



Requirements for Bars and Nightclubs Not Operating as a Restaurant

August 10, 2020



ARIZONA DEPARTMENT
OF HEALTH SERVICES

Bars with a Series 6 or 7 Liquor License were closed under EO2020-43 which was continued by EO2020-52. However, these guidelines apply to all liquor licensees that operate with any of the elements listed in A.A.C. R19-1-206(C), no matter what series of license is held.

Benchmarks

There are two key components to resuming business operations. First is the quality of the establishment's implementation of COVID-19 mitigation strategies. This plan outlines mitigation strategies tailored for specific types of business operations. Business must attest to their implementation of these strategies prior to operating. The second is the level of spread occurring in the community. The Centers for Disease Control and Prevention (CDC) defines community spread as follows:

Minimal Community Spread: Evidence of isolated cases or limited community transmission, case investigations underway; no evidence of exposure in large communal setting.

Moderate Community Spread: Sustained transmission with high likelihood or confirmed exposure within communal settings and potential for rapid increase in cases.

Substantial Community Spread: Large scale, controlled community transmission, including communal settings (e.g., schools, workplaces).

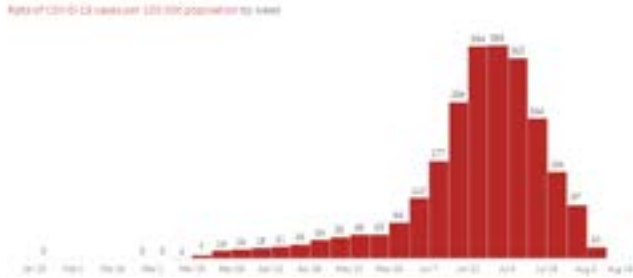
ADHS further defines community spread levels with the thresholds outlined below. These thresholds are consistent with the national standards set by the Coronavirus Task Force.

Benchmarks	Minimal	Moderate	Substantial
Cases	<10 cases/100,000	10-100 cases/100,000	>100 cases/100,000
Percent Positivity	<5%	5-10%	≥10%
Covid Like Illness	<5%	5-10%	>10%

Understanding the Benchmarks

Cases

Benchmark: Two weeks below 100 cases per 100,000

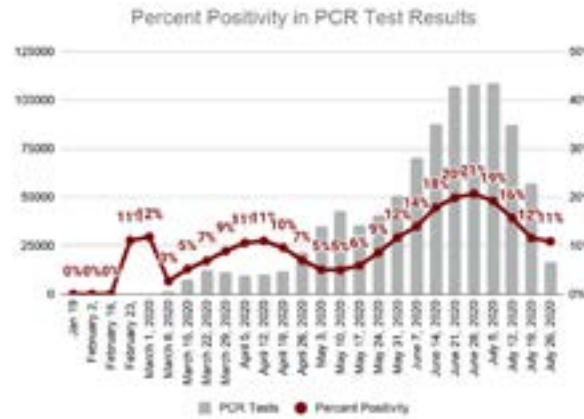


Data Source: ADHS MEDSIS Confirmed and Probable Cases

Available by: County

Percent Positivity

Benchmark: Two weeks with percent positivity below 10%



Data Source: ADHS Electronic Laboratory Data

Available by: County

COVID-like Illness

Benchmark: Two weeks with hospital visits due to COVID-like illness below 10%



Data Source: BioSense Syndromic Surveillance Platform

Available by: BioSense Region

- Northern:** Apache, Coconino, Navajo, Yavapai Counties
- Central:** Gila, Maricopa, Pinal Counties
- Southeastern:** Cochise, Graham, Greenlee, Pima, Santa Cruz Counties
- Western:** La Paz, Mohave, Yuma Counties

Requirements for Bars and Nightclubs Not Operating as a Restaurant

ADHS Requirements for Bars and Nightclubs Not Operating as a Restaurant

Bars and Nightclubs Not Operating as a Restaurant

Community Spread Level	Occupancy	Hand Hygiene & Respiratory Etiquette	Enhanced Cleaning	Proper Ventilation	Prohibit open seating	Symptom Screening for Staff	Physical Distancing (6 feet)	Cloth Face Coverings	Cohorting	Communal Spaces Closed
Minimal	Closed until <3% positivity. Once 3% positivity, 50% occupancy.	X	X	X	X	X	X	X	X	X
Moderate	Closed	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Substantial	Closed	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Per the Centers for Disease Control and Prevention (CDC) and Arizona Department of Health Services (ADHS) guidance, under all circumstances, the following **precautions must be taken by people visiting bars:**



Stay home if you are sick.



