

Frequently Asked Questions Regarding Targeted Mitigation Orders:

Does an Order mean mandatory? Is this a law?

Yes, it is mandatory that all applicable businesses follow the guidelines set forth in the Order.

What is an event or gathering?

An event or gathering is a temporary grouping of individuals who interact for defined purposes, that takes place over a limited timeframe, such as hours or days. For example, events and gatherings include fairs, festivals, concerts or shows and groupings that occur within larger, more permanent businesses, such as shows or performances within amusement parks, individual showings of movies on a single screen/auditorium within a multiplex, business meetings or conferences, or each party or reception within a venue.

Similarly, groups of people who share a space within a building in the ordinary course of operations, such as in an office building, classroom, production floor or similar regularly occurring operation of a business or organization, are not "events or gatherings."

Gatherings are subject to the lesser of the building occupancy limit or per-person limit (25 for indoor, 250 for outdoor) as in the Order.

Do these Orders restrict religious gatherings?

No, religious gatherings are not affected by the order, though the administration continues to encourage places of worship to find alternative ways to hold services, including virtual and outdoor.

Does this Order apply to funeral homes?

Licensed funeral homes should adhere to guidance circulated by the Board of Funeral Directors, which requires funeral homes to limit attendance to 25 people in a room at a time. Funeral Directors can refer to the [State Registrar](#) Notices for more information.

Does the prohibition on indoor events and gatherings of more than 25 people apply to the judiciary or court functions, such as jury selection and trials?

No. The court system, acting principally through its judicial districts, is responsible for taking the necessary actions to protect the safety of court staff, court users, judges and the public, guided by general CDC and Department of Health recommendations. The Judiciary is working to protect public health while ensuring that individuals retain their fundamental state and federal constitutional rights to trial by jury. To that end, the Department of Health assisted the judiciary in developing recommended guidelines designed to ensure that jury selection and jury trials can be conducted safely.

Does the [Governor's Targeted Mitigation Order](#) apply to schools?

- The Order does not apply to classroom settings but does apply to school activities outside of the classroom that are not related to educational instruction.
- School activities and gatherings not related to educational instruction that are held **indoors** are limited to no more than 25 people. This includes meetings, assemblies, etc.
- Activities and gatherings held **outdoors** are limited to no more than 250 people.

Do the event and gathering limitations include students and staff?

Maximum occupancy includes all individuals present at the event or gathering, whether they are students, staff, or spectators.

Does the [Governor's Targeted Mitigation Order](#) apply to school sports?

Yes, the Order applies to school sports.

- Indoor sporting events and gatherings of more than 25 persons are prohibited.
- Outdoor sporting events and gatherings of more than 250 persons are prohibited.
- The maximum occupancy limit includes coaches, athletes, staff, and spectators.

See the Governor's [Guidance for All Sports Permitted to Operate During the COVID-19 Disaster Emergency to Ensure the Safety and Health of Employees, Athletes and the Public](#) for comprehensive sporting activity guidance.

Are school gyms and fitness facilities included in the Order?

Yes. All gyms and fitness facilities, while permitted to continue indoor operations, are directed to prioritize outdoor physical fitness activities.

All activities must follow masking requirements as provided by the [Secretary of Health's Universal Face Coverings Order](#) and more specifically addressed in the PA Department of Health School Guidance released July 16, 2020; must provide for social distancing of at least 6 feet; and must adhere to the indoor and outdoor gathering limitations in the [Governor's Targeted Mitigation Order](#).

Does the [Governor's Targeted Mitigation Order](#) apply to school buses?

The Order does not apply to school buses.

The [Public Health Guidance Regarding COVID-19 for Phased Reopening of Pre-k to 12 Schools](#) includes a list of best practices for safely transporting students.

Are school board meetings considered gatherings under the [Governor's Mitigation Order](#) and can they still meet?

Yes. A school board meeting is a gathering. Meetings may be held but must follow the gathering limitations outlined in the Order if meeting in person.

Does the Order apply to school cafeterias and college dining facilities?

No. School cafeteria food services and college dining services are exempt from the Order, as those services are not considered to be a private catered event or offered by a restaurant. However, if meals are being served in a congregate setting, the Pennsylvania Department of Health recommends individuals sit at least 6 feet apart and wear face coverings when walking to and from the dining facility and when getting their food. See [Public Health Guidance Regarding COVID19 for Phase Reopening of Pre-K to 12 Schools](#) for additional guidance on social distancing in cafeterias.

Does the 25 person limit apply to per court/field or for the whole facility for large sport facilities?

What if the facility has dividers set up between courts and fields?

A facility that is able to create opportunities for discrete events may have 25 people per event space as long as there is sufficient division between spaces. For example, a conference facility may utilize moveable walls to create separate spaces or sporting facilities may use floor to ceiling dividers.

However, the facility must ensure that common spaces like lobby areas, bathrooms, and hallways are cleaned frequently and visitors are not congregating.

