

State of Louisiana
Office of Alcohol and Tobacco Control

John Bel Edwards
Governor



Juana Marine-Lombard
Commissioner

Updated May 1, 2020

DUE TO COVID-19 (“Coronavirus”)

GUIDELINES FOR OUTSIDE AREAS OF RESTAURANTS

Recently, Governor Edwards extended the Stay at Home Order with some modification to May 15, 2020. Effective May 1st, restaurant establishments (AR or Restaurant conditional permits) except within parish of Orleans or any other area prohibited by local jurisdiction, may open their outside areas for patrons to eat meals only, without tableside service. Patrons picking up food to consume within outside area may also consume alcoholic beverages, including mixed drinks but only if sold in conjunction with meals. Alcoholic beverages must be consumed within designated outside areas. Any tableside service to designated outside area is strictly prohibited. All employees of businesses who have contact with the general public must wear a mask.

Businesses must strictly adhere to social distancing guidelines. Furthermore, businesses offering outside seating must comply with attached guidance issued by the State Office of Fire Marshall including reducing seating capacity area to 25% of that allowed and separating tables at least ten (10) feet apart. Businesses are not permitted to allow patrons to loiter within the premises or doorways. Open areas and temporary tents used by existing restaurants remain subject to local ordinances and if permitted, must meet health and safety codes. Please review LDH guidance related to cleaning of outdoor seating.

We understand that this is a challenging time but are urging businesses to consider the health and welfare of their employees and customers as Louisiana is under a state of emergency. Governor Edwards and local leaders have issued proclamations which have the weight of law. It is intended to restrict social gathering to reduce the spread of COVID-19. Any licensee failing to comply with these proclamations may risk having their permit summarily suspended for endangering the public health, safety, and welfare under LSA. R.S. 49:961(c). We understand the concern and uncertainty you may be experiencing surrounding the coronavirus and remain committed to being responsive to the needs of the public. We will update this policy as the situation evolves.

Note that the modification above related to on premise consumption of food and alcohol does not modify curbside or delivery services. Guidelines issued on March 23, 2020 will continue to remain in full effect until further notice. Moreover, local jurisdiction may further restricted state guidance. Accordingly, this guidance shall not apply to any businesses within Orleans Parish.

Should you have any questions or concerns related to this matter, please contact ATC at (225) 925-4041.

Sincerely,

A handwritten signature in black ink, appearing to read "Juana Lombard".

Juana Lombard
ATC Commissioner



LOUISIANA DEPARTMENT OF PUBLIC SAFETY & CORRECTIONS
PUBLIC SAFETY SERVICES



H. "BUTCH" BROWNING, JR.
STATE FIRE MARSHAL

OFFICE OF STATE FIRE MARSHAL

**INTERPRETIVE MEMORANDUM 2020-23
(Revised April 30, 2020)**

TO: All Restaurant Owners

FROM: Chief H. "Butch" Browning, State Fire Marshal 

RE: Restaurant / Food Service Outdoor Seating Criteria

DATE: April 28, 2020

In accordance with Governor John Bel Edwards' COVID-19 Proclamation to be released May 1, 2020, all restaurants that provide outdoor patio venues must adhere to strict mitigation standards preventing the spread of COVID-19. The general operating matrix will require spacing of groups, limiting concentration of people, strict use of PPE, and frequent sanitizing. The specific requirements are provided below:

Life Safety and Egress:

Existing approved outdoor seating areas, to include balcony and rooftop, must maintain operating features per approved occupancy (NFPA 101 Life Safety Code). The following modifications are required:

- Reduce outdoor capacity to 25% of that allowed by the State Fire Marshal;
- Space tables a minimum of 10 feet from each other (measured from all edges of the table);
- Limit table groups to 10 individuals; and
- Eliminate gatherings in the building when entering or exiting outdoor seating area.

Open Areas and Temporary Tents utilized by existing, approved restaurants, subject to local or parish rules and ordinances, must meet NFPA 101 Life Safety Code and 2/3 of the sides must be open. The tent must not be an enclosed tent. The following conditions are required:

- Two remotely located exits if barriers (fences, barricades, etc.) exist;
- Capacity based on 60 square feet¹ per person of the gross area (25% space to be occupied);
- Space tables a minimum of 10 feet from each other (measured from all edges of the table);
- Limit table groups to 10 individuals;
- State approved fire extinguisher within 75 feet of tent area; and
- Minimum 7-foot 6-inch head room (ceiling height).

¹ Revised April 30, 2020 to reflect a capacity of 60 square feet per person of the gross area for Open Areas and Temporary Tents instead of 110 square feet per person.

Louisiana Department of Health Guidance:

Employee Personal Protective Equipment

- Restaurant employees are required to wear cloth face coverings while working.²
- Employees should wear gloves for preparing and serving food, and should change gloves between customers.

Cleaning of Outdoor Dining Areas

Clean the area or item with soap and water or another detergent if it is dirty. Then, use disinfectant.

- High touch surfaces to disinfect include: doorknobs, light switches, countertops, handles, desks, phones, keyboards, toilets, faucets, sinks, etc.
- Tables, chairs, and seats should be cleaned after every customer.

Recommended Cleaning Products

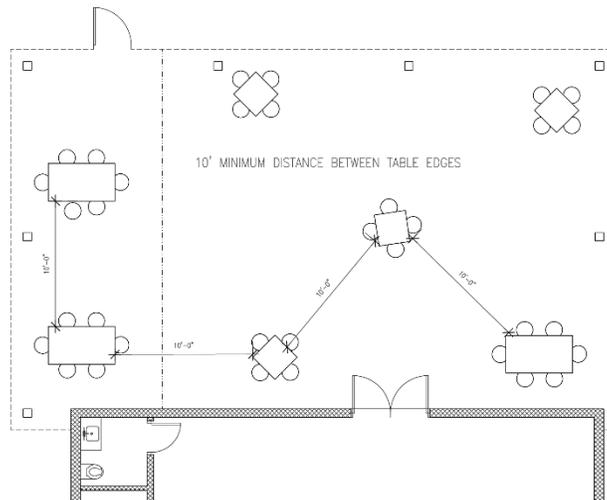
- Clean the area or item with soap and water or another detergent if it is dirty. Then, use disinfectant.
- Recommend use of EPA-registered household disinfectant. Follow the instructions on the label to ensure safe and effective use of the product.

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.

² Revised April 30, 2020 making it clear that face masks are required and not simply recommended.

Sample Seating Layout



Frequently Asked Questions:

1. **Can I set tents or open areas outside of the existing building foot print?** Yes. but subject to local or parish ordinances.
2. **Can I operate in a city or parish that prohibits me to open?** No. Local jurisdictions can be more restrictive.
3. **If guests order bottled alcohol at counter service can it be opened for them?** No.
4. **Can I provide a cocktail (mixed drink) as part of my alcohol license on premises?** Yes.
5. **Can I provide restroom services inside my restaurant?** Yes, you are allowed to.
6. **Does a counter order include pick-up for a phone order and the direct ordering of food at the counter?** Yes.
7. **Are masks required for all restaurant employees?** Yes, especially in situations that you are not maintaining social distancing. Face covers are the minimum level of mask protection.
8. **Are guests required to wear masks?** No, however the public is strongly encouraged to wear face coverings when in public.
9. **What are the responsibilities of providing social distancing on the patio when there is no table staff?** Owner/operator will still manage property as normal and ensure seating layouts and procedures are followed or otherwise cease service.