

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019**

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**HOUSE BILL 806
Senate Judiciary Committee Substitute Adopted 6/16/20
Proposed Conference Committee Substitute H806-PCCS10872-TG-3**

Short Title: Open Exercise & Fitness Facilities.

(Public)

Sponsors:

Referred to:

April 18, 2019

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE INDOOR OR OUTDOOR EXERCISE AND FITNESS FACILITIES, GYMS, HEALTH CLUBS, AND FITNESS CENTERS TO RESUME OPERATIONS.

The General Assembly of North Carolina enacts:

SECTION 1. Notwithstanding Executive Order No. 147, Extension of Phase 2 Order and New Measures to Save Lives in the COVID-19 Pandemic, issued by Governor Roy A. Cooper on June 24, 2020, any indoor or outdoor (i) exercise and fitness facilities, (ii) gyms, (iii) health clubs, and (iv) fitness centers, as referenced in Section 8 of Executive Order No. 141, Easing Restrictions on Travel, Business Operations, and Mass Gatherings: Phase 2, issued on May 20, 2020, may open and resume operations provided all of the following apply:

- (1) The establishment was in existence on March 10, 2020, or had a valid certificate of occupancy and business license issued by that date.
- (2) Total indoor capacity is limited to forty percent (40%) of the authorized fire capacity. Employees are excluded from the total indoor capacity.
- (3) All employees answer a health questionnaire and have their temperature taken daily prior to working. Any employee showing symptoms or with a fever is not allowed to enter the establishment.
- (4) All employees wear face masks, except when actively leading a group fitness class or when outdoors and socially distanced. All members and visitors are strongly encouraged to wear face masks.
- (5) Contactless check-in is available, including propping open all entry doors when possible, or facilities may review possible HVAC system upgrades to promote improved air filtration and at a minimum provide MERV 11 level filtration. Markings are on the ground to denote proper social distancing of at least 6 feet in the check-in area.
- (6) Sanitation spray bottles with disinfectant or disinfectant wipes that are EPA-approved for SARS-CoV-2 (the virus that causes COVID-19) are available throughout the establishment.
- (7) Hand sanitizer stations are available throughout the establishment. All hand sanitizer is comprised of at least sixty percent (60%) alcohol.
- (8) Employees conduct frequent routine cleanings of high-touch equipment and high-use areas while the establishment is open and conduct a deep clean of the entire establishment after the close of business every day. For establishments that are open 24 hours a day, a deep clean of the entire establishment must



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- 1 occur at least once every 24 hours. Disinfectants that are EPA-approved for
2 SARS-CoV-2 (the virus that causes COVID-19) are used for all cleanings.
- 3 (9) For open space cardiovascular, weight training, and exercise areas, the
4 following practices must be maintained:
- 5 a. Cardiovascular and weight training equipment is used in a manner to
6 ensure social distancing of at least 6 feet.
- 7 b. Signage directs foot traffic for social distancing.
- 8 c. Employees monitor the areas for social distancing and to ensure that
9 equipment is being cleaned with disinfectant or disinfectant wipes
10 after each user.
- 11 (10) For studio and group fitness classes, the following practices must be
12 maintained:
- 13 a. Markings are on the ground at the entrances to classes to denote proper
14 social distancing of at least 6 feet apart.
- 15 b. Participants must maintain social distancing of at least 6 feet during
16 the classes.
- 17 c. Stations or equipment used during classes is arranged and used in a
18 manner to ensure social distancing of at least 6 feet.
- 19 d. All doors to studio and group fitness classes must remain open when
20 possible, or facilities may review possible HVAC system upgrades to
21 promote improved air filtration and at a minimum provide MERV 11
22 level filtration.
- 23 e. All rooms and any equipment used must be thoroughly cleaned
24 between classes.
- 25 (11) On-premises child care is limited to fifty percent (50%) of its current allowed
26 occupancy.
- 27 (12) Social distancing of at least 6 feet is employed on all open courts and fields.
- 28 (13) All personal hygiene areas and amenity services are closed, except for toilets,
29 lavatories, and lockers where social distancing must be maintained.
- 30 (14) Water fountains are limited to filling water bottles only.
- 31 (15) Signage is posted to remind employees, members, and visitors of the social
32 distancing and sanitation requirements in place.

33 **SECTION 2.** This act is effective when it becomes law and expires when Executive
34 Order No. 147, issued on June 24, 2020, is repealed, replaced, or rescinded.