



Phase One Reopening Guidance

FAQs Restaurants and Bars *(Updated 8-26-2020)*

Below are answers to frequently asked questions about the Oregon Health Authority's (OHA) Phase One Reopening Guidance: Specific Guidance Restaurants, Bars, Breweries, Brewpubs, Wineries, Tasting Rooms and Distilleries ([Phase One Restaurant and Bar guidance](#)). The guidance and these FAQs apply only to those establishments operating in a county that has been approved for Phase One Reopening. OHA provides these FAQ to help the public understand the guidance, to respond to stakeholder questions, and to clarify how the guidance may apply in specific scenarios. These FAQ may be intermittently updated. The FAQ is not intended to take the place of the guidance, but rather to interpret, supplement, and help fill in the details of the guidance.

Operations

Q1: Can tables be pre-set? It seems like pre-setting tables reduces additional exposure opportunities for employees and customers?

A1: No. Tables cannot be pre-set and left to sit without patrons. If an employee wants to pre-set a table immediately prior to seating a party, particularly if this minimizes interaction between staff and customers, that is an acceptable practice.

Q2: In bathrooms, do we need a door monitor? If yes, should this person be full time?

A2: To the extent possible, businesses should, but are not required to assign an employee(s) to monitor customer access to common areas such as restrooms to ensure that customers do not gather. Businesses may also post clear signs to remind patrons to keep physical distance.

Q3: Why is there a curfew of 10 p.m. for Phase One counties and what is this based on? Can tables finish eating at 10 p.m. or does everyone have to be out at 10 p.m.?

A3: All restaurants must end all on-site consumption of food and drink by 10 p.m. These businesses must be closed to the public at that time except for the purposes of take-out service. The last seating should occur to ensure compliance. The restaurant will determine how to comply based on its service model.

Q4: Do we clean with bleach or peroxide solution? Does it need to be stronger in certain places? How often, with what product and when should we clean?

A4: Cleaning food contact surfaces in the kitchen and “back of house” should be done in accordance with the [Food Sanitation Rules OAR 333-150-0000](#). For “front of house” areas, the U.S. Environmental Protection Agency has pre-approved certain products that are effective against similar viruses to COVID-19. All disinfectant products that meet this standard are located [here](#).

Not all disinfectants are approved for food contact surfaces and should be rinsed and sanitized following the label. Look for the “Disinfection” section on the label of the product chosen and use the maximum contact time and most concentrated dilution rate (amount of disinfectant to mix with water) in this section.

Q5: Will my dishwasher, when run on its usual cycle, kill the COVID-19 virus?

A5: Yes, dishwashers that meet the current standards in food code by using chlorine or a high temperature at 160F at the dish rack are effective in killing viruses.

Q6: Are people required to be seated for on-site food and beverage consumption?

A6: Counter service is permitted for the purposes of ordering and/or picking up food. Seating for consumption is strongly preferred to help ensure adherence to the six (6) feet of distancing requirement.

Q7: Do Local Public Health Authorities (LPHA) have to approve a restaurant’s reopening plan prior to implementation? Does a restaurant have to develop a written plan? Will a certificate of COVID-19 compliance be developed or required to document that a facility complies with the Governor’s reopening guidance?

A7: No. Facilities are required to follow the [OHA guidance](#) but do not need prior approval from LPHAs to develop a written plan or obtain documentation certifying compliance.

Q8: Restaurants are required to discontinue onsite service of food and alcohol at 10 p.m., but when are they allowed to open?

A8: Restaurants and bars should open the next day based on their regularly scheduled business hours, but cannot open before 4 a.m.

Q9: Are restrooms required to be disinfected between each customer use?

A9: No. Restrooms should be cleaned and disinfected frequently and as necessary, but it is not required between use by each customer.

Q10: Can facilities like bowling alleys that provide food but offer an activity that is closed under the Governor’s Executive Orders reopen the food service portion?

A10: Yes. If the facility opens only the food service portion and follows the OHA guidance.

Q11: Are customer self-service operations, such as continental breakfast, buffets, salad bars, Mongolian barbecues, beverage refilling stations (growlers and soda), and yogurt machines still prohibited?

