



## Memorandum

<b>Date:</b>	May 13, 2020
<b>To:</b>	<b>Municipal Building Officials and Fire Marshals</b>
<b>From:</b>	Joseph V. Cassidy, P.E., State Building Inspector William Abbott, State Fire Marshal
<b>Subject:</b>	Re-opening of Restaurants for Outdoor Dining

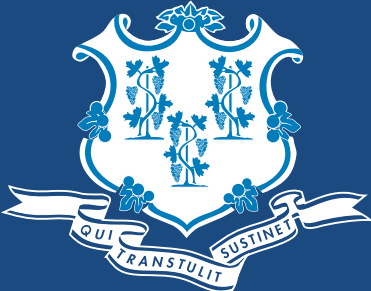
Our offices have been receiving many calls with questions regarding the re-opening of outdoor seating for restaurants on May 20, 2020. The Department of Economic and Community Development has published guidelines to aid owners in the re-opening process, which is included with this advisory. There is a self-certification requirement that is part of the DECD program, so each restaurant should have this certification.

From a building and fire code standpoint, these should be handled no differently than they have in the past. However, we are sure you going to see some very creative ideas which will challenge the limits of the code. These situations will require an equal amount of creativity and common sense to help make sure these areas are safe for patrons and staff without preventing these establishments from operating. We need to keep in mind we are dealing with people who are struggling to keep their businesses going and are reacting in the moment just as we are. So, the key here is facilitation, help them get to a safe arrangement. Here are few specifics items.

1. An occupant load for the establishment shall be determined normally. The owner/manager of the facility is responsible for the maintenance of the reduced capacity of 50% or less of the normal occupancy and the 6' of social distancing requirements.
2. Verify egress is sufficient for occupancy of the outdoor seating area.
3. If tents are erected permits are required only for tents greater than 400 square feet in area (or 700SF if open on all sides). Membrane material should comply regardless of the size of the tent (3103.5.8).
4. If there is temporary heat installed it needs to meet the requirements of the building and fire codes.
5. Accessible seating needs to be provided and an accessible route to the dining area is required.
6. Restrooms need to be provided for guests. The number can be limited based on the occupancy or segregated between staff and customers.

# REOPEN Connecticut<sup>®</sup>

SAFER. STRONGER. TOGETHER.



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## Governor Ned Lamont

Sector rules for May 20th reopen

May 8th, 2020

# SECTOR RULES FOR MAY 20TH REOPEN

## GOAL

Proactively protect public health and speed up the pace of economic, educational, and community recovery while Restoring Connecticut's quality of life.

1

### SAFETY FIRST

We will reopen society safely and securely with a proactive program that safeguards the health of our vulnerable residents, continues physical distancing, and provides clear safeguard rules for businesses and institutions deemed safe to reopen.

2

### SCIENCE-DRIVEN

Our strategy will rely on a scientifically validated set of public health interventions. Patient assessment, testing, proactive tracing, field studies, and public health guidance will be deployed simultaneously to contain infection.

3

### PREPARED

We will work closely with hospitals and health systems to procure and distribute critical personal protective equipment, and assess capacity of beds and ventilators to ensure optimal standard of care.

4

### CHOICE

Individual businesses within sectors allowed to open are empowered to make their own choice on when they reopen. When they open, they must comply with rules we lay out to safeguard their employees and customers.

5

### DYNAMIC

We include a suite of tools to inform an adaptive plan that can be nimbly scaled or rolled back rapidly based on real-time critical health metrics.

# SECTOR RULES FOR MAY 20TH REOPEN

## HOW WE WILL OPEN OUR ECONOMY SAFELY

Our plan to open the economy will address two factors:

**WHAT** businesses can open and when.

**HOW** businesses must operate **if they choose to open**.

### WHAT:

- We know that some businesses put employees and customers at greater risk of transmission.
- We will prioritize opening businesses that pose a lower transmission risk and drive outsized impact on the economy.
- Transmission risk is defined as contact intensity and modification potential of businesses.
  - Contact intensity considers contact proximity, contact length, and number of contacts.
  - Modification potential considers the businesses' ability to socially distance and sanitize in accordance with regulations.
- We will assess the impact on state economic health with a focus on number of employed individuals, total GDP impacted, and impact on small businesses that make up the backbone of our economy.

