

North Carolina Governor Relaxes Outdoor Mask

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

By Alexander Elkan and Ed Turlington on 04.29.2021

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This week, Governor Roy Cooper issued a new Executive Order 209 relaxing the outdoor mask mandate and easing the mass gathering limit restrictions imposed due to COVID-19. The new Order is effective on April 30, 2021 at 5 p.m. and extends through 5 p.m. on June 1, 2021.

What are some notable changes under the Order?

- It lifts the requirement that face coverings be worn outdoors anytime that social distancing of at least six feet cannot consistently be maintained from non-household members. Under the Order, face coverings are no longer required in any outdoor setting.
- The indoor mass gathering limit is raised to 100 persons and the outdoor mass gathering limit is raised to 200 persons.
- Larger venues, auditoriums, amphitheatres, arenas, and other venues for live performances may be eligible to admit guests at a higher capacity provided the venue receives pre-approval from the North Carolina Department of Health and Human Services (NCDHHS) of its health and safety plan.

What remains the same?

- Capacity limitations on all businesses remain the same as under Executive Order No. 204, as detailed below.
- Businesses are divided into three general categories, based on capacity limitations detailed below.
- Social distancing protocol, sanitation standards, other public health restrictions and NCDHHS Guidance remain in effect.
- A face covering is still required in all public indoor settings if there are non-household members present, regardless of the individual's ability to maintain social distance.

What are the business capacity limits under this Order?

North Carolina Governor Relaxes Outdoor Mask Mandate and Eases Mass Gathering Limit

This Order divides businesses into three general categories for occupancy restrictions:

- 100% occupancy indoors and outdoors
- 75% occupancy limit indoors and 100% outdoors, and
- 50% occupancy limit indoors and outdoors.

None of the businesses are capped at a certain number of occupants; however, these establishments must ensure six feet of social distancing between guests.

Indoors and outdoors up to 100%, subject to six feet social distancing

Museums and aquariums, retail businesses, salons, personal care and grooming businesses, tattoo parlors

Indoors up to 75% and outdoors up to 100%, subject to six feet social distancing

Restaurants, breweries, wineries, distilleries, recreation (e.g., bowling, skating, rock climbing), fitness and physical activity facilities (e.g., gyms, yoga studios, fitness centers), pools, and amusement parks

Indoors and outdoors up to 50%, subject to six feet social distancing

Bars, meeting, reception, and conference spaces, lounges (including tobacco) and night clubs, auditoriums, arenas, and other venues for live performances, sports arenas and fields (includes professional, collegiate, and amateur), movie theaters, gaming facilities (movie theaters and gaming facilities may operate at 75% capacity outdoors)

Some Notable FAQs

FAQs for the new Executive Order may be accessed [here](#).

The FAQs provide information on a number of topics including bars, sports, meeting spaces, receptions and outdoor events.

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

Tags: Masks