



CITY OF LEBANON

LIFT UP
LOCAL

**CITY OF LEBANON'S RESTAURANT
RECOVERY PROGRAM**

**REQUIREMENTS FOR TEMPORARY
OUTDOOR RESTAURANT SEATING**

JUNE 2020

ECONOMIC RECOVERY PLAN

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Guidance for Businesses Permitted to Open during the COVID-19 Disaster Emergency to Ensure the Safety and Health of Employees and the Public

Pennsylvania Liquor Control Board released Notice No. 26

COVID-19 Safety Procedures for Businesses

Top 10 Tips to Protect Employees' Health

Should You Re-Open?

City of Lebanon Restaurant Recovery Program

In concert with the Governor's Executive Order, the City of Lebanon has created the following guidelines to temporarily allow restaurants to expand their business footprint onto the sidewalk located in the public right-of-way or on privately owned parking facilities without meeting certain City code and permit requirements.

Restaurants have been affected greatly by the unprecedented business shutdown measures taken to combat the spread of COVID-19. The *City of Lebanon's Restaurant Recovery Program* has been established to ensure restaurants have the greatest ability to operate successfully during the COVID-19 economic recovery. The program entails leveraging available private and public space to be used as expanded areas for restaurants while maintaining public safety requirements.

In the interest of public safety, the restaurant owner must adhere to the requirements set forth in the Commonwealth's "Guidance for Businesses in the Restaurant Industry Permitted to Operate During the COVID-19 Disaster Emergency to Ensure the Safety and Health of Employees and the Public". The following are just a few requirements that are applicable to all restaurants that would like to utilize the public right-of way or private property for outdoor seating during the Governor's yellow and green phases of his PA Reopening Plan:

- Outdoor seated parties at tables must be spaced at least six feet apart, except to the extent that appropriate partitioning is in place.
- It is strongly encouraged to test your workforce for any symptoms including taking their temperature before each shift.
- Use disposable paper menus.
- Provide easily accessible sanitizer for patrons and employees.
- It is strongly encouraged to implement contactless ordering and payment processes.
- All restaurants are encouraged to use a reservation process to prevent capacity issues.
- Facial coverings must be worn by "front of house" staff members who interact with customers.
- Limit contact with dining guests by reducing the number of visits wait staff make to each table.

General Requirements

Outdoor seating located on a public sidewalk within the public right-of way or on a privately owned parking facility shall maintain:

- Adequate pedestrian flow
- Access to public utilities, building entrances, crosswalks, bus stops and transient entrances must be accessible
- Pedestrian and traffic safety; and
- Aesthetic compatibility with the surrounding area.

Temporary Outdoor Dining in Public Right-of-Way

The City of Lebanon hereby suspends the requirement to obtain a building and/or zoning permit to establish an outdoor café dining area (additional seating) on a temporary basis during the yellow and green phases of Governor Wolf’s “Reopening Plan”, subject to the conditions in this Guidebook.

The restaurant may utilize the public sidewalk located within the public right-of way for additional seating subject to the following restrictions referred to in this publication.

Types of public spaces used for this purpose:

Sidewalks

The public sidewalks located in front of the restaurant may be utilized on a temporary basis for additional seating. Contiguous public sidewalk area on abutting properties also may be utilized with the written permission of the adjacent property owner. Restaurants with a PLCB license must obtain approval from PLCB to serve alcoholic beverages in the extended area.



Temporary Outdoor Dining on Private Parking Lots

Restaurants with access to private sidewalks or private parking facilities may utilize these areas for additional seating area, in accordance with the safety guidelines outlined in the Commonwealth’s “Guidance for Businesses in the Restaurant Industry Permitted to Operate During the COVID-19 Disaster Emergency to Ensure the Safety and Health of Employees and the Public” found in the appendix of this booklet.

Up to 50% of off-site private parking spaces counted for required parking may be converted to outdoor dining, when the lot is immediately adjacent to the parent property. Additionally, no handicapped parking may be repurposed for restaurant use.

Setbacks on Private Property

Any permanent structures being proposed to expand the seating area for outdoor seating must meet required yard setbacks and would require a permit. Temporary placement of equipment such as wash stations, hand sanitizing stations or stations for staff set up and service do not need to meet required yard setbacks and would not require a permit.

Business Responsibilities for Street Activations

It shall be the responsibility of the business to activate the spaces described in this section with temporary materials such as tables and chairs, umbrellas, and visual/physical barrier materials as needed per site specific conditions. Maintenance (daily upkeep, litter cleanup, etc.) associated with business operations shall also be the responsibility of the business. The City is not responsible for any damaged or stolen property.

