



Relative to
Emergency Order #52 – Safer at Home Guidelines for the Food
Service Industry-Exception Relative to Six-Foot Table Separation
Effective October 1, 2020

Relative and Applicable Statutes and Rules: RSA 178:18; 178:20, 178:21, 178:22, 179:50, 179:56

1. Purpose.

To educate licensees in the State of New Hampshire of the Safer At Home – Food Industry and Retail Guidelines set forth by Emergency Order #52 and the exception outlined in the Safer At Home Food Service Industry Guidelines relative to Six Foot Table Separation.

2. Discussion of the Issue.

The Division is focused on educating our licensees on the Food Service Industry and Retail Guidelines as outlined by Governor Sununu’s Emergency Order #52. The Division of Enforcement will focus our educational and enforcement efforts on compliance with Emergency Order #52. Public health and safety is paramount during this time and will be taken seriously.

Below are key points from Emergency Order #52 that outline proper social distancing in licensed premises and an exception to six-foot table spacing relative to Safer at Home Food Service Industry. The Division will strictly enforce compliance of these guidelines.

- Indoor *seated dining* is allowed however, seated dining areas are limited in capacity to the number of people/tables where table spacing is able to be maintained as outlined below.
- Table spacing (both indoors and outdoors) should be maintained so people sitting at adjacent tables are more than 6 feet apart, and servers and waiters/waitresses should be able to maintain social distance while interacting with tables (e.g. taking orders). People moving between tables (e.g. customers going to the restroom) should also have adequate space to move between tables. The following exception can apply:



NEW HAMPSHIRE LIQUOR COMMISSION

Division of Enforcement, Licensing and Education

Industry Circular

Number 2020- 16

Issued September 25, 2020

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- a. Except for seating at bars, tables and back-to-back booths can be positioned closer than 6 feet between parties if protective, non-porous, rigid barriers separate the tables and booths (e.g., structural walls or Plexiglas/rigid plastic dividers) provided the following:
 - i. Pliable materials (i.e., shower curtains or plastic sheeting) or porous materials (i.e., cloth dividers) shall not be used as barriers.
 - ii. Any barrier used must be at a height that extends at least 6 feet from floor level and must be installed between tables and high traffic areas.
 - iii. All barriers must allow for adequate airflow and air exchanges for each table. Each restaurant must consult with its HVAC contractors to ensure that any barriers that are installed do not cause issues with limiting air exchanges throughout the restaurant.
 - iv. No barrier shall be installed within 18 inches of a sprinkler head.
 - v. Restaurant owners must consult with their local health, fire, and building officials to ensure that any barriers constructed inside their restaurants are compliant with life safety code regulations.
 - vi. All barriers must be cleaned in accordance with CDC cleaning and disinfecting guidance.
 - vii. If a booth is equipped with a barrier, no table shall be placed directly at the end of the booth unless guests can be distanced at least 6 feet from the booth, or unless there is a barrier.

If you have questions about the interpretation of these statutes beyond what has been provided in this circular you are encouraged to contact the Division of Enforcement, Licensing and Education at 603-271-3521.



Safer at Home

FOOD SERVICES INDUSTRY

COVID-19 REOPENING GUIDANCE

GOVERNOR'S ECONOMIC REOPENING TASKFORCE



This document has been updated and modified from the original Food Service guidance issued on May 18, 2020 to allow expanded access and functioning of restaurants and other food service industry establishments.

Safeguarding Guidance:

- 1) Review and follow the NH [Universal Guidelines](#).
- 2) Review and follow the CDC [guidance for cleaning and disinfection](#)
- 3) Provide [ServSafe COVID-19](#) training or its equivalent as soon as possible to all employees.
- 4) Business owners, managers, and all employees should familiar themselves with the [symptoms of COVID-19](#) and general [information about COVID-19](#).
- 5) Educate, inform, and instruct employees and customers about new policies and procedures related to hand hygiene, cloth face covering use, social distancing, cleaning and disinfection, illness policies, etc.
- 6) Build social distancing into food service operations to maintain a safe distance of at least 6 feet between employees and customers when feasible.
- 7) Direct customer contact employees shall [wear cloth face coverings](#) over their nose and mouth when at work and around others in settings where social distancing may be difficult (e.g. serving clients, greeting, etc.).
 - a. Cloth face masks/coverings should be worn and managed according to CDC guidance about [use of cloth face coverings](#).
 - b. People wearing face coverings must not touch their eyes, nose, mouth, or face, or adjust their face mask without first sanitizing hands. After touching face or adjusting mask, hands must be sanitized.
- 8) Customers should be asked to bring and wear a cloth face covering when entering and exiting a facility to protect other patrons and employees during the seating and exiting process, or when getting up to use the restroom. Cloth face coverings are not necessary while a customer is seated and dining outdoors.
- 9) Train all employees on the importance of frequent hand washing and the use of hand sanitizers with at least 60% alcohol content
- 10) Conduct employee health screening as outlined in the Universal Guidelines for All New Hampshire Employers and Employees.
- 11) Prohibit employee(s) with COVID-19 symptoms or those who report a risk of exposure for COVID-19 from entering the work place:
 - a. Person(s) with any COVID-19 symptoms, those who report close contact with someone suspected or confirmed with COVID-19, or those reporting travel risk factors outlined above should **not** be allowed into the facility:
 - i. [Symptomatic](#) persons should be instructed to leave the premise immediately and contact their health care provider to be tested for COVID-19 and [self-isolate](#) at home.
 - ii. [Asymptomatic](#) persons reporting close contact with someone



