

State of Louisiana

Office of Alcohol and Tobacco Control

JOHN BEL EDWARDS
GOVERNOR



ERNEST P. LEGIER, JR.
COMMISSIONER

September 30, 2020

ADVISORY: TO ALL BARS & RESTAURANTS & CONDITIONAL RESTAURANT ESTABLISHMENT

To all permit holders,

Thank you all for doing your part to help Louisiana continue to open safely. As more parishes are meeting the criteria laid out in Proclamation 117 JBE 2020 to allow their bars to re-open, we want to make sure you know exactly how your businesses should be operating if and when your parish becomes eligible and opts-in.

We have attached the most recent OpenSafely guidance document for your operations either as a bar or a bar operating as a restaurant with a restaurant conditional permit from the Office of Alcohol Tobacco and Control. However, the highlights are:

- ❖ -Customers must be seated for table service and stay seated
- ❖ -Bar capacities are 25% with a maximum of 50 people inside and a maximum of 50 people outside
- ❖ -Bars must end alcohol sales and close to customers by 11 p.m.
- ❖ -Restaurant capacities are 75% with alcohol sales ending at 11 p.m.
- ❖ -In restaurants, all alcohol sales must be accompanied by food sales
- ❖ -Masking is required for all when not consuming food or beverage
- ❖ -Live music is allowed outside only
- ❖ -Bar games, including but not limited to pool, darts, shuffleboard and cornhole, are prohibited

Please know that in order for Louisiana to continue moving forward through this COVID-19 pandemic, it requires continued compliance with these rules. To ensure best efforts at achieving compliance are being made, you should expect to experience strict enforcement efforts including permit revocation for even one confirmed violation.

If you have not yet signed up to receive the most up-to-date requirements as they evolve, please do so on [OpenSafely.la.gov](https://www.opensafely.la.gov). These same guidance documents are available for download on the front page of [OpenSafely.la.gov](https://www.opensafely.la.gov) and are updated with every new order by the governor.

If you have any questions about the rules to open safely, please contact any of the following:

211
Office of Alcohol and Tobacco Control at 225-925-4041
State Fire Marshal's Office at 1-800-256-5452

Sincerely,

Commissioner
Office of Alcohol & Tobacco Control



Stay Safe Against the Coronavirus



MAINTAIN PHYSICAL DISTANCE

Even if you feel well, stay at home as much as possible. In public, keep at least 6-feet distance from others. Avoid unnecessary appointments.



PRACTICE GOOD HYGIENE

Wear a face mask or covering in public. Cover your cough and sneezes. Avoid touching your eyes, nose and mouth.



PROTECT LOUISIANANS AT RISK

Take special caution to avoid exposing the elderly and people with underlying health conditions. Stay home when sick.

Phase 3 - Restaurants, Cafes and Coffee Shops, Bars, Nightclubs, and Micro-Breweries

Indoor live entertainment is not allowed at this time. See Limitations below for further clarification.

START DATE: September 18, 2020

UPDATED September 18, 2020

The Office of State Fire Marshal is providing you with this update in conjunction with the Office of the Governor and the Louisiana Department of Health to keep you up to date with additional information and/or changes as it becomes available during our battle with COVID-19. These notifications are issued automatically and immediately to those who sign up through "OpenSafely" (<https://opensafely.la.gov/>).

Every attempt is being made to **highlight** critical changes that have occurred since the previously published notification for your convenience. However, please read through this entire document in context as these

changes do not stand on their own and all of the additional general information and clarifications made may not be highlighted.

Preface:

This phasing plan applies to those non-essential businesses that have been affected during the COVID-19 stay-at-home order. Essential (critical) infrastructure businesses are not further restricted by these new guidelines and may continue to operate under the current guidelines that are applicable to the specific business. Refer to: https://gov.louisiana.gov/assets/docs/covid/Essential-Infrastructure_fact-sheet.pdf for specific information regarding critical infrastructure businesses.

COVID-19 is a highly contagious and deadly disease. The fundamental concept of this phased opening plan is to slowly open businesses at reduced occupant capacities that will allow for social distancing and circulation to keep employees and patrons safe. Everyone's cooperation is critical to the success towards defeating this disease and revitalizing our economy.

