

Requirements for Restaurants and Bars

In addition to the Healthy at Work [Minimum Requirements](#), restaurants and bars must meet the requirements below to reopen and remain open.

For purposes of these requirements:

- A “restaurant” is an entity that stores, prepares, serves, vends food directly to the consumer or otherwise provides food for human consumption, and must hold a food service permit in good standing and has table seating.
- A “bar” is an entity that stores, prepares, serves, vends alcohol directly to the consumer for on-site human consumption and must hold a service permit in good standing.¹

Social Distancing Requirements

Restaurants and bars must:

- **REQUIRE THAT ALL CUSTOMERS BE SEATED AND SERVED AT TABLES OR BOOTHS.**
- Discontinue bar seating and bar service.
- Discontinue dine-in food and drink service by 11:00 p.m. local prevailing time.
- Close no later than 12:00 a.m. local prevailing time, except for drive-thru, carry-out and delivery services.
- Limit the number of customers present inside any given establishment to 50% of the maximum permitted occupancy or the greatest number that permits individuals not from the same household to maintain six (6) feet of space between each other with that level of occupancy. For booth seating only, restaurants may install non-porous physical barriers (e.g., plexiglass shields) between booths to permit usage of sequential booths unable to be separated by six (6) feet so long as the barrier effectively separates the opposite sides of the barrier.
- Establishments that choose to have outdoor seating may do so without those customers counting against the 50% occupancy limit so long as those customers remain seated and at least six (6) feet of space is maintained between customers at different tables. If an establishment uses a tent, at least 50% of the tent perimeter (e.g., 2 sides of a square tent) must remain completely open at all times and six (6) feet of space must be maintained between customers at different tables. If an establishment uses a tent with fewer than 50% of the perimeter (e.g., for a square tent, fewer than 2 sides) completely open, that tent is considered interior space and is subject to the 50% capacity limitation noted above.
- Prohibit customer traffic in the bar or restaurant except for the purposes of entry, exit, and restroom

¹ These definitions and requirements also apply to any portion of a facility that serves food or alcohol to the public, including, but not limited to, breweries, distilleries, and wineries.

traffic.

- Revise floor plans for seating areas, redesigning seating arrangement to maximize the ability to social distance to the greatest extent practicable.
- Require employees who operate equipment or vehicles to limit, to the greatest extent practicable, the number of employees riding in the vehicle together. If riding in separate vehicles is not practicable then employees should maximize social distancing and wear face coverings in the vehicle. Thorough cleaning and disinfecting vehicles after each trip are required.

Restaurants and bars should:

- Provide food and beverage service via curbside, takeout, and delivery services to the greatest extent practicable, to minimize the number of persons within the establishment and the contacts between them.
- Consider using a reservations-only business model or call-ahead seating to better space households and individuals.
- Establish a system for limiting entry and tracking occupancy numbers. Once a restaurant has reached its capacity, it should permit a new customer inside only after previous customers have left the premises on a one-to-one basis.
- Establish a safe means for customers to await entry, such as asking customers to remain in their car and notifying them via phone when they are able to enter the restaurant or demarking spots six (6) feet apart where customers can safely stand without congregating.
- Limit party size to ten (10) people or fewer. Persons not living within the same household should not be permitted to sit at the same table.
- Maximize use of outdoor seating while still maintaining six (6) feet of space between customers seated at different tables.
- Promote social distancing by limiting customer movement through the restaurant to the greatest extent practicable. Establishments should inform customers they may travel to entries, exits, and the restroom, unless circumstances (e.g. health and safety) require otherwise. Restaurants/bars should, to the greatest extent practicable, modify the establishment's traffic flow to minimize contacts.
- Modify internal traffic flow to minimize contacts between employees and customers.
- Demarcate six feet of distance between customers and employees, to the greatest extent practicable, except at the moment of payment and/or exchange of food and drink.
- Implement contactless payment options, pickup, and delivery to the greatest extent practicable. Establishments should, to the greatest extent practicable, enable receipts to be completed electronically by using e-signature technology or create a procedure whereby restaurant employees can complete the receipt for the customer within the customer's view.
- Close children's play areas.

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- Provide services and conduct business via phone or Internet to the greatest extent practicable. Any employees able to perform their job duties via telework (e.g., accounting staff) should continue to telework.

Cleaning and Disinfecting Requirements

Restaurants and bars must:

- Ensure workstations and seating areas are properly cleaned and ventilated.
- Require employees to frequently wash their hands or use hand sanitizer, which should be provided by the establishment.
- Ensure cleaning and sanitation of frequently touched surfaces with appropriate disinfectants. Areas with frequently touched surfaces or items, include all seating, table-tops, and other table-top items, door handles, phones, pens, and keypads. Appropriate disinfectants include EPA registered household disinfectants, diluted household bleach solution, and alcohol solutions containing at least 60% alcohol. Establishments must establish a cleaning and disinfecting process that follows CDC guidelines when any individual is identified, suspected, or confirmed as a COVID-19 case.
- Sanitize restrooms frequently.
- Ensure employees wipe down their workstations/cash registers with disinfectant at the end of their shift or whenever they stop using their workstations/cash register for a significant period of time.
- Ensure disinfecting wipes or other disinfectant are available near shared equipment (e.g., in kitchen, wait stations, and host stations).