Protect yourself while visiting bars and nightclubs:

- Arizonans are safer at home and should evaluate their personal risk of visiting a bar or nightclub based on the [Arizona COVID-19 Risk Index](#).
- Avoid close contact and stay more than 6 feet away from others.
- You are required to wear a mask while at the establishment at all times, except while actively eating or drinking.
 - Masks should not be placed on children less than 2 years of age, anyone who has trouble breathing, or is unconscious, incapacitated or otherwise unable to remove the cover without assistance.
- Wash your hands often, especially after leaving the bar, with soap and water for at least 20 seconds. If soap and water are not available, use an alcohol-based hand sanitizer that contains at least 60% alcohol.
- Avoid touching your eyes, nose, and mouth with unwashed hands.
- Cover your cough or sneeze with a tissue or your sleeve (not your hands) and immediately throw the tissue in the trash.
- If possible, use touchless payment methods. If you must handle money, a card, or use a keypad, use hand sanitizer or wash your hands immediately after.
- If you are at [higher risk](#) for severe illness, you should avoid visiting bars. People at higher risk for [severe illness](#) include adults 65 or older and people of any age who have serious underlying medical conditions.

The Arizona Department of Health Services requires the following additional steps **be taken by bar operators** and **providers shall take measures to ensure that employees and guests follow** these guidelines:

- ☑ **Implement occupancy limitations as required based on the community transmission category within the county your establishment operates.**
 - **Substantial:** closed unless special dispensation received from ADHS
 - **Moderate:** closed unless special dispensation received from ADHS
 - If converted to restaurant with a county issued food establishment permit, bars can operate at 50% occupancy with ADHS mitigation requirements
 - > Please refer to the “Restaurants and Bars Providing Dine-In Services” Requirements
 - **Minimal:**
 - Closed until 3% positivity.
 - Once 3% positivity, operate at 50% occupancy with ADHS mitigation requirements.
 - If converted to restaurant with a county issued food establishment permit, bars can operate at 50% occupancy with ADHS mitigation requirements
 - > Please refer to the “Restaurants and Bars Providing Dine-In Services” Requirements
 - Establishments that convert to restaurant service must also adhere to the ADHS Requirements for Restaurants and Bars Providing Dine-In Services
- ☑ **Enforce physical distancing of more than 6 feet between customers who do not live in the same household.**
 - Maintain physical distancing by ensuring more than 6 feet of separation between parties or groups at different tables, booths, bar tops or counter seating, unless the tables are separated by glass, plexiglass or some other type of divider.
 - Limit parties to no more than 10.
 - Clearly mark tables and chairs that are not in use.
 - Prohibit open seating (defined as a customer choosing their own seat or having the ability to move seats).
 - Customers should be brought to a designated seating area (including bar top seating) by a staff member.

- Patrons should stay seated throughout the duration of their visit, except to visit the bathroom, and may not be standing, mingling, or dancing.
- Maintain clearly marked 6-foot spacing marks and/or signage along entrances, waiting areas, hallways, patios, and restrooms and any other location within a bar where queues may form or patrons may congregate.
- Assign an employee to monitor and enforce physical distancing in any locations where queues may form or patrons may congregate, if feasible.
- Bars with outdoor dining areas shall ensure more than 6 feet of physical distance between tables, benches or other areas for patrons to sit while dining or waiting to be seated.
- Eliminate any indoor standing room where patrons can congregate.
- Close communal spaces and common areas where people are likely to congregate and interact.
 - If unable to close the area, restrict access and have employees staff the area to enforce physical distancing.
- Customer Waiting Areas – Areas used by customers waiting for their seats should be limited to ensure 10sq ft exists for each person waiting. Additional customers should be instructed to wait outside or in their cars until their seats are ready. Customers waiting for a table must be wearing masks (unless they have a qualified medical exemption or are under two years of age).

☑ **Enforce the use of masks for both employees and customers.**

☑ **Prohibit the following activities:**

- **Dancing** – Dancing is temporarily prohibited and anyone with a dance floor or dance space must close that section to the public or repurpose it for seating to allow for greater social distancing.
- **Parlor games** – Parlor games (such as pool, darts, or other games commonly associated with eating and drinking establishments) shall temporarily be closed.
- **Karaoke** – Karaoke or other live performances in which customers are active participants shall be temporarily halted.