The virus spreads primarily through person-to-person contact, from droplets that are formed by coughing, sneezing or other projections, or by touching infected surfaces and then touching one's eyes, nose or mouth. Individuals can carry the virus and be contagious for up to 14 days prior to having any symptoms. The guidelines outlined below for social distancing, face coverings and sanitation are proven methods of mitigating these modes of transmission. **THE MOST IMPORTANT FACT** to remember is that COVID-19 is still prevalent across the state. We must all continue to do our part to help slow the spread, protect the most vulnerable and continue to remain vigilant until a cure or vaccine is widely available to provide general immunity.

Every individual in Louisiana shall wear a face covering over the nose and mouth when inside a commercial establishment or other building or space open to the public, whether indoor or outdoor (except while consuming food or drinks).

Refer to guidance provided for the Face Covering Order for specific information regarding Proclamation Number 89 JBE 2020.

Below are a few additional public health recommendations to help businesses comply:

- See the [Face Covering Guidance](#) section below for a link to instruction on the proper use of face coverings.
- See the [Referenced Documents](#) section below for LDH's downloadable "thank you for wearing a mask" poster options [1](#) and [2](#) for business storefronts;
- Screen customers for symptoms before entry;
- Move to reservation systems to discourage congregating in groups while waiting for service;
- Adopt sick leave policies that reduce the disincentive for employees to try to come to work sick; and
- Allow employees in high-risk groups or who directly live with/care for a high-risk individual to work in areas without direct public contact

Guidance:

Restaurants, cafes, coffee shops, bars, nightclubs, and microbreweries must adhere to moderate mitigation standards and social distancing measures to prevent the spread of COVID-19. Six feet of separation from other individuals not within the same household is recommended. Measures such as face covering, hand hygiene, cough etiquette, cleanliness, and sanitation should be rigorously practiced. **Individuals 65 years or older, people of all ages with poor control of medical issues like high blood pressure, heart disease, obesity, or a weakened immune system are at a higher risk for getting very sick or dying from COVID-19 and should strictly adhere to all CDC guidelines, and are encouraged to stay at home as much as possible.** The specific requirements and guidelines for this service industry during this phase are listed below. These requirements and guidelines supplement and do not replace any directives or guidance provided by other state agencies, boards and commissions, or other authorities having jurisdiction. Where conflicts occur, the stricter of the requirements will apply.

Limitations:

INDOOR LIVE ENTERTAINMENT, WHICH INCLUDES BUT IS NOT LIMITED TO SINGING, WIND BLOWN INSTRUMENTS, AND KARAOKE, IS NOT ALLOWED AT THIS TIME.

- String and percussion instruments without singing and with social distancing between band members and audience is permitted.

BUFFETS SHALL NOT ALLOW FOR SELF SERVICE. Employees may serve customers from a buffet with the following limitations:

- One employee shall be assigned to no more than 5 food items.
- One employee shall be provided for every 25 customers served.

Occupant Capacity and Building Safety Rules:

The maximum building capacity during the **Phase 3** period is limited to:

- Restaurants, cafes, and coffee shops are limited to 75% of the normal established capacity.
 - Bar areas and bar counters at restaurants shall be used for seating/serving purposes only and shall not allow for social gatherings. Service in bars areas must include food items.
 - Alcohol sales are not permitted after 11 p.m.
- Bars, microbreweries, and microdistilleries shall **NOT** allow for on-site consumption of any food or drinks.
 - **See page 11 of this document for detailed operating guidance from ATC and information on additional permitting.**

Achieving the percentage listed above may be limited by the social distancing requirements as outlined below. Please note that capacity restrictions should be applied down to the individual room, not just overall facilities.

- Do not exceed the maximum building capacity as listed above which may be determined as follows:

- One person per 20 square feet of dining area for restaurants, cafes, and coffee shops.

Seating Arrangement Options:

- **Option 1, Active Monitoring.** Tables may be arranged to allow for 6 feet between persons or may be arranged 6 feet apart, measured from table edge to table edge, with back-to-back seating with the following additional measures being taken:
 - Management should allow for non-contact temperature checks of patrons (subject to the availability of thermometers);

