State of North Carolina

ROY COOPER
GOVERNOR

November 23, 2020

EXECUTIVE ORDER NO. 180

INCREASING FACE COVERING REQUIREMENTS TO PREVENT THE RAPID SPREAD OF COVID-19

WHEREAS, on March 10, 2020, the undersigned issued Executive Order No. 116 which declared a State of Emergency to coordinate the state's response and protective actions to address the Coronavirus Disease 2019 ("COVID-19") public health emergency and provide for the health, safety, and welfare of residents and visitors located in North Carolina; and

WHEREAS, on March 11, 2020, the World Health Organization declared COVID-19 a global pandemic; and

WHEREAS, on March 13, 2020, the President of the United States issued an emergency declaration for all states, tribes, territories, and the District of Columbia, retroactive to March 1, 2020, and the President declared that the COVID-19 pandemic in the United States constitutes a national emergency; and

WHEREAS, on March 25, 2020, the President approved a Major Disaster Declaration, FEMA-4487-DR, for the State of North Carolina; and

WHEREAS, in responding to the COVID-19 pandemic, and for the purpose of protecting the health, safety, and welfare of the people of North Carolina, the undersigned has issued Executive Order Nos. 116-122, 124-125, 129-131, 133-136, 138-144, 146-153, 155-157, 161-165, 169-173, and 176-177; and

WHEREAS, the undersigned has taken a science and data-driven approach to implementing public health measures to curb the spread of the virus and to restart the state's economy in a safe and effective way, which is in the best interests of all North Carolinians; and

WHEREAS, on September 30, 2020, the undersigned issued Executive Order No. 169, which transitioned the state into Phase 3 of its COVID-19 response; and

WHEREAS, concerning trends in COVID-19 metrics following the issuance of Executive Order No. 169 led the undersigned to extend the measures of Executive Order No. 169 under Executive Order Nos. 170 and 176, and based on those trends, Executive Order No. 176 reduced the mass gathering limit on indoor gatherings to control the documented spread of COVID-19 in social and in-home get-togethers; and

WHEREAS, since the issuance of Executive Orders Nos. 169, 170, and 176, COVID-19 continues to spread at a concerning rate nationally and in North Carolina; and

WHEREAS, as of the date of this Executive Order, the United States is experiencing a significant increase in COVID-19 case counts, currently averaging more than one thousand (1,000)

daily COVID-19 deaths (over a seven-day average), with more than a quarter of a million (250,000) American lives lost since the start of the pandemic; and

WHEREAS, the significant uptick in COVID-19 case counts across the nation, and the attendant strain on hospital capacity, has required other states and localities in recent days and weeks to impose or reimpose stricter measures on business operations, activities, and public and private gatherings; and

WHEREAS, in North Carolina in recent weeks, COVID-19 daily case counts have been at their highest point to-date since the onset of the pandemic; and

WHEREAS, in North Carolina there have been recent increases, compared to previous weeks' levels, in the percent of emergency department visits that are for COVID-19-like illnesses and in COVID-19-associated hospitalizations; and

WHEREAS, in North Carolina in recent weeks, COVID-19-associated hospitalizations have been at record highs, and daily deaths attributable to COVID-19 have been at or near record highs; and

WHEREAS, between November 1 and November 14, 2020, over one-half of North Carolina counties were experiencing "substantial (orange)" or "critical (red)" COVID-19 transmission, according to the County Alert System developed by the North Carolina Department of Health and Human Services' ("NCDHHS"), which evaluates a county's COVID-19 case counts, percent positives, and hospital capacity; and

WHEREAS, more than three hundred thirty-nine thousand (339,000) people in North Carolina have had COVID-19, and more than five thousand (5,000) people in North Carolina have died from the disease; and

WHEREAS, due to delays between exposure to the COVID-19 virus, the onset of symptoms, and hospitalizations, the accelerating case counts in the state signal potential challenges to come for the state's health care facilities and signal a high risk of increased COVID-19 morbidity and mortality in North Carolina; and

