

KOCH'S KORNER – May 28, 2020
From Koch Law Firm (KLF)^{1,2}

Gov. Walz Issues EO 20-63 –Expansion of Permitted Activities, Reopening of Certain Businesses and Facilities, Etc. Subject to Exception, Limitations and Specified Requirements

On May 27, 2020, Governor Walz issued [EO 20-63](#) (EO). The EO expands the list of permitted activities outside the home (Paragraph 6), authorizes the reopening of certain businesses and facilities as well as “Youth Programs” and “Organized Youth Sports” and higher education institutions subject to specified limitations and requirements (Paragraph 7), allows certain outdoor recreational activities (Paragraph 8), allows businesses to enforce protective measures (Paragraph 9), lets local governments impose stricter requirements (Paragraph 10) and imposes criminal and civil liability for violations (Paragraph 11). It is important to read the EO carefully as it several nuances.

Masks and Face Coverings. Although the EO generally encourages masks and face coverings, certain activities and reopenings are permitted only if employees and customers utilize masks and face coverings.

COVID-19 Preparedness Plans. Non-critical businesses, Youth Programs, Organized Youth Sports, and higher education institutions wishing to reopen or operate must develop, post and comply with a “COVID-19 Preparedness Plan” (see <https://mn.gov/deed/guidance>).

Outdoor Recreational Activities and Associated Facilities. Outdoor recreational activities and associated facilities are subject to specified requirements set forth in Paragraph 6 and the Outdoor Recreation Guidelines (<https://mn.gov/deed/guidance>).

Compliance with Businesses Social Distancing and Hygiene instructions. The EO requires all Minnesotans to comply with the social distancing and hygiene instructions of businesses. Employers and businesses must post social distancing and hygiene instructions at entrances in location that can be easily seen by customers and visitors (Paragraph 9).

Enhanced local measures permitted. Paragraph 10 allows cities and political subdivisions to take actions that are more but not less protective of the public health than required by the EO.

Enforcement – Crimes and Penalties. Individuals who willfully violates the EO is guilty of a misdemeanor which is punishable by a fine not to exceed \$1,000 or by imprisonment for not more than 90 days. Business owners, managers, or supervisors who requires or encourages any of their employees, contractors, vendors, volunteers, or interns to violate the EO is guilty of a gross misdemeanor and upon conviction may be punished by a fine not to exceed \$3,000 or by imprisonment for not more than a year. In addition, the Attorney General, as well as city and county attorneys, may seek civil penalties of up to \$25,000 per occurrence from businesses and injunctive relief violating the EO.

Need help? KLF can help. Please contact us for assistance regarding your legal questions and concerns whether they involve COVID-19 or other issues, we can help. We are fully automated. We can advise you over the phone or through video conferencing. Documents can be emailed or mailed to you. Safe, remote notarizations can be arranged.

Be safe.

Sincerely,

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