Application Process for Restaurants Without Alcoholic Beverages

The restaurant owner must submit a plan of the proposed outdoor dining area (additional seating) to be located on the public sidewalk within the public right-of way or on a privately owned parking facility. The proposed area must be immediately adjacent to, abutting and contiguous to the existing premises. The plan must be submitted to the City's Zoning Officer. The plan does not need to be completed by a professional engineer or architect. The Zoning Officer will review and provide a recommendation to the Mayor. The Mayor shall approve the temporary use prior to the restaurant establishing the outdoor seating area. If the outdoor seating area extends onto contiguous area not owned by the restaurant then written permission from the abutting property owner must be obtained in writing.

Application Process for Restaurants Serving Alcoholic Beverages

The Pennsylvania Liquor Control Board released Notice No. 26 on June 3, 2020 for temporary cessation of the sale of food and alcohol for on premise consumption relative to COVID-19 Public Health Emergency. Beginning June 5, 2020, licensees in yellow

counties may allow dine-in service in outdoor seating areas consistent with the restaurant industry guidance issued by the Governor's office on May 27, 2020.

Licensees that wish to apply for a temporary extension of the PLCB licensed premises to include outside serving areas, with said extension to expire at the end of the current public health emergency, may do so without incurring a filing fee. If the applicant wishes to permanently extend the licensed premises, it must follow the normal application process and pay the requisite fee.

The PLCB application process for temporary extension of premises to include an outdoor seating area is similar to a regular application to extend premises and will require a plan. If the area to be licensed is an area not previously under the applicant's control – such as a public sidewalk – then proof that the applicant has the right to occupy the location must be provided by the City of Lebanon. The City will issue a letter of approval for the application when the Public Works Department receives a copy of the plan that is being submitted to PLCB. The plan does not need to be completed by a professional engineer or architect.

A licensee may only submit an application for an outdoor area immediately adjacent to, abutting and contiguous to the existing licensed premises. Applications for locations not meeting these criteria will be summarily rejected, and no temporary extensions are authorized for any locations separated from a licensed premises by a public thoroughfare. If the outdoor area extends onto the contiguous area, the property owner of the abutting property must provide permission in writing.

Upon submission of the application in PLCB+, the licensee will see a confirmation screen that the application was successfully submitted for processing. The licensee must print this confirmation page and display it as evidence the application was received, and at that point, the licensee will automatically have temporary authority to operate on the proposed outdoor area. Additionally, the licensee will be directed to post a Notice of Application. Distilleries, limited distilleries, wineries, limited wineries and breweries do not need to post a Notice of Application but must display the email acknowledging the application was accepted.

Contact Us

Contact the City of Lebanon Zoning Officer today to receive approval for temporary outdoor dining and if applicable, the required document for the submission of the PLCB application.

Christian Oakley
City of Lebanon Zoning Officer
Department of Public Works
717-228-4490
coakley@lebanonpa.org

GUIDANCE FOR BUSINESSES IN THE RESTAURANT INDUSTRY PERMITTED TO OPERATE DURING THE COVID-19 DISASTER EMERGENCY TO ENSURE THE SAFETY AND HEALTH OF EMPLOYEES AND THE PUBLIC

PURPOSE

The virus that causes the Coronavirus 2019 Disease (“COVID-19”) is easily transmitted, especially in group settings, and it is essential that the spread of the virus be slowed to safeguard public health and safety.

COVID-19 can be transmitted from infected individuals even if they are asymptomatic or their symptoms are mild, such as a cough. It can also be spread by touching a surface or object that has the virus on it and then touching your mouth, nose or eyes. This guidance document addresses the procedures businesses in the restaurant industry must follow to limit the spread of COVID-19 to the extent they are permitted to conduct in-person operations.

BUSINESSES SUBJECT TO THIS GUIDANCE

The Commonwealth is employing a regional and industry-specific approach to reopening non-life-sustaining businesses. All business owners should refer to the Commonwealth’s [Phased Reopening](#) website for the most current county designations.

SIGNIFICANCE OF RED-YELLOW-GREEN PHASES FOR RESTAURANT AND RETAIL FOOD SERVICE BUSINESSES

Restaurants and retail food service businesses located in counties designated as being in the Red phase are permitted to provide take-out and delivery sales only and may not allow the service or consumption of food or beverages on the premises.

Beginning June 5, 2020, restaurants and retail food service businesses located in counties designated as being in the Yellow phase are permitted to provide take-out and delivery sales, as well as dine-in service in outdoor seating areas so long as they strictly adhere to the requirements of this guidance including maximum occupancy limits.

- Indoor areas, including bar areas, of restaurants and retail food service businesses must be closed to customers except for through-traffic. Non-bar seating in outdoor areas (i.e., tables or counter seats that do not line up to a bar or food service area) may be used for customer seating.
- Customers being served must be seated at a table.

