

Van Zandt County



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COUNTY JUDGE

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FOR IMMEDIATE RELEASE

Conditional Approval to Re-open Bars and Similar Establishments

On October 7, 2020, Governor Greg Abbott issued Executive Order GA-32 which, among other things, authorizes the reopening for in-person service of bars or similar establishments that have 51 percent or greater gross receipts from the sale of alcoholic beverages. This reopening can occur only if certain conditions are met and if the "county judge of the county in which the bar or similar establishment is located also files the requisite form with TABC [Texas Alcoholic Beverage Commission]" In an effort to restore business, jobs, and life to pre-pandemic conditions while also taking reasonable and appropriate steps to protect the health and safety of all Van Zandt County citizens, I, Don Kirkpatrick, County Judge of Van Zandt County, Texas will file the appropriate forms with the State of Texas and will authorize the reopening of these establishments under the conditions set forth by the Governor and the conditions outlined herein.

At the outset, it must be noted that in order to reopen, the county must not be in an "area with high hospitalization" which is defined in the Executive Order as "any Trauma Service Area that has had seven consecutive days in which the number of COVID-19 hospitalized patients as a percentage of total hospital capacity exceeds 15 percent." At the time of the drafting of this document, Van Zandt County as part of Trauma Service Area G (which excludes the Dallas metro area but covers a substantial portion of eastern Texas) currently has roughly 8 percent of hospital capacity being used for COVID-19 hospitalizations. In short, should there be a significant rise in COVID-19 hospitalizations such that the rate exceeds the 15 percent benchmark, the approval granted herein will be and must be, pursuant to the Governor's order, revoked.

As a condition of reopening, any bar or similar establishment affected by this order will be required, prior to resuming in-person service, to review, acknowledge, agree and sign through an authorized representative that said establishment will abide by the "Minimum Standard Health Protocols Checklist for Bar or Similar Establishment" and the "Minimum Standard Health Protocols Checklist for Bar or Similar Establishment Patrons." Copies of these two documents are attached to this letter and are available on the Texas Alcoholic Beverage Commission website, as well as, through the Governor's office who promulgated the same.


Violations of health standards related to COVID-19, violations of capacity limits, or other complaints regarding any bar or similar establishment will not be tolerated and should be properly reported and directed to TABC by calling (817) 652-5912 extension 3. TABC and the Governor's office have made it clear that violations may lead

to suspension of alcoholic beverage permits/licenses or, if repeated, complete loss of the same.

While information provided to this office from TABC suggests that Van Zandt County only currently has three (3) establishments with 51 percent or greater gross receipts from the sale of alcoholic beverages, ANY establishment that possesses a license or permit from TABC to sell or provide alcohol must continue to abide by health and safety protocols established within previous orders, including but not limited to, capacity limits, social distancing, masks for employees/servers, hand washing, and availability of hand sanitizer for patrons or that establishment may have their alcoholic beverage permits suspended or revoked as well. Complaints regarding violations should be reported to TABC by way of the contact number provided above.

Thank you for your attention to these matters.

Sincerely,

A handwritten signature in cursive script that reads "Don Kirkpatrick". The signature is written in black ink and is positioned above the typed name.

Hon. Don Kirkpatrick
County Judge, Van Zandt County, Texas

MINIMUM STANDARD HEALTH PROTOCOLS



CHECKLIST FOR BARS OR SIMILAR ESTABLISHMENTS

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Effective October 14, 2020, the County Judge of each county may choose to opt in with the Texas Alcoholic Beverage Commission (TABC) to allow bars or similar establishments to operate with in-person service. Bars or similar establishments located in counties that have opted in may operate for in-person service up to 50% of the total listed occupancy inside the bar or similar establishment, but all customers must be seated while eating or drinking at the bar or similar establishment. There is no occupancy limit outdoors at a bar or similar establishment. Bar or similar establishment employees are not counted toward the occupancy limitation. For these purposes, bars or similar establishments are establishments with a permit from TABC that are not otherwise considered restaurants. Bars must stop serving alcohol at 11:00 PM each day. All employees and customers must wear a face covering (over the nose and mouth) wherever it is not feasible to maintain 6 feet of social distancing from another individual not in the same household, except when seated at the bar or similar establishment to eat or drink.