WHEREAS, decisive action is therefore necessary now to protect the lives of North Carolinians and to avoid unmanageable strain on the state's hospital capacity and other healthcare resources across the state in the near future; and

Face Coverings Required in All Public Indoor Settings

WHEREAS, Face Coverings are a low-cost and highly effective way of mitigating the spread of COVID-19, and, if adopted widely by all North Carolinians, may help to prevent further re-closures of the state's businesses and operations; and

WHEREAS, the U.S. Centers for Disease Control and Prevention ("CDC") has said as recently as November 20, 2020, that there is evidence for the effectiveness of Face Coverings; and

WHEREAS, the CDC has provided evidence of Face Coverings effectively blocking exhaled virus from an individual wearing a Face Covering, evidence of reduction in exposure to the virus for someone wearing a face covering, and evidence of the effectiveness of communities wearing Face Coverings; and

WHEREAS, examples of studies studying the effectiveness of face coverings include:

- One study found that states mandating use of Face Coverings in public had a greater decline in daily COVID-19 growth rates compared to states that did not. Lyu & Wehby, *Community Use Of Face Masks And COVID-19: Evidence From A Natural Experiment Of State Mandates In The US*, Health Affairs (June 16, 2020), https://www.healthaffairs.org/doi/full/10.1377/hlthaff.2020.00818.

- Another study found that that Face Coverings could reduce risk of infection by approximately 50% in non-health-care settings. Chu *et al.*, *Physical distancing, face masks, and eye protection to prevent person-to-person transmission of SARS-CoV-2 and COVID-19: a systematic review and meta-analysis*, The Lancet (June 1, 2020), https://doi.org/10.1016/S0140-6736(20)31142-9.

- A third study showed that the widespread use of Face Coverings in April and May in New York and Italy significantly reduced the number of COVID-19 infections. Zhang *et al.*, *Identifying airborne transmission as the dominant route for the spread of COVID-19*, Proceedings of the National Academy of Science (June 30, 2020), https://doi.org/10.1073/pnas.2009637117.

- A fourth study found that the daily growth rate of COVID-19 cases fell by approximately 40% due to mandatory Face Covering requirements. Mitze *et al.*, *Face Masks Considerably Reduce COVID-19 Cases in Germany: A Synthetic Control Method Approach*, IZA Institute of Labor Economics: Discussion Paper Series (June 2020), http://ftp.iza.org/dp13319.pdf.

- A fifth study found that increasing universal masking by 15% could prevent the need for lockdowns and reduce associated losses of up to $1 trillion nationally or about 5% of gross domestic product. Hatzius *et al.*, Face Masks and GDP, *Goldman Sachs Research* (June 29, 2020) https://www.goldmansachs.com/insights/pages/face-masks-and-gdp.html; and

  These studies, and others, have shown the effectiveness of Face Coverings; and

WHEREAS, to mitigate the spread of COVID-19, particularly in indoor settings where the virus is transmitted more easily, the undersigned has determined that Face Coverings must be worn in all indoor public settings where other individuals may be present, regardless of one's perceived ability to maintain physical distance of at least six (6) feet; and

WHEREAS, businesses in North Carolina must do their part to "flatten the curve" of COVID-19 in North Carolina, by ensuring their employees and Guests wear Face Coverings at all times while on their premises, and by denying entry to those Guests who do not wear Face Coverings, unless an exception to the requirement applies; and

WHEREAS, Face Coverings should continue to be worn outdoors when it is not possible to consistently be physically distant, by at least six (6) feet, from non-household members; and

WHEREAS, all North Carolinians must follow the Mass Gathering limit as revised downward in Executive Order No. 176, and following this Mass Gathering limit — ten (10) people indoors and fifty (50) people outdoors — is critical for stemming the spread of disease in this state, because studies have shown significant spread of COVID-19 through indoor and outdoor family or social gatherings; and