### HOW:

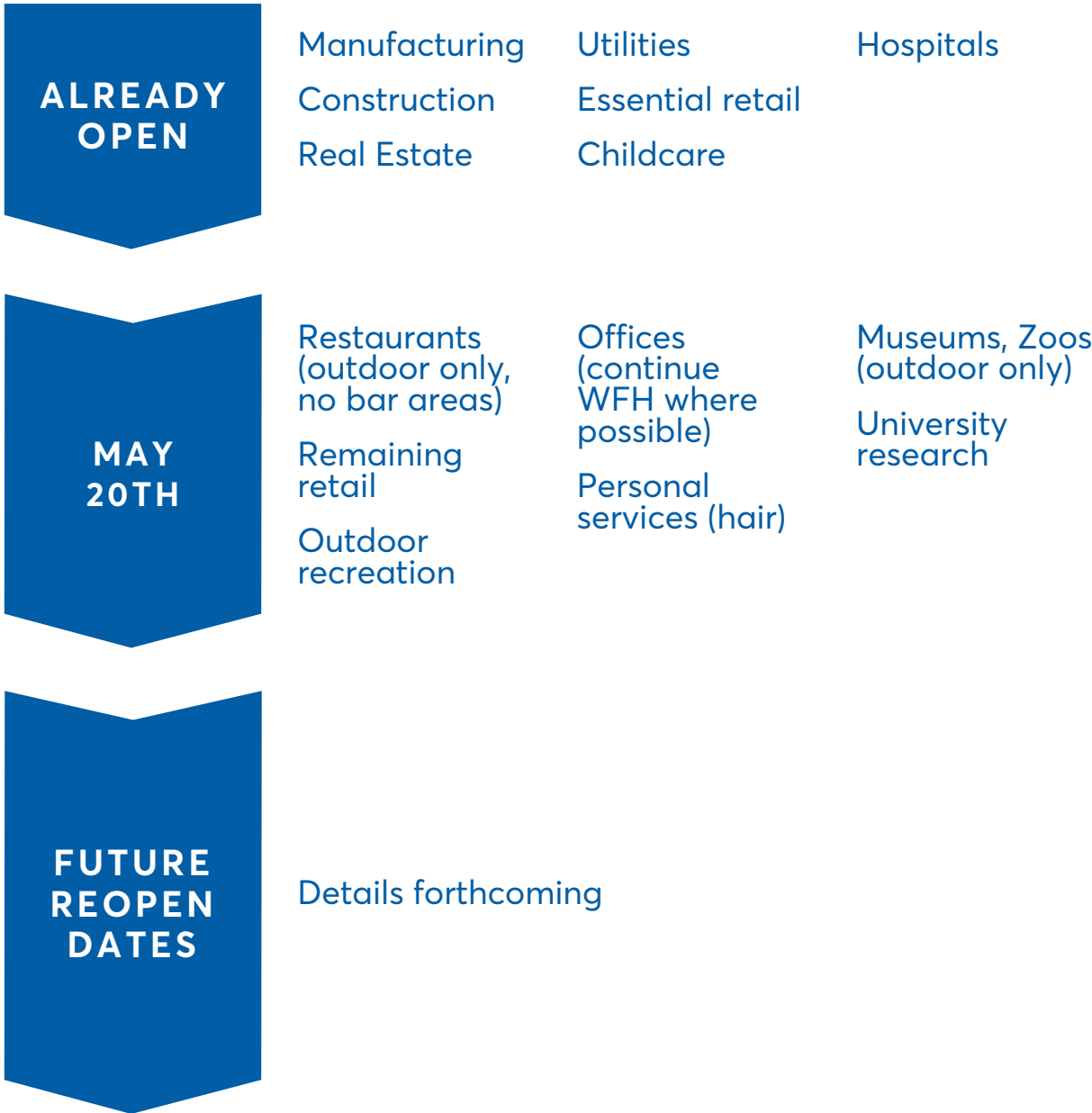
- We will provide clear operational guidance to businesses on how to reopen while ensuring the safety of both employees and customers.
- Guidance will include social distancing and hygiene, as well as the use of personal protection – for business operators, workers, and customers.
- The goal is to not only open safely, but create confidence in our society across employers, employees, and customers.
- The level of guidance will gradually become less restrictive over time, as our confidence in the ability to monitor and contain the disease increases.