The following are the minimum recommended health protocols for all bars or similar establishments choosing to operate in Texas. Bars or similar establishments may adopt additional protocols consistent with their specific needs and circumstances to help protect the health and safety of all employees, contractors, and customers.

The virus that causes COVID-19 can be spread to others by infected persons who have few or no symptoms. Even if an infected person is only mildly ill, the people they could spread it to may become seriously ill or even die, especially if they are 65 or older with pre-existing health conditions that place them at higher risk. Because of the concealed nature of this threat, everyone should rigorously follow the practices specified in these protocols, all of which facilitate a safe and measured reopening of Texas. The virus that causes COVID-19 is still circulating in our communities. We should continue to observe practices that protect everyone, including the most vulnerable.

Please note, public health guidance cannot anticipate or address every unique situation. Bars or similar establishments should stay informed and take actions based on common sense and wise judgment that will protect health and support economic revitalization. Bars or similar establishments should also be mindful of federal and state employment and disability laws, workplace safety standards, and accessibility standards to address the needs of both workers and customers.

Health protocols for serving your customers:

- Customers may not loiter at the bar or in commonly trafficked areas, and should remain seated at tables at the bar or similar establishment.
 - Only provide service to seated individuals, except as provided below.
 - Breweries, wineries, and distilleries may serve customers standing at a counter if the customers are sampling products from the establishment. Groups at the counter may not exceed 6 individuals, and must be separated from other groups by either 6 feet of separation or an engineering control such as a partition.
- Groups must maintain at least 6 feet of distance from other groups at all times, including while waiting to be seated in the bar or similar establishment. The 6 feet of distance between groups seated at different tables is not required if the bar or similar establishment provides engineering controls, such as a partition, between the tables.
 - A booth may be next to another booth as long as a partition is constructed between the booths, and that partition is at least 6 feet tall above ground level.
 - Tables should generally be at least 6 feet apart from any part of another table. However, a bar or similar establishment may have tables at least 4 feet apart from any part of another table, provided the bar or similar establishment uses a partition between the tables that is at least 6 feet tall and 6 feet wide.

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- As recommended by the bar and nightclub industry, keep dance floors closed. Activities that enable close human contact are discouraged.
- Pathways for patrons' ingress and egress should be clear and unobstructed.
- Designate staff to ensure customers maintain a 6-foot distance between groups if customers are waiting to enter the bar or similar establishment.
- A hand sanitizing station should be available upon entry to the establishment.
- No tables of more than 6 people.
- Dining:
 - Do not leave condiments, silverware, flatware, glassware, or other traditional table top items on an unoccupied table.
 - Provide condiments only upon request, and in single use (non-reusable) portions or in reusable containers that are cleaned and disinfected after each use.
 - Use disposable menus (new for each patron), or clean and disinfect reusable menus after each use.
 - If a buffet is offered, employees should serve the food to customers.
- Ensure spacing of individuals within the establishment to keep a 6-foot distance between individuals in different groups.
 - Tables or chairs must be installed to seat all customers to maintain social distancing, and may not be moved.
 - Consider positioning an unoccupied table or other object adjacent to each occupied table, creating space to permanently maintain a 6-foot distance between groups.
 - Take orders from customers seated at a table or by web/phone application.
- Contactless payment is encouraged. Where not available, contact should be minimized. Both parties should wash or sanitize hands after the payment process.

