



Please reference this document and the relevant Executive Orders to determine what your Emergency Maximum Occupancy is. This occupancy number **MUST** be posted at all entrances to a business. It can be any conspicuous signage, but Buncombe County provided resources are available [here](#).

Source Guidance:

- Executive Order No. 163 (September 4th, 2020) is the base order for Phase 2.5 Guidance. https://files.nc.gov/governor/documents/files/EO163-Phase-2.5-Tech-Corrections_0.pdf
- Executive Order No. 169 (September 30th, 2020) is the base order for Phase 3 Guidance. <https://files.nc.gov/governor/documents/files/EO169-Phase-3.pdf>
- Executive Order No. 180 (November 23rd, 2020) is Governor Cooper’s latest guidance affecting Phase III business operations. <https://files.nc.gov/governor/documents/files/EO180-Face-Coverings-Requirements.pdf>
- The Buncombe County and City of Asheville Joint Superseding Emergency Declaration (November 25th, 2020) is the latest local guidance which puts additional requirements on Businesses in Buncombe County. <https://www.buncombecounty.org/countycenter/news-detail.aspx?id=18601>

Guidance by Industry:

Restaurants:

Executive Order 163, Section 6- 3.2.b.

The lesser of:

- 50% of stated fire capacity or
- 12 people for every 1000 square feet of total square footage (including non-guest space) or
- The maximum number of patrons who can maintain 6ft between persons

Retail:

Executive Order 163, Section 6- 3.2.a.

The lesser of:

- 50% of stated fire capacity or
- 12 people for every 1000 square feet of total square footage (including non-guest space) or
- The maximum number of patrons who can maintain 6ft between persons

Bars, Nightspots, Arenas:

Executive Order 169, Section 3.2.d.

The lesser of:

- 100 people per outdoor setting (indoor operations are closed) or
- 30% of the facilities stated outdoor occupancy or
- 7 people for every 1000 square feet of outdoor space
- Maximum number of patrons that allows for 6ft of distance between parties

Gyms, Fitness and Physical Facilities:

Executive Order 169, Section 3.5.c.

The lesser of:

- 30% of stated fire capacity or
- 7 people for every 1000 square feet of total location or
- The maximum number that can maintain 6ft between persons

Movie Theaters, Meeting Spaces, and Entertainment Facilities:

Executive Order 169, Section 3.8.d.

The lesser of:

- 100 people per room (MUST BE SEATED EVENT) or
- 30% of stated fire capacity or
- 7 persons for 1000 square feet of event space square footage or
- The maximum number that can maintain 6ft between parties

Personal Care, Grooming, Tattoo Business

Executive Order 163 Section 6-3.4.b.

- 50% of stated fire capacity or
- 12 people for every 1000 square feet of total square footage (including non-guest space) or
- The maximum number of patrons who can maintain 6ft between persons