



Safer at Home Phase Three Restaurant Guidelines

Use of Face Coverings

**SIXTH AMENDED NUMBER SIXTY-SEVEN (2020)
AND
ORDER OF PUBLIC HEALTH EMERGENCY SEVEN
PHASE THREE TIGHTENING OF CERTAIN TEMPORARY RESTRICTIONS DUE TO NOVEL CORONAVIRUS
(COVID-19)
November 13, 2020**

All patrons in the Commonwealth aged 5 and over shall when entering, exiting, traveling through, and spending time inside the settings listed below cover their mouth and nose with a face covering, as described and recommended by the CDC:

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[Executive Order #67](#)

Restaurants, dining establishments, food courts, breweries, microbreweries, distilleries, wineries, and tasting rooms may continue to operate delivery, take-out, and indoor and outdoor service, provided such businesses comply with the Guidelines for All Business Sectors, and sector-specific guidance for restaurant and beverage services incorporated by reference herein. Such guidance includes, but is not limited to, the following requirements:

Businesses must strictly adhere to the physical distancing guidelines, enhanced cleaning and disinfection practices, and enhanced workplace safety practices provided in the "Guidelines for All Business Sectors" document. Virginia Department of Health and Virginia Department of Agriculture and Consumer Services regulated facilities must continue to follow requirements related to prohibiting sick employees in the workplace, strict handwashing practices, and procedures and practices to clean and sanitize surfaces.

During Phase 3, businesses should continue to offer takeout and delivery options. If businesses choose to open to dine-in customers, they may do so in indoor and outdoor spaces and must adhere to the following additional requirements for service:

Mandatory Requirements

- No alcoholic beverage shall be sold, consumed, or possessed on premises after 10:00 p.m. in any restaurant, dining establishment, food court, brewery, microbrewery, distillery, winery,

or tasting room. Alcoholic beverages may continue to be sold via delivery or take-out after 10 p.m., as permitted by existing regulations promulgated by the Virginia Alcoholic Beverage Control Authority.

- Closure of all dining and congregation areas in restaurants, dining establishments, food courts, breweries, microbreweries, distilleries, wineries, and tasting rooms between the hours of 12:00 a.m. and 5 a.m. Restaurants, dining establishments, food courts, breweries, microbreweries, distilleries, wineries, and tasting rooms may continue to offer delivery and take-out services between the hours of 12:00 a.m. and 5 a.m.
- All parties must be separated by at least six feet, including in the bar area. Tables at which dining parties are seated must be positioned six feet apart from other tables. If tables are not movable, parties must be seated at least six feet apart, including in the bar area.
- Customers may be provided with self-service options. Facilities must provide hand sanitizer at food lines and require the use of barriers (e.g., gloves or deli paper) when employees or patrons touch common utensils. Food lines must be monitored by trained staff at all times of operation, and serving utensils must be changed hourly.
- Employees working in customer-facing areas must wear face coverings over their nose and mouth at all times.
- Routine cleaning and disinfection of frequently-contacted surfaces must be conducted every 60 minutes during operation. Tabletops must be cleaned in between patrons.
- Bar seats and congregating areas of restaurants must be closed to patrons except for through-traffic. Non-bar seating in the bar area (i.e., tables or counter seats that do not line up to a bar or food service area) may be used for customer seating as long as a minimum of six feet is provided between parties at tables.
- If any such business cannot adhere to these requirements, it must close.

All Public and Private In-Person Gatherings

All public and private in-person gatherings of more than **25** individuals are prohibited. **The presence of more than 25 individuals performing functions of their employment or assembled in an educational instructional setting is not a “gathering.”** A “gathering” includes, but is not limited to, parties, celebrations, or other social events, whether they occur indoors or outdoors.

Best Practices

In addition to the requirements provided above, establishments are encouraged to utilize the following best practices to the extent they are feasible:

- Utilize reservations for dining on the premises.
- Use staff facilitated seating where appropriate. If seating is not staff facilitated and tables cannot be moved to meet the physical distancing requirements outlined above, tables that should not be used must be clearly marked that they are out of service.
- Assign employee(s) to monitor and clean high touch areas while in operation.
- Use technology solutions where possible to reduce person-to-person interaction, including mobile ordering and menu tablets, text on arrival for seating, and contactless payment options.
- Consider methods to make point of sale terminals safer, including use of no contact applications, placement of a glass or clear plastic barrier between the employee and the customer, and providing a hand sanitizer station for customer and employee use after handling credit/debit cards, PIN terminals, or exchange of cash.

- Servers should avoid touching items on tables while customers are seated. Dedicated staff should remove all items from the table when customer(s) leave.
- Consider scheduled closure periods throughout the day to allow for cleaning and disinfecting, including bathrooms (i.e., after lunch service).
- Use separate doors to enter and exit the establishment when possible.
- When protective equipment such as face coverings are used, launder daily and wash hands after touching/adjusting the face covering while working.
- Single-use items should be discarded after use. Consider using rolled silverware and eliminating table presets.
- Consider installing touchless door and sink systems or providing single-use barriers (e.g., deli tissues, paper towels) for use when touching door and sink handles.
- Implement procedures to increase how often the back-of-house areas are cleaned and sanitized.

Additional Considerations

Take-out and Delivery providers are encouraged to utilize the following recommendations:

- Notify customers as the delivery is arriving by text message or phone call.
- Ensure transport containers are cleaned and sanitized between uses.
- Establish designated pick-up zones for customers, including separate entrances and exits where possible.
- Offer curb-side pick-up.
- Encourage cashless transactions where possible.
- Practice physical distancing by offering to place orders in vehicle trunks.
- Seal food packages to safeguard the integrity of contents.
- If an establishment uses a delivery service, implement a contactless pick-up option where drivers do not have to come into the restaurant.

Food Trucks/Mobile Units are encouraged to utilize the following recommendations

- Provide signage and aids to help customers maintain six feet of distance while ordering or waiting for an order.
- Food and other items should not be returned after they are loaded onto the mobile unit.
- Schedule frequent cleaning and disinfecting of order pick-up areas and other commonly touched surfaces.

Other References from Industry Groups

- Virginia Tourism Corporation and Virginia Restaurant & Travel Association: [Virginia Restaurant Promise](#)
- US Travel Association's [Health and Safety Guidance](#) - includes recommendations that can be applied across the travel industry.
- National Restaurant Association's [Reopening Guidance](#) for restaurants
- Streetsense's [Pandemic Relaunch Toolkit](#) for restaurants and bars

Enforcement

Guidelines for All Business Sectors and the sector-specific guidelines appear [here](#). The Virginia Department of Health shall have authority to enforce section A of this Order. Any willful violation or refusal, failure, or neglect to comply with this Order, issued pursuant to § 32.1-13 of the *Code of Virginia*, is punishable as a Class 1 misdemeanor pursuant to § 32.1-27 of the *Code of Virginia*. The State Health Commissioner may also

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seek injunctive relief in circuit court for violation of this Order, pursuant to § 32.1-27 of the *Code of Virginia*. In addition, any agency with regulatory authority over a business listed in section A may enforce this Order as to that business to the extent permitted by law.