



OFFICE OF THE COUNTY ATTORNEY

Marc Elrich
County Executive

Marc P. Hansen
County Attorney

INTERPRETIVE GUIDANCE

Number: COVID19-01
Date: September 4, 2020
RE: County Executive Order 098-20, COVID-19 – Local Order Amending and Restating Order dated August 5, 2020

At this time, the Office of the County Attorney (“OCA”) recommends that the County interpret the above-referenced Order as follows:

1. Live Performances.

- a. **Food service establishments, breweries, and wineries.** Under this Order, a food service establishment, brewery, and winery would be permitted to have live performance that is incidental to the establishment’s primary purpose (which is to serve food and/or drink). Dancing would be prohibited as it would constitute a material change to the establishments primary purpose. Individuals present during a live performance must follow all applicable provisions of County Executive Order 098-20 including maintaining social distancing and the best practices issued by the State for performances.
- b. **Social gatherings.** Live performances that occur during social gatherings are permitted provided they comply with all applicable provisions of County Executive Order 098-20 and best practices issued by the State for performances. The gathering size restriction of 50 individuals (including the performers) would continue to apply.

This Interpretive Guidance may be revised or rescinded at any time. Individuals are urged to consult with their own legal counsel for advice about the application of the Order and this Interpretive Guidance to their particular facts and circumstances.