



# Department of Health

ANDREW M. CUOMO  
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HOWARD A. ZUCKER, M.D., J.D.  
Commissioner

LISA J. PINO, M.A., J.D.  
Executive Deputy Commissioner

## Interim Guidance for Temporary Residences During the COVID-19 Public Health Emergency *July 10, 2020*

### **Background:**

This Interim Guidance for Temporary Residences during the COVID-19 Public Health Emergency was created to provide temporary residence owners/managers, operators, permit seekers and their employees and contractors with standards that must be complied with to help protect against the spread of COVID-19. This guidance is specific to bungalow and cabin colonies, temporary residences and other related accommodations including certain employer sponsored housing. This Interim Guidance also pertains to congregate settings where activities are provided to minors who remain onsite overnight, even if such setting does not meet the regulatory definition of a children's overnight camp. It does not address farmworker housing and other employer sponsored housing types for which guidance has already been provided. Operators may also want to consult the "Interim COVID-19 Guidance for Accommodations" which addresses the NY Forward requirements for hotels, motels, bed and breakfasts, hostels and boarding houses, guest houses, bungalow and cabin colonies, temporary residences and other related accommodations.

### **Executive Order Authority**

On March 7, 2020, Governor Andrew M. Cuomo issued [Executive Order 202](#), declaring a state of emergency in response to COVID-19. Community transmission of COVID-19 has occurred throughout New York. To minimize further spread, social distancing of at least six feet must be maintained between individuals, where possible.

On April 12, 2020, Governor Cuomo issued [Executive Order 202.16](#), directing essential businesses to provide employees, who are present in the workplace, with a face covering, at no-cost, that must be used when in direct contact with customers or members of the public during the course of their work.

On April 15, 2020, Governor Cuomo issued [Executive Order 202.17](#), directing that any individual who is over age two and able to medically tolerate a face-covering must cover their nose and mouth with a mask or cloth face-covering when in a public place and unable to maintain, or when not maintaining, social distance.

### **Unauthorized Camps**

On June 12, 2020, the Commissioner of Health prohibited overnight camps from operating in the State of New York during the Summer of 2020 due to the COVID-19 Public Health Emergency. The prohibition of overnight children's camps applies to all overnight children's programs regardless of whether they meet the criteria in Subpart 7-2 of the State Sanitary Code to qualify as a regulated overnight children's camp. Children's camps that are not regulated under the State Sanitary Code carry similar COVID-19 risks as the regulated camps.

This prohibition includes children's overnight "camps" taking place in hotels and other accommodations typically in receipt of temporary residence permits that may encourage recreational activities, meals or other congregate events, including congregate study sessions for children under the age of 18, whether or not



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parents/relatives/legal guardians are also staying on the premise. It also applies to overnight programs of less than 72 consecutive hours.

Children staying overnight at a permitted temporary residence facility must be accompanied by a parent or guardian. The operator of the temporary residence may not accept responsibility for the overnight supervision of a child.

Those who have operated overnight camps in the past and are applying for (or obtained earlier this year) temporary residence permits in lieu of a prohibited overnight camp permit are subject to restrictions and regulations pertaining to social distancing, use of face coverings, food service, swimming pool/beach use and gathering size limitations applicable to the reopening phase of the region in which the temporary residence is located. Additionally, operators must develop a written safety plan outlining how the temporary residence will prevent the spread of COVID-19. As stated above, a temporary residence must not allow unaccompanied minors to stay overnight.

**Non-essential businesses that operate in violation of the applicable COVID-19 Emergency Orders may be in violation of 10 NYCRR Subpart 66-3, and may be subject to fines of up to \$1,000 per violation per day. Local health departments may enforce such violations pursuant to PHL 324(1)(e), which authorizes local health departments to enforce relevant provisions of the Public Health Law and associated regulations. Camps and temporary residences operating in violation of the COVID-19 Emergency Orders may also be subject to other civil penalties and closure and may be denied permits to operate in future seasons.**

### **Additional Requirements**

It is recommended that Temporary Residences provide individual or single family/households with non-adjacent individual accommodations for sleeping, eating, and personal hygiene.

#### *Sleeping*

If dormitory-style, multi-bed capacity rooms are offered, following restrictions must be complied with:

- Rooms with more than two beds can only be occupied by people from the same household unless the room is large enough to provide at least 50 square feet per person.
- Room with more than two beds that are large enough to provide 50 or more square/feet. per person, can be occupied by people of different households for up to 20% of room capacity if the beds are separated by a least 8 feet.
- Beds must be arranged so that occupants sleep in a “head to foot” rather than “head to head” direction to increase distance between occupants.
- Beds must be placed at least 6 ft away from aisles or walkways where other individuals may pass through unless physical barriers or partitions are installed, or occupants are members of the same household. Physical barriers should be put in place in accordance with [OSHA guidelines](#). Physical barrier options may include: strip curtains, plexiglass or similar cleanable materials, or other impermeable dividers or partitions.
- Bunk beds are prohibited for non-household members in multi-bed capacity rooms.



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## *Meals and Gathering Places*

- Close all non-essential amenities and communal areas that promote gathering or are high-touch (e.g. water fountains, communal coffee machines) for both employees and visitors, unless hand sanitizer or disinfecting wipes are made available next to such amenities and appropriate social distancing can be maintained.
- Serve all meals in individual servings.
- Separate tables with seating at least 6 feet apart from other tables, as feasible.
- Stagger mealtimes to reduce occupancy and congregation.
- Provide for one way directional for entering and exiting the dining area if feasible.

## *Safety and Personal Hygiene*

- Signs must be posted throughout the buildings and property consistent with DOH COVID-19 signage to remind individuals to:
  - Cover their nose and mouth with a face covering when six feet of social distance cannot be maintained.
  - Properly store and, when necessary, discard PPE.
  - Adhere to physical distancing instructions.
  - Report symptoms of or exposure to COVID-19, and how they should do so.
  - Follow hand hygiene and cleaning and disinfection guidelines.
- Everyone on site must wear face coverings at all times when within common areas (e.g., lobbies, dining areas, business centers) except when eating or drinking, provided the individual is over the age of two and able to medically tolerate such covering.
  - Responsible Parties are prohibited from requesting or requiring medical or other documentation from a customer who declines to wear a face covering due to a medical or other health condition that prevents such usage.
  - Per Executive Order 202.34, Responsible Parties may deny admittance to, or remove, individuals who fail to wear face coverings.