



CHURCH  
AMBASSADOR  
NETWORK

## Guidance for In-Person Church Gatherings in Pennsylvania

We all recognize the need and desire to gather together at church to worship together. Prudence suggests that the manner in which we engage in-person religious gatherings should remain thoughtful and consider the guidelines provided by national, state, and local health officials.

To help point you to resources and statements that can help answer some frequently asked questions regarding conducting religious gatherings in the face of Covid-19, the Church Ambassador Network, an initiative of the Pennsylvania Family Institute, developed this resource for you.

The following document is not legal or policy advice. It is a non-exhaustive compilation of some orders and statements by the Pennsylvania Governor and Secretary of Health which may be helpful to Pennsylvania churches at this time.

### **Pennsylvania Orders and Statements Pertaining to Churches**

**\*Governor's Updated Church Guidance:** This past Friday, May 15th, the Governor added a question to the Life-Sustaining Business FAQ<sup>1</sup> document that gave some additional clarity and guidance for churches in PA. Here it is:

#### ***Are religious institutions required to suspend in-person gatherings?***

“The Governor’s and Secretary of Health’s Non-Life Sustaining Business Closure Orders (as amended), the Governor’s Process to Reopen Pennsylvania plan, or the Governor’s Stay at Home Order are not applicable to religious institutions. However, religious leaders are encouraged to find alternatives to in-person gatherings and to avoid endangering their congregants.”<sup>2</sup>

“In counties that have been designated as in the Red Phase, individuals are encouraged not to gather in religious buildings or homes for services or celebrations. In counties that have been designated as in the Yellow Phase, while not required for religious gatherings, individuals are encouraged to limit gatherings for services or celebrations to no more than 25 people.”<sup>3</sup>

This language clarifies what has been stated earlier – that churches are not subject to the Stay at Home Order. *Therefore, churches may meet.* Additionally, many churches, as well as law enforcement continued to be unclear as to whether the 25-person limit applied to churches. *The Governor has now clarified in writing that the 25-person limit does not apply to churches within the Yellow zones.*

NOTE: This *legal* clarity should NOT be viewed as *health and safety* advice. While there is legal leeway to meet, pastors must continue to consider what is safe for their congregations and what will serve your church’s reputation in your particular community. We would advise any church planning to open to be transparent with local law enforcement out of respect to them and in order to avoid any surprises during your worship service.

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<sup>1</sup> [Find this document here.](#)

<sup>2</sup> From the [Life-Sustaining Business FAQ](#) document.

<sup>3</sup> Ibid.

The Pennsylvania guidelines treat religious institutions as essential organizations which may continue physical operations.<sup>4</sup> Nevertheless, churches were and are encouraged to find alternatives to in-person gatherings.<sup>5</sup> On May 1, the Governor re-affirmed religious institutions can have services. However, he noted how most have done everything they can to protect their congregants and had been using alternatives.

Specifically, the governor was asked during a press conference: “Can churches in the yellow phase resume having services provided they follow CDC guidelines?” The governor answered:

Again, the guidance we've given to religious institutions is they can have services, but most religious organizations have done everything they can to keep their congregants safe. And that means they've kept to, we have a limit of 25 people gathering together. They've had services online, and they've done everything in their power to keep people from getting sick. That will continue to be operational. The guidance is there, we can say this is what we'd like you to do. Religious organizations will do what they intend to do.

On May 5, the Pennsylvania Secretary of Health re-affirmed to church leaders on a call regarding COVID-19 that there is no prohibition on churches meeting, but if they do meet, it is recommended they follow the guidance applicable to essential businesses that can be open.<sup>6</sup> These guidelines include cleaning requirements, distance requirements, mitigation, and mask requirements, just to name a few.<sup>7</sup>

Finally, the actual number of people who are permitted in a church building is a common question. The following information applicable to businesses that are permitted to be open does help, but it is not as clear as one would hope.

**Employee meetings:** In the Red and Yellow Phase, “you are recommended to conduct meetings and training virtually. If a meeting must be held in person, limit the meeting to the fewest number of employees possible, not to exceed 10 employees at one time and maintain a social distance of 6 feet.” [press release](#) and [business procedures by phase website](#).

**Serving the Public:** In the Red and Yellow Phase, "In addition to the social distancing, mitigation and cleaning protocols, businesses that serve the public within a building or defined area are ordered to implement the following, based on the size of the building and number of employees." ... "Conduct business with the public by appointment only and, to the extent that this is not feasible, limit occupancy to no greater than 50 percent of the number stated on their certificate of occupancy as necessary to reduce crowding in the business and at check-out and counter lines in order to maintain a social distance of 6 feet, and place signage throughout each site to mandate social distancing for both customers and employees." [press release](#) and [business procedures by phase website](#).

For the Employee in-person meeting requirements and the requirements when serving the public, the procedures specifically state that “[a]ll businesses, including non-profits, permitted to conduct in-person operations are subject to this guidance.” Reading all of the above together, where churches conduct in-person services, in no event should they go above the 50% occupancy limit listed on the building certificate.

However, the building occupancy limit related to businesses that are permitted to be open and that serve the public, when placed next to the rules that are applicable to social gatherings generally, appear to be in tension:

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<sup>4</sup>The [Industry Operation Guidance](#) states that like other essential organizations, religious institutions “may continue physical operations.”

<sup>5</sup> The [Stay-at-Home Order](#) states that "Nothing in [the stay-at-home] policy shall be construed to affect the operations of: ... Religious institutions. However, religious leaders are encouraged to find alternatives to in-person gatherings and to avoid endangering their congregants. Individuals should not gather in religious buildings or homes for services or celebrations until the stay at home order is lifted."

<sup>6</sup>The Secretary of Health was asked: “What's the latest about when churches can meet, particularly for Mother's Day?” The Secretary answered that:

- There are no specific requirements that churches cannot meet.
- Recommendations are that you be as remote as possible (best way to keep everyone safe, especially in the red zones).
- If you do meet, no direct contact, 6 ft away.
- Yellow zone - no more than 25 people in an area.
- We want to celebrate mothers but do it in a safe way that protects the health of the community.

<sup>7</sup> Here is a list of some of the safety guidelines for essential buildings/facilities in PA: [press release](#) and [business procedures by phase website](#) and [PDF guidance for businesses permitted to operate](#).

**Social Gatherings:** In red, “large gatherings” are prohibited. In yellow, “large gatherings of more than 25 prohibited.” [Phased Reopening](#).

**So, which is it? Is there a 25-person limit for church or is it based on a percentage of occupancy?** In the May 5 call with church leaders, the Secretary was asked about the limit on occupancy to “no greater than 50%,” and the answer seemed to indicate that size of the area is the key factor. Although larger and smaller are not defined, larger areas cannot exceed 50% occupancy, provided all of the other cleaning, mitigation, and social distancing requirements are also being followed.

In conclusion, the key theme from the administration is that while churches are permitted to meet, they are encouraged to find alternative methods to in person gatherings, such as streaming or drive-in services. If a church does conduct in person gatherings, it is highly recommended it review and follow the employee and interaction with the public guidance applicable to businesses that are permitted to be open.

*The Church Ambassador Network is a project of the Pennsylvania Family Institute.*

23 N. Front Street, Harrisburg, PA 17101 Phone: 717-545-0600  
Kurt Weaver – Director, Church Ambassador Network [kweaver@pafamily.org](mailto:kweaver@pafamily.org)