All retail food service businesses, including restaurants, and bars located in counties designated as being in the Green phase are permitted to provide take-out and delivery sales, as well as dine-in service in both indoor and outdoor seating areas, so long as they strictly adhere to the requirements of this guidance including maximum occupancy limits.

- Bar seating may be utilized provided that customers are seated and comply with physical distancing guideline of at least 6 feet or physical barriers between customers. Standing in a bar area will not be permitted.
- A maximum of four customers that have a common relationship may sit together at the bar, while adhering to the physical distancing guidelines or barriers between other customers.

No business is required to conduct in-person operations, and should not do so if the business is unable to do so in accordance with all applicable guidance.

POLICY

It is the policy of the Administration to ensure that all businesses subject to this guidance conduct their operations in the manner best designed to prevent or mitigate the spread of COVID-19 and ensure the safety of their employees and the communities in which the businesses reside or serve. All businesses, even those that are authorized to maintain in-person operations, must minimize opportunities for personal interaction because such interactions provide greater opportunities for the transmission of COVID-19.

PROTECTING EMPLOYEES AND THE PUBLIC

All businesses and employees in the restaurant and retail food service industry authorized to conduct in-person activities pursuant to this guidance must do the following:

- Follow all applicable provisions of the Guidance for Businesses Permitted to Operate During the COVID-19 Disaster Emergency to Ensure the Safety and Health of Employees and the Public, available [here](#), including provisions requiring the establishment of protocols for execution upon discovery that the business has been exposed to a person who is a probable or confirmed case of COVID-19.
- Require all customers to wear masks while entering, exiting, or otherwise traveling throughout the restaurant or retail food service business. Face coverings may be removed while seated.
 - Individuals who cannot wear a mask due to a medical condition (including children under the age of two years per CDC guidance) are not required to wear masks and are not required to provide documentation of such medical condition.
- Provide at least six feet between parties at tables, (i.e., the six feet cannot include the space taken up by the seated guest). If tables or other seating are not movable, seat parties at least six feet apart.
- Spacing must also allow for physical distancing from areas outside of the facility's control (i.e. such that pedestrians on a sidewalk can pass with at least six feet of distance to customer).
- Ensure maximum occupancy limits for indoor and outdoor areas are posted and strictly enforced. Maximum occupancy is calculated using the following two methods. The more restrictive number must be used.
 - Method 1. Limit to 50% of stated fire capacity or 12 people per 1,000 square feet if there is not a fire code number available. When no fire code number is available for outdoor dining, the 12 people per 1,000 square feet number should be applied.

- Method 2. Arrange the restaurant or retail food service business so that customers sitting at a table are not within six feet of any customers sitting at another table in any direction and calculate the maximum number of customers that can be accommodated.
- Don't use shared tables among multiple parties unless the seats can be arranged to maintain six feet of distance between parties.
- Close or remove amenities and congregate areas non-essential to the preparation and service of food or beverages such as dance floors, child play areas, interactive games, and video arcades.
- Train all employees on the importance and expectation of increased frequency of handwashing, the use of hand sanitizer with at least 60% alcohol, and provide clear instructions to avoid touching hands to face.
- Assign employee(s) to monitor and clean high touch areas frequently while in operation including entrance doors, bathroom surfaces, host stands etc., and continue to regularly clean all other areas of the restaurant or retail food service businesses. Clean and disinfect any shared items with which customers will come in contact such as tabletops, digital menus, check presenters, and digital payment devices after each customer use.
- Implement procedures to increase cleaning and sanitizing frequency in the back of house. Avoid all food contact surfaces when using disinfectants.
- Provide physical guides, such as tape on floors or sidewalks and signage on walls to ensure that customers remain at least six feet apart in lines or waiting for seating or in line for the restroom. Encourage customers ordering take-out to wait in their vehicles after ordering.
- Close or remove amenities and congregate areas non-essential to the preparation and service of food or beverages such as dance floors, game areas, playgrounds, etc.
- Provide non-medical masks for employees to wear at all times and make it mandatory to wear masks while at the restaurant or retail food service business. An employee does not need to wear a mask if it impedes their vision, if they have a medical condition, or if it would create an unsafe condition in which to operate equipment or execute a task. Employers may approve masks obtained or made by employees according to Department of Health policies.
- Where possible, stagger work stations to avoid employees standing adjacent or next to each other. Where six feet of separation is not possible, consider spacing options that include other mitigation efforts with increased frequency of cleaning and sanitizing surfaces.
- Establish a limit for the number of employees in shared spaces, including break rooms, and offices to maintain at least a six-foot distance.
- Ensure employees do not share equipment to the extent possible (e.g., cooking equipment, trays, etc.).
- Verify that dishwashing machines are operating at the required wash, rinse and sanitize temperatures and with appropriate detergents and sanitizers.
- Follow all requirements of the Department of Agriculture's [Food Code regulations](#), even when altering from normal types of food delivery.

