

Executive Order 2020-060 Extends Curfew; New Modifications Announced

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PRACTICE AREAS

- Government Affairs

An McV Government Affairs Alert

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On July 31st, 2020, Governor Wanda Vázquez-Garced signed Executive Order 2020-060 (“EO 2020-060” or the “Executive Order”) to, among other matters, extend the curfew imposed by EO 2020-054 and implement more restrictive measures to curb the spread of COVID-19 in Puerto Rico.

EO 2020-060, which is effective from August 1st until August 15, unless otherwise extended, also orders a shelter-in-place on Sundays and imposes additional restrictions in consideration of the recommendations of the Puerto Rico Economic and Medical Task Forces and the guidelines set forth in the United States Department of National Security’s *Guidance on the Essential Critical Infrastructure Workforce: Ensuring Community and National Resilience in COVID-19 Response*.

For your convenience, in this Alert we will highlight the major modifications and amendments contained in this new Executive Order. We will refer to our previous Alerts as needed.

Extension of Curfew and Shelter-in-Place Order for Sundays

The curfew set forth in EO 2020-044, from 10:00 pm until 5:00 am, continues in effect until August 15, 2020. EO 2020-060 also orders a mandatory “Shelter-In-Place” requiring all Puerto Rico residents to remain in their residence or place of lodging on Sundays. The authorized transit of vehicles and people walking in public roads is allowed under the specific circumstances set forth in our EO 2020-054 Alert.

Prohibition of Sale of Alcoholic Beverages

Section 3 of EO 2020-054 prohibits the consumption and sale of alcoholic beverages after 7:00pm in all businesses and establishments during the effectiveness of the Executive Order. The retail sale and consumption of alcohol in authorized businesses is prohibited on Sundays during the effectiveness of the Executive Order.

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Authorized Private Businesses and Exceptions (Section 6 of the Executive Order)

Restaurants may keep their dining rooms open Monday through Saturday until curfew, **at or below 50% of their maximum capacity**, as defined in PR Building Code 2018. Pursuant to Section 3 of the Executive Order, restaurants may not sell alcoholic beverages after 7:00pm. For additional detail, please refer to our EO 2020-054 Alert. Other authorized businesses, as identified in our EO 2020-044 Alert, may continue operating Monday through Saturday until curfew **at or below 50% of their maximum capacity**.

Tourism

Hotel and inn common areas must remain closed during the effectiveness of the Executive Order. Restaurants located in hotels and inns may keep their dining rooms open Monday through Saturday until curfew, **at or below 50% of their maximum capacity**, as defined in PR Building Code 2018. The dining rooms of restaurants located in hotels or inns may open on Sundays to **hotel and inn guests only**, subject to the aforementioned capacity limitation.

Owners, managers, property administrators and those responsible for short-term rental properties (independently marketed or listed on Airbnb, VRBO, Join a Join, among others) must prohibit guests from allowing individuals not lodged at the property to access the premises. Guests are bared from hosting social activities, events or group meetings at short-term rental properties.

Hotels and inns with beach access must remove complimentary services in public space to ensure compliance with the Executive Order.

Other EO 2020-060 Provisions

The following Sections of EO 2020-060 remain unaltered from previous administrative bulletins. For additional details, you may access all previous COVID-19 related Executive Orders on our McV COVID-19 Information Center, which you can access **here**.

- Section 2 – Quarantine Order
- Section 4 – Government Operations
- Section 5 – Guidance Established by Agencies

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- Section 7 – Authorized Services
- Section 8 – Corporations
- Section 9 – Outdoor Sports and Recreational Activities
- Section 10 – Beaches
- Section 11 – Horse Racing Industry and Sport
- Section 13 – Events
- Section 14 – Safety Measures to be followed by the Public and Exempted Businesses
- Section 15 – Preferential Services
- Section 16 – Excluded Persons
- Section 17 – Road Tolls
- Section 18 – Celebration of Religious Events
- Section 19 – Closure of Businesses and Private Entities
- Section 20– Construction Services
- Section 21 – Manufacturing
- Section 22 – Recreational Maritime Traffic.
- Section 23 – Workplace Risk Management Plans
- Section 24 – Modifications
- Section 26 – Interagency Oversight Group

Penalties for Failing to Comply with EO 2020-060

Any person who fails to comply with the provisions of EO 2020-060 may face up to six months of incarceration and/or a fine of up to \$5,000. In addition to the aforementioned penalties, individuals who do not comply with the precautionary measures set forth in the Executive Order, including the mandatory use of masks, are subject to a criminal procedure.

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