Health protocols for your employees and contractors:

- Train all employees and contractors on appropriate cleaning and disinfection, hand hygiene, and respiratory etiquette.
- Screen employees and contractors before coming into the bar or similar establishment:
 - Send home any employee or contractor who has any of the following new or worsening signs or symptoms of possible COVID-19:
 - Cough
 - Shortness of breath or difficulty breathing
 - Chills
 - Repeated shaking with chills
 - Muscle pain
 - Headache
 - Sore throat
 - Loss of taste or smell
 - Diarrhea
 - Feeling feverish or a measured temperature greater than or equal to 100.0 degrees Fahrenheit
 - Known close contact with a person who is lab confirmed to have COVID-19

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- Do not allow employees or contractors with the new or worsening signs or symptoms listed above to return to work until:
 - In the case of an employee or contractor who was diagnosed with COVID-19, the individual meets all three of the following criteria: at least three days (72 hours) have passed *since recovery* (resolution of fever without the use of fever-reducing medications); and the individual has *improvement* in symptoms (*e.g.*, cough, shortness of breath); and at least ten days have passed *since symptoms first appeared*; or
 - In the case of an employee or contractor who has symptoms that could be COVID-19 and does not get evaluated by a medical professional or tested for COVID-19, the individual should be assumed to have COVID-19, and the individual may not return to work until the individual has completed the same three-step criteria listed above; or
 - If the employee or contractor has symptoms that could be COVID-19 and wants to return to work before completing the above self-isolation period, the individual must obtain a medical professional's note clearing the individual for return based on an alternative diagnosis.
- Do not allow an employee or contractor with known close contact to a person who is lab-confirmed to have COVID-19 to return to work until the end of the 14-day self-quarantine period from the last date of exposure (with an exception granted for healthcare workers and critical infrastructure workers).
- Have employees and contractors wash or sanitize their hands upon entering the bar or similar establishment, and between interactions with customers.
- Have employees and contractors maintain at least 6 feet of separation from other individuals. If this distancing is not feasible, measures such as face covering, hand hygiene, cough etiquette, cleanliness, and sanitation should be rigorously practiced.

Health protocols for your facilities:

- Consider having an employee or contractor manage and control access to the bar or similar establishment, including opening doors to prevent attendees from touching door handles.
- Take steps to ensure 6 feet of social distancing is maintained at the bar or similar establishment between individual patrons, between patrons and waitstaff, and between patrons and bar items such as clean glassware and ice. Such separation may be obtained by ensuring bartenders remain at least 6 feet from customers at the bar, such as by taping off or otherwise blocking bartenders from being within 6 feet of a seated customer, or the use of engineering controls, such as dividers, to keep individuals and/or the bar separate from other individuals.
- Regularly and frequently clean and disinfect any regularly touched surfaces, such as doorknobs, tables, and chairs.
- Regularly and frequently clean restrooms, and document the cleanings.
- Disinfect any items that customers contact.
- Make hand sanitizer, disinfecting wipes, soap and water, or similar disinfectant readily available to employees and customers.
- Consider placing readily visible signs at the bar or similar establishment to remind everyone of best hygiene practices.
- Clean and disinfect the area used by customers (*e.g.*, tables, chairs, etc.) after each group of customers depart, including the disinfecting of tables, chairs, stalls, and countertops.

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- Clean and sanitize the bar daily.
- For bars or similar establishments with more than 10 employees and/or contractors present at one time, consider having an individual wholly or partially dedicated to ensuring the health protocols adopted by the establishment are being successfully implemented and followed.
- TABC staff should monitor bars throughout the state of Texas to ensure compliance with these protocols. TABC has the authority to suspend any license that poses an immediate threat or danger to public safety. Failure to follow these protocols may result in a 30-day license suspension for the first infraction, and a 60-day suspension for a second infraction.

If you have video game equipment or other interactive amusements:

- Assign at least one employee or contractor full time to disinfect the video games and other interactive amusements. Continuous disinfecting is needed to protect customers.
- Disinfect all gaming equipment before and after customer use.
- Provide equipment disinfecting products throughout facility for use on equipment.
- Ensure only one player can play a game at a time.
- Provide for at least 6 feet of separation between games.

