
Benzie-Leelanau District Health Department COVID-19 Restaurant Toolkit

- **Food Service Establishments**

- Indoor dining services can expand indoor dining capacity to 50% of normal seating capacity, or 100 persons, whichever is less starting on March 5th, 2021, at 12:01am. This order remains in effect through April 19th, 2021, at 11:59pm.
 - Consumption of food or beverages is permitted only in a designated dining area where patrons are seated, groups of patrons are separated by at least six feet, no more than 6 patrons are seated together (at a table, booth, or group of fixed seats), and groups of patrons do not intermingle.
 - Patrons are not permitted to gather in common areas in which people can congregate, dance, or otherwise mingle.
 - In the event that an employee of a food service establishment is confirmed positive for COVID-19 or shows symptoms of COVID-19 while at work, a gathering at that food service establishment is prohibited until the food service establishment has been deep cleaned consistent with Food and Drug Administration and CDC guidance.
 - Establishments offering indoor dining:
 - The number of patrons indoors (or a designated dining area of a multi-purpose venue) may not exceed 50% of normal seating capacity, or 100 persons, whichever is less.
 - Food service establishments, or the food service establishment portion of a multi-purpose venue, must close indoor dining between the hours of 11:00 PM and 4:00 AM.
 - The venue must display, in a prominent location, the MDHHS "[Dining During COVID-19](#)" brochure.
 - Patrons must remain masked at all times, except when eating or drinking in designated areas.
- All dine-in food service establishments must maintain accurate records of the names and phone numbers of patrons who purchase food for consumption on the premises, and the date and time of entry.
 - Upon request, businesses, schools, and other facilities must provide names and phone numbers of individuals with possible COVID-19 exposure to MDHHS and local health departments to aid in contact tracing and case investigation efforts.
 - Data collected under this section:
 - Must not be sold or used for sales or marketing purposes without the express consent of each patron.
 - Must be protected as confidential information to the fullest extent of the law.
 - Must not be provided to law enforcement or immigration officials except upon receipt of a lawful subpoena from a court or other lawful court order.
 - Must be retained for 28 days by the collecting organization, after which time the data must be destroyed. If facilities use existing data to fulfill this requirement, they may instead follow their own pre-existing data retention and destruction policies at the conclusion of the 28-day retention period.

Frequently Asked Questions

Q- What are the gathering capacity restrictions that apply to weddings, conferences, or other social gatherings at non-residential venues?

A- MDHHS response: Indoor weddings may not exceed a total of 25 persons, while outdoor weddings may not exceed a total of 300 persons. If an event has indoor and outdoor components, it must abide by the requirements for an indoor gathering. Everyone must remain masked at all times unless they are eating or drinking while sitting in a designated area. The consumption of food or beverages is permitted only while seated in designated areas. While eating/drinking, no more than 6 people may be seated together in a group, and groups must be separated by at least 6 feet; groups may not intermingle.

Q - Can a guest be provided water outside the designated hours permitted for indoor dining?

A - MDHHS response: Under the current Order's rules for indoor dining, between 11:00 PM and 4:00 AM, sales of all food and beverages must cease, areas for indoor dining must be closed, and guests/patrons are not permitted to eat and/or drink indoors. Food and beverages may not be provided as part of an all-inclusive package during these hours. Nevertheless, facilities may make water available as a courtesy for guests to allow for adequate hydration.

Q - Can staff wear a face shield in place of a face covering?

A - MDHHS response: No. The **CDC does not recommend** the use of face shields as a substitute for cloth face masks. However, a face shield covering the eyes, nose, and mouth can be worn in addition to a cloth mask if desired. Moreover, a face shield may be worn by younger children who are not required to wear a cloth mask, in other settings when a face mask is not required.

Q - Are food facilities required to collect contact information for customers who dine indoors?

A - All dine-in food service establishments must maintain accurate records of the names and phone numbers of patrons who purchase food for consumption on the premises, and the date and time of entry. This information could be needed for contact tracing purposes.

Q- What is the definition of indoor dining?

A- MDHHS defines "Indoor Dining" as a space that is fully or partially enclosed on the top, and fully or partially enclosed on two or more contiguous sides. Additionally, in a space that is fully or partially enclosed on the top, and fully or partially enclosed on two non-contiguous sides, any part of that space that is more than 8 feet from an open side is indoors. MDHHS defines "Outdoor Dining" as a space that is not indoors. Examples of approved outdoor dining set ups can be found at [MDHHS Outdoor Seating Enclosures](#).

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 Emergency Order Under MCL 333.2253: Gatherings Prohibition and Mask Order can be found by Clicking the emergency order below:

- [MDHHS Emergency Order](#)
- [Capacity Limits Fact Sheet](#)
- [Outdoor Seating Enclosure](#)
- [MDHHS MARCH 2nd FAQ](#)