

# PHASE TWO GUIDANCE FOR ABC LICENSEES

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# PRESENTER



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# PHASE TWO

LIMITED INDOOR DINING | EFFECTIVE JUNE 22



# OVERVIEW



**Phase Two** allows alcohol establishments to reopen their interior spaces for limited, indoor dining.

Establishments may continue to offer outdoor dining in licensed, new, and expanded outdoor spaces, along with providing alcohol carry-out and delivery to DC residences, including from additional locations.

Some programs require registration in advance. There is no fee to register or participate. Participation is optional.

# KEY DETAILS

## ELIGIBILITY

- Limited to On-Premises Retailer Licensees (Convention Center food and alcohol retailers, hotels, multipurpose facilities, nightclubs, private clubs, restaurants, and taverns); common carriers; manufacturers with an on-site sales and consumption permit; caterer; and temporary license holders.

## SERVICE HOURS

- Indoor and outdoor dining is limited to 6:00 a.m. to midnight, daily.
- Guests are not permitted to remain onsite, including indoors, after midnight.

# KEY DETAILS

## TOTAL CAPACITY

- Indoor seating is limited to 50 percent of the lowest occupancy load or seating capacity determined by the establishment's Certificate of Occupancy, excluding staff and outdoor seating.
- There is no max percentage for outdoor seating but physical distancing guidelines must be adhered to.

## SEATING CAPACITY

- No more than six (6) persons may be seated at a table indoors or outdoors.
- Communal tables may be used if parties are seated at least six (6) feet apart from one another and divisions are clearly marked.
- Plexiglass and other barriers may not substitute for the distance requirement.

# KEY DETAILS

## BAR SERVICE

- Guests may be seated at bars not being staffed or utilized by bartenders.
- Establishments with multiple bar areas must designate each bar area as either for staff use for bartending or for patron seating
- Parties seated at bars must be at least six (6) feet apart from one another.
- Standing at bars is prohibited.

## PHYSICAL DISTANCING

- Tables must be configured to allow for at least six (6) feet between parties.
- Guests must wait outside to be seated and for carry-out orders, and be at least six (6) feet apart from other parties.
- Guests queuing to order, pick-up, pay, or use the restroom must be at least six (6) feet apart from one another.

# KEY DETAILS

## **FACE MASKS & COVERINGS**

- All employees, including kitchen staff, must wear face coverings or masks.
- While not required, guests are strongly recommended to wear face coverings or masks at all times except when eating or drinking.

## **FOOD & DRINK**

- Establishments must offer a food menu containing at least three (3) prepared food items and require the purchase of at least one (1) item per table.
- Salad bars and buffets are permitted as long as pre-portioned servings are prepared and served by staff.
- Establishments may partner with food operators, including food trucks, to meet the prepared food requirement.
- “BYOB” is not permitted.



# KEY DETAILS

## RESERVATIONS

- ABC licensees must implement a reservation system. Reservations may be done online, by phone or text, or in-person—or a combination.
- Contact information for at least one (1) person per party should be collected.
- Dining records must be saved for at least 30 days.

## ORDERING

- All on-premises dining must be seated. Guests may not be served food or beverages for onsite consumption while standing.

# KEY DETAILS

## LIVE MUSIC & ENTERTAINMENT

- Only background and recorded music, played at a conversational level, is permitted.
- No live music or entertainment, including DJs or trivia, is permitted.
- TVs may be played on outdoor private space and indoors. Same volume guidelines as above apply.
- Activities that require guests to be in close contact are prohibited.

## EVENTS

- Individuals or organizations may apply for a waiver to Homeland Security and Emergency Management Agency (HSEMA) to hold an arts, entertainment, or cultural event.
- [hsema.dc.gov/service/dc-homeland-security-emergency-management-agency-waiver-process-exemption-business-closure](https://hsema.dc.gov/service/dc-homeland-security-emergency-management-agency-waiver-process-exemption-business-closure)

# KEY DETAILS

## REGISTRATION

- Not required to reopen existing indoor space or for outdoor space included on an establishment's alcohol license, including sidewalk cafes and summer gardens.
- Continues to be required to add new or expand outdoor dining space on public or private space.
  - Public space is subject to DDOT approval. Private space requires written consent from the property owner. Neither requires ABC Board approval.
  - All new/expanded space must be on the ground or street level.
  - Available public space include alleys, sidewalks, “streateries,” plazas, and full travel lanes. Potential private space options include patios, courtyards, and parking lots.
  - New/expanded outdoor seating is not subject to an establishment's existing Settlement Agreement. Establishments can petition the ABC Board to waive specific provisions related to an existing sidewalk cafe/summer garden for up to 180 days.
  - The boundaries of the new/expanded outdoor space must be clearly marked.
  - Space may be used through midnight on October 25, 2020.
  - [abra.dc.gov/node/1479681](https://abra.dc.gov/node/1479681)

# ADDITIONAL OPPORTUNITIES

Temporary Permissions



# CARRY-OUT AND DELIVERY

Allows select ABC licensees to sell beer, wine, and spirits for carry-out and delivery to DC residences.

