

Governor Again Extends Phase 3.0 COVID-19

COVID-19 Response Resource Center: Timely Counsel for your Business

By Alexander Elkan and Ed Turlington on 11.10.2020

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This week, Governor Roy Cooper extended and modified North Carolina's Phase 3.0 COVID-19 restrictions effective through 5 p.m. on Dec. 4, 2020. His new Executive Order 176 extends and modifies the Phase 3 restrictions that were first detailed in Executive Order 169 and extended in Executive Order 170.

What changes under the new Order?

- The Phase 3 measures are extended for another three weeks, through Dec. 4, 2020.
- The Mass Gathering Limit for indoor spaces is reduced from 25 to 10 people.

What remains the same under Phase 3?

- The outdoor Mass Gathering limit remains at 50.
- This Order does not change the reduced capacity limits set out for certain facilities and venues, including:
 - o Fitness and exercise facilities remain open, subject to stated capacity limits and other requirements.
 - o Restaurants remain open, subject to stated capacity limits and other requirements.
 - o Personal care businesses remain open, subject to stated capacity limits and other requirements.
 - o Museums and aquariums remain open, subject to stated capacity limits and other requirements.
 - o Movie theaters remain open, subject to stated capacity limits and other requirements.
 - o Arenas and performing arts centers remain open, subject to stated capacity limits and other requirements.

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o Meeting spaces in hotels, conference centers, meeting halls, and receptions venues may host receptions, meetings, and other functions, subject to capacity limits and other restrictions.

- The outdoor areas of amusement parks may reopen, subject to capacity limits and other restrictions. Indoor rides at amusement parks remain closed.
- Bars' outdoor seating areas remain open, subject to reduced capacity limits and other restrictions. Indoor bar areas remain closed.
- Music halls, night clubs, lounges, adult entertainment, venues for live performances and arenas with spectators where guests are seated remain open, subject to reduced capacity limits.
- Very large outdoor facilities with a capacity of more than 10,000 guests remain open at 7% of the facility's total seating capacity, if they meet certain requirements.
- Face coverings are still required in public when it is not possible to maintain social distancing from non-household members.
- Alcohol sales are still required to cease from 11 p.m. to 7 a.m.

Which gatherings or other events are not subject to the 10-person indoor Mass Gathering Limit?

- Worship, religious, spiritual gatherings, wedding ceremonies, funeral services and other First Amendment activities.
- Gatherings for work or for receiving governmental services.
- Gatherings at places that are subject to other capacity limits stated in the Executive Orders. These include fitness and exercise facilities, restaurants, personal care businesses, museums and aquariums, movie theaters, hotels, conference centers and reception venues.
- Normal operations at airports, bus and train stations or stops, medical facilities, libraries, shopping malls and shopping centers.
- Families of more than ten people who reside together.

Which gatherings or other events are subject to the 10-person indoor Mass Gathering Limit?

- Indoor in-home gatherings

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- Indoor in-home social events
- All other indoor gatherings not otherwise exempted from the Executive Order

FAQs for the new Executive Order may be accessed at [this link](#).

If you have questions, please contact Alex Elkan or Ed Turlington, linked below.

Brooks Pierce is dedicated to keeping our clients fully informed during the COVID-19 crisis. For more information, please visit our [COVID-19 Response Resources page](#).

Tags: Phase 3