# SECTOR RULES FOR MAY 20TH REOPEN

## WHAT: SECTOR REOPENING OVER TIME

### The state will open its economy with a gradual approach

The first set of businesses will start reopening when we see a sustained 14-day decline in hospitalizations, have adequate testing capacity, have a contact tracing system in place, and have procured sufficient PPE. The tentative timing for that reopen is May 20th.



# SECTOR RULES FOR MAY 20TH REOPEN

## HOW: SAFEGUARDS

As we start opening select businesses on May 20th, we will open at our strictest controls on business operations and societal interaction. This will include, among other measures:

- Capacity limit of 50% for businesses that reopen.
- Strict cleaning and disinfection protocols in all settings.
- Those who can work from home should continue to do so
- Those in high-risk groups (comorbidities) and over the age of 65 should continue to stay safe and stay home.
- Facemasks should continue to be worn in public at all times.
- Social gatherings will be restricted to a maximum of 5 people.

As we see progress on a defined set of public health metrics (detail to follow), we will gradually loosen safeguards. This will allow for the next set of businesses to open and potentially for businesses already open to operate with additional leeway. We expect this will occur over the coming months through September 2020.

As always, we will make decisions based on data and science. Our plan intentionally allows for sufficient time for learning, adoption of behaviors, and ultimately the achievement of improved health metrics that create the necessary environment for new business operations. If public health metrics deteriorate, the State may choose to revert back to stricter safeguards.



**RESTAURANTS  
OUTDOOR ONLY**

In Phase 1, restaurants can open outdoor at up to 50% capacity, no bars.

# RESTAURANTS OUTDOOR ONLY

## OVERVIEW

As Connecticut's restaurants reopen, the most important consideration will be the health and safety of employees and customers. Businesses must exercise caution throughout the phases of reopening, ensuring strict adherence to the protocols listed here. Those businesses that are not able to meet the rules listed here by May 20, shall delay opening until they are able.

While these rules provide a way for restaurants to reopen in as safe a manner as possible, risks to customers and employees cannot be fully mitigated. Customers who choose to visit restaurants during this time should be fully aware of potential risks. Individuals over the age of 65 or with other health conditions should not visit restaurants, but instead continue to stay home and stay safe.

Businesses should take these rules as the minimum baseline of precautions needed to protect public health in Connecticut. Individual businesses should take additional measures as recommended by industry guidelines or by common sense applied to its particular situation.

We urge customers to stay vigilant and pay attention as to whether restaurants they frequent are faithfully implementing these rules.

## REOPEN RULES FOR RESTAURANTS

For restaurants, **only outdoor areas can open at this time. Indoor areas and bar areas shall remain closed.** These rules are intended to help restaurants safely get back to work. The information here can be supplemented with guidance from other industry groups, some of which are listed below. These rules may be updated as conditions evolve.

## FURTHER RESOURCES

### NATIONAL RESTAURANT ASSOCIATION

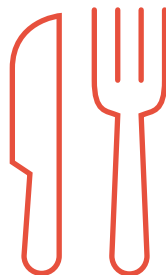
<https://restaurant.org/Downloads/PDFs/business/COVID19-Reopen-Guidance.pdf>

### OSHA

<https://www.osha.gov/Publications/OSHA3990.pdf>

### FDA

<https://www.fda.gov/food/food-safety-during-emergencies/best-practices-retail-food-stores-restaurants-and-food-pick-up-delivery-services-during-covid-19>





# RESTAURANTS OUTDOOR ONLY

## PLAN FOR REOPENING

Share these rules with your employees and inform them of any additional specific measures being taken in response to COVID-19.

