



**NASSAU COUNTY FIRE COMMISSION
OFFICE OF THE FIRE MARSHAL**

Nassau County Public Safety Center
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Chief Fire Marshal
Scott D. Tusa

FIRE MARSHAL BULLETIN

March 30, 2020

To: Nassau County Towns, Villages and Cities

The COVID-19 pandemic situation is evolving rapidly and therefore non-essential locations will be required to shut down after 2000hrs (8 p.m.) on March 22, 2020. Each for-profit or not-for profit employer (excluding state and local governments and authorities) shall reduce the in-person workforce at each business/work location by 100% from pre-state of emergency declaration employment levels.

ESSENTIAL BUSINESSES OR ENTITIES, including any for profit or non-profit, regardless of the nature of the service, the function they perform, or its corporate or entity structure, are not subject to the in-person restriction.

For purposes of Executive Order 202.11, "Essential Business," shall be interpreted as:

1. Essential health care operations including:

- research and laboratory services
- hospitals
- walk-in-care health facilities
- emergency veterinary and livestock services
- senior/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
- licensed mental health providers
- licensed substance abuse treatment providers
- medical billing support personnel

2. Essential infrastructure including:

- public and private utilities including power generation, fuel supply and transmission
- public water and wastewater
- telecommunications and data centers

- airports/airlines
- commercial shipping vessels/ports and seaports
- 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 including personal care products regulated by the Food and Drug Administration
- telecommunications
- microelectronics/semi-conductor
- food-producing agriculture/farms
- household paper products
- defense industry and the transportation infrastructure

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, appliance and building material stores
- pet food

5. Essential services including:

- trash and recycling collection, processing and disposal
- mail and shipping services
- laundromats and other clothing/fabric cleaning services
- building cleaning and maintenance
- childcare services
- bicycle repair
- auto repair
- automotive sales conducted remotely or electronically, with in-person vehicle return and delivery by appointment only
- warehouse/distribution and fulfillment *** See expanded info below
- funeral homes, crematoriums and cemeteries
- storage for essential businesses
- maintenance for the infrastructure of the facility or to maintain or safeguard materials or products therein
- animal shelters/ and animal care

6. News media

7. Financial Institutions including:

- banks or lending institution
- 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:

- All non-essential construction must shut down except emergency construction, (e.g. a project necessary to protect health and safety of the occupants, or to continue a project if it would be unsafe to allow to remain undone until it is safe to shut the site).
- Essential construction may continue and includes roads, bridges, transit facilities, utilities, hospitals or health care facilities, affordable housing, and homeless shelters. At every site, if essential or emergency non-essential construction, this includes maintaining social distance, including for purposes of elevators/meals/entry and exit. Sites that cannot maintain distance and safety best practices must close and enforcement will be provided by the state in coordination with the city/local governments. This will include fines of up to \$10,000 per violation.

For purposes of this section construction work does not include a single worker, who is the sole employee/worker on a job site.

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, including corrections and community supervision
- fire prevention and response
- building code enforcement
- security
- emergency management and response, EMS and 911 dispatch
- building cleaners or janitors
- general maintenance whether employed by the entity directly or a vendor
- automotive repair
- disinfection
- residential moving services

12. Vendors that provide essential services or products, including logistics and technology support, childcare and services including but not limited to:

- logistics
- technology support for online services
- childcare programs and services
- government owned or leased buildings
- essential government services
- any personnel necessary for on-line or distance learning or classes delivered via remote means

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.

Every business is strongly urged to maintain social distance to the extent possible, even if designated essential.

The following are websites with good information:

Empire State Development ESD: <https://esd.ny.gov/guidance-executive-order-2026>

NYS Attorney General's Office: <https://ag.ny.gov/whistleblower> for complaints about businesses treating workings unfairly during the COVID-19 Outbreak

Expanded DED's guidance allows for warehouse/distribution and fulfillment:

To Whom it May Concern:

As you know, the Governor issued an Executive Order (Executive Order 202.6) restricting on-site workforce operations of non-essential businesses. The Department of Economic Development ("DED") issued guidance on what businesses are essential. While a limited number of retail businesses are essential pursuant to this guidance, many are not. These non-essential retail outlets must close. However, because DED's guidance allows for warehouse/distribution and fulfillment, retail stores that restrict their operations to delivery and curbside pickup can fall within that category of essential services. As with all essential businesses, these businesses must continue to adhere to all guidance from the Department of Health and other government entities with respect to social distancing and other workplace safety requirements. Additionally, please be advised that DED may further revise the current guidance on essential businesses to address emerging public health and other governmental needs.

Thank you and please let me know if you have any questions.

Sincerely,

Authority: Scott D. Tusa, Chief Fire Marshal 3/30/2020