AND

 - Signage shall be provided to notify patrons to not enter if they have any symptoms of COVID-19 (See signage example at the bottom of this document).
- **Option 2, Partitioning Tables.** Minimum 6-foot high partitions, screens, or fire-retardant or flame-resistant curtains may be placed between tables or seating arrangements.
NOTE: curtains or similar loosely hanging furnishings will require daily cleaning.
- **Option 3, Strict Social Distancing.** Tables shall be arranged such that a minimum of 6 feet of distance between persons seated at other tables is maintained, and more specifically:
 - Tables shall be placed a minimum of 6 feet apart, measured from the table edges, where movement or seating between tables is not necessary;
 - Where movement between tables is necessary, or where one person is seated between tables, the tables shall be spaced a minimum of 8 feet apart from the table edges;
 - Where persons are seated at each table back-to-back, the tables shall be spaced a minimum of 10 feet apart from the edges.
- Booth seating units can be fully utilized if separated by partitions with a height that exceeds the height of an average seated patron's head. If not, they are subject to spacing as provided above.
- Face coverings must be worn by all customers and employees, except while consuming food and drinks.
- No more than 15 persons shall be seated at a single table and such parties should be members of the same household.
- Table service is allowed.
- Interior waiting areas shall remain closed. Waiting may be provided outside of the facility while following social distancing guidelines or persons shall wait in cars. Reservations are strongly encouraged.
- Avoid gatherings in the building while entering, exiting, or moving about.
- Kitchen and employee area capacity shall be reduced to allow for 6-foot distancing between employees.
- Disc jockeys or music played via speaker system are permitted.

- Outdoor live entertainment, including singing or blown instruments, must allow for 6-foot distancing and 2-foot aisle between entertainment and audience.
- Dancing, indoors or outdoors, is not authorized in this phase.
- Customers are required to be seated at tables and not congregating in open areas of the establishment.

Restaurant outdoor dining areas – self-serve or table service allowed and outdoor live entertainment with no dancing or standing. Refer to OSFM Interpretive Memorandum 2020-23 for outdoor dining limitations and guidance which will remain effective throughout **Phase 3**. See: http://lasfm.org/doc/interpmemos/im_2020-23_Revised.pdf .

Checklist for Management:

- Actively enforce the capacity, masking and social distancing requirements and manage the customers' movements.
- Ensure the exterior waiting areas are not blocked.
- Maintain social distancing requirements explained in this document.
- EPA recommends that building owners and managers take proactive steps to protect public health by minimizing water stagnation during closures and taking action to address building water quality prior to reopening: <https://www.epa.gov/coronavirus/information-maintaining-or-restoring-water-quality-buildings-low-or-no-use>

Checklist for All Staff:

- Check for fever or respiratory symptoms daily.
- Keep at least 6 feet from other employees and customers.
- Wear face coverings.
- Wash your hands often.
- Wash hands or use hand sanitizer between each customer interaction.
- Clean and sanitize tables and counters, as well as surfaces that customers touch often, like doorknobs, handles, plates, light switches, countertops, refrigerator and freeze door handles, etc. Current evidence suggests that SARS-CoV-2 may remain viable for hours to days on surfaces made from a variety of materials. Cleaning of visibly dirty surfaces, as well as high-touch surfaces, followed by disinfection is a best practice measure for prevention of COVID-19 and other viral respiratory illnesses in community settings. Follow the CDC guidance for proper cleaning and disinfecting. <https://www.cdc.gov/coronavirus/2019-ncov/community/organizations/cleaning-disinfection.html>

- ☑ Clean and disinfect the restrooms regularly.
- ☑ Handwashing is the most important hand hygiene that can be done to stop the spread of COVID-19. Gloves are recommended when handling money, but not recommended for other tasks that do not normally require gloves. If gloves are worn:
 - Hands should be washed before putting gloves on and after removing gloves.
 - Gloves should be changed often, changed between tasks, changed when they are obviously soiled, and changed after each interaction with a new individual.
- ☒ Do not touch the customers.

Face Covering Guidance:

Refer to Louisiana Department of Health guidance here:

<http://ldh.la.gov/assets/oph/Coronavirus/resources/CDC-DIY-cloth-face-covering-instructions.pdf>

Steps for Cleaning of Areas and Other Items:

1. First, clean the area or item with soap and water or another detergent if it is dirty.
2. Then, use disinfectant.
 - If possible, use [EPA-registered household disinfectant](#).
 - Follow the instructions on the label to ensure safe and effective use of the product.

Many products recommend:

- Keeping surface wet for a period of time (see product label).
- Precautions such as wearing gloves and making sure you have good ventilation during use of the product.

Diluted household bleach solutions may also be used if appropriate for the surface.

- Check the label to see if your bleach is intended for disinfection and ensure the product is not past its expiration date. Some bleaches, such as those designed for safe use on colored clothing or for whitening, may not be suitable for disinfection.
- Unexpired household bleach will be effective against coronaviruses when properly diluted.
- Follow manufacturer's instructions for application and proper ventilation. Never mix household bleach with ammonia or any other cleanser. Leave solution on the surface for at least 1 minute.