A11: Yes. Food must be dispensed by employees and customer self-service operations are still not allowed. A Mongolian barbecue can operate if the employees assemble the raw ingredients as they are selected by the customer prior to being cooked. Self-service operations in grocery stores, such as bulk foods and olive bars, are allowed.

Q12: Does Phase One reopening include bars, tasting rooms, brew pubs and wine bars?

A12: Phase One allows all eating and drinking establishments to open. However, on-site consumption of food and drink must cease by 10 p.m.

Q13: Do staff count towards the maximum capacity limit for restaurants and bars?

A13: Yes, staff are included in the gathering capacity limit for a restaurant and bar. The limit is a maximum of 100 people indoor or 250 people outdoor, or the number of people based on a determination of capacity (square footage/occupancy), whichever is less. If businesses operate services both indoors and outdoors, total maximum capacity cannot exceed 250 people, including staff.

Q14: Where are we supposed to obtain disinfectant sprays, wipes?

A14: Oregon Restaurant & Lodging Association (ORLA) maintains a list of cleaning product vendors available for businesses.

Q15: Where do we find guidance for tasting rooms?

A15: Guidance for Restaurants/Bars/Breweries/Tasting Rooms/Distilleries is all found in the same document.

Q16: Do restaurants need to apply to reopen?

A16: No. Counties must apply to move into Phase One. Once the county is approved to enter Phase 1, restaurants will no longer be required to limit themselves to take-out/delivery. (If your OLCC license has lapsed due to non-payment, that needs to be renewed. Oregon Lottery will also need to inspect your VLT machines prior to activating them.)

Q17: Linen napkins versus paper napkins. Linen company retrieves used linens once a week. What is the suggested preference?

A17: Clean linen napkins can be used. Pay careful attention to the storage of the used/dirty linens. Dirty linen should be stored in a plastic bag or other container with a lid.

Q18: Are there different regulations for those with Oregon Department of Agriculture (ODA) enforced food programs and Oregon Health Authority (OHA) enforced food programs?

A18: Generally, the only differences are in the use of gloves. Gloves are required for all food contact activities in facilities regulated by ODA. OHA regulated facilities should follow [Food Code Fact Sheet #1 – Minimizing Bare Hand Contact](#).

Q19: Would you suggest that restaurant silverware be rolled into the linen napkin?

A19: Yes, that is a good practice but not a requirement of food and beverage establishments.

Q20: Who would be the best contact to request more clarification on recommendations?

A20: Questions and requests for clarification on the state guidance should be submitted to covid19.reopening@dhsosha.state.or.us.

Q21: Are sushi trains and cart-style dim sum restaurants included under “self-service operations” banned under Phase 1?

A21: A sushi train is considered self-service and is not allowed since the small plates that go around on the conveyor belt are picked up by the customer.

If the customers are ordering from a dim sum cart but are not serving themselves, it would be allowed under the [OHA guidance](#). The facility should take precautions to protect the food on the cart from contamination while wheeling it around the restaurant.

Q22: Will there be specific guidance for bed & breakfasts and small lodging facilities opening for general tourism (specifically relating to food handling)?

A22: Lodging establishments should follow the [OHA guidance](#) in all of their food service operations.

Q23: Does the 10 p.m. curfew for on-site food and beverage consumption apply to restaurants or cafes inside of hospitals or other health care facilities?

A23: No. The restrictions for on-site consumption do not apply to food service in health care facilities (including hospitals), child care facilities, workplaces, government buildings, emergency response facilities, school-based programs, or shelter and meal programs serving vulnerable populations.

Q24: Are customer seats upholstered with fabric or other porous material required to be disinfected between customers?

A24: No. There is no requirement to disinfect fabric upholstered seating between customers.

Q25: I have a liquor license. Where can I find OLCC guidance about reopening?

A25: The OLCC fact sheet for reopening can be found [here](#).

Q26: I would like to extend the premises of my business into a public or private space and serve alcohol, while maintaining physical distancing. Can I do this?

A26: OLCC has an application for extending your premises. You can find the application and instructions [here](#).

Q27: I have other questions about COVID-19 related to my liquor license. Where can I find answers?

A27: The OLCC has a FAQ sheet, which is updated regularly. You can find it [here](#).

Q28: Are customers going through drive-thrus required to wear face coverings?

A28: Yes, as required by the Statewide Mask, Face Shield, Face Covering Guidance, if customers are not able to maintain six (6) feet of physical distance between their car and the drive-thru window then they are required to wear a face covering, mask or face shield.