All businesses and employees in the restaurant and retail food service industry authorized to conduct in-person activities pursuant to this guidance are encouraged to do the following:

- Establish a written, worksite-specific COVID-19 prevention plan at every location, perform a comprehensive risk assessment of all work areas, and designate a person to implement the plan.
- Prior to each shift, ask that the employees self-measure their temperature and assess symptoms.
- Utilize reservations for dining on premises to maintain records of all appointments, including contact information for all customers.
- 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 as out of service.
- Allow no more than 10 people at a table, unless they are a family from the same household.
- Use single-use disposable menus (e.g., paper) and discard after each customer, or utilize a written posting such as a chalkboard or whiteboard to relay menu information.
- Use technology solutions where possible to reduce person-to-person interaction, including mobile ordering; text or phone app technology to alert customers when their table is ready to avoid use of “buzzers;” and contactless payment options.
- Install physical barriers, such as sneeze guards and partitions at point of sale terminals, cash registers, bars, host stands, and other areas where maintaining physical distance of six feet is difficult.
- 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.
- 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.
- Schedule closure periods throughout the day to allow for cleaning and disinfecting, including bathrooms (i.e., after lunch service).
- Servers should avoid touching items on tables while customers are seated to the extent possible. Dedicated staff should remove all items from the table when customers leave.
- 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 face covering while working.

All businesses and employees in the restaurant and retail food service industry authorized to conduct in-person activities in Yellow phase counties pursuant to this guidance are prohibited from doing the following:

- Using self-service food or drink options, such as buffets, salad bars, and condiments.
- Condiments must be removed from tables and dispensed by employees upon the request of a customer.
- Using reusable menus, other than digital menus sanitized after each use.
- Refilling food and beverage containers or implements brought in by customers.

This guidance does not authorize any specific external area near or adjacent to a business in the restaurant industry for outdoor dining. Businesses must obtain any permits or other authorization, as required, to serve food and beverages outside of physical indoor service areas.

FURTHER GUIDANCE AND SUPPORT

Answers to frequently asked questions (FAQs) involving application of the business safety order are available [here](#).

In addition to this guidance restaurants and retail food service businesses may wish to review the CDC's Considerations for Restaurants and Bars, available [here](#).

Help is available for people who are struggling with their mental or emotional health or feeling anxious or overly stressed. Contact the Crisis Text Line by texting PA to 741-741.

The Administration recognizes the difficulty of procuring materials businesses need to safely resume operations. If assistance is needed to locate masks and other supplies to carry out these required safety procedures, please visit DCED's [Business2Business Interchange](#).

ENFORCEMENT

Failure to strictly adhere to the requirements of this guidance may result in disciplinary actions up to and including suspension of licensure, including liquor licenses.

Law enforcement officers should refer to Enforcement Guidance available online [here](#).

If employees or customers want to report possible health and safety violations in the workplace related to COVID-19:

1. File a complaint with a local health department or a law enforcement agency.
2. Submit this [webform](#) to the PA Department of Health at www.health.pa.gov.
3. Review OSHA guidance and, if appropriate, [file a complaint](#) at OSHA.gov.

REMINDERS TO CONTAIN THE SPREAD OF COVID-19: SOCIAL DISTANCING AND OTHER REQUIREMENTS

When people need to leave their places of residence in connection with allowable individual activities, allowable essential travel, or by virtue of exemption from this policy, the Department of Health strongly encourages individuals to abide by the following social distancing requirements to:

- Maintain a distance of at least six feet from other individuals;

- Wash hands with soap and water for at least 20 seconds as frequently as possible, or use hand sanitizer if soap and water are not available;
- Cover coughs or sneezes with a sleeve or elbow, not hands; Do not shake hands;
- Regularly clean high-contact surface areas;
- When sick, stay at home;
- Follow all guidance on gathering sizes applicable in Yellow and Green counties.

ADDITIONAL INFORMATION

For the most up-to-date, reliable information, please continue to refer to the Commonwealth of Pennsylvania's website for Responding to COVID-19 in Pennsylvania: <https://www.pa.gov/guides/responding-to-covid-19/>.