## PROGRAM ADMINISTRATOR

Appoint a program administrator who is accountable for implementing these rules. For restaurants, the administrator should be the Certified Food Protection Manager.

## TRAINING

Institute a training program and ensure employee participation in the program prior to reopen. Training shall include:

- The rules contained in this document.
- Protocols on how to clean and use cleaning products (including disinfectants) safely.
- Additional guidance can be found here:

[https://osha.washington.edu/sites/default/files/documents/FactSheet\\_Cleaning\\_Final\\_UWDEOHS\\_0.pdf](https://osha.washington.edu/sites/default/files/documents/FactSheet_Cleaning_Final_UWDEOHS_0.pdf)

**Note:** If any on-site duties are subcontracted, it is the employer's responsibility to ensure subcontractors are also appropriately trained.

- The training shall be provided at no cost to the employee and during working hours. The training materials shall be presented in the language and at the literacy level of the employees. There shall also be weekly refreshers on policies.



## CLEANING PLAN

Develop cleaning checklists that incorporate these rules. Ensure it is clear which employees are responsible for implementing the plans.



## PERSONAL PROTECTION

Estimate required personal protection for employees and begin procuring.



## THOROUGH CLEANING

Complete a thorough cleaning of facility prior to reopening, including, but not limited to:

- Bathrooms, kitchens, and seating areas



## CAPACITY TRACKING

Employers are responsible for enforcing revised capacity limits (50%).



## LOG EMPLOYEES

Maintain a log of employees on premise over time, to support contact tracing.



## SHIFTS

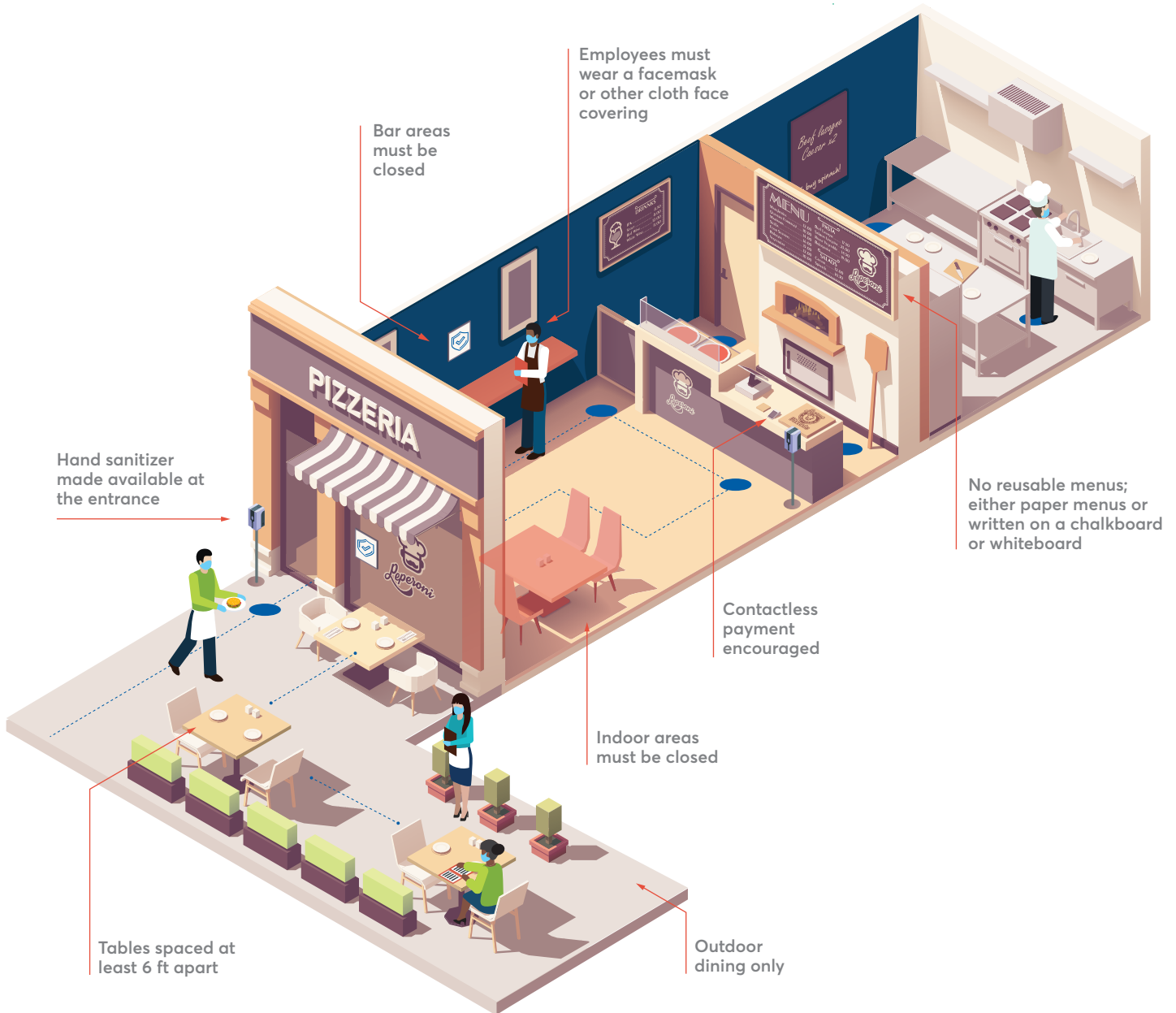
Stagger shift start/stop times, break times, and lunchtimes to minimize contact across employees.

