

DRAFT

Food Establishment Outline: Phased Return of Operations

PURPOSE: To provide the food establishments on Nantucket the ability to maintain individual sites and preserve businesses while still practicing social distancing and procedures to help prevent the spread of COVID-19. The intent of this protocol is to be able to maintain the viability of existing food establishments. Much of this work is time sensitive as food deliveries and staff need time to make preparations to come out of winter hiatus. This level of work shall be deemed essential with strictly adhered to protocols as listed below. This protocol shall remain in place until the state of emergency is lifted. Protocols will not include expansion of menus and plan reviews for new establishments. This exemption shall only apply to the maintenance of existing food establishments. The following activities shall be covered by the provided protocols:

Phase 1 Current as of 3/15/2020

Currently, Food Establishments are prohibited from on-premises consumption of food per the Order of the Governor dated March 15th 2020, prohibiting gatherings of more than 25 (since revised to 10) and on-premises consumption of food or drink. Food Establishments may offer take-out or delivery. Locally, Food Establishments have implemented curbside delivery or at the door delivery of food.

Phase 2: "Introduction to re-entry" DRAFT 4/9/2020

This restaurant guidance is intended for a time in which the Governor's office begins easing, not removing, some of the restrictions that are currently in place for food establishments. This guidance is not intended to be less stringent than the Governor's future easing of orders, it is only intended as a working guide to be used and adjusted, as the situation changes. Certain benchmarks, such as increased testing and a significant decline in new cases over a 2 week period (statewide) will dictate the implementation of this guidance. Direction going forward will start with the Governor's office.

All seasonal inspections will be done as time allows. Inspections will be performed by a Town staff member and the food establishment's COVID-19 Liaison officer. No other staff member should be present unless necessary. The Town personnel will coordinate opening inspections, as needed, but not before the State Stay-at-Home Order is lifted. Allow for a minimum of a 72-hour scheduling turnaround for each inspection.

We believe the initial opening of restaurants prior to a COVID vaccine becoming available, will contain some of the following precautions to be issued by the State:

- One managing staff member must be designated as a COVID-19 Officer to liaise with Town staff as needed

- Maintaining 6' separation between dining tables and 6' separation between individual bar stools. Separation distance must be maintained regardless of party size (individual v. family)
- Reduce numbers within the restaurant dining and bar areas, through a sq ft formula, COI formula (employees included in calc) that allows for social distancing. Example: 40% of maximum occupancy.
- Reduce number of tables in dining and bar areas to allow for 6' separation of seats and tables (no standing areas in bars)
- Waiting lines must have the ability to maintain 6' separation.
- Reservations required, no more than 4 people in a group.
- 2 seatings a night, i.e. 6:30pm & 8:30pm to allow for cleaning and sanitizing in between, and/or a digital queue is used to prevent congregation at the waiting area.
- 2 seatings for lunch to allow for cleaning and sanitizing in between.
- 2 seatings for breakfast to allow for sanitizing in between.
- Ample gloves, masks, face shields and hand sanitizer must be made available for all employees of the food establishment (potentially require)
- Food service employees must be able to maintain 6' separation, prep stations as well.
- Inspectors have access to masks, gloves, face shields and hand sanitizer (provided by TON) to conduct inspections safely.
- Screening program / requirement for food employees from out of state or out of country, before the commencement of work.
- Defined hours for elderly dining. **This age group should still be staying home and doing takeout as well as continuing to observe social distancing.**
- Screening/quarantine program in place for all non-commuting food employees arriving from off island, upon arrival.
- Effective Covid 19 sanitation program developed by the health department and provided to the restaurants. (Attached) Subject to further guidance from the State.

- Restaurants need to be able to provide suitable quarantine space if providing housing.
- Moratorium on all entertainment licenses to prevent congregation.
- Separate entrance and exits for establishments that can comply.
- No self-service of food.
- One occupant per restroom.
- Restaurant curfew 10 pm (to facilitate final sanitization of the day)

This guidance is general in concept and is designed to be applied over a wide range of different types of food establishments. There needs to be continued communication with the industry, DPH and the Governor's office so that the plan can be refined.

Enforcement

Any person or company who violates this Order will be subject to issuance of an immediate Stop Work Order and an assessment of the maximum penalty authorized by law. Said penalties will be issued both to the company and to the specific person(s) violating the protocols.

This Order may be enforced by the Nantucket Health Director, Assistant Health Officer, Agents of the Board of Health, and/or any Police Officer of the Town of Nantucket. Whoever violates any provision of this Regulation may be penalized by a noncriminal disposition process as provided in Massachusetts General Laws c chapter .40, section 21D and the Town's non-criminal disposition by-law, Sections 1-2, 1-3, 1-4, 1-5, and 1-6 of the Code of the Town of Nantucket. If non-criminal disposition is elected, then any person who violates any provision of this Regulation shall be subject to a penalty in the amount of three hundred dollars (\$300.00) per day for each day of violation, commencing ten days following day of receipt of written notice from the Nantucket Board of Health. Each day or portion thereof shall constitute a separate offense. If more than one, each condition violated shall constitute a separate offense.

Whoever violates any provision of this Regulation may be penalized by indictment or on complaint brought in the district court. Except as may be otherwise provided by law and as the district court may see fit to impose, the maximum penalty for each violation or offense shall be one thousand dollars (\$1,000). Each day or portion thereof shall constitute a separate offense. If more than one, each condition violated shall constitute a separate offense. The Nantucket Board of Health may enforce this Regulation of enjoin violations thereof through any lawful process, and the election of one remedy by the Nantucket Board of Health shall not preclude enforcement through any other lawful means.

COVID-19 Officer Application

Name:	
Company:	
Address:	
Phone:	
Mobile Phone:	
E-Mail:	

I affirm that the above is to and correct and affix my signature hereto under the pains and penalties. I agree by signing below to observe and comply with all applicable protocols and regulations of the Town of Nantucket and Commonwealth of Massachusetts. In addition I agree to issue these protocols to all working individuals for the company for which I am serving as COVID-19 officer.

Printed Name	Signature
Date:	

FOR OFFICE USE ONLY	
Received by:	
Date:	