

## FREQUENTLY ASKED QUESTIONS RELATED TO RESTAURANTS AND FOOD ESTABLISHMENTS

PURSUANT TO EXECUTIVE ORDER 20-123 AS ISSUED MAY 15, 2020

**EXECUTIVE ORDER 20-123 IS EFFECTIVE ON MONDAY, MAY 18, 2020, AT 12:01 A.M.**

### CAPACITY AND SEATING OF PATRONS

**May a restaurant or food establishment licensed by DBPR under Chapter 509, Florida Statutes, increase their outside food service seating capacity to offset inside seating restrictions due to social distancing requirements?**

*The Division of Hotels & Restaurants will allow an establishment to add food service seating outside, provided the establishment strictly adheres to social distancing requirements currently in effect. The establishment should also consult with their local government agencies to ensure compliance with any applicable local regulations.*

**During the effect of the Executive Order 20-123, how should restaurants calculate the number of seats allowed inside the establishment? How should restaurants calculate 50% of the indoor seating capacity?**

*The number of seats available to customers inside the establishment will be determined by the number of seats listed on the establishment's DBPR food service license, divided by half (50%). For example, a restaurant licensed for 80 seats may seat up to 40 guests inside the establishment at any given time, provided that the establishment also adheres to all social distancing requirements that are currently in effect. Outside seating must also adhere to social distancing requirements and any applicable local regulations.*

**Does an establishment's number of employees factor into the number of patrons who can be served within the indoor seating area under the provisions of this order?**

*No. For example, a restaurant licensed for 80 seats may seat up to 40 guests inside the establishment at any given time, without regard to the number of employees present at the establishment.*

**Are restaurants with bar counters that also offer customer dining prohibited from allowing seating at the counter?**

*Yes. Executive Order 20-123 expressly directs that bar counters are to remain closed to seating. However, booths, high top tables, or other seating located in an area in the vicinity of the bar counter or in the bar room of an establishment remains available for seating and service of patrons.*

**Are food establishments located within entertainment venues (such as bowling alleys, movie theaters, and family recreation centers) allowed to operate, provided that the establishments adhere to the interior seating limitations and social distancing requirements currently in effect?**

*Yes. Food establishments within these venues may operate and should ensure strict adherence to the social distancing and sanitation requirements within the dining areas.*

**May a food establishment host a reception or other gathering comprised of more than 10 individuals?**

*A: Yes, provided the establishment seats its guests in groups of no more than 10 individuals per table.*

**May a licensed location continue to utilize outside space in order to comply with social distancing requirements?**

*Yes, so long as the use of outside space is compliant with local regulations and requirements.*

## **SAFETY AND SANITATION**

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**What precautions are recommended for proper separation between guests while seated?**

*Establishments may redesign seating arrangements to ensure at least six (6) feet of separation from table to table. If tables, chairs, booths, or other seating areas cannot be moved, signage or other markings may be used to show that the area is not available for service. Where social distancing of tables is not readily feasible at a six-foot distance, licensed businesses also may utilize a hard-surface partition or other impermeable physical barrier to minimize risks of exposure between guests.*

**Are food service employees currently required to wear face masks or equivalent face coverings while working with food?**

*Face coverings are not currently required by DBPR for food service employees. The use of face coverings is strongly encouraged in work environments where consistent social distancing is not feasible. In localities where face coverings are required by a local government, employees should adhere to local requirements as directed. Businesses also may independently choose to require employees to wear face coverings during work shifts.*

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