ADVISORY NOTICE NO. 26 (Second Revision)

TEMPORARY CESSATION OF THE SALE OF FOOD AND ALCOHOL FOR ON-PREMISES CONSUMPTION RELATIVE COVID-19 PUBLIC HEALTH EMERGENCY

June 3, 2020

TO: All License Holders

The PLCB, upon authorization from the Governor, has the authority under the Liquor Code (47 P.S. §4-462) to mandate the closure of licensed establishments in times of emergency. Section 7101 of the Emergency Management Services Code (35 Pa.C.S. § 7101) gives the Governor wide latitude in dealing with disasters such as the public health crisis precipitated by the outbreak of the COVID-19 coronavirus. As part of that authority and in response to the current public health emergency, the Wolf Administration had previously asked all retail establishments to cease selling food and alcohol for on-premise consumption. The Board had indicated that, pursuant to the Governor's directive, licensees no longer needed to sell food and alcohol for on-premise consumption as a precondition to sell alcohol for off-premise consumption.

On March 18, 2020, the Board directed that all retail licensees, clubs, permittees and producers cease the sale of food and alcohol for on premises consumption, effective at 8 p.m. that day and until further notice, in the interest of slowing the spread of the COVID-19 virus and mitigating the unprecedented public health crisis the commonwealth faces. The Board provided additional guidance in the form of this Advisory Notice, Advisory Notice No. 26.

On April 27, 2020, the Governor authorized golf courses to open, effective May 1. In response, the Board provided [additional guidance for golf courses](#).

Subsequent to the original emergency declaration, the Governor indicated that he intended to use a phased approach in lifting the emergency declaration by designating counties in red, yellow and green phases of recovery. On May 13, 2020, the Board revised this Advisory Notice to address that issue and to make clear that the Board will only recognize the Governor's designation of a county, since only the Governor can make such designations.

On May 21, 2020, Act 21 of 2020 went into effect, allowing certain restaurant and hotel licenses to sell prepared beverages and mixed drinks to go. In response, the Board provided guidance on [what licensees should know about Act 21 of 2020](#).

On May 27, 2020, the Governor's office provided [additional guidance on what activities are permissible in green counties and further indicated a change in what is permissible in yellow counties](#).

On May 29, 2020, the Board provided [guidance as to what is permissible in green counties](#).

Following is a summation of what is and is not permitted in the counties in Pennsylvania, depending on their color designation.

In RED Counties:

- Restaurant, retail dispenser and hotel licensees may not allow the service or consumption of food or alcohol on the licensed premises. Beer and food sales to go are still permitted, as are hotel sales of food and alcohol for consumption in private rooms. Sales of prepared beverages and mixed drinks to go are permitted, by those licensees that are eligible to make such sales.
- Licensees holding wine expanded permits authorizing the sale of wine to go may not allow the service or consumption of food or alcohol on the licensed premises. Sales to go are still permitted, as are the operation of a grocery store, convenience store or gas station next to the licensed premises.
- Airport restaurant license holders may not allow the service or consumption of food or alcohol on the licensed premises. Sales to go are still permitted.
- Clubs and catering clubs may not allow the service or consumption of food or alcohol on the licensed premises, and such licensees are not authorized to sell any alcohol to go. They may continue selling food to go.
- Permittees including special occasion, off-premise catering, exposition and farmers markets may not allow the service or consumption of food or alcohol on the licensed premises or at public gatherings. It is incumbent upon the permit holder to ensure that the event qualifies as a bona fide exposition/event before conducting sales of alcohol or offering tastings under authority of the permit.
- Breweries, distilleries/limited distilleries and limited wineries may not allow the service or consumption of food or alcohol on the licensed premises. Sales of the producer's own alcohol for off-premises consumption is permitted.
- Sacramental wine licensees may not allow food or beverage consumption on premise but may sell sacramental wine for consumption off premise.

In YELLOW Counties:

- Until June 5, 2020, licensees in yellow counties must adhere to the same rules as those for red counties as set forth above.
- Beginning June 5, 2020, licensees in yellow counties may allow dine-in service in outdoor seating areas consistent with the [restaurant industry guidance issued by the Governor's office](#) on May 27, 2020.

In GREEN Counties: Licensees are encouraged to follow the PLCB's [guidance as to what is permissible in green counties](#).

