Bryan Jr.
Governor

ATTEST:

Tregenza A. Roach
Lt. Governor