

**Town of Cary, North Carolina**  
*Office of the Fire Marshal*

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**N.C. Governor Executive Order 138 – COVID-19**

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**NC Governor Executive Order**

This information sheet provides guidance for the implementation of Executive Order No. 138. On Tuesday, May 5, 2020, Governor Roy Cooper issued an Executive Order that provides new required and recommended policies for retail establishments.

**Which retail businesses are covered by this Executive Order?**

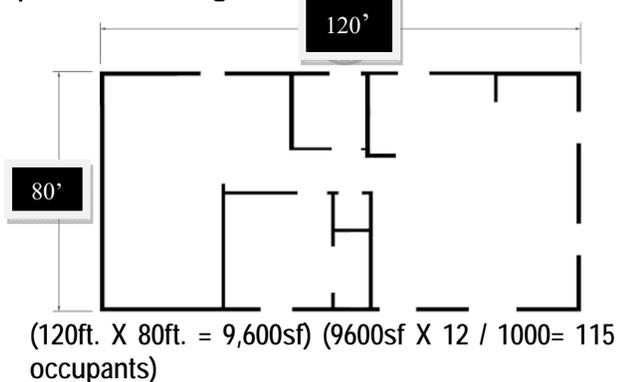
This Executive Order ("the Order") applies to any business in which customers enter to purchase goods or services, including, but not limited to, grocery stores, big box retail stores, pharmacies, ABC stores, banks, hardware stores, and vehicle dealerships. The Order does not apply to outdoor farmers markets. Retail businesses that have been closed by previous Executive Orders or by orders of their local governments are not permitted to reopen.

**Emergency Maximum Occupancy Posting Required:**

To limit the number of customers in a retail establishment, the Order requires an Emergency Maximum Occupancy (EMO) be determined and posted. There are two options in the order for establishing the EMO:

1. 50% of the stated fire capacity; or
2. Twelve (12) customers for every one thousand (1,000) square feet of the retail location's total square footage, including non-customer facing portions
3. Most retail businesses will not have a stated fire capacity, so option #2 will most likely be used for calculating the reduced capacity. The Order is set to become effective on Friday, May 8, 2020 at 5:00 PM.

**Example EMO Posting:**



**Notice**

**For Your Safety the  
Emergency Occupancy Posting**

Is limited to:

Persons

***By Order of the NC Governor under  
Executive Order 131***

**Keep Posted Under Penalty of Law**

Owner: \_\_\_\_\_ Date: \_\_\_\_\_

Download above EMO Posting [HERE](#)

**Summary and Questions for Town of Cary:**

1. Executive Order effective Friday, May 8, 2020 at 5:00pm
2. Requirements for retail establishments.
3. An emergency maximum occupancy posting is required to be determined and posted.
4. The Town of Cary, Office of the Fire Marshal recommends you follow these instructions for determining and posting the Emergency Maximum Occupancy Posting.
5. For questions in the Town of Cary please direct all questions to the 311-customer service center.
6. For direct access to the 311 customer service center and to submit an online request please visit [HERE](#)