# RESTAURANTS OUTDOOR ONLY



## CERTIFICATION

Complete the self-certification on the DECD website to receive a Reopen CT badge. Once complete, businesses can choose to post the badge on-site and on social media to advertise adherence to CT rules and build customer confidence.



# RESTAURANTS OUTDOOR ONLY

## ENTRY & EXIT

Consider an exit from the facility separate from the entrance to allow for one-way foot traffic.

## SIGNAGE

Post clear signage that supports new policies, like:

- Social distancing protocols
- Cleaning and disinfection protocols
- Personal protection (face masks, gloves)
- Employees shall stay home if sick/experiencing symptoms
- Customers shall not enter if they are experiencing symptoms



## VENTILATION

Increase ventilation rates and increase the percentage of outdoor air that circulates into the system where possible.

**Note:** This only applies to operational indoor areas (e.g. the kitchen), given customers will only be outside.



## SOCIAL DISTANCING MARKERS

Install visual social distancing markers to encourage customers to remain 6 ft apart (e.g., the entrance to the restaurant, lines to be seated, lines to make payments, lines to use the restroom).



## SEATING/TABLE ARRANGEMENT

Rearrange space to maintain at least 6 feet of distance between customers. **Ensure tables are at least 6+ ft apart.** If customers are sitting in booths or seating is fixed, groups of customers must still be 6+ ft apart. This may require keeping some booths or seats empty. Distance shall be measured from the closest chair at one table to the closest chair at another table.



## BUFFETS

Eliminate buffet self-serve stations; only permit employees to serve from food counters.



## NON-ESSENTIAL AMENITIES

Close or remove amenities non-essential to business' main function (e.g., dance floors, pool tables, playgrounds, etc.).



## DISCRETE WORK ZONES FOR SERVERS

Servers shall serve specific zones in the restaurant to minimize overlap, where possible.



## SHARED EQUIPMENT

Ensure employees do not share equipment to the extent possible (e.g., cooking equipment, trays, etc.).

# RESTAURANTS OUTDOOR ONLY



## IN THE KITCHEN

Rearrange workstations so that food workers do not face one another and are 6 ft apart where possible (e.g., stagger workstations on either side of processing lines).



## SILVERWARE

Use rolled or packaged silverware.



## TOUCHLESS APPLIANCES

Install touchless appliances wherever possible, including:

- Contactless payments, paper towel dispensers, soap dispensers, and trash cans



## MENUS

Offer paper menus and dispose after guests have ordered, or display menu on a wall/white board, and/or encourage customers to view the menu on their phone.