Restaurants and bars should:

- Encourage customers to use hand sanitizer prior to dining and immediately following their meal.
- Ensure employees do not use cleaning procedures that could aerosolize infectious particles. This includes, but is not limited to, avoiding dry sweeping or use of high-pressure streams of air, water, or cleaning chemicals.

Personal Protective Equipment (PPE) Requirements

Restaurants and bars must:

- Ensure, pursuant to Executive Order 2020-586 and 902 KAR 2010E, which are attached to this document, that all customers, vendors, contractors, and any other member of the public who enters the premises wear a face covering so long as they are not subject to any of the exemptions listed in the Executive Order.
- Inform any person attempting to enter the restaurant or bar without a face covering of the requirement to wear a face covering. If the individual refuses and is not subject to any of the exemptions listed in the Executive Order, the individual must not be permitted entry onto the premises.
- Instruct any person who was previously wearing a face covering and removed it while on the premises and not subject to any of the exemptions listed in the Executive Order (e.g., individuals are permitted

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to remove face coverings when seated and actively consuming food or beverages) to put the face covering back on. If the individual refuses to do so, the restaurant or bar must not provide them service and must ask them to leave.

- Restaurants and bars who fail to follow these requirements of the Executive Order will be subject to a fine and may also be subject to an order from a local health department or the Labor Cabinet requiring immediate closure.
- Require employees to use face coverings whenever they are near other employees or customers so long as such use does not jeopardize the employees' health or safety. Employers should provide appropriate face coverings at no cost to employees and provide instruction on proper use of them.
- Ensure employees wear face coverings for any interactions with customers, co-workers, or while in common travel areas of the business (e.g., aisles, hallways, loading docks, breakrooms, bathrooms, entries and exits). Employees are not required to wear face coverings while alone in personal offices, while more than six (6) feet from any other individual, or if doing so would pose a serious threat to their health or safety.
- Ensure employees wash their hands with soap and water and/or use hand sanitizer frequently after any direct contact with customers and when engaging in high touch activities.
- Ensure, to the greatest extent practicable, that employees use gloves, along with any PPE normally used for routine tasks, when cleaning equipment, workspaces, and high-touch areas of the business.

Restaurants and bars should:

- Train employees to properly dispose of, disinfect, inspect for damage, maintain, and be aware of the limitations of PPE.

Training and Safety Requirements

Restaurants and bars must:

- Post signs at entrance that no one with fever or symptoms of COVID-19 is permitted in the establishment.
- Place conspicuous signs at entrances and throughout the restaurant alerting staff and customers to required occupancy limits, six feet of physical distance, the requirement to wear face coverings, and good hygiene practices.
- Post signs and take steps to discourage singing and shouting which have been shown to increase the risk of COVID-19 transmission. If the establishment has live entertainers, the performers may sing and speak loudly as long as they are socially distanced from all other occupants of the establishment while they are engaged in these activities.
- Discontinue self-service drink stations to the greatest extent practicable. If an establishment cannot discontinue self-service drink stations, it must: a) frequently clean and sanitize the stations, b) prohibit customers from bringing their own cup, glass, or mug, c) prohibit refills unless a new cup, glass, or mug is provided to the customer for each refill, and d) remove any unwrapped or non-disposable

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items (e.g. straws or utensils), as well as fruit (e.g. lemons), sweeteners, creamers, and any condiment containers that are not in single-use, disposable packages.

- Discontinue use of salad bars and other buffet style dining to the greatest extent practicable. If an establishment cannot discontinue buffet style dining, the restaurant must ensure that employees provide buffet service. Restaurants must not permit customer self-service. Restaurants providing buffet service should ensure appropriate sneeze guards are in-place and that employees are equipped with gloves and other PPE as appropriate.

Restaurants and bars should:

- Provide hand sanitizer, handwashing facilities, and tissues in convenient locations to the greatest extent practicable.
- Restrict access to common areas, to the greatest extent practicable, to maximize social distancing and reduce congregating. Common areas include, but are not limited to, break rooms, waiting areas, and open areas in bars.
- Install floor decals, when practicable, in cashier and queuing areas to establish safe waiting distance.
- Limit the number of individuals in restrooms to ensure proper social distancing and ensure that frequently touched surfaces are appropriately disinfected (e.g., doorknobs and handles).
- Stock “grab and go” coolers to more reduced levels to minimize excess touching of items.
- Use disposable menus, napkins, tablecloths, disposable utensils, and condiments to the greatest extent practicable. Establishments may use linens such as cloth hampers, cloth napkins, tablecloths, wiping cloths, and work garments including cloth gloves, in dining establishments consistent with Food service regulations 4-801.11 and 4-802.11. Linens, cloth gloves, and cloth napkins are to be laundered between uses to prevent the transfer of pathogenic microorganisms between foods or to food-contact surfaces.
- Discourage employees from sharing workstations and other work- related items and utensils (e.g., pens and aprons), to the greatest extent practicable.
- Remind third-party delivery drivers and any suppliers of the social distancing requirements.
- Establish procedures for disinfecting tabletops, seating, and dining ware (plates, bowls, and utensils).
- Implement, to the extent possible, hours when service can be more safely provided to customers at higher risk for severe illness per [CDC guidelines](#).
- Inform employees they may identify and communicate potential improvements and/or concerns, without fear of retribution, to reduce risk of exposure at the workplace. Education and training should be communicated in a language understood by the individual receiving the education and training.