- ☑ **Continue to provide options for delivery, pick-up, or curbside service even if a location offers dine-in.**
- ☑ **Follow CDC reopening guidance for facilities that have been shut down, including taking measures to ensure potable water safety.**
- ☑ **Enforce healthy hygiene practices for both employees and customers:**
 - Enforce handwashing, covering coughs and sneezes.
 - Ensure adequate supplies to support healthy hygiene practices for both employees and customers including soap, hand sanitizer with at least 60 percent alcohol (perhaps on every table and counter, if supplies allow), and tissues.
 - Ensure hand sanitizer is available at or adjacent to entrances to the facility, restrooms and in employee work areas, or soap and running water readily accessible to staff and customers at marked locations.
- ☑ **Post physical and/or electronic signage at the bar entrance of public health advisories prohibiting individuals who are symptomatic from entering the premises.**
- ☑ **Post signs on how to stop the spread of COVID-19, properly wash hands, promote everyday protective measures, and properly wear a mask.**
- ☑ **Ensure that ventilation systems of indoor spaces operate properly.**
 - Increase the circulation of outdoor air as much as possible by opening windows and doors, using fans, or other methods.
- ☑ **Intensify cleaning, disinfection, and ventilation practices.**
 - Wash, rinse, and sanitize food contact surfaces, food preparation surfaces, and beverage equipment after use.

- Implement comprehensive sanitation protocols, including increased sanitation schedules for bathrooms.**

- Sanitize customer areas after each sitting with EPA-registered disinfectant, including but not limited to:**
 - Tables
 - Bar tops and counters
 - Tablecloths
 - Chairs/booth seats
 - Any other surface or item a customer or staff is likely to have touched

- Eliminate instances where customers could share food, such as bowls of food items (nuts, chips, etc).**

- Avoid using or sharing items such as menus, condiments, and any other food. Instead, use disposable or digital menus, single-serving condiments, and no-touch trash cans and doors.**

- Wipe any touchpads between each use.**

- Wipe any pens, counters, or hard surfaces between use or customer.**

The Arizona Department of Health Services requires, under all circumstances, the following additional steps be taken for staff:

☑ Require sick employees to stay home and not return to work until they have met criteria to return to work.

- Employees who appear to have symptoms or who become ill while at work should immediately be separated from others and sent home.
- Document and communicate sick leave policies to employees and staff.

☑ Implement flexible sick leave policies that permit adherence to public health isolation and quarantine guidance.

☑ Masks and frequent handwashing are required for all employees.

- Develop standards for the use of masks by employees at all times.
- Develop and enforce handwashing policy for servers as it exists in the Food Code.

☑ Implement symptom screening for employees prior to the start of their shift.

- Conduct wellness/symptom checks, which may include temperature checks for all bar personnel, prior to the start of their shift.

☑ Assign duties to vulnerable workers that minimize their contact with customers and other employees.

☑ Train all employees on appropriate cleaning and disinfection, hand hygiene, and respiratory etiquette.

☑ Ensure that all employees are notified of new facility rules and any changes in rules.

☑ Ensure that employees maintain more than 6 feet of separation from other individuals, when possible.

☑ Provide appropriate personal protective equipment (PPE) for employees in accordance with public health recommendations.

- ☑ **Provide adequate supplies in employee workspaces to support healthy hygiene behaviors, including soap, hand sanitizer with at least 60% alcohol, disinfecting wipes, tissues, and no-touch trash cans.**
- ☑ **Train all employees in the above safety actions.**
- ☑ **See Department of Labor and Occupational Safety and Health Administration (OSHA) COVID-19 guidance for employers and workers.**

The list of EPA-approved disinfectant products for emerging viral pathogens expected to be effective against COVID-19 can be accessed [here](#).

For additional guidance on cleaning, visit [CDC's Cleaning and Disinfecting Your Facility](#) page and [CDC's Reopening Guidance for Cleaning and Disinfecting Public Spaces, Workplaces, Businesses, Schools, and Homes](#).

For COVID-19 questions, please call the Arizona COVID-19 Hotline at: 1-844-542-8201

Businesses impacted by E.O. 2020-43 and 2020-52 are required to complete an attestation prior to resuming operations. Approval for resuming operations is dependent upon community transmission within the county the establishment is physically located and the establishment's implementation of ADHS required mitigation steps. Further information can be found in the [ADHS COVID-19 Guidance for Businesses](#).

Any business affected by these provisions may request an informal settlement conference to dispute their categorization on reopening. A denial after an informal settlement conference becomes a final agency action that is appealable to the Office of Administrative Hearings.

For more information on Arizona's response to COVID-19, please visit: azhealth.gov/COVID19.