To make a bleach solution, mix:

- 5 tablespoons (1/3rd cup) bleach per gallon of water; or
- 4 teaspoons bleach per quart of water.

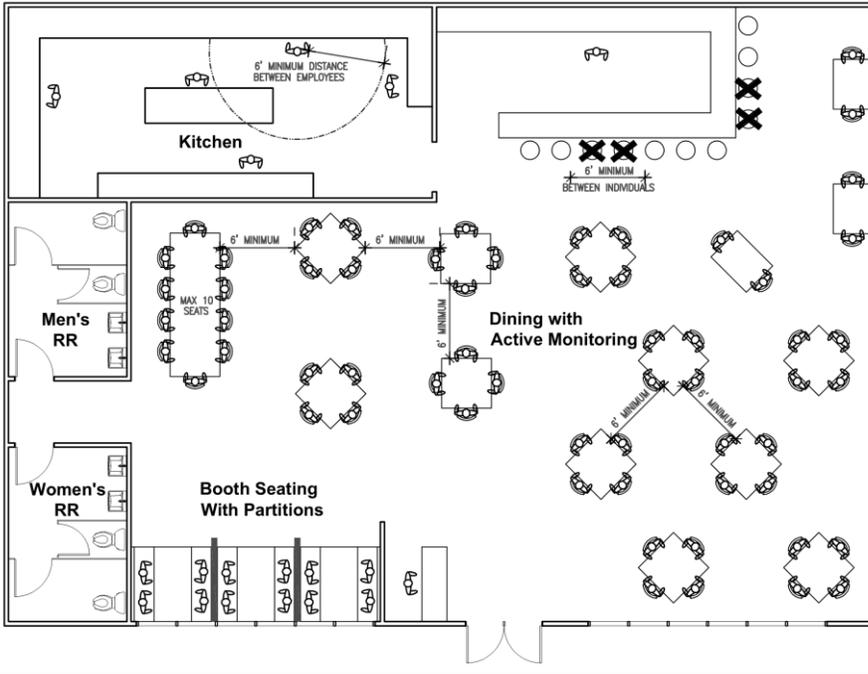
Alcohol solutions with at least 70% alcohol may also be used.

The CDC offers this additional guidance for cleaning: <https://www.cdc.gov/coronavirus/2019-ncov/community/organizations/cleaning-disinfection.html>

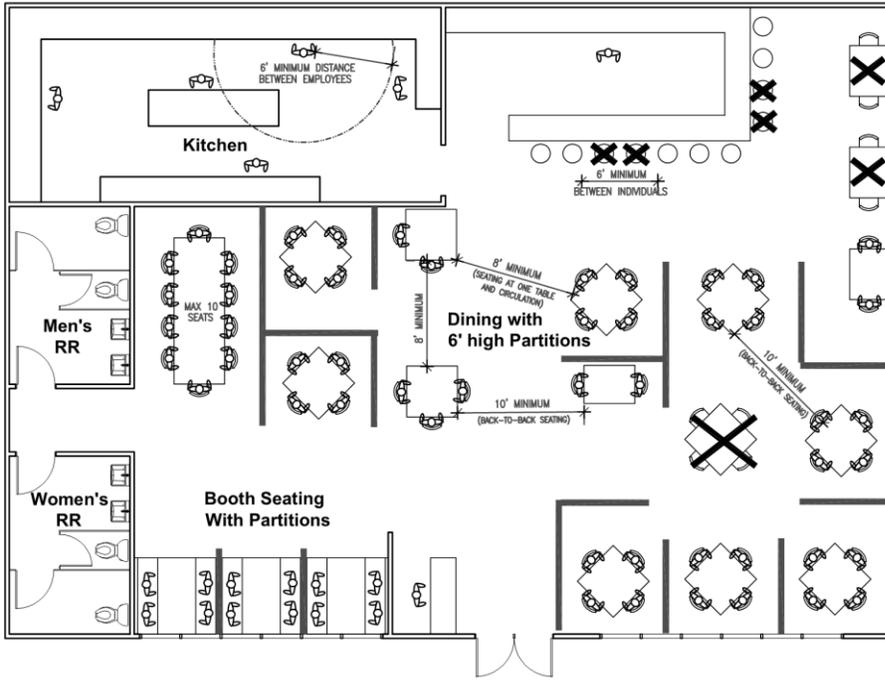
Sample Seating Layouts:

Normal maximum capacity = 200 → Phase 3 maximum capacity = 150 (75%)