Temporary Board Procedures Expediting Extensions of Licensed Premises for Additional Outdoor Serving Areas

The Governor's decision to encourage outside dining has led the Board to adopt temporary procedures to expedite the process for licensees that want to temporarily extend their licensed premises to include additional outside areas. These temporary procedures only apply to applications for outdoor serving areas, and effective with the adoption of this notice, the following applies:

- Emergency temporary authority for outside areas may be requested by clubs, catering clubs, restaurants, retail dispensers, hotels, distilleries, limited distilleries, wineries, limited wineries and breweries.
- Licensees that wish to apply for a temporary extension of the licensed premises to include outside serving areas, with said extension to expire at the end of the current public health emergency, may do without incurring a filing fee. If the applicant wishes to permanently extend the licensed premises, it must follow the normal application process and pay the requisite fee.
- The application process for temporary extension of premises to include an outdoor seating area is similar to a regular application to extend premises and will require a plan. If the area to be licensed is an area not previously under the applicant's control – such as a municipal sidewalk – then proof that the applicant has the right to occupy the location must be provided.
- A licensee may only submit an application for an outdoor area immediately adjacent to, abutting and contiguous to the existing licensed premises. Applications for locations not meeting these criteria will be summarily rejected, and no temporary extensions are authorized for any locations separated from a licensed premises by a public thoroughfare.
- Upon submission of the application in PLCB+, the licensee will see a confirmation screen that the application was successfully submitted for processing. The licensee must print this confirmation page and display it as evidence the application was received, and at that point, the licensee will automatically have temporary authority to operate on the proposed outdoor area. Additionally, the licensee will be directed to post a Notice of Application. Distilleries, limited distilleries, wineries, limited wineries and breweries do not need to post a Notice of Application but must display the email acknowledging the application was accepted.
- The initial authority to operate will last until one of the following occurs: (1) The COVID-19 Emergency Declaration ends, (2) a protest or petition to intervene in opposition to the application is received by the PLCB, or (3) the Board informs the applicant that authority has come to an end.
- Licensees that don't wish to extend the licensed premises to include additional outdoor areas, but instead allow customers to congregate on an unlicensed portion of the premises, must still adhere to the Governor's guidelines on social distancing.

Enforcement

Any licensee that fails to comply with the Governor's guidance risks citation by the Pennsylvania State Police Bureau of Liquor Control Enforcement (BLCE). Further, BLCE has agreed to notify the PLCB if any citations are issued relative to this issue. The PLCB may suspend a licensee's operating authority under section 462 based on the circumstances. A licensee who continues to operate after its operating privileges have been suspended risk further enforcement action by the BLCE.

Ultimately, citations may put the business's liquor license at risk, both through the citation process and upon application for renewal to the PLCB. Further, licensees are reminded that, pursuant to section 494(a) of the Liquor Code, any person who violates the applicable sections of Article IV of the Liquor Code may be charged criminally with a misdemeanor.

Finally, the PLCB has received a number of inquiries as to how beer distributors should react to business closure guidance. As suppliers to grocery stores, convenience stores and other retail licensees permitted to sell beer to go, distributors' continued operation will preserve beer accessibility for consumers. As such, the Board is not limiting distributors' operations at this time but encourages these businesses to employ social distancing best practices and avoid large public gatherings.

Complaints regarding licensees not complying with these mandates may be directed to the BLCE at 1-800-932-0602 or reported through the [BLCE's online complaint form](#).

The Board will constantly re-evaluate this policy, guided by the strategy developed by the Governor's Office and the Pennsylvania Department of Health, and lift restrictions at the appropriate time.

Any issues not covered by this Advisory Notice may be resolved by writing to the Office of Chief Counsel, ra-lblegal@pa.gov.

**BY ORDER OF:
PENNSYLVANIA LIQUOR CONTROL BOARD**



JOHN K. STARK
Secretary to the Board

COVID-19 Safety Procedures for Businesses

PROTECTING CUSTOMERS AND EMPLOYEES WORKING IN THE COMMONWEALTH

Requirements for Businesses Authorized to Continue In-Person Operations:

Health and Cleaning

- Provide masks for employees to wear at all times.
- Clean and disinfect the building frequently, especially high-touch areas.
- Make sure employees have access to soap and water, hand sanitizer, and disinfectant wipes.
- Tell employees they should notify their supervisor if they are sick and stay home.

Social Distancing

- Prevent large groups from entering or leaving the building at the same time.
- Limit the number of employees in common areas.
- Conduct meetings virtually. For in-person meetings, limit the number of employees to 10 and maintain a distance of six feet.
- Don't allow non-essential visitors.

If there is a COVID-19 exposure in your building

- Establish a plan for employee COVID-19 exposure, that includes building cleaning and notifying affected employees. See COVID-19 Safety Guidance at pa.gov for more details.
 - Secure and clean the exposed areas.
 - Take each employee's temperature before they enter the building and send home those who have a temperature of 100.4°F or higher.
 - Employees should notify their supervisor if they have symptoms and go or stay home.
- Advise sick employees to follow CDC recommended guidance on home isolation.

