



COVID-19 Guidance for Restaurants and Establishments that Meet the Definition of a “Bar” Per O.C.G.A. § 3-1-2 (2.1)

On March 31, 2021, Governor Kemp issued Executive Order 03.31.21.03 “Empowering a Healthy Georgia,” which provides guidance to the operating guidelines for restaurants and dining facilities, bars, banquet facilities, private event facilities, and private reception venues where food is served.

The Order requires that **all** Restaurants, meaning entities that meet the definition of “food service establishment” per O.C.G.A. § 26-2-370(2), and Bars, meaning any entity which possesses a license to operate as a bar or otherwise meets the definition of “bar” as defined by Code Section 3-1-2(2.1)¹, as well as banquet facilities, private event facilities, and private reception venues where food is served, **shall** implement certain measures to mitigate the exposure and spread of COVID-19 among their patrons and workforce.

The Restaurant and Bar provisions of Executive Order 03.31.21.03 do not apply to dine-in services provided in hospitals, health care facilities, nursing homes, or other long-term care facilities. However, the Order directs these excepted facilities to implement the Order’s operating guidelines to the extent possible.

The specific directives of the Order are reproduced below in plain text. Additional recommendations and clarification from the Georgia Department of Public Health’s Food Service Program are provided in italics.

WORKER HEALTH & SAFETY MEASURES:

- Screen and evaluate workers who exhibit symptoms of COVID-19. *Symptoms of COVID-19 may include a fever or chills, cough, shortness of breath or difficulty breathing, fatigue, muscle or body aches, headache, new loss of taste or smell, sore throat, congestion or runny nose, nausea or vomiting, or diarrhea. While it is strongly recommended that each restaurant have an infrared thermometer on hand to screen workers, it is not required. Workers may screen themselves for fever with their own thermometers prior to arriving at work.*
- Require workers who exhibit signs of illness to not report to work or to seek medical attention. *Restaurant workers are considered “Critical Infrastructure” Workers. If a Restaurant Worker has been exposed to someone diagnosed with or suspected of having Covid-19, they are allowed to continue working per CDC guidance, and additional requirements, unless the worker is showing signs or symptoms of Covid-19: <https://www.cdc.gov/coronavirus/2019-ncov/community/critical-workers/implementing-safety-practices.html>.*
- Require workers to wear face coverings while interacting with patrons. *(e.g., waitstaff, counter staff, drive through, etc.) Workers may also wear face shields in addition to their face coverings. Such face coverings and face shields shall be cleaned or replaced daily. Face coverings and face shields are not the same thing. Face shields are clear plastic barriers that do not contact the face but are worn as a way to protect the full face from spray aimed at the individual wearing the shield. Face shields do not protect others from contaminated airborne particles expelled from the person wearing the face shield. Face coverings are made of cloth or fabric and must cover the nose and mouth while being worn. Workers will not be allowed to work unless they*

¹ Code Section 3-1-2(2.1) defines “bar” as “any premises at which a retailer licensed pursuant to this title to sell alcoholic beverages derives 75 percent or more total annual gross revenue from the sale of alcoholic beverages for consumption on the premises.”

have a face covering. Instructions for making face coverings can be found on the CDC's website: [Use Masks to Help Slow Spread | CDC](#). Third-party delivery drivers should also wear face coverings while in the restaurant and when interacting with any customers at the delivery location.

CUSTOMER & PATRON SAFETY:

- Posting signage at the entrances to the facility stating that individuals who have been diagnosed with COVID-19, have symptoms of COVID-19, or have contact with a person that has or is suspected to have COVID-19 within the past fourteen (14) days and have not completed the Post-Exposure Quarantine Protocol shall not enter the facility; *Signage should be designed in such a manner as to be easily seen and read by any patrons approaching the restaurant. See Executive Order 3.31.21.03 Section II "Definitions" pg. 9-10, #9.*
- Maintain a regular cleaning schedule for the entire facility and frequently clean and sanitize high contact areas that are touched often by workers and/or patrons including, but not limited to, bar tops, table condiments, digital ordering devices, check presenters, self-service areas, reusable menus, tabletops, and playgrounds. *Dining tabletops are considered food contact surfaces, per the Georgia Food Service Rules and Regulations, Chapter 511-6-1. Only use disinfectants on food contact surfaces that are labeled specifically for food contact use. Always follow manufacturer's labels when applying disinfectants to dining tabletops and verify their use for food contact surfaces.*
- Providing service only to seated patrons, or, if not applicable, to patrons in designated areas that are practicing Social Distancing.
- Establishing pathways for patrons' ingress and egress and ensuring that they are clear and unobstructed.
- Redesigning seating arrangements to ensure at least forty-two (42) inches of separation from seating to seating or utilizing physical barriers to separate groups of seating within forty-two (42) inches. *Currently, there are no recommendations available from the U.S. Food and Drug Administration or Center for Disease Control and Prevention on the size or height of a physical barrier. Each restaurant and bar must use its own judgement when determining dimensions of physical barriers that will afford patrons adequate protection from the virus that causes COVID-19. Physical barriers should be as large as practicable and should be impermeable to respiratory droplets and aerosols.*
- Where practicable, physical barriers such as partitions or plexiglass at registers should be used.
- Use technological solutions where possible to reduce person-to-person interaction: mobile ordering, mobile access to menus, text on arrival for seating, and contactless payment options. *If PIN pads are used, they should be sanitized between patrons.*
- Ensure ventilation systems operate properly and increase circulation and purification of air within facilities as practicable. *According to the Georgia Food Service Rules and Regulations Chapter 511-6-1-.07(5)(d) Intake and exhaust air ducts shall be cleaned and filters changed so they are not a source of contamination by dust, dirt, and other materials. If vented to the outside, ventilation systems may not create a public health hazard or nuisance or unlawful discharge. If*

playgrounds are located indoors, it is highly recommended to ensure adequate ventilation in those areas to reduce the risk of aerosolized transmission of COVID-19.

RECOMMENDATIONS FROM THE CDC ON VENTILATION FOR RESTAURANTS AND BARS:

Ensure that ventilation systems operate properly and increase circulation of outdoor air as much as possible, for example by opening windows and doors and prioritizing outdoor seating. Do not open windows and doors if doing so poses a safety or health risk to customers or employees (e.g., risk of falling or triggering asthma symptoms, or allowing the entrance of insects or other pests).

RECOMMENDATIONS AND REQUIREMENTS FOR CATERERS:

If catering a private event, the best option is to deliver the food and any equipment to the customer at the designated time, and then return after the event has concluded to retrieve the equipment.

If catering a private event where it is required that the caterer stay on site for the event to provide set-up and service, the following additional measures should be implemented to the extent practicable:

- *If the event is at the home of a person who meets the criteria for higher risk of severe illness as defined by the Centers for Disease Control and Prevention (CDC), to the extent practicable under the circumstances, the caterer should not enter the person's home and should conduct the catering service outside if possible.*
- *Social Distancing of at least 6 feet should be maintained between the catering staff and attendees at the event.*
- *If the caterer is responsible for providing tables and chairs at the event, seating shall be arranged in accordance with the Executive Order.*

TEMPORARY EVENTS:

Temporary outdoor fairs, festivals, or other events may be held so long as they comply with the following requirements of Executive Order 03.31.21.03:

- *The event organizer must ensure that the event adheres to the Order's guidelines for Organizations.*
- *All food vendors at the event must follow the requirements for food service establishments outlined in Executive Order 03.31.21.03. Food vendors must also comply with the provisions of Chapter 511-6-1 of the Georgia Food Service Rules and Regulations applicable to temporary food service establishments.*

HANDLING OF COMPLAINTS & ENFORCEMENT OF EXECUTIVE ORDER REQUIREMENTS:

The local health departments will investigate any complaints at restaurants, bars, or against temporary event food service workers under their jurisdiction for compliance with the Executive Order requirements. A written warning will be issued for non-compliance with the Executive Order for the first complaint. Repeated violations of the Executive Order for the same restaurant, bar, or temporary event food service worker will be turned over to local law enforcement or the Georgia State Patrol for enforcement measures. Note, however, that all law enforcement is authorized to enforce the provisions of Executive Order 03.31.21.03, regardless of the local health department's involvement. The local health department will enforce the requirements of the Georgia Food Service Rules and Regulations, Chapter 511-6-1 at all food service establishments.

INSPECTION GUIDANCE:

As per the previous Executive Orders, the routine inspection timeline under Chapter 511-6-1-.10(2) may continue to be extended at the discretion of the District Health Director or their designee for up to 120 days for any permit holder of a food service establishment maintaining an “A” food safety grade which was scheduled to have a routine inspection at any time between March 14th, 2020 and September 10th, 2020. This is to allow the regulatory agency continued flexibility in prioritizing high risk establishments. Any food service establishment with a history of fluctuating scores that received a score of an “A” on the previous inspection should be included on the list of high-risk prioritizations.

A virtual non-scored inspection may be carried out at the option of the regulatory agency for any highly susceptible population facility as long as the State of Emergency is in place.

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