Q29: Does the 10 p.m. curfew apply to inside dining only or also to drive-thrus?

A29: The 10 p.m. curfew applies to indoor and outdoor dining only - not to drive thrus.

Q30: Can Fraternal Lodge Organizations operate in Phase One?

A30: Fraternal lodge organizations that operate under a restaurant license may offer on-site consumption of food and drink in counties that are in Phase One, if they comply with the [restaurant guidance](#).

Fraternal lodge organizations that are exempt from restaurant licensing under ORS 624.038 because they only serve food to members and their guests may offer on-site consumption of food and drink in counties approved to enter Phase One if they comply with the [restaurant guidance](#).

In addition, if lodges hold meetings, they must follow the Executive Order 20-27 for gathering restrictions and the OHA guidance (i.e., maintaining the required physical distancing, etc.). Gatherings may not exceed 25 people in Phase 1. OHA recommends that fraternal lodge organizations consider the following when deciding whether to reopen and the extent to which they operate:

- Many fraternal lodge organizations have members who are in vulnerable populations (which includes those over the age of 65 or who have a serious chronic disease). Even with best efforts to comply with all OHA guidance, a visit to a fraternal lodge organization does carry risk. The Governor strongly recommends that vulnerable populations stay home during Phase One.
- Given the vulnerable populations and the obligation to comply with restaurant guidance (for instance, make sure members keep six (6) feet of physical distance from each other, especially any time they are seated or stationary), it may make sense for some lodges to remain closed at this time or to only offer limited services.

Q31: There are different capacity limits for indoor and outdoor dining. What is the definition of an “outdoor space” for purposes of the Phase One Restaurant and Bar guidance?

A31: For the purposes of the [Phase One Restaurant and Bar guidance](#), “outdoor space” means an open-air space which may have a temporary or fixed cover (e.g. awning or roof) so long as such space has at least seventy-five percent of the square footage of its sides open for airflow.

Distancing and Occupancy

Q1: Can you clarify when bar/counter seating is allowed?

A1: If a counter/bar backs up directly against a wall or window, seating is allowed as long as at least six (6) feet of distance is maintained between parties. If there is any open area between the counter/bar and the wall or window, seating is not allowed.

Q2: How do you determine “maximum occupancy” to meet the Governor’s reopening guidance?

A2: OHA guidance for restaurants and bars states that businesses must limit the gathering capacity to a maximum of 100 people indoor or 250 people outdoor, not to exceed 250 indoor and outdoor; or the number of people, including staff, based on a determination of capacity (square footage/occupancy), whichever is less.

Q3: Do delis and seating areas for food consumption in grocery stores have to follow the same OHA guidance for restaurants and bars?

A3: Yes.

Q4: If a booth has high seat backs can there be less than six (6) feet between dining parties?

A4: No. Customers that are not part of the same dining party must keep six (6) feet of distance from others.

Q5: If a restaurant installs plexiglass, plastic sheeting, or some other barrier between tables or lottery machines, can they be less than six (6) feet apart? Can a facility install plexiglass at the bar? Does this count as a wall or window so they can allow seating at the bar with six foot spacing between customers?

A5: No. Customers that are not part of the same dining party must keep six (6) feet of distance from others. Installing barriers in a facility to separate customers from each other or staff may restrict or alter air flow in a way that could create stagnant air pockets.

Q6: Does the six-foot physical distancing requirement apply to outdoor seating?

A6: Yes. Six (6) feet of physical distance must be maintained between parties regardless of whether they are seated indoors or outdoors.

Q7: Does a restaurant need to restrict access to sinks, urinals or toilets to ensure that customers meet the six-foot physical distancing requirements?

A7: No. However, to the extent possible, facilities should assign an employee(s) to monitor customer access to common areas such as restrooms to ensure that customers do not gather.

Q8: For guests that sit and are served outside of a restaurant, are there any distance limitations from the building for guest seating?

A8: The OHA guidance does not include a minimum or maximum distance between a building and guest seating. Restaurants should check with your local city or county about code requirements for outdoor seating.

Q9: Does the restaurant have to be set up so that customers entering a restaurant or walking through the restaurant to a table must maintain a (6) foot safety barrier between themselves and other customers throughout their trip to the table?