## CONDIMENTS

Use single use packets or containers.



## HOTLINE FOR VIOLATIONS

Post clear signage that includes the state hotline (211) for employees and customers to report potential violations of these rules.

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# RESTAURANTS OUTDOOR ONLY

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## PERSONAL PROTECTION FOR EMPLOYEES

- All employees are required to wear a facemask or other cloth face covering that completely covers the nose and mouth, unless doing so would be contrary to his or her health or safety due to medical conditions.
- Employees may utilize their own cloth face covering over that provided by their employer if they choose.
- Gloves are required for table servers, and must be replaced frequently.
- Gloves and eye protection are required when using cleaning chemicals.
- Kitchen workers shall follow FDA guidelines on usage of gloves where appropriate.

## EMPLOYERS ARE RESPONSIBLE FOR PROVIDING PERSONAL PROTECTION TO THEIR EMPLOYEES

- If businesses do not have adequate personal protection, they cannot open.

## PERSONAL PROTECTION FOR CUSTOMERS

- Customers are required to bring and wear masks or cloth face coverings that completely cover the nose and mouth unless doing so would be contrary to his or her health or safety due to a medical condition or when eating in the restaurant.

# RESTAURANTS OUTDOOR ONLY



## HAND SANITIZER

Hand sanitizer shall be made available at entrance points and common areas, where possible.



## HANDWASHING

Ensure employees wash their hands routinely using soap and water for at least 20 seconds.



## CLEANING, DISINFECTANT PRODUCTS, AND/OR DISPOSABLE DISINFECTANT WIPES

Make available near commonly used surfaces where possible (e.g., tables and chairs, bathrooms, self-service areas).



## BATHROOMS

Clean frequently, implement use of cleaning log for tracking.



## CLEANING AND DISINFECTING

Follow federal guidelines (CDC, EPA) on what specific products should be used and how:

- Use products that meet EPA's criteria for use against SARS-CoV-2 and that are appropriate for the surface. Prior to wiping the surface, allow the disinfectant to sit for the necessary contact time recommended by the manufacturer. Train staff on proper cleaning procedures to ensure safe and correct application of disinfectants.
- Disinfectants are irritants and sensitizers, and should be used cautiously.
- Avoid all food contact surfaces when using disinfectants; these surfaces should be sanitized instead.
- Clean and disinfect common areas, high transit areas, and frequently touched surfaces on an ongoing basis (at least daily) and more frequently if used more often. Clean and disinfect shared objects after each use. Examples include:
  - Entrances and exits
  - Payment devices (e.g., PIN pad)
  - Chairs



## SEATING AREA AND TABLES

Sanitize seating area, tables, and common items after each seating.



## KITCHEN

Sanitize kitchen and kitchen equipment on an ongoing basis (at least daily) and more frequently if used more often.

# RESTAURANTS OUTDOOR ONLY



## DAILY HEALTH CHECK

Ask employees resuming on-premise work to confirm they have not experienced COVID-19 CDC-defined symptoms; and to monitor their own symptoms, including cough, shortness of breath, or any two of the following symptoms:

- Fever
- Chills
- Repeated shaking with chills
- Muscle pain
- Headache
- Sore throat
- New loss of taste or smell

Employees shall stay home if sick.



## IN THE EVENT OF A POSITIVE COVID-19 CASE

Employees shall inform their employers, and follow state testing and contact tracing protocols.



## WHISTLEBLOWER PROTECTION

Employers may not retaliate against workers for raising concerns about COVID-related safety and health conditions.

- Additional information can be accessed at [www.OSHA.gov](http://www.OSHA.gov).
- Additional information for the public sector can be accessed at [www.connosha.com](http://www.connosha.com).



## LEAVE

Employers shall adhere to federal guidance pertaining to paid leave for employees and provide this guidance to employees. Employers shall post the Families First Coronavirus Response Act (FFCRA) Department of Labor poster. The poster can be accessed at: <https://www.dol.gov/agencies/whd/posters>

- Additional guidance can be accessed at: <https://www.dol.gov/agencies/whd/pandemic/ffcra-employee-paid-leave>