

BPACGA NC Members!  
07.07.2020

## North Carolina

BPAC/GA Members:

We are pleased to announce that today a North Carolina court hearing our case issued an order stating that **MEMBERS ONLY** of the Bowling Proprietors Association of the Carolinas/Georgia (BPACGA) may immediately resume operation of their bowling centers so long as they implement specific safety practices. Specifically, North Carolina Business Court Judge, the Honorable James Gale enjoined enforcement of Governor Cooper's Executive Order 141 as to BPACGA members so long as they comply with a list of safety precautions provided by the court.

Governor Cooper immediately filed an appeal and asked Judge Gale to delay his ruling pending the appeal. Judge Gale forecast to our attorneys that he is not going to delay his order pending appeal, but he would rule tomorrow morning, July 8, 2020, whether he will delay his order until Thursday to give the Governor time to seek an immediate stay from the Court of Appeals.

We caution all members to be alert to all rulings and motions as they continue to change daily and could affect your reopening plans.

Governor Cooper is not ready to concede the fight and is pushing back on the ruling by Judge Gale.

BPACGA is represented attorney Anthony Biller of the Michael Best & Friedrich law firm. BPACGA's motion for a preliminary injunction was heard in front of Judge Gale, on July 1, 2020. BPACGA fought to reopen under restrictions similar that of other businesses currently allowed to operate. BPACGA preparedness was a large factor in our success as the much of the guidance from the 17-Page BPAA COVID-19 Response Manual was incorporated into the judge's order. Thank you Nancy Schenk (Past BPAA President) and Joe Laspina, NY Proprietor, for your endless hours spent on preparing the manual.

Melanie Campbell, President of the BPACGA. commented, "We have very large and spacious establishment, which will allow for us to properly place bowlers across our lanes at a safe and comfortable distance apart."

"We want to provide all of our bowlers with a respite during these difficult times but do so in a way that's carefully planned in order to keep our employees and bowlers safe and healthy. We know not everyone is ready to return to bowling, but when they are ready, we have made sure that our members can provide them with a safe, socially distanced, fun experience."

North Carolina BPACGA MEMBERS ONLY are allowed to reopen as long as they comply with the following mandatory operational guidelines and practices, (pages 30-33):

- a) The number of patrons inside any facilities shall be limited to Emergency Maximum Occupancy as defined by section 6(B)(1)(a)(i)-(ii) of EO 141;
- b) All employees and patrons over the age of two (2) that are not excepted under section 3.5(c) of EO 147 shall be required to wear a face covering as defined by section 3.5(a) of EO 147 at all times unless seated in the designated dining area;
- c) Food and beverage shall be consumed only in the designated dining area;
- d) At least one empty lane shall be maintained between each group bowling;
- e) Rental shoes shall be thoroughly cleaned between uses with a disinfectant approved for COVID-19 sanitation, to include inner and outer shoe cleaning and sanitizing;
- f) Patrons other than immediate family members shall not be allowed to share a bowling ball;
- g) All bowling balls shall be removed from the lane concourse area after usage. Any bowling ball loaned or rented by the facility to a patron shall be returned after use for thorough cleaning and sanitation;
- h) When allowing a patron to choose a bowling ball for use, once touched by a patron, the ball shall be thoroughly cleaned and sanitized before being allowed to be touched by another patron;

- i) All unnecessary touch points throughout the concourse shall be eliminated, and those that cannot be eliminated, included seating areas, will be wiped between use by groups and thoroughly cleaned and sanitized each twenty-four hour period;
- j) Hand sanitizer stations shall be made available throughout each establishment. All hand sanitizer must be comprised of at least sixty percent (60%) alcohol;
- k) Any employee shall have access to at least two safety classes which teach how to safely work and provide a safe environment for patrons;
- l) Social distancing throughout the venue shall be encouraged and enforced, including through installing appropriate signage, partitions, and plexiglass screening as may be required, and including necessary efforts to avoid congregating and close social gathering in any area, including but not restricted to the concourse area;
- m) All employees must answer a health questionnaire and have their temperature taken daily prior to working. Any employee showing symptoms or with a fever shall not be allowed to enter the establishment;
- n) Adequate precautions shall be taken to guard against the presence of any employee or patron known or reasonably believed either to be exhibiting symptoms of infection with the COVID-19 virus or to have been exposed to the COVID-19 virus within the preceding 14 days; and
- o) BPPCGA members shall otherwise comply with section 6 of EO 141 as applicable and section II of EO 147.

The Bowling Proprietors Association of the Carolinas and Georgia represents 75 members in North Carolina and 197 across their three-state territory.  
Questions regarding membership please contact Melanie or Renee'

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