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suspected or confirmed with COVID-19, or who report one of the traveled-related risk factors should [self-quarantine](#) for 14 days from their last exposure or return from travel.

- iii. **NOTE:** Healthcare workers caring for COVID-19 patients while wearing appropriate personal protective equipment should answer “no” to this question

12) Require all employees to report any symptoms of COVID-19, or close contact to a person with COVID-19 to a supervisor. Employees who are sick or not feeling well must stay home or, if at work already, must leave work immediately, isolate at home, and contact their healthcare provider for COVID-19 testing. Persons who do not have a primary care provider should seek out COVID-19 testing through one of the many local [COVID-19 testing options](#). Person(s) with suspect or confirmed COVID-19 must stay home until symptom-based criteria are met for [discontinuation of isolation](#):

- a. At least 10 days have passed since symptoms first appeared
AND
- b. At least 3 days (72 hours) have passed since recovery (recovery is defined as resolution of fever off any fever reducing medications plus improvement in other symptoms)

Consumer Protection:

- 1) As an extension of the curbside and delivery model, permit outdoor dining. Restaurants are permitted to expand outside wherever an outdoor area can be set up safely, such as parking spaces close to entrances, sidewalks, existing patios, lawn areas. Outdoor areas must be able to be cleaned and disinfected, as appropriate. The outdoor space must be clearly delineated and distanced from people walking by. If expansion is in a shared space, coordinate and seek approval from local authorities.
- 2) Outdoor seating under tents can continue with the tent sides to be partially closed on the following conditions:
 - a. Local officials who approved/permitted the outdoor seating areas must be consulted and must agree with the actions for partially closing the tents that each restaurant wants to take prior to the restaurant implementing those actions;
 - b. Cross-ventilation must be established through the tents;
 - c. Spacing of 6 feet between the guests at each table must be maintained; and
 - d. Guests shall not stand/mingle inside the tent area.
- 3) Limit tables to no more than six (6) adults per table and no more than ten (10) individuals total.
- 4) Table spacing (both indoors and outdoors) should be maintained so people sitting at adjacent tables are more than 6 feet apart, and servers and waiters/waitresses should be able to maintain social distance while interacting with tables (e.g. taking orders). People moving between tables (e.g. customers going to the restroom) should also have adequate space to move between tables. The following exception can apply:



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- a. Except for seating at bars, tables and back-to-back booths can be positioned closer than 6 feet between parties if protective, non-porous, rigid barriers separate the tables and booths (e.g., structural walls or Plexiglas/rigid plastic dividers) provided the following:
 - i. Pliable materials (i.e., shower curtains or plastic sheeting) or porous materials (i.e., cloth dividers) shall not be used as barriers.
 - ii. Any barrier used must be at a height that extends at least 6 feet from floor level and must be installed between tables and high traffic areas.
 - iii. All barriers must allow for adequate airflow and air exchanges for each table. Each restaurant must consult with its HVAC contractors to ensure that any barriers that are installed do not cause issues with limiting air exchanges throughout the restaurant.
 - iv. No barrier shall be installed within 18 inches of a sprinkler head.
 - v. Restaurant owners must consult with their local health, fire, and building officials to ensure that any barriers constructed inside their restaurants are compliant with life safety code regulations.
 - vi. All barriers must be cleaned in accordance with CDC cleaning and disinfecting guidance.
 - vii. If a booth is equipped with a barrier, no table shall be placed directly at the end of the booth unless guests can be distanced at least 6 feet from the booth, or unless there is a barrier.
- 5) Reservations or call ahead seating is recommended to promote social distancing and prevent groups of guests waiting for tables. Establishments may use a text alert system to alert guests of available seating, an intercom system for guests waiting in their vehicles, or only one member of the party being allowed to wait in the waiting area for their table to be ready.
- 6) Reservations should be staggered to prevent congregating in waiting areas. Waiting areas should build in social distancing so customers and employees are spaced at least 6 feet apart (either through spacing of seating while waiting, or demarcation's on the floor).
- 7) Bar areas can open while following social distancing protocols between groups or individuals seated at the bar (capacity may be affected to maintain the appropriate social distancing). Customers are not allowed to stand/mingle in the bar area and must be seated (no groups interacting with each other). Games and other bar functions (e.g. pool/billiards, darts, arcade games, etc.) are not allowed.
- 8) Small group bands and solo music artists are allowed to perform in outdoor areas as long as they can maintain social distance of 6 feet apart from each other and any table.
- 9) Signage must be prominently posted throughout the venue to ask customers if they are experiencing COVID-19 symptoms, including:
 - a. Fever



