Pennsylvania Governor Issues Updated Guidance for Hospitality Businesses Conducting In-Person Service

Last week, Governor Wolf and the PLCB issued guidance for hospitality businesses beginning to serve customers inside (green) or outside (green and yellow). We covered that guidance in our last blog post, “Critical Compliance Tips from Pennsylvania Liquor Control Board’s Guidance for On-Premise Sales During COVID-19 Crisis.”

Governor Wolf released updated guidance addressing some of the issues that were presented when the previous guidance was put into action. This blog will simply outline those changes and the full guidance can be found here.

Updated Guidance for Pennsylvania Hospitality Services
The changes from the previous guidance include the following:

- If you do not have a stated fire capacity, for either your indoor or outdoor area, the permitted amount of people per 1,000 square feet has been increased to 24 people from twelve people. What this means is, if you do not have a fire capacity, you can fit 48 people in a 2,000 square foot area, so long as all social distancing requirements are followed.

- Your maximum occupancy calculation includes customers and employees.

- Discrete gatherings and events which will be held within the restaurant, facility, or venue, such as weddings and catered events, must limit the total number of individuals gathering at one time (including staff) for any discrete gathering or event within the facility or venue as follows:
  
  - In the yellow phase of reopening, discrete gatherings are limited to 25 individuals.
  
  - In the green phase of reopening, discrete gatherings are limited to 250 individuals.

- If live musicians are performing at a restaurant, facility, or venue, they must remain at least six feet from patrons and staff. Additionally, one issue arose as to whether live music was permitted due to a requirement to close all non-food related aspects of the business in the yellow phase. That is now a recommendation, but a business is still required to enforce social distancing and are encouraged to close dance floors.

- However, businesses in the yellow phase are still required to close areas non-essential to the preparation and service of food or beverages such as child play areas, interactive games, and video arcades. Electronic jukeboxes are permissible.

- You are now permitted to refill food and beverage containers (Growlers) or implements brought in by customers if the container or implement can be refilled without contact with the tap, containers are sanitized before use, or the tap or dispenser is sanitized before and after each use.

- All private event spaces and wedding venues with foodservice authorized to conduct in-person activities in the yellow (no more than 25 people) and green (no more than 250 people) are required to maintain a list of all guests in attendance including the location of origin for each guest.

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