Statutory Authority and Determinations

WHEREAS, Executive Order No. 116 invoked the Emergency Management Act, and authorizes the undersigned to exercise the powers and duties set forth therein to direct and aid in the response to, recovery from, and mitigation against emergencies; and

WHEREAS, pursuant to N.C. Gen. Stat. § 166A-19.10(b)(2), the undersigned may make, amend, or rescind necessary orders, rules, and regulations within the limits of the authority conferred upon the Governor in the Emergency Management Act; and

WHEREAS, N.C. Gen. Stat. § 166A-19.10(b)(3) authorizes and empowers the undersigned to delegate Gubernatorial vested authority under the Emergency Management Act and to provide for the sub-delegation of that authority; and

WHEREAS, pursuant to N.C. Gen. Stat. § 166A-19.12(3)(e), the Division of Emergency Management must coordinate with the State Health Director to revise the North Carolina Emergency Operations Plan as conditions change, including making revisions to set "the appropriate conditions for quarantine and isolation in order to prevent the further transmission of disease," and following this coordination, the Emergency Management Director and the State Health Director have recommended that the Governor develop and order the plan and actions identified in this Executive Order; and

WHEREAS, pursuant to N.C. Gen. Stat. § 166A-19.23 in conjunction with N.C. Gen. Stat. §§ 75-37 and 75-38, the undersigned may issue a declaration that shall trigger the prohibitions against excessive pricing during states of disaster, states of emergency or abnormal market disruptions; and

WHEREAS, pursuant to N.C. Gen. Stat. § 166A-19.30(a)(1), the undersigned may utilize all available state resources as reasonably necessary to cope with an emergency, including the transfer and direction of personnel or functions of state agencies or units thereof for the purpose of performing or facilitating emergency services; and

WHEREAS, pursuant to N.C. Gen. Stat. § 166A-19.30(a)(2), the undersigned may take such action and give such directions to state and local law enforcement officers and agencies as may be reasonable and necessary for the purpose of securing compliance with the provisions of the Emergency Management Act and with the orders, rules, and regulations made thereunder; and

WHEREAS, although the NCDHHS County Alert system has identified certain counties as having higher levels of community transmission in recent data, the professionals delegated the responsibility to maintain the County Alert system have determined that every county has a dangerous rate of community transmission of the virus — reflected in every county in the state being rated at least at "significant (yellow)" risk; and

WHEREAS, pursuant to N.C. Gen. Stat. § 166A-19.30(c)(i), the undersigned has determined that local control of the emergency is insufficient to assure adequate protection for lives and property of North Carolinians because not all local authorities have enacted such appropriate ordinances or issued such appropriate declarations restricting the operation of businesses and limiting person-to-person contact, thus needed control cannot be imposed locally; and

WHEREAS, pursuant to N.C. Gen. Stat. § 166A-19.30(c)(ii), the undersigned has determined that local control of the emergency is insufficient to assure adequate protection for lives and property of North Carolinians because some but not all local authorities have taken implementing steps under such ordinances or declarations, if enacted or declared, in order to effectuate control over the emergency that has arisen; and

WHEREAS, pursuant to N.C. Gen. Stat. § 166A-19.30(c)(iii), the undersigned has determined that local control of the emergency is insufficient to assure adequate protection for lives and property of North Carolinians because the area in which the emergency exists spreads across local jurisdictional boundaries and the legal control measures of the jurisdictions are conflicting or uncoordinated to the extent that efforts to protect life and property are, or unquestionably will be, severely hampered; and

WHEREAS, pursuant to N.C. Gen. Stat. § 166A-19.30(c)(iv), the undersigned has determined that local control of the emergency is insufficient to assure adequate protection of lives and property of North Carolinians because the scale of the emergency is so great that it exceeds the capability of local authorities to cope with it; and