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- b. Respiratory symptoms such as sore throat, runny nose, nasal congestion, cough, or shortness of breath
- c. General body symptoms such as muscle aches, chills, and severe fatigue
- d. Changes in a person's sense of taste or smell
- e. If you answered yes to any of these questions, please do not put our employees and other guests at risk and come back another day when you feel better.

Business Process Adaptations:

- 1) Ordering food and alcohol orders to go are still allowed per Emergency Order 6 and Emergency Order 40 Restaurant Guidance.
- 2) Place hand sanitizer stations in restaurant lobby, reception, cashier stations, bathrooms, and other frequently used areas throughout the establishment.
- 3) Restrooms should be monitored and routinely cleaned and disinfected, and soap dispensers should be regularly filled.
- 4) Clean and disinfect all front-of-house surfaces including door handles, screens, phones, pens, keyboards and other areas of hand contact every two hours, at a minimum.
- 5) To the extent possible, use menus that are disposable or sanitized between each use. A disposable ordering system is also advisable when possible to limit guest interaction with wait staff.
- 6) Use of 'self-serve' utensils, plates or napkins, are not allowed. Consider using rolled silverware and eliminating table presets.
- 7) Sanitize all tabletop items, including condiments, after each table turns (or use disposables).
- 8) Disinfect chairs, especially where contact occurs, after each table use.
- 9) No self-serve buffets, appetizers, condiments on a counter for use by multiple tables, or beverage station re-use are allowed.
- 10) Employee-staffed buffets are allowed so that staff only are touching serving utensils and serving customers; social distancing in serving lines must be maintained. Barriers (e.g. Plexiglas barriers, sneeze guards, etc.) are recommended for employee-served buffets to protect employees and customers. Employees serving and customers going through a buffet line must wear cloth face coverings while waiting in line, serving/being served, walking to/from the buffet.
- 11) Evaluate building ventilation system to increase room and overall building ventilation, increase the number of air exchanges, increase outdoor air ventilation, limit internal air circulation, improve central air filtration, and routinely replace filters and perform other necessary maintenance.

Wedding, Catering & Function Hall:

The following guidance applies to weddings and other function hall associated events. This guidance applies to events that bring individuals together for a planned event or celebration.



Group social gatherings, such as weddings, receptions and other celebrations, bring individuals from many communities together. In addition to guidance set forth in the universal, food service and places of worship guidance, the State of New Hampshire sets forth the following guidance to reduce exposure to COVID-19 to protect individuals attending and working at these events and the wider community.

Considerations:

When planning these events, please consider the following: crowd density, nature of contact between participants, number of participants coming from states or areas that are currently heavily impacted by COVID-19 within 14 days of the event, age or health of the participants, duration and mode of travel of participants, and that the length of the event may increase the risk of transmission.

For wedding ceremonies, organizers should follow the universal guidance and places of worship guidance.

For post-wedding celebrations and meals, organizers must follow the food service guidance as well as the following:

- 1) Outdoor events are preferable to indoor events to reduce the risk of exposure and spread to attendees. All organizers, staff, volunteers and attendees are strongly encouraged to follow physical distancing guidelines. This includes maintaining a distance of at least 6 feet between individuals and a distance of 6 feet between household groups. Outdoor venues may operate within any existing occupancy limits, as long as social distancing can be maintained.
- 2) Indoor events in venues may operate at 50 percent of their normal operating seating capacity. **This 50 percent capacity limit applies statewide notwithstanding the Food Service Guidance that allows for 100% capacity in restaurants in certain counties.** There should be a limit of 6 individuals at a single table. Other applicable provisions of the Food Service Guidance must be followed.
- 3) Crowding should be minimized, and organizers should consider using distancing measures to reduce close contact among people during the gathering. This includes staggering of arrivals and departures and minimizing congregation at sanitary stations, rest rooms, and water/drink distribution areas.
- 4) Dancing within 6 feet of another individual is discouraged, with the exception of family members and individuals from the same household.
- 5) Face coverings should be worn when social distancing is not possible between household groups.
- 6) Consider displaying posters and signs around the venue to remind attendees and staff to take steps to prevent the spread of COVID-19.

