

Restaurants, Bars, Breweries, Distilleries and Casinos Phase 2 Requirements and Guidance

May 22, 2020

The Governor of Montana issued a Directive on May 19, 2020 that moves Montana to Phase 2 Reopening on Monday, June 1, 2020. This document outlines what food and drink establishments must follow in order to be open to the public after June 1st. This guidance document has three sections:

- **Minimum requirements** that you have to meet to operate your business in Phase 2;
- **Recommendations** that will further protect your staff, customers, and our community; and
- **Ideas and strategies** to consider when making your individualized plan.

Have questions? Please contact us at 258-4755, or envhealth@missoulacounty.us.

MINIMUM REQUIREMENTS

1. Pre-shift health assessments of employees.

- The employee health assessments are a way to screen employees for symptoms associated with COVID-19. While this is a protective measure that might prevent virus spread from symptomatic employees, remember that an employee might have the disease but not show signs of it. This is why it is extremely important to follow all other protective measures.
- See [this document](#) for more information on employee health assessments (<https://www.missoulacounty.us/home/showdocument?id=71836>)
- Employees exhibiting COVID-19 symptoms are prohibited from working.
- In addition to this COVID-19 specific health assessment, managers and employees must comply with the employee health and sick worker exclusion rules in Section 2-201 of the 2013 FDA Food Code.

2. Maximum occupancy limited to 75% of normal operating capacity.

- Phase 1 required that you reduce your normal operating capacity by 50%; in Phase 2 you can increase your seating capacity to as much as 75%, but still have to meet the 6-foot distancing between customers (see below). Depending on how close tables and booths were to begin with, you might not be able to get to the full 75% capacity in this Phase.

3. Physical Distancing:

- Provide 6' distance between customers and groups of customers, including those sitting at booths, in waiting areas, at gaming machines and in outdoor spaces.
- The distance required is between seated customers in your establishments, not measured between table edges or seat-to-seat.
- The physical distance must be planned for and maintained in all public areas of your establishment, not just the dining area.
- Available gambling machines must be spaced at least 7' on center. You may space them out or disable/power-off some of the machines to achieve this spacing minimum.

4. Table seating capacity is limited to ten (10) people.

- In Phase 1, table seating capacity was limited to 6. That can now be increased to 10 people

seated at a table together. Note that all other groups of diners/drinkers must be seated at least 6 feet away. In other words, you can't pull two 10-person tables together for a 20-person party.

5. Bar and counter service and seating.

- Bar and Counter service and seating are still prohibited. To make sure we understood the Governor's directive, we asked for an interpretation. They confirmed that bar and counter service and seating is still prohibited in Phase 2. That means that patrons are not allowed to sit, stand or order at the bar.
- In facilities with bars, drinks and food that will be consumed on-premise must be served to customers at the table.

6. 11:30 PM Closing Time.

- Your establishment must be completely closed, with all customers out, by 11:30 p.m., or by an earlier time required by license type (breweries/distilleries).
- We have interpreted this to apply to only to in-house dining/service. Pickup, delivery and curbside are still allowed after 11:30 p.m.

7. Cleaning and sanitizing plan

- You must develop and implement a specific cleaning and sanitizing plan, to ensure that common surfaces and high traffic areas are cleaned and sanitized as required.
- You must ensure that all employees know about and can implement the enhanced cleaning and sanitization plan, and that they understand COVID-19 specific cleaning practices.
- Occupied surfaces - including tables, chairs, booths, highchairs and gambling machines - must be cleaned between customers.
- Items typically left on the table between customers, like condiments, menus, napkins, and décor, must either be removed from the tables or cleaned and sanitized between customers.
- Menus must be cleaned between customers.
- Refillable or reusable containers (growlers, mugs, etc) must be cleaned by the establishment before being refilled.
- For non-food contact surfaces, you must use an approved sanitizer at an effective concentration. The CDC has a list of disinfectants that will kill COVID-19. Pay attention to labels, manufacturer instructions and warnings.
- For all food contact surfaces, follow the Food Code requirements for cleaning and sanitizing.

8. Self-service buffets.

- Self-service buffets are still prohibited. Self-service buffets include salad bars, meal buffets, olive bars, self-serve condiments, create-your-own dessert areas, etc.

9. Drink re-fills

- You must use a clean, new cup or glass for drink refills.