WHEREAS, N.C. Gen. Stat. § 166A-19.30(c) in conjunction with N.C. Gen. Stat. § 166A-19.31(b)(1) authorizes the undersigned to prohibit and restrict the movement of people in public places; and

WHEREAS, N.C. Gen. Stat. § 166A-19.30(c) in conjunction with N.C. Gen. Stat. § 166A-19.31(b)(2) authorizes the undersigned to prohibit and restrict the operation of offices, business

establishments, and other places to and from which people may travel or at which they may congregate; and

WHEREAS, N.C. Gen. Stat. § 166A-19.30(c) in conjunction with N.C. Gen. Stat. § 166A-19.31(b)(3) authorizes the undersigned to restrict the possession, transportation, sale, purchase, and consumption of alcoholic beverages; and

WHEREAS, N.C. Gen. Stat. § 166A-19.30(c) in conjunction with N.C. Gen. Stat. § 166A-19.31(b)(5) authorizes the undersigned to prohibit and restrict other activities or conditions, the control of which may be reasonably necessary to maintain order and protect lives or property during a state of emergency; and

WHEREAS, pursuant to N.C. Gen. Stat. § 166A-19.30(c)(1), when the undersigned imposes the prohibitions and restrictions enumerated in N.C. Gen. Stat. § 166A-19.31(b), the undersigned may amend or rescind the prohibitions and restrictions imposed by local authorities.

NOW, THEREFORE, by the authority vested in me as Governor by the Constitution and the laws of the State of North Carolina, **IT IS ORDERED**:

Section I. Strengthening the Face Covering Requirement.

For the reasons and pursuant to the authority set forth above, the undersigned orders as follows.

Subsection I(A). Purpose.

For the avoidance of doubt, Section I of this Executive Order is intended to add additional circumstances in which people are required to wear Face Coverings in public places, both indoors and outdoors. This Executive Order accomplishes this purpose by amending Executive Order No. 169 to eliminate certain circumstances where wearing a Face Covering – particularly indoors – had been excepted. The amendments in this Executive Order also authorize law enforcement to enforce Face Coverings against individuals who fail to wear a Face Covering outside the home without any applicable exception. Where a question might arise as to whether an individual who is able to wear a Face Covering in North Carolina is required to wear one in a certain context, this Executive Order seeks to promote the wearing of Face Coverings.

Subsection I(B). Requiring Face Coverings Indoors Even if Other People Will Be More Than Six Feet Away.

Sections 2.1 and 2.2 of Executive Order No. 169 are amended to read:

2.1. **Face Coverings Required In Public Places.**

a. The undersigned enacts the following restriction on the movement of people in public places and restriction on the operation of offices, business establishments, schools, and other places where people may travel or congregate.

b. For any place outside the home, including but not limited to businesses, schools, and other establishments and spaces:

1. Face Coverings must be worn indoors if anyone else is in that space who is not a member of the same household.

2. Face Coverings must be worn outdoors if it is not possible to consistently be physically distant by more than six (6) feet from non-household members.

c. These requirements shall apply to all people at least five (5) years old, unless an exception applies. These requirements are recommended for all people over the age of two (2) years old.

2.2. **Restrictions for Specific Settings.** Section 3 of Executive Order No. 169 (as amended by Subsection I(C) of Executive Order No. 180) states a series of specific Face Covering requirements for certain types of businesses and establishments. These requirements are in addition to, and not in lieu of, the general restrictions stated above.

Subsection I(C). Requiring Face Coverings if People Are Exercising.

Section 2.4(d) of Executive Order No. 169 is removed.

The following provision is added to Section 2 of Executive Order No. 169:

2.4A. **Face Coverings and Exercise.** People must wear Face Coverings while exercising if they are either:

- Outdoors and within six (6) feet of someone who does not reside in the exercising person's household; or
- Indoors and not within their own home.