Additional Safety Guidance for Any Retail Operations at Your Location

- Conduct business with the public by appointment only, when possible.
- Limit the number of people inside the building to no more than 50% of the total maximum occupancy.
- Modify business hours so there is enough time to clean and restock.
- Install shields at check-out areas to separate cashiers and customers.
- Provide delivery or pick-up options and encourage online ordering.
- Designate a specific time for people at high risk to use the business at least once a week.
- Require customers to wear masks or face coverings.
- Limit check-out lanes to every other register and rotate every hour to allow for disinfection.
- Schedule handwashing breaks for employees at least every hour.
- Assign an employee to wipe down carts and handbaskets before the customer uses it.

Questions or Concerns?

Businesses

Contact the Department of Health at 1-877-PA-HEALTH (1-877-724-3258).



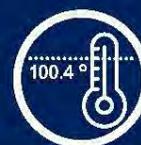
Employees or Customers

If you feel unsafe at your workplace relative to COVID-19 concerns, file a complaint with:

- A local health department or law enforcement agency.
- The Occupational Safety and Health Administration at OSHA.gov.
- The PA Department of Health at health.pa.gov.

Remember These Important Steps to Stop the Spread of COVID-19

- Maintain a distance of at least 6 feet from other individuals.
- Wash hands with soap and water for at least 20 seconds as frequently as possible, or use hand sanitizer if soap and water are not available.
- Cover coughs or sneezes with a sleeve or elbow.
- Do not shake hands.
- Regularly clean high-contact surface areas.
- When sick, stay at home.
- Do not gather in groups larger than 10 people.



COVID-19 Safety Procedures for Businesses NOTICE

All businesses in the Commonwealth that elect to maintain in-person operations, if permitted to operate under the Orders of the Governor and Secretary of Health, must strictly adhere to the guidance published by the Pennsylvania Department of Health, and must prominently display this notice and the foregoing COVID-19 SAFETY PROCEDURES FOR BUSINESSES at each work location (building or worksite).

In addition, each business must, for each work location (building or worksite), identify a Pandemic Safety Officer to respond to employee and subcontractor questions regarding these requirements. This business's or work site's Pandemic Safety Officer is:

Name _____ Number _____ Email _____

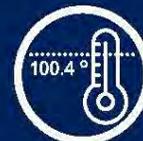
As business owner/operator/site foreperson/manager, I acknowledge and understand the foregoing, and confirm that my business/worksite will adhere to these requirements, as may be amended by orders of the Governor or Secretary of Health.

Signature _____ Date _____



Remember These Important Steps to Stop the Spread of COVID-19

- Maintain a distance of at least 6 feet from other individuals.
- Wash hands with soap and water for at least 20 seconds as frequently as possible, or use hand sanitizer if soap and water are not available.
- Cover coughs or sneezes with a sleeve or elbow.
- Do not shake hands.
- Regularly clean high-contact surface areas.
- When sick, stay at home.
- Do not gather in groups larger than 10 people.



Prepare your Small Business and Employees for the Effects of COVID-19

During an infectious disease outbreak, such as the current outbreak of COVID-19, small business owners must prepare for disruption in their business as well as prepare to protect their employees' health and safety in the workplace.

These steps are recommended to protect employees and prepare your business for disruption:

Coronavirus disease 2019 (COVID-19) is a respiratory illness that can spread from person to person. It spreads between people who are in close contact with one another (within about 6 feet) and through respiratory droplets produced when an infected person coughs or sneezes. **Symptoms** (<https://www.cdc.gov/coronavirus/2019-ncov/about/symptoms.html>) can include fever, cough, or difficulty breathing, which may appear 2-14 days after exposure.

Identify a workplace coordinator who will be responsible for COVID-19 issues and their impact at the workplace.

Examine policies for leave, telework, and employee compensation.

- Leave policies should be flexible and non-punitive, and allow sick employees to stay home and away from co-workers. Leave policies should also account for employees who need to stay home with their children if there are school or childcare closures, or to care for sick family members.
- When possible, use flexible worksites (e.g., telework) and flexible work hours (e.g., staggered shifts) to help establish policies and practices for social distancing (maintaining distance of approximately 6 feet or 2 meters) between employees and others, especially if social distancing is recommended by state and local health authorities.

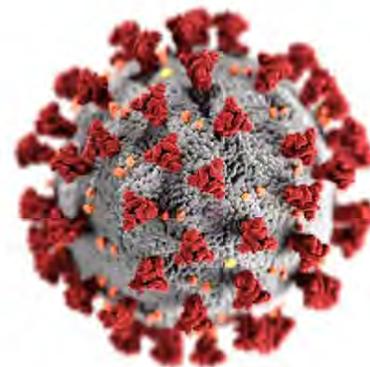
Review your leave policies with all employees and provide information about available employee assistance services. Share information on steps they can take to protect themselves at work and at home.