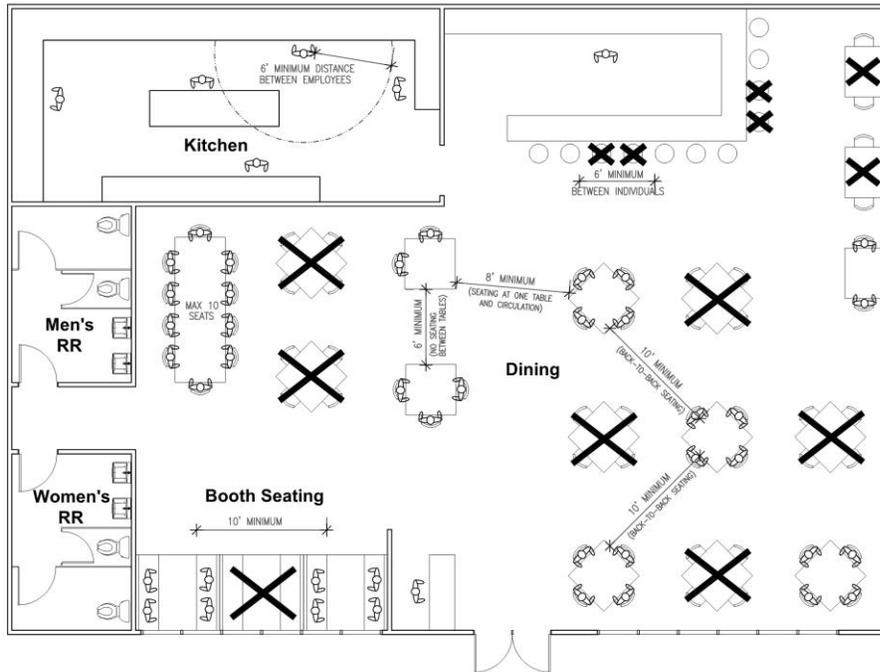
Option 1, with Active Monitoring:



Option 2, with Partitioning of Tables:



Option 3, with Strict Social Distancing:



Reference Documents:

- ❑ Essential (Critical Infrastructure) Services remain operational with guidelines in place. See: https://gov.louisiana.gov/assets/docs/covid/Essential-Infrastructure_fact-sheet.pdf
- ❑ Restaurant outdoor dining areas self-serve or table service allowed and outdoor live entertainment with no dancing nor standing - begins May 1st. Refer to OSFM Interpretive Memorandum 2020-23 for outdoor dining limitations and guidance which will remain effective throughout **Phase 3**. See: http://lasfm.org/doc/interpmemos/im_2020-23_Revised.pdf
- ❑ Face mask sign option 1: <http://ldh.la.gov/assets/oph/Coronavirus/resources/Face-Mask-Sign-Option-1.pdf>
- ❑ Face mask sign option 2: <http://ldh.la.gov/assets/oph/Coronavirus/resources/Face-Mask-Sign-Option-2.pdf>

Signage Samples:

COVID-19 DAILY SELF CHECKLIST

Review this COVID-19 Daily Self Checklist before entering this establishment.

HAVE YOU EXPERIENCED ANY OF THE FOLLOWING SYMPTOMS?

- Fever (temperature over 100.4°F) without having taken any fever reducing medications
- Loss of smell or taste
- Shortness of breath or difficulty breathing
- Fatigue
- Muscle or body aches
- Headache
- Sore throat
- Congestion or runny nose
- Nausea/vomiting, diarrhea, loss of appetite
- Asked to self-isolate or quarantine by a medical professional or by a local public health official

SYMPTOMS MAY APPEAR 2-14 DAYS AFTER EXPOSURE TO THE VIRUS.

If you answered yes to any of the above symptoms in the checklist, please do not enter this establishment and seek medical advice immediately.

For more information, please visit: <http://ldh.la.gov/coronavirus> or <http://cdc.gov>.



THANK YOU FOR WEARING A MASK.

Wearing a mask or face covering can help stop the spread of the coronavirus. Thank you for doing your part to keep our staff and customers safe.



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ERNEST P. LEGIER, JR.
COMMISSIONER

Updated September 30, 2020

Phase Three: Roadmap for a Resilient Louisiana Effective Through October 9, 2020

On September 11th, Governor Edwards announced that Louisiana will enter into Phase Three of the roadmap to a resilient Louisiana. Under Phase 3, bars (Class AG), restaurants (Class AR), restaurant conditional (CR), and any other on premises consumption establishment may reopen but are subject to the parameters detailed below. Alcohol service shall be prohibited after 11 P.M. at all (on-premise) alcohol licensed establishments. Under Phase 3, businesses must continue to implement the mask mandate and comply with social distancing policies as previously provided.

