

## "Stay at Home": An Overview of Governor Murphy's Executive Order 107

We are living in extraordinary times, as proven by New Jersey Governor Phil Murphy's Executive Order 107, which went into effect on Saturday, March 21, 2020, at 9:00 pm.

In a nutshell, the Order directs that New Jersey residents must "stay at home" with limited exceptions, to combat the spread of the COVID-19 virus in the state.

Under New Jersey law, Executive Order 107 makes it a disorderly persons offense, subject to up to a \$1,000 fine or six months in jail, if any New Jersey resident fails to remain in their residence unless they are:

Executive Order 107 also cancels gatherings of individuals, such as parties, celebrations, or other social events, and closes to the public the brick-and-mortar premises of all non-essential retail businesses. The following "essential retail businesses" may remain open during their normal business hours:

Restaurants, cafeterias, dining establishments, food courts, bars, and all other holders of a liquor license with retail consumption privileges are permitted to operate during their normal business hours, but are limited to offering only food delivery and/or take-out services in accordance with their existing liquor licenses. If alcoholic beverages are to be sold from a restaurant, dining establishment or bar with a liquor license, such sales are limited to original containers sold from the principal public barroom. The on-premises consumption of alcohol is prohibited.

The following recreational and entertainment businesses have also been ordered to close to the public:

As a general matter, all businesses and non-profits must accommodate their workforce, wherever practicable, for telework or work-from-home arrangements through the use of technology that equips the individual to access necessary materials.

All public, private, and parochial schools must remain closed and institutions of higher education may not have in-person instruction. Some schools may be permitted by the Department of Education to remain open on a limited basis for the provision of food or other essential, non-educational services, or for educational or child-care services if needed in emergency situations.

Nothing contained in Executive Order 107 limits, prohibits, or restricts the following:

Finally, the State Attorney General and Superintendent of the State Police may determine and control the direction of the flow of vehicular traffic on any state or interstate highway, municipal or county road, and any access road, including the right to detour, reroute, or divert any or all traffic, to prevent ingress or egress in certain areas, and to determine the type of vehicle or vehicles to be operated on such roadways.

## Related Attorneys

---

A portrait of James A. Robertson, a man with glasses wearing a dark blazer over a dark shirt, set against a light green and white background.

**James A. Robertson**  
Partner  
973.577.1784  
Email