Does this apply to recreational sports?

Recreational sports must follow the current Order's limitation on events and gatherings. For indoor games or practices, 25 people or less can attend. For outdoor games or practices, 250 people or less can attend. At all times, spectators and (when not engaged in play) players should keep social distancing and wear masks.

How does this order apply to youth sports? Can my little league or children's soccer team play?

Youth sports must follow the current Order's limitation on events and gatherings. For indoor games or practices, 25 people or less can attend. For outdoor games or practices, 250 people or less can attend. At all times, spectators and (when not engaged in play) players should keep social distancing and wear masks.

Can events like basketball tournaments be held?

Yes, events like basketball tournaments can be held as long as the number of individuals does not exceed 25 in any gym or indoor area. Multiple events could be held in the same location if scheduled at different times with appropriate cleaning in between gatherings.

How does this apply to movie theaters and other multi-stage or venue facilities?

Movie theaters and other multi-stage, screen or venue facilities, may operate at 50% of the total occupancy stated on their occupancy permit, but individual showings of movies on a single screen/auditorium within a theater or multiplex (or the like for similar multi-screen, stage, or venue facilities) are individual events and are subject to the 25 person limitation. For example, for a multi-screen movie theater, the total number of people in the theater must not exceed 50% of its total occupancy AND only 25 people are allowed per individual movie showing or to view the individual screen. Single screen theaters are limited to 25 attendees.

What about conference facilities? Can a conference with 25 people per room be held?

Yes, as long as each discrete gathering adheres to the Orders. Conferences should not allow for breakout sessions that create opportunities for the mixing and mingling of attendees. Facilities should be mindful of gatherings in common spaces such as hallways, bathrooms, etc. Singular events in large indoor spaces such as craft shows may not take place unless they adhere to the 25 person limit.

Are private catered events permitted? For example, when a graduation party or wedding is held in a local hall and catered, do those events adhere to the 25 person limit or the 25 percent maximum capacity for indoor dining?

A wedding or graduation party would be considered an event and therefore limited to 25 indoors/250 outdoors. If a facility is hosting multiple, separate events, the total of those events can't exceed 25% occupancy. If the event organizer is planning to host more than 25 people in a single indoor location the event should not be held.

I am hosting an indoor fundraiser at a local fire hall and planning to serve food, can I have over 25 people?

Even though food is being served this would be considered an event and no more than 25 people would be able to attend.

Are fairs permitted under the Order?

The Orders define "event and gathering" as: A temporary grouping of individuals for defined purposes, that takes place over a limited timeframe, such as hours or days. For example, events and gatherings include **fairs**, festivals, concerts, or shows and groupings that occur within larger, more permanent businesses, such as shows or performances within amusement parks, individual showings of movies on a single screen/auditorium within a multiplex, business meetings or conferences, or each party or reception within a multi-room venue.

Can a restaurant host a single group of greater than 25 people as long as they don't exceed 25% of the maximum occupancy?

No, discrete gatherings of individuals are limited to 25 people. Restaurants may, however, host a group of up to 25 in addition to their ordinary business if all other requirements, including particularly the overall 25% occupancy requirement, can be adhered to.

Can a reception be held in a large facility with more than 25 people?

The limitation on indoor events or gatherings is not based on occupancy of a particular square footage. It is only defined by the number of people congregated together for that event. However, venues with multiple event spaces may have two events of 25 people or less at one time. If hosting multiple events organizers should be mindful of shared spaces like hallways or bathrooms where attendees may congregate.

How should events with both indoor and outdoor components be handled?

Events with both indoor and outdoor components can have 250 people as long as no more than 25 people are inside at one time. Outdoor events should have a plan for rain including making umbrellas available to prevent guests from simply moving inside.

My outdoor event is held on a large area with many acres, can I have more than 250 people?

The limitation on outdoor events or gatherings is not based on occupancy of a particular square footage. It is only defined by the number of people congregated together for that event. Businesses should consider splitting a large event into smaller gatherings that comply with these requirements. If hosting multiple events organizers should be mindful of shared spaces like hallways or bathrooms where attendees may congregate.

Can summer camps have more than 25 people indoors and 250 people outdoors?

Summer camps in the course of their daily operations are not "gatherings" or "events" and, accordingly, are not limited to 25 persons indoor and 250 persons outdoor large gathering limitations. However, summer camps holding special events such as an end of camp celebration or family picnic must adhere to the 25/250 person limit for those events.

The Order says "All bars are prohibited from conducting operations unless they offer sit-down, dine-in meals or take-out sales of alcoholic beverages." What is considered a meal?

The PA Liquor Code defines a "meal" as "food prepared on the premises, sufficient to constitute breakfast, lunch or dinner; it shall not mean a snack, such as pretzels, popcorn, chips or similar food." [47 P.S. § 4-406(e)]."

Are patrons allowed to sit at the bar while at a restaurant or event?