Identify essential employees and business functions, and other critical inputs such as raw materials, suppliers, subcontractor services/products, and logistics required to maintain business operations. Explore ways you can continue business operations if there are disruptions.

Prepare business continuity plans for significant absenteeism, supply chain disruptions, or changes in the way you need to conduct business.

Establish an emergency communications plan. Identify key contacts (with back-ups), chain of communications (including suppliers and customers), and processes for tracking and communicating about business and employee status.

Share your response plans with employees and clearly communicate expectations. It is important to let employees know plans and expectations if COVID-19 occurs in communities where you have a workplace.



cdc.gov/coronavirus

Top 10 Tips to Protect Employees' Health

Healthy employees are crucial to your business. Here are 10 ways to help them stay healthy.

- **Actively encourage sick employees to stay home.** Develop policies that encourage sick employees to stay at home without fear of reprisals, and ensure employees are aware of these policies.



- **Have conversations with employees about their concerns.** Some employees may be at higher risk for severe illness, such as **older adults** (<https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/older-adults.html>) and those with chronic medical conditions.



- **Develop other flexible policies for scheduling and telework (if feasible) and create leave policies** to allow employees to stay home to care for sick family members or care for children if schools and childcare close.



- **Talk with companies that provide your business with contract or temporary employees about their plans.** Discuss the importance of sick employees staying home and encourage them to develop non-punitive "emergency sick leave" policies.



- **Promote etiquette for coughing and sneezing** (https://www.cdc.gov/healthywater/hygiene/etiquette/coughing_sneezing.html) and **handwashing** (<https://www.cdc.gov/handwashing/index.html>). Provide tissues, no-touch trash cans, soap and water, and hand sanitizer with at least 60% alcohol.



- **Plan to implement practices to minimize face-to-face contact between employees if social distancing is recommended by your state or local health department.** Actively encourage flexible work arrangements such as teleworking or staggered shifts.



- **Perform routine environmental cleaning.** Routinely clean and disinfect all frequently touched surfaces, such as workstations, countertops, handrails, and doorknobs. Discourage sharing of tools and equipment, if feasible.



- **Consider the need for travel and explore alternatives.** Check CDC's **Travelers' Health** (<https://wwwnc.cdc.gov/travel>) for the latest guidance and recommendations. Consider using teleconferencing and video conferencing for meetings, when possible.



- **Provide education and training materials** in an easy to understand format and in the appropriate language and literacy level for all employees, like **fact sheets and posters** (<https://www.cdc.gov/coronavirus/2019-ncov/communication/index.html>).



- **If an employee becomes sick while at work,** they should be separated from other employees, customers, and visitors and sent home immediately. Follow CDC guidelines for **cleaning and disinfecting** (<https://www.cdc.gov/coronavirus/2019-ncov/community/organizations/cleaning-disinfection.html>) areas the sick employee visited.



For more tips and information see the **CDC Interim Guidance for Businesses and Employers** (<https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html>) and the **OSHA Guidance for Preparing Workplaces for COVID-19** (<https://www.osha.gov/Publications/OSHA3990.pdf>).

RESTAURANTS & BARS: Should you re-open?



The purpose of this tool is to assist businesses in the food service industry, such as restaurants and bars, in making re-opening decisions during the **Yellow Phase** of the COVID-19 pandemic. It is important to check with state and local health officials and other partners to determine the most appropriate actions while adjusting to meet the unique needs and circumstances of the local community.

Should you consider opening physical operations?

- ✓ Will reopening be consistent with applicable state and local orders?
- ✓ Are you ready to protect employees at higher risk for severe illness?

ANY NO?



Are recommended health and safety actions in place?

- ✓ Promote healthy hygiene practices such as hand washing and employees wearing a cloth face covering, as feasible
- ✓ Intensify cleaning, sanitization, disinfection, and ventilation
- ✓ Follow the Commonwealth's "Guidance for Business in the Restaurant Industry Permitted to Operate During the COVID-19 Disaster Emergency to Ensure the Safety and Health of Employees"
- ✓ Train all employees on health and safety

ANY NO?

MEET SAFEGUARDS FIRST

Is ongoing monitoring in place?

- ✓ Develop and implement procedures to check for signs and symptoms of employees daily upon arrival, as feasible
- ✓ Encourage anyone who is sick to stay home
- ✓ Plan for if an employee gets sick
- ✓ Regularly communicate and monitor developments with local authorities and employees
- ✓ Monitor employee absences and have flexible leave policies and practices
- ✓ Be ready to consult with the local health authorities if there are cases in the facility or an increase in cases in the local area

ANY NO?

MEET SAFEGUARDS FIRST

OPEN &
MONITOR