2.4B. **Face Coverings for Professional or Collegiate Athletes Under a COVID-19 Health and Safety Protocol.** As an exception to the other provisions of this Section, Face Coverings are encouraged, but not required for professional or collegiate athletes if (1) they are strenuously exercising or recovering from exercise and (2) those athletes are training for or participating in a sport that is under the oversight of a league, association, or other organizer that required teams and players to follow a protocol for reducing risk from COVID-19. These athletes must wear Face Coverings, including on sidelines and in practice, at any time that they are not strenuously exercising or recovering from recent exercise.

Subsection I(D). Creating an Enforceable Legal Duty for Individuals, as Well as Businesses, to Follow Face Covering Requirements.

Section 2.5 of Executive Order No. 169 is removed.

Section 2.7 of Executive Order No. 169 is amended to read:

2.7. **Enforcement of Face Covering Requirements**.

If a person does not wear a Face Covering in a situation where a Face Covering is required under this Executive Order, and if an exception to the Face Covering requirement does not apply:

a. Law enforcement officers may cite the people who failed to wear Face Coverings as required by Executive Order; and/or

b. Law enforcement officers may cite a business or organization that failed to enforce the requirement to wear Face Coverings.

Further, if a business or organization does not allow entry to a worker or Guest because that person refuses to wear a Face Covering, and if that worker or Guest enters the premises and refuses to leave the premises, law enforcement personnel may enforce the trespassing laws and any other laws that the worker or Guest may violate.

Section 12.1 of Executive Order No. 169 is amended to read:

12.1. Pursuant to N.C. Gen. Stat. § 166A-19.30(a)(2), the provisions of this Executive Order shall be enforced by state and local law enforcement officers.

Subsection I(E). Face Covering Requirements in Particular Settings.

i. Child Care Facilities, Day Camps, and Overnight Camps

Section 3.2(d) of Executive Order No. 163 (incorporated by Sections 3.3 and 3.4 of Executive Order No. 169) is amended to read:

> d. In Child Care Facilities, Day Camps, and Overnight Camps. Child care facilities, day camps, and overnight camps must have workers, all other adults, and children five (5) years or older on site wear Face Coverings, unless an exception applies.

ii. Fitness and Physical Activity Facilities

Section 3.5(b) of Executive Order No. 169 is amended to read:

> b. Face Coverings. All workers and Guests must wear Face Coverings when they are inside the establishment, regardless of whether they are exercising. The exceptions in Section 2.4 of Executive Order No. 169 (as amended by Executive Order No. 180) apply; however, the exception for people who are strenuously exercising was removed by Executive Order No. 180.

iii. Government Operations

Executive Order No. 169, Section 3.6, is amended to read:

> 3.6. **Government Operations**. Unless an exception applies, state government agencies headed by members of the Governor's Cabinet and the Governor's Office must have their on-site workers wear Face Coverings when they are indoors. In addition, unless an exception applies, these agencies must require Face Coverings for any outdoor work within six (6) feet of another person. State government agencies headed by members of the Governor's Cabinet and the Governor's Office must also follow the requirements for Retail Businesses established in this Executive Order unless necessary to complete that office's mission. All other state and local government agencies are strongly encouraged to adopt similar policies.

iv. Museums and Aquariums

Section 3.2(*l*) of Executive Order No. 163 (incorporated by Section 3.9 of Executive Order No. 169) is amended to read:

> *l.* In Museums and Aquariums. Unless an exception applies:
> - Workers in museums and aquariums must wear Face Coverings when they are inside.
> - Workers in museums and aquariums must also wear Face Coverings if they are outside and within six (6) feet of another person.
> - In addition, Guests must wear Face Coverings.

v. Parks

The following sentence is added to Executive Order No. 169, Section 3.10, which is entitled "Parks":

> Unless an exception applies, Face Coverings are required for all people in parks if they are either within six (6) feet of another person or are indoors.

