



## Crowd Size Limitations In PA Still In Effect – For Now

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Early in the COVID-19 pandemic, Governor Wolf issued statewide restrictions including a stay-at-home directive mandating all but essential businesses shut down, and a restriction on the size of crowds allowed to gather – 25 people per event held inside, 250 people per event held outside. Recently, the Federal District Court for the Western District of Pennsylvania held that the gathering limitations violated citizens’ right to assembly. Governor Wolf appealed this ruling to the Federal Court of Appeals for the Third Circuit.

**The Problem:** What does this mean? Can businesses now allow gatherings of over 25/250 people for events?

**The Short Answer:** No, businesses cannot allow gatherings of more than 25 people indoors or 250 people outdoors. Governor Wolf’s administration filed an appeal claiming that the Western District Court’s ruling contradicts other federal rulings and creates a split in the court. The Third Circuit Court of Appeals issued a stay preventing the Western District Court’s ruling from taking effect.

**Looking Ahead:** Even if Governor Wolf loses the appeal, expect that the state will adjust the orders to limit gatherings in a manner that would comply with the Western District’s ruling. That means there may be a relaxation of the rule for some businesses in some areas, but not all. Ensure you meet the current gathering limitations and safety guidelines applicable to your business and be prepared to be flexible on gathering sizes moving forward as this issue develops.

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Wisler Pearlstine’s COVID-19 Response Team can assist you and your business in creating a cost-effective plan to navigate the changing regulations businesses face in these challenging times. Please contact Christopher Ezold at [cezold@wispearl.com](mailto:cezold@wispearl.com) or Rhonda Grubbs at [rgrubbs@wispearl.com](mailto:rgrubbs@wispearl.com), or call us at (610) 825-8400 to discuss your COVID-related concerns.

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