



MIKE CAUSEY, INSURANCE COMMISSIONER & STATE FIRE MARSHAL  
BRIAN TAYLOR, CHIEF STATE FIRE MARSHAL

**MEMORANDUM**

TO: Code Officials/Fire Chiefs

FROM: Charlie Johnson  
Chief Fire Code Consultant  
NC Department of Insurance

DATE: April 13, 2020

SUBJECT: Retail Occupancy Restrictions

There have been several questions about the memo we sent out last Friday regarding the posting of an Emergency Maximum Occupancy (EMO) number in retail establishments. To provide some clarification:

- Executive Order No. 131 was issued by the Governor and it supersedes the code.
- It is the responsibility of the retail location to produce and post the EMO. Code officials can assist if contacted.
- Only law enforcement can enforce the Order.
- The calculated EMO is for customers only and does not include employees or delivery personnel.
- The total building square footage, including non-customer portions should be used for the calculation.
- The Order becomes effective at 5:00 PM today.

If you have additional questions, please feel free to contact me at [charlie.johnson@ncdoi.gov](mailto:charlie.johnson@ncdoi.gov) (T) 919-888-0162 or [brian.taylor@ncdoi.gov](mailto:brian.taylor@ncdoi.gov) (T) 919-218-5311.