It is crucial that businesses review and adhere to all guidelines including mandatory mask requirements, live entertainment rules, and strict social distancing rules issued by Governor Edwards, the Office of the State Fire Marshal (“SFM”) and the Louisiana Department of Health (“LDH”). For specific guidelines and resources, please visit www.opensafely.la.gov.

Bars (Class AG permit holders)

Under Phase 3, bars located in high incident infection parishes are not allowed to reopen. Parishes that have had five percent (5%) or less positivity rate for COVID-19 infections for at least two (2) consecutive weeks prior to September 11th may opt-in to have bars and other Class AG permit holders in their parishes re-open under the following minimum restrictions:

- 1) Bars may reopen and offer tableside service only. Standing and bar service will be prohibited.
- 2) Indoor capacity shall be limited to a 25% occupancy rate or fifty (50) people, whichever is less.
- 3) Outdoor capacity shall be limited to fifty (50) people and only for tableside service.
- 4) Tables shall be spaced in accordance with SFM social distancing guidelines.
- 5) Bars and other Class AG permit holders including daiquiri shops must cease all sale and service of alcoholic beverages and close no later than 11 P.M.
- 6) No person under the age of twenty-one (21) shall be allowed on to the premises.
- 7) Live music is allowed outside only.
- 8) Bar games, including but not limited to pool, darts, shuffleboard and cornhole, are prohibited

Breweries with Taproom/Tasting Rooms

Breweries are permitted to open during Phase 3 but are subject to the same provisions listed above as applied to bars.

Daiquiri Shops

Daiquiri Shop holding a Class AG permit are subject to the same provision listed above for bars. Daiquiri shops must cease all sale and service of alcoholic beverages, including service of alcohol through drive thru or curbside services at 11 P.M.

Restaurants & Restaurant Conditional permits

Under Phase 3, all restaurant (Class AR) may increase indoor table service to seventy-five percent (75%) occupancy. Indoor live entertainment remains prohibited. All alcohol beverage outlets including restaurants and conditional restaurant permit holders are required to cease all alcohol service after 11 P.M. Establishments must continue to practice social distancing, mandatory mask, and sanitization protocols as provided by the SFM and LDH.

Businesses that have been previously issued a “Restaurant Conditional” permit by ATC are permitted to operate under the guidelines issued to restaurants as listed above. Existing restaurant conditional permit holders may opt to surrender their conditional restaurant permit to the ATC at any time. If said permit is surrendered, business may only operate within the parameters listed for bars and may not reapply for a conditional restaurant permit should condition changes. Other eligible establishments may apply for a Restaurant Conditional permit by submitting an application directly to ATC, and applications are available online at <https://atc.louisiana.gov/arc.php>. All Applicants for and those currently operating under the Restaurant Conditional permit are reminded that smoking is prohibited in restaurant establishments and are required to stop all alcohol sales at 11 P.M.

Other Restrictions: Event Halls, Crowd Limitations

Under Phase 3, Event or Reception Hall may reopen but limited to a fifty percent (50%) occupancy limit or a maximum of 250 people, whichever is less. Crowd size will also be limited to fifty percent (50%) or no more than 250 people both indoor and outdoor where social distancing is not possible. All event venue shall be required to adhere to mask mandate, social distancing requirements, and sanitization protocols as issued by the SFM and LDH. Alcohol service shall be limited to no later than 11 P.M.

Drive Thru and Curbside Services

During Phase 3, restaurants, restaurant conditionals and bar may continue to offer curbside or to go services of food and sealed containers of beer, wine, and frozen specialty drinks. Accordingly, ATC encourages curbside services whereby orders are placed ahead of time and delivered to patrons’ vehicles. Businesses are reminded that curbside services must be conducted in compliance with both state and local laws with respect to open containers. Businesses may only offer beer, wine, and frozen specialty drinks in sealed or factory-sealed containers through curbside or drive thru services. The sale of single serving or mixed alcoholic drinks are prohibited unless otherwise allowed under local ordinances.

ATC remains committed to serving the public and appreciates the patience that permit-holders have exhibited. We look forward to the day when the State returns to normal operations. Should you have any questions or concerns, please contact ATC at 225-925-4041.

Sincerely,



Ernest P. Legier, Jr., Commissioner
Office of Alcohol and Tobacco Control