For outdoor weddings and similar outdoor private events, attendees may be served alcohol at a bar, but

must have an available seat where a meal is being served. For indoor weddings and private events complying with the 25 person limitation, table service is required.

How does the Order apply to food trucks?

Food trucks may not dispense wine, beer or liquor for on-premise consumption unless accompanied by a meal. Food trucks should also ensure that no more than 250 people are in the immediate area. Food truck festivals are limited to a gathering size of 250 people.

I have a catering license, what does this mean for me?

The order is not directed to particular licensees, rather, facilities are governed by the order. As such, if a facility is capable of hosting multiple indoor events in different locations, each event is limited to 25 attendees. Similarly, each outdoor event is limited to 250 attendees.

Can beer, wine, or cocktails to-go be consumed at outdoor dining establishments?

No. Beer, wine and cocktails purchased "to go" must not be consumed on-premises; however, to-go service at facilities such as golf courses may permit beverages to be consumed on the course, but may not permit beverages to be consumed in areas where individuals may congregate (picnic tables, patios, etc.).

Many kitchens in bars/restaurants are only open limited hours, can alcohol be served when the kitchen is closed?

Per the Orders, alcohol only can be served for on-premises consumption when in the same transaction as a meal. Take-out sales of alcohol for the purposes of off-site consumption are permitted subject to any limitations or restrictions imposed by Pennsylvania law.

If alcohol is only served with a meal, can a person get a second or third drink?

Yes, there is no limit on the number of drinks that can be served, however, patrons should not linger at a restaurant after they have finished their meal.

Does the gathering limitation include staff?

Yes, the gathering limitation includes staff. For example, an outdoor wedding event should account for venue and food service staff that are interacting with guests of each gathering. If the same staff are interacting with attendees at multiple events in the same venue, they should be counted towards the event limit for each event the staff are serving.

Can breweries, distilleries and wineries still offer tastings?

The Order applies to breweries, distilleries, wineries or any entity which serves alcohol for on-site consumption. Tastings may occur IF accompanied by a meal (see question on the definition of a "meal"). For example, customers may purchase a tasting or glass of wine to drink on site but the winery must take steps to ensure that the customer has purchased a meal from a food truck on the property.

How does this Order apply to locations, such as wineries or brewpubs that do not have a kitchen, but sell food or utilize food trucks options as the food at the facility?

Wineries or breweries that do not offer food service but host food trucks must take steps to ensure that their customers have purchased a meal when alcoholic beverages are purchased.

Do events that have been scheduled prior to the issuance of the order need to be cancelled?

The order applies to all relevant activities beginning 07/16/2020 regardless of when those activities were scheduled.

What is the definition of indoor vs. outdoor dining? Would a tent with walls be considered outdoor?

Indoor dining occurs in a fully or largely enclosed (2-walls or more) space. On the other hand, outdoor dining occurs in a completely or largely open air space (open on three sides).

A tent is allowed for outdoor dining or events; however, the commonwealth encourages tents to not be fully enclosed which would limit air circulation and undo the benefits of being outdoors.

How does this order apply to drive-in movie theatres or drive-in events?

Drive-in movies or drive-in entertainment events may occur still under the Order. The drive-in complex or special event organizers must post and enforce rules regarding social distancing, mask wearing when outside of the car, and generally encourage people to stay in their cars and have strict procedures for reducing the number of people at points of congregation (like shared restrooms or concession stands); that is, individuals may not congregate indoors in groups of greater than 25, nor outdoors (outside of their cars) in groups of 250 or more.

How does this Order apply to casinos and casino floor service?

Any restaurant or food service in the casinos must follow the Order, including but not limited to the 25% occupancy rate for all indoor (casino) dining. Second, any events held on casino grounds must follow the gathering or event size limitations (25 people or less for an indoor event, 250 people or less for outdoor event). Third, casinos must follow the Order's requirements on serving alcohol – alcohol can only be served alongside and as part of the same transaction as a meal (see question about the definition of a "meal"). Drink service on the casino floor is prohibited under the Order.

My business teleworked during the red and yellow phase. Do we need to go back to teleworking?

Yes, you should return to teleworking.

Is teleworking a requirement or is this a recommendation?

Teleworking when at all possible is a requirement, per the Order.

The Order notes an end to "bar service" is required. Does this extend to non-alcoholic service as well as water and other non-alcoholic beverages?

No bar service is permitted as it encourages groups of unrelated individuals to congregate.

May life-sustaining businesses and those that received exemptions disregard the order to telework?

No. Telework should continue wherever possible.

How is this Order being enforced?

PA State Police, PA Liquor Control Board, Dept of Agriculture and local law enforcement are all enforcing violations of business restrictions, particularly those relative to restaurants and liquor licenses.

What if a county health department has issued its own Order? Do I have to follow that one or this one?

Yes, county and municipal health departments are allowed to have more restrictive, not less restrictive, public health orders.