



NC DEPARTMENT OF
**HEALTH AND
HUMAN SERVICES**

ROY COOPER • Governor
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MARK T. BENTON • Assistant Secretary for Public Health
Division of Public Health

MEMORANDUM

March 30, 2020

TO: Local Health Directors and Registered Environmental Health Specialists
FROM: Larry D. Michael, REHS, MPH
State Environmental Health Director
SUBJECT: Executive Order No. 120 Guidance for Environmental Health

Executive Order No.120 provides additional limitations on businesses to help control the COVID-19 outbreak. This memo serves as guidance for Environmental Health Specialists and local health departments and is not intended to address the Executive Order in its entirety. The Executive Order may be accessed at the following link:
<https://files.nc.gov/governor/documents/files/EO120.pdf>

Section 1 of the Order addresses Mass Gathering and orders tattoo parlors and indoor and outdoor swimming pools/spas to close, effective at 5:00 PM on March 24, 2020, for 30 days, or until the order is terminated or extended. This Order applies to seasonal and annual swimming pools/spas; however, the Order does not affect the permit issued by the local health department and the Order is not enforced by local public health. Because of the large number of seasonal swimming pools in North Carolina, local health departments typically start issuing Operation Permits around April 1st to avoid significant backlogs when seasonal pools traditionally open near the end of May. Therefore, Operation Permits may be issued if operators are agreeable and social distancing can be maintained. However, to avoid miscommunication, we recommend adding a statement to the permit advising that, "issuance of a permit by this department does not negate closure required by Executive Order No. 120 or subsequent Orders in effect unless such Orders are rescinded or superseded by another applicable Order." In addition, status codes on annual permits should not be changed.

Tattoo parlors are also Ordered closed at this time; however, the Order does not affect the permit. If an artist's permit needs to be renewed or if a new permit is requested, it is recommended to delay issuing renewals and new permits until the Executive Order is lifted. Unlike most swimming pools, social distancing may be difficult to achieve in tattoo parlors and the logistics of issuing permits is not as challenging as the high demand for seasonal pool permits.

Again, enforcement of the closure provisions in the Order are under local law enforcement. Local health departments are not responsible for oversight of these provisions and must not take permit action based on the Order. Alleged violations should be reported to local law enforcement.

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AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

Section 2(a) addresses mandatory local government operations. The Order directs local government agencies and officials to continue to exercise their responsibilities, including but not limited to, local county health departments, and other local government functions that are required to protect lives and property. Please notify our Section of any concerns regarding maintaining such services and we will work with you to address any gaps with available resources.

For additional information, please visit the following link for the “Guidance for Executive Order No. 120”: <https://files.nc.gov/ncdhhs/documents/files/covid-19/Guidance-for-Executive-Order-No-120.pdf>

For questions about this memo, please contact Veronica Bryant, Emergency Response and Outbreak Coordinator, at veronica.bryant@dhhs.nc.gov or by phone at 919-218-6943, or you may contact me at larry.michael@dhhs.nc.gov or 919-707-5855.