

Important Changes Relating to Executive Order 2020-160 and 2020-161, Food Service Operations:

- **Closure of indoor service at bars**
 - This will take effect on **July 31st, 2020 at 12:01 AM.**
 - Facilities licensed to sell alcohol must close indoor service if they earn more than 70% of their gross receipts from sales of alcoholic beverages.
 - Facilities shall use gross receipts from 2019 to calculate the percentage of gross receipts from alcohol sales. If the establishment was not in operation in 2019, the facility shall use gross receipts from the day they opened in 2020.
 - Outdoor service is still allowed.
 - Customers are allowed to walk through the facility to enter the outdoor area, leave the establishment, or use the restroom.
- **Face Covering Requirement:**
 - To protect workers, shoppers and the community, no business that is open to the public may provide service to a customer or allow a customer to enter its premises unless the customer is wearing a face covering as required by Executive Order 2020-153.
 - Children under 5 years of age and individuals who cannot medically tolerate a face covering are exempt from face covering requirements. Please be aware that the Center for Disease Control and Prevention (CDC) does recommend that children older than 2 years of age to wear a face covering.
 - Customers are required to wear a face covering except when seated at their table or bar top (Unless the customer is unable to medically tolerate a face mask).

Businesses may not assume that someone who enters the facility without a face covering falls in one of the exceptions. A business may accept the customer's verbal representation that they are not wearing a face covering because they fall in one of the exemptions.

A department or agency that learns that a licensee is in violation of Executive Order 2020-153(3) will consider whether the public health, safety or welfare requires temporary suspension of the business's license to operate (Including but not limited to a liquor license). Under section 92 of the Administrative Procedures Act of 1969, 1969 PA 306, as amended, MCL 24.292(2).

Must require customers to remain seated at their table or bar tops, unless entering, ordering takeout food, traveling to the restroom, or exiting the building

Customers are no longer allowed to order alcoholic drinks at the bar. Customers are only allowed to order alcohol when seated at a table or seated at the bar.

Install physical barriers, such as sneeze guards and partitions at cash registers, bars, host stands, and other areas where maintaining physical distance of six feet is difficult.

To the maximum extent possible, limit the number of employees in shared spaces, including kitchens, host stands, break rooms, and offices, to maintain at least a six-foot distance between employees.

Provide COVID-19 training to employees that covers, at a minimum: (1) Workplace infection-control practices. (2) The proper use of personal protective equipment. (3) Steps the employee must take to notify the business or operation of any symptoms of COVID-19 or a suspected or confirmed diagnosis of COVID-19. (4) How to report unsafe working conditions.

**For questions please contact the Benzie-Leelanau District Health Department
Call: 231-882-4409 or Email: bldhd@bldhd.org**

Frequently Asked Questions

Q - What if a customer refuses to wear a face covering while being seated, exiting the facility, or using the restroom?

A - All customers are required to wear a face covering except for when they are seated at their table or bar top (unless the customer is unable to medically tolerate a face mask or is younger than five years old). According to Executive Order 2020-153 section 3: Businesses are not to provide service to a customer or allow entrance of a customer to their premises who refuse to wear a face covering. A customer who refuses to leave a facility after being denied service can be charged with trespassing by local law enforcement.

Q - I have an employee who cannot medically tolerate a face covering. What are my options?

A - If an employee or staff member is unable to medically tolerate a face covering, they are not required to wear one. However, they are required to meet the social distancing requirements from employees and customers. This can be achieved by reassigning the employee to an area of the facility where social distancing can be maintained or by the installation of physical barriers. Employees with a medical condition that cannot wear a face covering must have limited interactions with customers and coworkers.

Q- What do I do if an employee is showing signs and symptoms of COVID-19?

A- If an employee shows symptoms of COVID-19 (defined as either the new onset of cough or new onset of chest tightness or two of the following: fever (measured or subjective), chills, myalgia, headache, sore throat, or disorders of taste or smell), close the restaurant immediately and perform a deep clean, consistent with guidance from the FDA and the CDC. Such cleaning may occur overnight. Contact the Benzie-Leelanau District Health Department for further instructions (231) 256-0216.

Q - How should I handle a symptomatic customer or supplier that enters my facility?

A - If a customer or supplier is showing signs or symptoms of an illness, the facility has the right to refuse entry.

Q - What do I do if an employee tests positive for COVID-19?

A - Contact the Benzie-Leelanau District Health Department immediately. Coworkers, contractors, or suppliers that may have been exposed must be contact within **24 hours** and informed that they have been in close contact with a confirmed COVID-19 individual.

Q - Are food facilities allowed to open game/dance areas (Pool, darts, dancing etc.)?

A – No, licensed food facilities must close and prohibit access to common areas in which people can congregate, dance, or otherwise mingle.

Q - How do I determine our facilities seating capacity?

A - Restaurants and bars will be required to limit their capacity to 50% of **normal seating** and must be able to maintain proper social distancing (6 foot minimum) between tables and with customers in line to order food.

Q – Can customers wait inside for a table or a takeout order?

A – No, indoor waiting areas must be closed. Customers are to wait in their cars whenever possible, or outside of the facility, until a notification that their table or order is ready. Measures should be put in place for those waiting customers, who are not in their cars, that encourages six (6) feet (minimum) social distancing.

Q - Where do I go to file a complaint?

A – We now have a [complaint form](#) or individuals can email us at (hotline@bldhd.org) for the public to submit questions, comments, and complaints.

More information on the Governor’s Executive Orders 2020-160 and 2020-161 can be found by Clicking the executive order below:

[EO 2020-153](#)

[EO 2020-160](#)

[EO 2020-161](#)

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