In Re: Order Reauthorizing the Sale and Dine-In Consumption of Food and Beverages, Liquor, Beer, and Wine at Restaurants in a Limited Capacity

1) The sale and consumption of liquor, beer and wine in the State of Ohio will be permitted for carry-out sales and delivery to the extent permitted by law. Onsite consumption of liquor, beer and wine in the State of Ohio will be restricted to the parameters set in the guidelines listed below for facilities where food is or may be consumed on-site.

2) Food and Beverage sales will be permitted at facilities where the new standards are met and subject to review by the local health department. These facilities will continue to follow the high food safety standards required through the State of Ohio Uniform Food Safety Code to license and operate a food service business in Ohio. Businesses shall protect their employees and patrons by employing appropriate safety protocols as appropriate including but not limited to the following:

   a) Creating and executing an environmental cleaning and sanitizing schedule of commonly touched surfaces, such as workstations, countertops, railings, door handles/knobs, menu covers, bill holders, or any items commonly touched and for all back of house and front of house surfaces with which staff and customers come in contact.

   b) Continuing employee safety training; requiring proper hand washing pursuant to the Ohio Uniform Food Safety Code, which includes the washing of hands with soap and water for at least twenty seconds as frequently as possible. Additionally, the use of hand sanitizer in addition to handwashing and covering coughs or sneezes (into the sleeve or elbow, not hands) should also be encouraged.

   c) Providing hand sanitizer and sanitizing products for employees and customers when available, but it is not a substitute for hand washing for food handlers.
d) Implementing social distancing protocols for dine-in customers that shall be determined on a location-by-location basis and consider factors including but not limited to the following:

i) The maximum number of customers allowed in a facility at one time to maintain social distancing shall be determined by the operator.

ii) Factors such as square footage and layout of dine-in area that will permit appropriate social distance per the Ohio Department of Health’s guidelines may be considered when determining the maximum number of customers allowed in a facility. This determination should also include areas designated for patio seating.

e) Each facility operating in relation to this order shall post and enforce the maximum determined number of in-house patrons as determined by their social distancing protocols in a readily viewable and accessible location.

f) Each facility shall arrange seating to allow appropriate social distancing between groups and requiring staff and customers to adhere to social distancing guidelines whenever possible during both in-house and carry-out transactions.

i) This will be at the Ohio Department of Health Director’s discretion and is currently a six-foot distance.

ii) Designate with signage, tape, or by other means appropriate social distancing spacing for employees and customers.

iii) Where appropriate, designate appropriate social distancing spacing for persons waiting to enter the facility, persons waiting to be seated and persons waiting for takeout orders.

g) Encouraging and allowing employees and patrons to wear face coverings when possible. The utilization of additional sanitary items (i.e. disposable gloves) are also encouraged when appropriate.

h) An operation and notification plan shall be created by the operator for any instance when an employee is diagnosed with a probable or confirmed case of COVID-19 by a healthcare provider and is reported to the local health district with jurisdiction.
i) Monitoring employees’ health at the start of, and every eight (8) hours during each shift whenever possible including a temperature screening. Any employee exhibiting symptoms of COVID-19 shall be quickly excused from work. Symptomatic employees shall not report to work until they are free of fever (without the use of medication) for at least 72 hours (three full days) AND symptoms have improved for at least 72 hours AND at least seven days have passed since symptoms first began. These instances do not require documentation from a healthcare provider for the employee to return to work. Employees who have been diagnosed with a confirmed or probable case of COVID-19 shall not return to work until documentation is provided by a healthcare provider or the local health department where the employee resides.

3) The local Health Department in each jurisdiction has oversight and enforcement authority to ensure each facility is operating in compliance with this Order. If a facility is found in repeated or significant violation of this order, a local health department may suspend the facilities license pursuant to Ohio Revised Code.

4) As the overriding goal of this order is to minimize exposure to the COVID-19 virus, facilities shall limit group seating to a maximum party-size of 10 individuals and continuing to ensure the appropriate social distancing from other patron parties.

5) This Order shall take effect at [TIME] on [DATE], 2020. This Order will be continuously evaluated and may be modified or extended by the Director of the Ohio Department of Health at any time.

6) To the extent any public official enforcing this Order has questions regarding the sale of food, liquor, beer or wine under this Order, the Director of Health hereby delegates to local health departments the authority to answer questions in writing and consistent with this Order.