

North Carolina Moving to Phase Two of Easing

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

By Alexander Elkan and Ed Turlington on 05.21.2020

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Governor Roy Cooper took additional executive action this week related to North Carolina's response to the COVID-19 virus. The move transitions North Carolina into the second phase of a plan to gradually ease statewide restrictions designed to slow the spread of the coronavirus.

The new [Executive Order 141](#) lifts the "Stay at Home" order in [Executive Order 138](#) as of 5 p.m., Friday, May 22, at which time Phase 1 ends and Phase 2 begins. Phase 2 is expected to run through June 26, unless changed or cancelled.

Among other things, the Phase 2 Executive Order does the following:

- Lifts the "Stay at Home" Order and moves the state to a "Safer at Home" recommendation;
- Allows restaurants to open for on-premises dining with limits on occupancy, specific requirements for disinfection of common spaces, and mandatory distances of six feet between each table of diners, with additional requirements and recommendations for face coverings;
- Allows child care businesses to open to serve all children, as long as they follow state health guidelines;
- Allows overnight camps to operate, provided specific public health requirements and guidance are implemented;
- Allows personal care, grooming, massage, and tattoo businesses to open with specific requirements for disinfection of equipment, face coverings for the service providers, six feet of distance between customers, and at 50% reduced occupancy, with additional requirements and recommendations for face coverings;
- Allows indoor and outdoor pools to open with 50% reduced occupancy, following specific public health requirements;
- Allows people to gather together for social purposes, so long as they do not exceed the mass gathering limit of 10 people indoors and 25 people outdoors; and
- Allows sporting and entertainment events to occur for broadcast to the public, so long as the events occur in large venues and spectators are limited to the mass gathering limit of 10 people indoors and 25 people outdoors.

North Carolina Moving to Phase Two of Easing COVID-19 Restrictions

The Order creates a new mass gathering limit. Under it, gatherings of more than 10 people in a single indoor space remain prohibited. In outdoor spaces, gatherings of more than 25 people are prohibited. These mass gathering limits include parades, fairs, festivals, auditoriums, stadiums, arenas, conference rooms, and meeting halls.

The mass gathering limit does not apply to retail businesses, restaurants, personal care and grooming businesses, pools, child care, day camps, and overnight camps. In these settings, there are other restrictions, such as 50% reduced occupancy or putting six feet of distance between each group at a restaurant, to ensure that there is not overcrowding.

The Order allows houses of worship to hold services without being subject to the mass gathering limit. This limit and other requirements of the Order do not apply to worship, religious, and spiritual gatherings, funeral ceremonies, wedding ceremonies, and other activities constituting the exercise of First Amendment rights.

The Phase 2 Executive Order does not change the following:

- The Three Ws (**W**ear a cloth face covering, **W**ait six feet apart from other people to keep your distance, **W**ash your hands for 20 seconds or use hand sanitizer) should be practiced;
- It is strongly recommended that at-risk individuals stay at home as much as possible;
- Teleworking continues to be encouraged whenever possible;
- Among the facilities that remain closed are public playgrounds, gyms, fitness and dance studios, bars and nightclubs, movie theaters, museums, bowling alleys, amusement parks, arcades, skating rinks, bingo parlors and other gaming establishments; and
- Visitation at long-term care facilities remains restricted, except for certain compassionate care situations.

FAQs for Executive Order No. 141 may be accessed at this link.

If you have questions regarding phase two of easing COVID-19 restrictions, 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 2