Health protocols for valet parking services:

- Take the temperature of each employee or contractor at the beginning of each shift.
- Utilize the following personal protective equipment for employees and contractors:
 - Cloth face coverings over the nose and mouth, or, if available, non-medical grade face masks over the nose and mouth
 - Single-use disposable gloves that are changed between every interaction with customers and/or vehicles
- Vehicle door handles, ignition switch, steering wheel, and shift knob should be wiped with disinfectant as the valet employee enters and exits the vehicle.
- All workstations and work equipment should be cleaned at the start and the end of each shift, as well as every hour during the shift. These workstations should include the valet podium, key storage locker, tablets, fee computers, receipt printers, etc.
- Valet parking operators should employ contactless payment whenever possible.
- For high-volume operations, appropriate physical distancing indicators should be established to ensure customers maintain at least 6 feet of distance as they wait for their vehicle.
- Where possible, alternative parking options should be provided for customers who are uncomfortable with valet parking.
- Wash or disinfect hands upon entering a business and after any interaction with employees, other customers, or items in the business.
- Make hand sanitizer, disinfecting wipes, soap and water, or similar disinfectant readily available to employees, contractors, and customers.
- Have employees and contractors maintain at least 6 feet of separation from other individuals.

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CHECKLIST FOR BAR OR SIMILAR ESTABLISHMENT PATRONS

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All individuals must wear a face covering (over the nose and mouth) wherever it is not feasible to maintain 6 feet of social distancing from another individual not in the same household, except when seated at the bar or similar establishment to eat or drink.

The following are the minimum recommended health protocols for all bar or similar establishment patrons in Texas. These minimum health protocols are not a limit on the health protocols that individuals may adopt. Individuals are encouraged to adopt additional protocols consistent with their specific needs and circumstances to help protect the health and safety of all Texans.

The virus that causes COVID-19 can be spread to others by infected persons who have few or no symptoms. Even if an infected person is only mildly ill, the people they could spread it to may become seriously ill or even die, especially if they are 65 or older with pre-existing health conditions that place them at higher risk. Because of the concealed nature of this threat, everyone should rigorously follow the practices specified in these protocols, all of which facilitate a safe and measured reopening of Texas. The virus that causes COVID-19 is still circulating in our communities. We should continue to observe practices that protect everyone, including the most vulnerable. Please note, public health guidance cannot anticipate or address every unique situation. Individuals should stay informed and take actions based on common sense and wise judgment that will protect health and support economic revitalization.

Health protocols for bar or similar establishment patrons:

- In a bar or similar establishment, minimizing in-person contact is difficult, and wearing face coverings or masks is not feasible while at a table. For this reason, tables at bars or similar establishments should not exceed 6 individuals.
 - When individuals go to a bar or similar establishment, individuals should, to the extent possible, minimize in-person contact with others not in the individual's household. Minimizing in-person contact includes maintaining 6 feet of separation from individuals. When maintaining 6 feet of separation is not feasible, other methods should be utilized to slow the spread of COVID-19, such as wearing a face covering or mask, washing or sanitizing hands frequently, and avoiding sharing utensils or other common objects.
- Self-screen before going into the establishment for any of the following new or worsening signs or symptoms of possible COVID-19:

<input type="checkbox"/> Cough	<input type="checkbox"/> Sore throat
<input type="checkbox"/> Shortness of breath or difficulty breathing	<input type="checkbox"/> Loss of taste or smell
<input type="checkbox"/> Chills	<input type="checkbox"/> Diarrhea
<input type="checkbox"/> Repeated shaking with chills	<input type="checkbox"/> Feeling feverish or a measured temperature greater than or equal to 100.0 degrees Fahrenheit
<input type="checkbox"/> Muscle pain	<input type="checkbox"/> Known close contact with a person who is lab confirmed to have COVID-19
<input type="checkbox"/> Headache	
- Wash or disinfect hands upon entering a reception and after any interaction with employees, contractors, other attendees, or items in the bar or similar establishment.
- No tables of more than 6 people.

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- Individuals age 65 or older are at a higher risk of COVID-19. To the extent possible, avoid being within 6 feet of individuals age 65 and older. Individuals age 65 and older should stay at home as much as possible.
- Because of the social interaction that occurs at bars or similar establishments, strict adherence to these protocols is important. A person infected with COVID-19 may not know it, and may pass it to someone else unwittingly.
- Carry hand sanitizer, and use it regularly while at the bar or similar establishment, especially after contact with individuals outside the household.