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George Benson
Director of Planning

TOWN OF NEWTOWN

Planning Department

MEMORANDUM

May 13, 2020

From: Newtown Planning Department and Newtown Health District

Governor Lamont has issued an Executive Order No. 7MM that is allowing restaurants to open with outside dining only beginning on May 20, 2020. To facilitate this order the following temporary zoning permit for outside dining has been approved for use within the Town of Newtown and the Borough of Newtown.

The restaurants should contact the Land Use Agency at 203-270-4276 with any questions concerning the permit application. The site plan showing existing and or temporary seating can be drawn free hand utilizing an actual property site plan, Google or Town GIS map. If you need assistance the Land Use Agency can email you a GIS map.

Preferably the permit application and map can be sent to the Land Use Agency electronically, if not feasible, you will have to make an appointment with the Land Use Agency to drop off hard copies at the Municipal Center.

The Newtown Health District will continue to communicate with you as guidance is sent by the State.



TOWN OF NEWTOWN

TEMPORARY RESTAURANT OUTDOOR DINING PERMIT

Land Use Agency | 3 Primrose Street | Newtown, CT 06470 | (203) 270-4276

Name of Owner/Applicant: _____ Date: _____

Contact phone & email: _____

Name of Restaurant: _____

Address: _____

Location: ☐ Town ☐ Borough

Permit Valid Only Under Executive Order No. 7MM

Current Seating Capacity: _____ Proposed Outdoor Seating Capacity: _____

(Must be no more than 50% of the existing indoor/outdoor capacity)

Permit requested: ☐ Permit #1 ☐ Permit #2

Permit #1

Existing Outside Patio Dining

Note: Restaurants with existing patios can also expand outdoor area as described in Permit #2.

1. Tables must be a minimum of six (6) feet apart, measured per Executive Order Guidance.
2. Bathrooms must be accessible to outside patio patrons.
3. The Temporary Permit application will be reviewed by the Land Use Enforcement Officer. The final approval shall be a zoning permit issued by the Land Use Enforcement Officer.
4. Any new structures, with the exception of temporary tents or canopies, shall require a standard Building Permit and Zoning approvals.

Permit #2

Temporary Outside Patio Dining

-or-

Existing Outside Patio Dining Expansion

Note: Must be in compliance with all items listed in Permit #1

1. Outdoor seating capacity will be a maximum of fifty percent (50%) of the existing indoor / outdoor (if applicable) restaurant seating capacity.
2. A Site Plan depicting any alterations to the property including but not limited to; area for tables, adequate parking, number of tables, signs and tent locations shall be submitted to the Land Use Agency for a Temporary Permit application.
3. Tents must be inspected by the Building and Fire Marshal Departments.

- Attach a proposed Site Plan for Permit #1 or #2. Site Plan can be drawn free-hand on a map.
- All other protocols issued under the Governors Executive Order No. 7MM shall apply to a restaurant that receives a Temporary Outdoor Dining Permit, see attached guidelines.

Zoning Officer: _____ Date of Approval: _____



RESTAURANTS OUTDOOR ONLY

In Phase 1, restaurants can open outdoor at up to 50% capacity, no bars.

RESTAURANTS OUTDOOR ONLY

OVERVIEW

As Connecticut's restaurants reopen, the most important consideration will be the health and safety of employees and customers. Businesses must exercise caution throughout the phases of reopening, ensuring strict adherence to the protocols listed here. Those businesses that are not able to meet the rules listed here by May 20, shall delay opening until they are able.

While these rules provide a way for restaurants to reopen in as safe a manner as possible, risks to customers and employees cannot be fully mitigated. Customers who choose to visit restaurants during this time should be fully aware of potential risks. Individuals over the age of 65 or with other health conditions should not visit restaurants, but instead continue to stay home and stay safe.

