

**NORTH CAROLINA BOWLERS DEFEND INJUNCTION AGAINST GOVERNOR COOPER ORDERS
SHUTTING DOWN BOWLING CENTERS;
SAY THEY ARE “UNCONSTITUTIONAL AND IMPROPER”
BPACGA: “GOVERNOR HAS THROWN A GUTTER BALL”**

The Bowling Proprietors Association of the Carolinas and Georgia (BPACGA) today said that it will continue to defend an injunction they obtained in Wake County Superior Court against Governor Cooper’s executive orders shutting down bowling in North Carolina for nearly five months. BPACGA officials said that successive orders issued by the governor related to COVID-19 have devastated family owned bowling lanes during the past several months.

“Frankly, Gov. Cooper has thrown a gutter ball on this one. Even medical experts agree that bowling is not a highly dangerous activity with regard to COVID-19 spread,” said Melanie Campbell, President of the BPACGA. “We have extensive safety protocols that are being used by bowling lanes across the country, and Gov. Cooper simply ignores them. He refuses to respond or even acknowledge them. In the meanwhile, bowling lanes in North Carolina have been shut down for going on five months and are facing permanent closure.”

Over 45 other states, to include Virginia, Tennessee, South Carolina and Georgia, allow bowling, and most have for several months. At least nine states never shut down bowling. Despite bowling taking place throughout the pandemic, there has been no documented cases of outbreak clusters associated with bowling centers. “We are not aware of even anecdotal reports of outbreaks associated with bowling, anywhere in the world,” Campbell explained. “Tattoo parlors, brewery taprooms, indoor restaurants, indoor day camps, basketball, indoor shopping and pools have been operating for months, but we are still ordered close. It’s beyond frustrating.”

The Honorable James Gale of the Wake County Superior Court agreed that the Governor was without excuse or justification for continuing to ignore the Association’s safety standards while continuing to shut them down. Absent a reason why the safety standards were deficient or a showing of some other harm from bowling centers of a nature any greater than allowed activities, Judge Gale ruled the Association’s members could open so long as they complied with their safety standards.

Governor Cooper immediately appealed to the North Carolina Supreme Court and asked that Court to put a temporary halt on Judge Gale’s injunction. The Association submitted extensive argument opposing Gov. Cooper’s request, which included the devastation being caused to bowling lanes. Last Tuesday, within 24 hours of receiving the Association’s response, the Supreme Court granted the Governor’s motion with a one sentence ruling, absent any explanation. Bowling lanes were again forced to close after having just reopened.

“Our members have suffered substantial pain and burden as a result of Gov. Cooper’s unconstitutional, successive orders, and they now face insolvency and the permanent loss of their livelihood,” Campbell added. “The Court ordering us shut again without any explanation and governor’s ill-advised policies have resulted in staggering losses for our members. Gov. Cooper’s unconstitutional moves threaten thousands of jobs and millions of dollars of tax revenue.”

Under the current orders, bowling centers across the State are ordered closed, while businesses such as day camps, waxing centers, tattoo parlors, retail stores, nail salons, restaurants, and other businesses are allowed operates as they want so long as they do not exceed 50% of their capacity, Campbell explained.

“That makes no sense, is not based on science and needs to be addressed by the court,” she said.

She noted that bowling centers around the state have instituted a broad range of safety and sanitation measures to ensure the bowling public would enjoy a safe environment with strict rules that include maintaining at least one empty lane between each group bowling; daily temperature and wellness checks of employees; on-going sanitation of all venue-provided equipment; and reducing touch points in all facilities and wearing of masks by all employees and guests.

Campbell added that member bowling centers also have elevated their already robust cleaning procedures and installed floor markings, plexiglass and signage to enforce social distancing.

“The governor’s improper interpretation of the law has led to the absurd result of a perpetual state of emergency that gives him the unilateral authority to regulate the economy and society by executive fiat,” Campbell said. “The governor now has five months of “emergency” emergency power, and our view is that what he is doing in general and, in particular, what he is doing to bowling lanes, is wrong and must stop. We know that one result is that his approach is devastating our industry members, many of which are family owned and multi-generational businesses.”

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