## **ELIGIBILITY**

- Limited to On-Premises Retailer Licensees (Convention Center food and alcohol retailers, hotels, multipurpose facilities, nightclubs, private clubs, restaurants, and taverns).

## **SERVICE HOURS**

- 6:00 a.m. to midnight, daily.

# CARRY-OUT AND DELIVERY

## **FOOD AND DRINK**

- All alcoholic beverages must be accompanied by at least one (1) prepared food item.
- Eligible alcoholic beverages include beer, wine, and spirits, and pre-mixed cocktails.
- All items must be given in sealed or closed containers.
- Guests should only be provided the alcoholic beverages purchased for carry-out when the full order, including prepared food, is complete to discourage onsite consumption.

## **DELIVERY RANGE**

- Delivery is limited to DC residences only.

# CARRY OUT AND DELIVERY

## OTHER

- Guests must wait for carry-out orders outside and be at least six (6) feet apart from other parties.
- Delivery persons must verify the age and identity of all purchasers.
- Curbside delivery is permissible.
- Third party vendors may deliver on behalf of an establishment.

## REGISTRATION

- Registration with ABRA required.
- [abra.dc.gov/node/1468131](https://abra.dc.gov/node/1468131)

# CARRY OUT AND DELIVERY

## AFTER PHASE 2

- Registered licensees may continue to sell alcohol for carryout and delivery until March 31, 2021 without an endorsement.
- A Carry-Out and Delivery Endorsement will be required to continue such services effective April 1, 2021. Further guidance on securing the endorsement will be issued in early spring.



# POP-UPS

Allows select ABC licensees to sell beer, wine, and spirits for carry-out and delivery to DC residences and allow for on-site consumption from up to two (2) locations other than the address included on their alcohol license.

## **ELIGIBILITY**

- Limited to On-Premises Retailer Licensees (Convention Center food and alcohol retailers, hotels, multipurpose facilities, nightclubs, private clubs, restaurants, and taverns).

## **SERVICE HOURS**

- 6:00 a.m. to midnight, daily.

# POP-UPS

## OTHER

- All previously outlined alcohol carry-out and delivery provisions, including hours, containers, and age verification, apply.

## REGISTRATION

- Registration with ABRA required.
- Requires written approval from the property owner of the additional locations.
- [abra.dc.gov/node/1477341](https://abra.dc.gov/node/1477341)

# REMINDERS & RESOURCES



# UPCOMING TRAININGS

- **Common ABC Violations and How to Avoid Them** | A learning burst session (30-minutes or less) focused on helping alcohol licensees get and stay in compliance with alcohol laws and regulations and avoid fines and license suspensions or revocation. This presentation will address the most commonly observed violations during Phase Two and during normal operating conditions.
  - November 2, 2020 | 10:30 am
- **Medical Cannabis Training** | Information session—geared towards patients, caregivers, and healthcare practitioners—will provide an update on the program and offer participants the opportunity to make enhancement recommendations.
  - November 10, 2020 | 10:30 am

# UPCOMING TRAININGS

- **ABC 101** | Foundation course designed to introduce prospective and new ABC license holders—specifically on-premises and off-premises retailers and manufacturers— to ABRA and key ABC basics. While geared towards new entrepreneurs and industry staff, the training is also recommended for seasoned professionals looking to stay current.
  - November 12, 2020 | 10:30 am
- **ID Compliance Training** | Foundation course focused on preventing underage drinking by reducing youth access to alcohol through retailer education.
  - November 16, 2020 | 10:00 am
- Additional trainings are under development and will be announced shortly. All trainings are virtual and offered at no cost. Advance registration required.

[abra.dc.gov/page/abc-licensee-training](https://abra.dc.gov/page/abc-licensee-training)

# STAY CONNECTED

- **Staff** | ABRA's physical office remains closed to the public but staff is available to answer questions Monday-Friday, 8:30 a.m. - 4:00 p.m.
  - **Licensing** | [abc@dc.gov](mailto:abc@dc.gov) or (202) 442-4423
  - **ANC or community group concerns** | [sarah.fashbaugh@dc.gov](mailto:sarah.fashbaugh@dc.gov) or (202) 397-3971
- **Social** |
  - **Facebook** | [facebook.com/ABRADC](https://facebook.com/ABRADC)
  - **Twitter** | @DCGov\_ABRA
- **Last Call e-Newsletter and Email Alerts** | Subscribe to receive.
  - [abra.dc.gov/service/sign-abra-email-updates](https://abra.dc.gov/service/sign-abra-email-updates)

# QUESTIONS?