Businesses should take these rules as the minimum baseline of precautions needed to protect public health in Connecticut. Individual businesses should take additional measures as recommended by industry guidelines or by common sense applied to its particular situation.

We urge customers to stay vigilant and pay attention as to whether restaurants they frequent are faithfully implementing these rules.

REOPEN RULES FOR RESTAURANTS

For restaurants, **only outdoor areas can open at this time. Indoor areas and bar areas shall remain closed.** These rules are intended to help restaurants safely get back to work. The information here can be supplemented with guidance from other industry groups, some of which are listed below. These rules may be updated as conditions evolve.

FURTHER RESOURCES

NATIONAL RESTAURANT ASSOCIATION

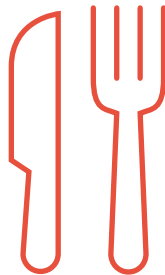
<https://restaurant.org/Downloads/PDFs/business/COVID19-Reopen-Guidance.pdf>

FDA

<https://www.fda.gov/food/food-safety-during-emergencies/best-practices-retail-food-stores-restaurants-and-food-pick-up-delivery-services-during-covid-19>

OSHA

<https://www.osha.gov/Publications/OSHA3990.pdf>



RESTAURANTS OUTDOOR ONLY

PLAN FOR REOPENING

Share these rules with your employees and inform them of any additional specific measures being taken in response to COVID-19.

PROGRAM ADMINISTRATOR

Appoint a program administrator who is accountable for implementing these rules. For restaurants, the administrator should be the Certified Food Protection Manager.

TRAINING

Institute a training program and ensure employee participation in the program prior to reopen. Training shall include:

- The rules contained in this document.
- Protocols on how to clean and use cleaning products (including disinfectants) safely.
- Additional guidance can be found here:

https://osha.washington.edu/sites/default/files/documents/FactSheet_Cleaning_Final_UWDEOHS_0.pdf

Note: If any on-site duties are subcontracted, it is the employer's responsibility to ensure subcontractors are also appropriately trained.

- The training shall be provided at no cost to the employee and during working hours. The training materials shall be presented in the language and at the literacy level of the employees. There shall also be weekly refreshers on policies.



CLEANING PLAN

Develop cleaning checklists that incorporate these rules. Ensure it is clear which employees are responsible for implementing the plans.



PERSONAL PROTECTION

Estimate required personal protection for employees and begin procuring.



THOROUGH CLEANING

Complete a thorough cleaning of facility prior to reopening, including, but not limited to:

- Bathrooms, kitchens, and seating areas



CAPACITY TRACKING

Employers are responsible for enforcing revised capacity limits (50%).



LOG EMPLOYEES

Maintain a log of employees on premise over time, to support contact tracing.



