



TOWN OF EAST HAMPTON

INFORMATION REGARDING “NON-ESSENTIAL” BUSINESS CLOSURES ORDERED BY NEW YORK STATE AS OF 8 P.M. ON MARCH 22

Governor Andrew M. Cuomo has signed the "New York State on PAUSE" executive order, a 10-point policy to assure uniform safety for everyone. **It includes a new directive that all non-essential businesses statewide must close in-office personnel functions effective at 8 PM on Sunday, March 22.**

Only businesses deemed “essential” by NYS, or those who have applied to the state for exemption and received a waiver, may continue. Businesses with a single occupant/employee have been deemed exempt.

List of Essential Businesses, per New York State:

<https://www.governor.ny.gov/news/governor-cuomo-issues-guidance-essential-services-under-new-york-state-pause-executive-order>

For purposes of Executive Order 202.6, "Essential Business," means:

1. Essential Health Care Operations, Including:

- research and laboratory services
- hospitals
- walk-in-care health facilities
- emergency veterinary and livestock services
- elder care
- medical wholesale and distribution
- home health care workers or aides for the elderly
- doctor and emergency dental
- nursing homes, or residential health care facilities or congregate care facilities

- medical supplies and equipment manufacturers and providers
2. Essential Infrastructure, Including:
 - utilities including power generation, fuel supply and transmission
 - public water and wastewater
 - telecommunications and data centers
 - airports/airlines
 - transportation infrastructure such as bus, rail, or for-hire vehicles, garages
 - hotels, and places of accommodation
 3. Essential Manufacturing, Including:
 - food processing, manufacturing agents, including all foods and beverages
 - chemicals
 - medical equipment/instruments
 - pharmaceuticals
 - sanitary products
 - telecommunications
 - microelectronics/semi-conductor
 - agriculture/farms
 - household paper products
 4. Essential Retail, Including:
 - grocery stores including all food and beverage stores
 - pharmacies
 - convenience stores
 - farmer's markets
 - gas stations
 - restaurants/bars (but only for take-out/delivery)
 - hardware and building material stores
 5. Essential Services, Including:
 - trash and recycling collection, processing and disposal
 - mail and shipping services
 - laundromats
 - building cleaning and maintenance
 - child care services
 - auto repair
 - warehouse/distribution and fulfillment
 - funeral homes, crematoriums and cemeteries
 - storage for essential businesses

- animal shelters

6. News Media

7. Financial Institutions, Including:

- banks
- insurance
- payroll
- accounting
- services related to financial markets

8. Providers of Basic Necessities to Economically Disadvantaged Populations, Including:

- homeless shelters and congregate care facilities
- food banks
- human services providers whose function includes the direct care of patients in state-licensed or funded voluntary programs; the care, protection, custody and oversight of individuals both in the community and in state-licensed residential facilities; those operating community shelters and other critical human services agencies providing direct care or support

9. Construction, Including:

- skilled trades such as electricians, plumbers
- other related construction firms and professionals for essential infrastructure or for emergency repair and safety purposes

10. Defense

- defense and national security-related operations supporting the U.S. Government or a contractor to the US government

11. Essential Services Necessary to Maintain the Safety, Sanitation and Essential Operations of Residences or Other Essential Businesses, Including:

- law enforcement
- fire prevention and response
- building code enforcement
- security
- emergency management and response
- building cleaners or janitors
- general maintenance whether employed by the entity directly or a vendor
- automotive repair
- disinfection

12. Vendors that Provide Essential Services or Products, Including Logistics and Technology Support, Child Care and Services:

- logistics
- technology support for online services
- child care programs and services
- government owned or leased buildings
- essential government services

“Essential” Businesses must utilize telecommuting or work from home procedures to the maximum extent possible. Only those employees that are needed to provide the products and services that are essential to provide such products or services are permitted to work at the business location, and those employees who do report to work must adhere to the requirements set forth in the Department of Health guidelines , which can be found at <https://coronavirus.health.ny.gov/home>, including “social distancing” of at least six feet.

Businesses Not Listed as “Essential” May Apply to the New York State Empire Development Corporation (EDC) for a Designation as an “Essential Business”:

If the function of your business is not listed above, but you believe that it is essential or it is an entity providing essential services or functions, you may request designation as an essential business.

Houses of worship are not ordered closed however it is strongly recommended no congregate services be held and social distance maintained.

NYS Information Regarding the Governor’s Order and Essential Businesses:

<https://esd.ny.gov>

To apply for designation as an “essential business” :

https://esd.ny.gov/sites/default/files/Request%20for%20Designation%20Form_0.pdf

Restrictions on requesting designation as an essential business:

- Any business that only has a single occupant/employee (i.e. gas station) has been deemed exempt and need not submit a request to be designated as an essential business.
- Businesses ordered to close on Monday, March 15, 2020 under the restrictions on any gathering with 50 or more participants, including but not limited to, bars, restaurants, gyms, movie theaters, casinos, auditoriums, concerts, conferences, worship services, sporting events, and physical fitness centers, are presumed to be compliant with NYS issued restrictions and must remain closed and are not eligible for designation as an essential business for purposes of this guidance.

Executive Order 202.8 Issued by Governor Cuomo, March 20, 2022 regarding the shutdown of nonessential businesses as of March 22, 2020, at 8 p.m. :

The provisions of Executive Order 202.6 are hereby modified to read as follows: Effective on March 22 at 8 p.m.: All businesses and not-for-profit entities in the state shall utilize, to the maximum extent possible, any telecommuting or work from home procedures that they can safely utilize. **Each employer shall reduce the in-person workforce at any work locations by 100% no later than March 22 at 8 p.m. Any essential business or entity providing essential services or functions shall not be subject to the in-person restrictions.** An entity providing essential services or functions whether to an essential business or a non-essential business shall not be subjected to the in-person work restriction, but may operate at the level necessary to provide such service or function. Any business violating the above order shall be subject to enforcement as if this were a violation of an order pursuant to section 12 of the Public Health Law.

<https://www.governor.ny.gov/news/no-2028-continuing-temporary-suspension-and-modification-laws-relating-disaster-emergency>