

Re-Opening Frequently Asked Questions

4.29.20

The information below is designed to answer general questions regarding EO 20-112 and Phase I re-opening. It does not address every situation and every business. If you need guidance regarding the circumstances specific to your business, contact your regulator.

GENERAL

1. In Phase I, what's opened? What's closed?

- Essential Businesses can continue to operate as they presently operate. Non-essential businesses are still subject to the same restrictions.
- Bars, Pubs, and Nightclubs that derive more than 50% of gross revenue from the sale of alcoholic beverages continue to be closed for on-premises consumption.
- Food service establishments can offer dine-in service at 25% capacity with appropriate social distancing. Full outdoor seating with appropriate social distancing is permitted. Parties for both indoor and outdoor seating cannot exceed 10 people.
- Retail stores can operate at no more than 25% building capacity. Museums and libraries may operate at 25% capacity but may be subject to additional restrictions.
- Gyms and fitness centers are closed.
- Vacation rentals are prohibited.

2. Does the Executive Order apply statewide?

Yes, with the exception of Miami-Dade, Broward, and Palm Beach. Because those three counties have been hotspots for Covid-19, they are not included in Phase I re-openings.

3. Is Monroe County open?

Monroe County was not excluded by Executive Order 20-112 from responsibly providing additional services permitted under Phase I. There may be specific local restrictions applying to Monroe County establishments.

4. How long does Phase I last?

There is no set time for Phase I. According to the Governor, it will be determined by the public health data.

5. What is the relationship between the federal orders, the Governor's orders, and the local orders?

Federal laws and regulations supersede all other laws. States are permitted to pass additional laws and regulations that do not conflict with federal laws and regulations.

State laws and regulations (including the Governor's Executive Orders) supersede all local laws and regulations. Local governments are free to pass additional laws and regulations that do not conflict with either state or federal laws and regulations.

6. What are the social distancing guidelines for dine-in restaurants operating at 25% capacity?

Groups cannot exceed 10 people, and tables must be separated by 6 feet from chair to chair. When measuring, remember to allow additional space for the person who will be sitting in the chair. Under Phase 1, there should be no seating at the bar top.

7. When will state parks and beaches open?

Beach opening have been controlled locally, and this remains at the discretion of local governments. Some beaches are presently open. The beaches in Broward and Palm Beach are closed. State parks are now being re-opened in Phase 1 on May 4. Check the [State Parks website](#) for the list of parks opening.

RESTAURANTS

1. Are masks required for employees?

No, but they are encouraged. It will be up to each business to decide, and it may be a good business practice to consider.

2. Are establishments required to provide hand sanitizer at each table?

No, hand sanitizer at each table is not required, but it may be a good business practice to consider.

3. Are Special Events such as weddings and banquets allowed?

At this time, these events are not permitted. We look forward to seeing these events come back online in future Phases.

4. Do I have to use plastic or disposable menus?

There is no specific requirement here. Use good sanitary business practices whatever you choose to use.

5. Can we use non-disposable cutlery and plates?

Yes. All the existing safety and sanitization requirements apply.

6. What is included in Outdoor Dining?

Patios, decks, sidewalk seating, etc. It also includes covered outdoor seating and enclosed or screened-in outdoor seating. Parking lots may be used as long as it does not otherwise violate social distancing regulations, your lease, or any other existing laws or regulations. The key factor is that it is outside in the open air. And, the 6 feet rule applies!!

ALCOHOL

1. May we serve alcohol at outdoor seating?

Yes.

2. Is bar seating allowed?

No. However, if a public food service establishment has table seating in the bar area, patrons can be seated there. The tables must adhere to the 6 feet rule, and the 25% capacity rule applies to the entire establishment.

3. Is my establishment a “bar?”

If an establishment derives more than 50% of gross sales from alcohol, it is a bar and thus prohibited from selling alcohol for on-premises consumption. If the establishment is licensed as a food service establishment, it is permitted to serve food to dine-in patrons subject to the Phase I requirements, including alcohol. The establishment’s license determines what it can do.

HOTELS

1. What’s the rule for public lodging establishments?

The Governor’s Executive Order 20-112 states Floridians shall continue to limit personal interactions outside their homes, and further states Floridians should avoid nonessential travel. FRLA has received guidance from DBPR that public lodging establishments are “not restricted at the state level from accepting reservations or admitting guests based on the purpose of the guests’ lodging.” This does not apply to vacation rentals, which are explicitly prohibited from operating at the present time. Please be advised that there may be local regulations in effect which permit only essential lodgers to stay at public lodging establishments.

2. Can vacation rentals operate?

Vacation rentals remain closed under Executive Order 20-112.

3. Can I open my hotel/motel pool?

Opening the pool invites social congregation and social distancing violations, thus should remain closed. The decks can be open for food service, as long as there are tables and those tables are adhering to the 6 feet rule.