vi. Personal Care, Grooming, and Tattoo Businesses

Section 3.2(c) of Executive Order No. 163 (incorporated by Section 3.11 of Executive Order No. 169) is amended to read:

c. In Personal Care, Grooming, and Tattoo Businesses. Unless an exception applies:
- Personal Care, Grooming, and Tattoo Businesses must have workers wear Face Coverings at all times.
- In addition, the business must have all Guests wear Face Coverings when they are inside the establishment, unless they are receiving a facial treatment, shave, or other services on a part of the head which the Face Covering covers or by which the Face Covering is secured.

vii. Restaurants, Breweries, Distilleries, and Wineries

Section 3.2(b) of Executive Order No. 163 (incorporated by Section 3.13 of Executive Order No. 169) is amended to read:

b. In Restaurants. Unless an exception applies:
- Restaurants must have all workers wear Face Coverings.
- In addition, these establishments must have all Guests wear Face Coverings (including at their table) when they are not actively drinking or eating.

The following sentence is added to the end of Section 3.13(a) of Executive Order No. 169:

Breweries, wineries, and distilleries are subject to the same restrictions as Restaurants under this Executive Order.

viii. Retail Businesses

Section 3.2(a) of Executive Order No. 163 (incorporated by Section 3.14 of Executive Order No. 169) is amended to read:

a. In Retail Businesses. Unless an exception applies:
- Retail Businesses must have all workers wear Face Coverings.
- In addition, Retail Businesses must have all Guests wear Face Coverings when they are inside the establishment.

The following provision is added to Section 6.2(a) of Executive Order No. 163 (incorporated by Section 3.14 of Executive Order No. 169):

iv. Any Retail Business location with more than 15,000 square feet of interior space must, at each entrance open to the public, have a worker who is responsible for the Face Covering and Emergency Maximum Occupancy requirements established by Executive Orders. These workers may have other duties, but they must be close enough to the entrance that they can identify customers who enter without wearing Face Coverings and ensure that Guests wait outside if needed so that the Retail Business does not exceed Emergency Maximum Occupancy requirements.

ix. Schools

The following provision is added to Section 2 of Executive Order No. 169:

2.8. **Schools**. In all public school units, as defined by N.C. Gen. Stat. § 115C-5(7a), and all nonpublic schools covered by Article 39 of Chapter 115C of the General Statutes, all workers, teachers, guests, other adults and children five (5) years or older must wear Face Coverings both:
- When outdoors and within six (6) feet of another person, unless an exception applies;
- When indoors, at all times, unless an exception applies.

x. Transportation

Section 3.2(f) of Executive Order No. 163 (incorporated into Executive Order No. 169 by Sections 3.15 of that Order) is amended to read:

f. In Transportation. All workers and riders on public or private transportation regulated by the State of North Carolina, as well as all people in North Carolina airports, bus and train stations or stops, must wear Face Coverings at all times, unless an exception applies. This provision does not apply to people traveling alone with household members or friends in their personal vehicles, but does apply to ride-shares, cabs, vans, and shuttles, even if the vehicles are privately owned. Guests may be removed from or denied entry to public transportation if they refuse to wear a Face Covering.

xi. Workplaces in Agriculture, Construction, and Manufacturing

Section 3.2(g) of Executive Order No. 163 (incorporated into Executive Order No. 169 by Sections 3.16 of that Order) is amended to read:

g. In Certain High-Density Occupational Settings Where Social Distancing is Difficult. Social distancing is inherently difficult where multiple workers are together in manufacturing settings, at construction sites, and in migrant farm, other farm, and agricultural settings. Therefore, in businesses or operations within North American Industry Classification System (NAICS) sectors 311 to 339 (manufacturing), 236 to 238 (construction), and 111, 112, 1151, and 1152 (agriculture), all workers not requiring a respiratory protection program must wear Face Coverings when they are either within six (6) feet of another person or indoors. Notwithstanding the above, workers may remove their Face Covering if an exception applies, if they become overheated, or if they eat and drink while working.

