

Insights

Mandatory Operation Changes for Hotels/Bars/Restaurants Due to COVID-19

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[Tara L. Tedrow](#)

Effective immediately, Governor Ron DeSantis has issued Executive Order No. 20-68, which impacts operations across the state of Florida for at least the next thirty days as follows:

1. Bars, Pubs and Nightclubs. The Executive Order requires all bars, pubs and nightclubs to suspend service of alcohol as of 5pm today (3/17/20) for 30 days. The relevant part of the Executive Order notes that the threshold as to whether a facility is considered a bar, pub or nightclub is whether the facility derives 50% or more of its gross revenue from the sale of alcoholic beverages.
2. Beaches. Members of the public accessing beaches are directed to limit their gatherings to no more than 10 persons, distance themselves from other parties by 6 feet, and support beach closures at the direction of local authorities.
3. Restaurants. In addition to restrictions on bars and nightclubs, restaurants have been directed to limit capacity to 50% of total building occupancy, to follow CDC guidelines by ensuring, at a minimum, that a 6 foot distance is maintained between any group of patrons and that parties are limited to no more than 10 individuals. Moreover, for restaurants, the Department of Business and Professional Regulation shall ensure that all restaurants implement an employee screening process. The Executive Order sets forth criteria for prohibiting an employee from entering the restaurant premises if they meet the following criteria:
 - Any person infected with COVID-19 who has not had two consecutive negative test results separated by 24 hours;
 - Any person showing, presenting signs or symptoms of, or disclosing the presence of a respiratory infection, including cough, fever, shortness of breath or sore throat;
 - Any person who has been in contact with any person(s) known to be infected with COVID-19, who has not yet tested negative for COVID-19 within the past 14 days; or

- Any person who traveled on a cruise ship within the past 14 days.

For the purposes of this Executive Order, “restaurant” shall include any Food Service Establishment licensed under Chapter 500, Florida Statutes, and Public Food Service Establishments licensed under Chapter 509 Florida Statutes.

Updated: On March 17, Orlando Mayor Buddy Dyer announced the City of Orlando would prohibit the distribution or sale - with or without payment - of all alcohol for on-premises consumption until March 31, 2020. Following the lead of DeSantis, Dyer later retracted the City’s prohibition on the sale of all alcohol for on-premises consumption as it relates to restaurants. [Read more.](#)

These announcements will certainly have impacts on businesses across the state. Please be aware that the Florida Small Business Emergency Bridge Loan Program is active for small business owners affected by COVID-19. If eligible, businesses are encouraged to start the process sooner rather than later.

If you have questions on the impact of these state and local orders, please reach out to one of authors or to the members of our Hospitality & Leisure Practice Group.