

Newark, New Jersey, Mayor Orders City to Shelter-In-Place

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Newark, New Jersey, Mayor Ras Baraka has issued a citywide shelter-in-place directive that he promised would be enforced in a “more muscular way.” The directive reportedly calls for “an all-city quarantine” to go into effect beginning March 25, 2020, at 8:00 p.m.

Individuals may leave their homes only for emergencies or to engage in essential activities such as visits to the supermarket, pharmacy, doctor, dog-walks, or stepping outside for fresh air.

The effectiveness of the Newark order is uncertain at this time. On March 21, 2020, New Jersey Governor Phil Murphy issued Executive Order 108, which effectively prohibited county and municipality actions that conflict with those of the state (see our article, [New Jersey Closes Non-Essential Retail Businesses, Directs Stay-at-Home, Sets State Response to COVID-19](#)). Indeed, the state has issued comprehensive restrictions on individuals and business operations that include, among other limitations, the reasons people could leave their homes. To prevent further confusion over potentially conflicting directives, the Governor had issued EO 108, which provides:

Any county or municipal restriction imposed in response to COVID-19 that in any way will or might conflict with any of the provisions of Executive Order No. 107, or which will or might in any way interfere with or impede its achievement ... is hereby invalidated.

EO 108 prohibits all such entities from enacting or enforcing “any order, rule, regulation, ordinance, or resolution which will or might in any way conflict with any of the provisions of Executive Order No. 107.”

Nevertheless, Newark implemented the shelter-in-place restrictions and their impact or effectiveness likely will be tested as the City promises enforcement.

Jackson Lewis attorneys will continue to update the evolving situation with respect to legislative actions, executive orders, and local efforts to combat the spread of COVID-19, as well as its impact on your business. Please contact a Jackson Lewis attorney with any questions.

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