Section II. No Local Restrictions on COVID-19 Testing Sites.

The following subdivision is added to Section 7.3 of Executive Order No. 169:

d. Local Restrictions Cannot Prevent COVID-19 Testing. To ensure that COVID-19 testing is available to the maximum extent possible, and to create certainty and uniformity across the state for businesses and operations that are providing this valuable testing, the undersigned specifically prohibits all local prohibitions and restrictions that would prevent or restrict businesses or operations from providing COVID-19 testing or would prevent or restrict businesses or operations from advertising COVID-19 testing services that they are providing to the public. This preemption includes, but is not limited to, building permits, signage restrictions, and zoning requirements. However, the preemption provided by this Section is available only to COVID-19 testing sites that are operated in accordance with state and federal law and in cooperation with the North Carolina Department of Health and Human Services or a local public health department.

Section III. Phase Three Executive Order Remains in Effect; Extended Through December 11, 2020.

Executive Order No. 169 (which includes, for avoidance of doubt, those provisions of Executive Order No. 163 which were incorporated into and extended by Executive Order No. 169 and the amendments to Executive Order No. 169 made by Executive Order No. 176), remains in effect except as expressly set forth in this Executive Order and is hereby extended through the duration of this Executive Order, through December 11, 2020 at 5:00 pm.

Section IV. No Private Right of Action.

This Executive Order is not intended to create, and does not create, any individual right, privilege, or benefit, whether substantive or procedural, enforceable at law or in equity by any party against the State of North Carolina, its agencies, departments, political subdivisions, or other entities, or any officers, employees, or agents thereof, or any emergency management worker (as defined in N.C. Gen. Stat. § 166A-19.60) or any other person.

Section V. Savings Clause.

If any provision of this Executive Order or its application to any person or circumstances is held invalid by any court of competent jurisdiction, this invalidity does not affect any other provision or application of this Executive Order, which can be given effect without the invalid provision or application. To achieve this purpose, the provisions of this Executive Order are declared to be severable.

Section VI. Distribution.

I hereby order that this Executive Order be: (1) distributed to the news media and other organizations calculated to bring its contents to the attention of the general public; (2) promptly filed with the Secretary of the North Carolina Department of Public Safety, the Secretary of State, and the superior court clerks in the counties to which it applies, unless the circumstances of the State of Emergency would prevent or impede such filing; and (3) distributed to others as necessary to ensure proper implementation of this Executive Order.

Section VII. Enforcement.

A. Pursuant to N.C. Gen. Stat. § 166A-19.30(a)(2), the provisions of this Executive Order shall be enforced by state and local law enforcement officers.

B. A violation of this Executive Order may be subject to prosecution pursuant to N.C. Gen. Stat. § 166A-19.30(d), and is punishable as a Class 2 misdemeanor in accordance with N.C. Gen. Stat. § 14-288.20A.

C. Nothing in this Executive Order shall be construed to preempt or overrule a court order regarding an individual's conduct (e.g., a Domestic Violence Protection Order or similar orders limiting an individual's access to a particular place).

Section VIII. Effective Date.

This Executive Order is effective November 25, 2020, at 5:00 pm. This Executive Order shall remain in effect through 5:00 pm on December 11, 2020 unless this Executive Order is repealed, replaced, or rescinded by another applicable Executive Order. An Executive Order rescinding the Declaration of the State of Emergency will automatically rescind this Executive Order.

IN WITNESS WHEREOF, I have hereunto signed my name and affixed the Great Seal of the State of North Carolina at the Capitol in the City of Raleigh, this 23rd day of November in the year of our Lord two thousand and twenty.

Roy Cooper
Governor

ATTEST:

Elaine F. Marshall
Secretary of State