10. Live Music or Entertainment.

- Singers, bands and karaoke are allowed in Phase 2. Because you must be able to maintain the 6-foot separation between non-congregate patrons, dance floors should remain closed unless you come up with a creative way to restrict dancers to certain locations on the dance floor. The Governor's office has indicated that the people in the band count toward the cap of 75% of normal operating capacity.

- Karaoke is also allowed, but shared equipment, like microphones, must be sanitized between users.

RECOMMENDATIONS

The following recommendations are in the Governor’s Directive or issued by the Missoula City-County Health Board.

Cloth Face Coverings:

- The Missoula City-County Health Board recommends cloth face coverings be worn when 6-foot distancing cannot be consistently maintained. Cloth face coverings can slow the spread of COVID-19 and help people who may have the virus but are not experiencing symptoms from transmitting it to others. We realize that people are there to eat and drink and that you can’t do that with cloth over your mouth. Cloth face coverings should be worn to the extent possible.
 - NOTE: A cloth face covering is not a surgical or N-95 mask; those are being reserved for health care workers. Please visit the Department website for a description of the proper way to wear and launder face coverings.

Workforce:

- Make reasonable accommodations for vulnerable employees.

Self-Service Items:

- Keep self-service cups, straws and lids behind a counter to hand out to customers.
- Self-service condiments should be eliminated.

IDEAS AND STRATEGIES TO CONSIDER

Every establishment is unique, and that meeting the requirements and incorporating the recommendations will look different from one place to the next. The following list briefly describes some of the ideas that we have seen in our community or heard about from various operators.

Physical Distancing

- If your establishment routinely has people who have to wait to be seated, encourage or require reservations to reduce waiting area crowding.
- Manage the movement of patrons through your establishment by designating one entry door, and one exit door (create one-way flow). This will maximize physical distance at points of ingress/egress.
- If customers order or pay at a common window or counter, consider installing a physical barrier between the customer and the employee. You have probably seen examples of these barriers around your community.
- Successfully minimizing the transmission of COVID-19 depends on your patrons to follow physical distancing requirements. You can help your customers comply by clearly spelling out the expectations and by having your staff model the behavior you want to see.
 - Post signs reminding staff and patrons to maintain 6’ separation.
 - Post and enforce capacity limits for each room/area of your establishment.

- Outdoor seating areas may be taken into consideration when determining your normal (pre-closure) operating capacity.
 - If you have outdoor seating, configure the seats so that your customers will be at least 6' away from people passing by in the adjacent sidewalk or parking lot areas.
 - If you are considering adding new outdoor seating areas, or expanding your existing outdoor seating area, you still must get approval from all necessary agencies, for example the parking commission or the Department of Revenue.

Cleaning and Sanitizing

- Eliminate the “seat yourself” model, even in quick-service and fast-casual establishments. Ensure that customers do not sit at a table that employees haven’t yet cleaned and disinfected.
- Eliminate as many common surfaces as possible. This may include: posting one large menu in plain view so that ordering can happen without passing out individual menus; propping open some interior doors to eliminate the need to touch a handle; using an app or texting to let waiting customers know their table is ready (rather than passing out devices that light up/vibrate to waiting customers).
- Assign continual cleaning and sanitizing of surfaces to one (or a few) staff members. These staff may elect to wear protective gear (gloves) since they would be dipping their hands in a strong sanitizer solution and/or wiping with sanitizer almost constantly.
- Designate one employee to handle money (cash/card) transactions.

Alternative Service Methods

- Continue to promote and encourage to-go, curbside pick-up, and delivery. This is still the most protective way to provide food to your customers.

Hand washing and Hand Sanitizer:

- Set up additional, convenient, hand wash stations for staff. Staff must wash hands frequently, especially after touching used dishes or glassware, etc. This is a Food Code requirement, but extra emphasis on handwashing is critical.
- Place hand sanitizer in locations that are not only available to staff, but also patrons. Hand sanitizer is only effective if it is 60% or more alcohol. Remember that sanitizer is not a substitute for handwashing by employees.

Workforce:

- Consider expanding sick leave allowances and benefits for staff so they can stay home if they are sick.
- Provide or require employee training in COVID-19 specific issues, like ways the virus is transmitted. When people understand that underlying reasons behind policies and rules, they are much more likely to follow them.