



Frequently Asked Questions (“FAQ”) for Executive Order No. 163

September 1, 2020

This FAQ provides guidance for the implementation of Executive Order No. 163 (“Order”). Under the terms of that Executive Order, North Carolina moves into Phase 2.5 of easing restrictions effective September 4, 2020 at 5 pm. Below are frequently asked questions (“FAQs”) and their answers. In addition, individuals should check with local governments to determine whether additional restrictions have been imposed in their local jurisdictions to limit the spread of COVID-19.

This information is subject to change in light of new CDC guidance and additional Executive Orders or local government declarations.

FAQs related to the Order

When does this Order take effect?

This Order takes effect on September 4, 2020 at 5:00 p.m. It is effective until October 2, 2020 at 5 p.m.

What does this Order change?

Under this order:

- Mass gathering limits will be increased to 25 people indoors and 50 people outdoors.
- Playgrounds will be allowed to open.
- Museums and aquariums can open at 50% capacity.
- Fitness and competitive physical activity facilities can open at 30% capacity.
- All employers in North Carolina are strongly encouraged to provide face coverings to their employees.

What remains the same under Phase 2.5?

- Bars, nightclubs, movie theaters, amusement parks, dance halls, and other entertainment facilities will remain closed.

- Restaurants remain subject to capacity limits and other requirements for in-person dining.
- Personal care businesses such as hair salons, nail salons, barber shops and more remain subject to capacity limits and other requirements.
- Large venues remain subject to the mass gathering limits.
- Wedding receptions and other private events remain subject to the mass gathering limits.
- Face coverings are still required in public.

Does this Order require me to wear a face covering while exercising at the gym?

This Order requires fitness facility patrons to wear a face covering at all times when inside the establishment except for when strenuously exercising.

What is strenuously exercising?

Strenuous exercise will vary from person to person. Each individual must assess whether they are performing an exercise that requires such physical exertion that they cannot wear a mask.

What other requirements must gyms or fitness facilities comply with under this Order?

Gyms must follow a number of safety protocols specified in the Order, including but not limited to, spacing equipment six feet apart, ensuring individuals remain six feet apart during group fitness classes, and implementing various cleaning and sanitation protocols.

A previous executive order and NCDHHS guidance provided that an individual could present a doctor's note if he or she needed to use an indoor gym or indoor exercise or fitness facility because of a medical condition; is this still required?

No. That exception is no longer in place under this Order, and indoor gyms and indoor fitness and exercise facilities are now open to the general public, subject to the capacity limits and other requirements in the Order. These establishments may NOT serve additional patrons beyond the 30% capacity limit, even if the patron claims a medical exception or presents a doctor's note.

Are sports tournaments or entertainment events allowed at my fitness facility?

Yes. However, the number of spectators allowed at these events is subject to mass gathering limits.

What are the mass gathering limits under this Order?

This Order limits mass gatherings to 25 people indoors and 50 people outdoor in a single confined indoor or outdoor space. Social distancing and face covering requirements remain in effect.

Are movie theaters allowed to reopen? What about movie theatres that are part of museums?

No. Movie theaters remain closed, including movie theatres that are part of museums. Drive-in theaters may operate subject to the requirements in the Order, and movies can be shown in open outdoor spaces, provided they comply with mass gathering restrictions.

Can restaurants still serve alcoholic beverages for on-site consumption?

Yes, restaurants can still serve alcoholic drinks for on-site consumption. However, the 11 pm curfew on sale of alcoholic drinks has been extended to October 2, 2020 by Executive Order No. 162.

Do the limits placed on spectators at entertainment and sporting events in large venues apply to professional and collegiate sports?

Yes. Spectators at professional and collegiate sporting events are limited to the mass gathering limits specified in this Order.

May I serve spectators alcoholic beverages at my entertainment or sporting event?

Bars at sporting or entertainment events must remain closed. However, restaurants at sporting and entertainment events may operate pursuant to the restrictions set forth in the Order.

Why are bowling alleys and skating rinks open if entertainment venues are closed?

Bowling alleys and skating rinks are considered fitness facilities. They may open under the same capacity limits and rules as fitness facilities.