A9: There should be six (6) feet of distance between any area where a customer is likely to linger (e.g., just inside the entrance or waiting for the restroom). If possible, the dining room should be set up to allow at least six (6) feet of distance at all times. However, in smaller restaurants where that is not feasible (e.g., would force the elimination of most capacity), it is acceptable for customers to briefly pass within six (6) feet of seated customers as they move to or from their table.

Q10: Is the six (6) foot rule from table to table? Or from seated customer to seated customer at another table?

A10: Tables need to be spaced at least six (6) feet apart so that there is at least six (6) feet of physical distance between people not in the same party.

Q11: Does an employee have to stand six (6) feet away when taking an order?

A11: For the safety of employees and customers, six (6) feet of physical distance between employees and customers must be maintained as much as possible, but the OHA guidance recognizes that for the purposes of ordering and serving food at a table, six (6) feet will not always be able to be maintained.

Q12: Can tasting rooms have outside music?

A12: Musicians that are able to maintain at least six (6) feet physical distance from customers and each other is allowable.

Q13: If a table faces a wall (or other barrier), and therefore the customer's back is to the room, do we still need six (6) feet behind the customer?

A13: Yes.

Q14: What are the rules for events in banquet spaces of hotels?

A14: Executive Order 20-27 only permits social and recreational gatherings of up to 10 people so long as at least six (6) feet can be consistently maintained between individuals from different households.

Employees

Q1: Why should employees use utensils instead of bare hands when handling food?

A1: Handwashing with plain soap and water may not be adequate to prevent the transmission of pathogenic microbes from hands to ready-to-eat foods during food preparation. ODA licensed facilities are not allowed to use bare hands when handling food per regulation of the ODA Food Code requirement section: 3-301.11 Preventing Contamination from hands.

Q2: Restaurant workers are concerned about wearing masks all day in a hot kitchen and buildup of Carbon Dioxide (CO2.) Is there any data about risk of CO2 and cloth face masks?

A2: Cloth face coverings are not airtight therefore it's unlikely that any CO2 will buildup. Face coverings are worn to cover the nose and mouth to prevent spread of droplets from one person to another in a community setting.

Q3: Restaurant workers are concerned about wearing masks all day in a hot kitchen. What should workers do to prevent overheating, heat exhaustion or trouble breathing if they are required to wear a face covering?

A3: Workers should wear a face covering that they can freely breathe in and take breaks during the work hours to leave the hot kitchen. Businesses are required to provide masks, face shields, or face coverings for employees following [OHA guidance](#).

Q4: Are all employees required to wear face coverings or only front of the house employees that interact directly with customers? Are employees required to wear a mask or can they wear cloth face coverings instead?

A4: All food service employees, regardless of job task, are required to wear face coverings except when eating/drinking or when not in a public-facing location where six (6) or more feet of distance can be maintained in accordance with OHA guidance. Employees can wear a mask, face covering or face shield in accordance with OHA guidance.

Q5: Why is there a new mandate that all restaurant employees wear face coverings, given that we have not been required to wear them in the past?

A5: With customers eating on-site there is additional risk of exposure, in general. Recent studies have shown that wearing a face covering can reduce the spread of COVID-19.

Video Lottery Terminal (VLT) Operations

Q1: The restaurant VLT guidance says “place VLTs at least six (6) feet apart.” I believe I was told that businesses aren’t supposed to touch/move the machines themselves. Is that right? Should the guidance really be that OLCC will inspect your machines and work with you on appropriate placement prior to activating?

A1: VLTs are inspected by Oregon State Lottery (OSL). If a restaurant/bar needs to have them moved, they should contact OSL who will dispatch assistance from the closest field office. Before OSL can turn the machines back on, they have to be satisfied that the physical distancing requirements of six (6) feet have been met.

Q2: Does the 10 p.m. cutoff time apply to Video Lottery Terminals (VLTs)?

A2: Yes, the 10 p.m. cutoff applies to Video Lottery Terminals (VLTs).

Document accessibility: For individuals with disabilities or individuals who speak a language other than English, OHA can provide information in alternate formats such as translations, large print, or braille. Contact Mavel Morales at 1-844-882-7889, 711 TTY or OHA.ADAModifications@dhsosha.state.or.us.