



# THE AMERICAN LEGION

DEPARTMENT OF NEW JERSEY

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March 16, 2020, the Governor issued Executive Order # 104 which affects the operations of most American Legion Posts. Search "NJ Executive Order 104" to find a full text.

This Order is law and must be followed by all Posts. Any violations can result in criminal prosecution. If any Post operates in violation of this Order, there is a good possibility it will be caught. Local liquor license holders, members/concerned citizens and health department officials will be on the lookout for operations not consistent with the Order. Please do not be the Post that puts The American Legion in negative news articles.

Below are portions of the Order that pertain to American Legion Posts:

*"All gatherings of persons in the State of New Jersey shall be limited to 50 persons or fewer, excluding normal operations at airports, bus and train stations, medical facilities, office environments, factories, assemblages for the purpose of industrial or manufacturing work, construction sites, mass transit, or the purchase of groceries or consumer goods."*

*"Other non-essential retail, recreational, and entertainment businesses must cease daily operations from 8:00 p.m. until 5:00 a.m.. From 5:00 a.m. until 8:00 p.m., these businesses may remain open if they limit their occupancy to no more than 50 persons and adhere to social distancing guidelines. Examples of essential businesses excluded from this directive include: grocery/food stores, pharmacies, medical supply stores, gas stations, healthcare facilities and ancillary stores within healthcare facilities."*

*"All restaurants, dining establishments, and food courts, with or without a liquor license, all bars, and all other holders of a liquor license with retail consumption privileges, are permitted to operate their normal business hours, but are limited to offering only food delivery and/or take-out services. If alcoholic beverages are to be sold from a restaurant, dining establishment or bar with a liquor license, such sales shall be limited to original containers sold from the principal public barroom."*

*"It shall be the duty of every person or entity in this State or doing business in this State and of the members of the governing body and every official, employee, or agent of every political subdivision in this State and of each member of all other governmental bodies, agencies, and authorities in this State of any nature whatsoever, to cooperate fully in all matters concerning this Executive Order."*

The Bottom line is, a Post can, or allow others to, use their facilities for meetings, recreation, or entertainment purposes, as long as it is 50 persons or fewer in attendance. As far as the canteen, it appears that a Post can only serve takeout and/or delivery food (no alcohol) as we do not have a "principal public barroom". Although we hold "club licenses" those licenses are classified as C class license which is retail. Club licenses are subject to the same laws and rules as all other licenses (from ABC Handbook) *"All other rules and regulations which apply to plenary retail licenses, such as those dealing with the purchase of alcoholic beverages, keeping records, etc., apply to club licensees"*. **Per JA Wilson, each Post must check and adhere to any other restrictions set by Local and County Authorities. If your canteen only serves alcohol, and no food, the county restriction might be that the entire post be closed until further notice.**

I know this is a hardship for most Posts and members also have issues in our personal lives and employment as a result of the situation. We have to work through this and together we will overcome and maintain the services and assistance that so many rely on us to provide.

**Members with compromised immune systems and others at greater risk of the effects of COVID-19 should carefully consider attendance at meetings or events. Please check on members who are not showing up to the post, ensure they are ok and provide assistance to those that may need it.**

Robert B. Newell  
Department Commander

*An Organization of Wartime Veterans in Service to America...*