SHIFTS

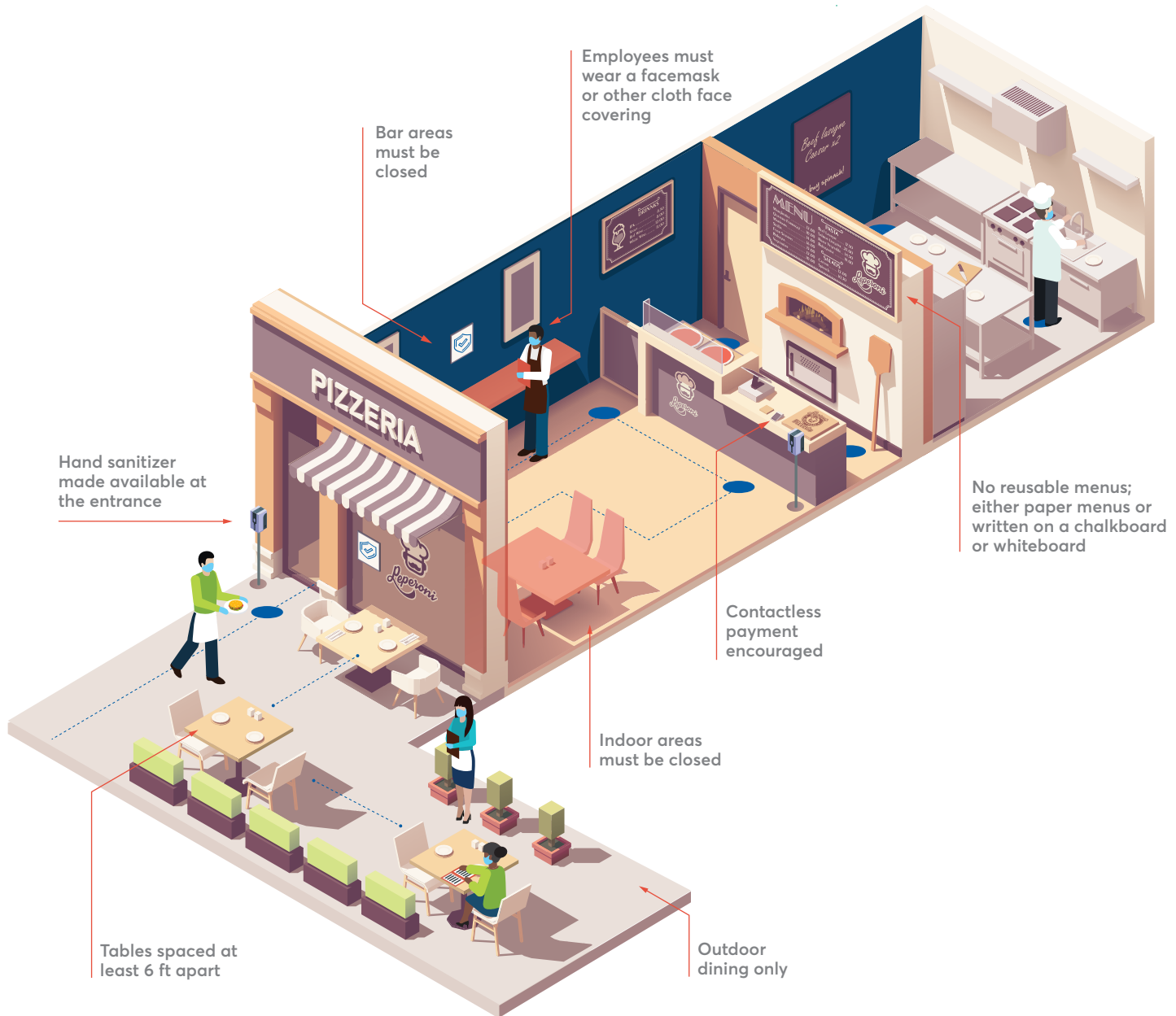
Stagger shift start/stop times, break times, and lunchtimes to minimize contact across employees.

RESTAURANTS OUTDOOR ONLY



CERTIFICATION

Complete the self-certification on the DECD website to receive a Reopen CT badge. Once complete, businesses can choose to post the badge on-site and on social media to advertise adherence to CT rules and build customer confidence.



RESTAURANTS OUTDOOR ONLY

ENTRY & EXIT

Consider an exit from the facility separate from the entrance to allow for one-way foot traffic.

SIGNAGE

Post clear signage that supports new policies, like:

- Social distancing protocols
- Cleaning and disinfection protocols
- Personal protection (face masks, gloves)
- Employees shall stay home if sick/experiencing symptoms
- Customers shall not enter if they are experiencing symptoms



VENTILATION

Increase ventilation rates and increase the percentage of outdoor air that circulates into the system where possible.

Note: This only applies to operational indoor areas (e.g. the kitchen), given customers will only be outside.



SOCIAL DISTANCING MARKERS

Install visual social distancing markers to encourage customers to remain 6 ft apart (e.g., the entrance to the restaurant, lines to be seated, lines to make payments, lines to use the restroom).



SEATING/TABLE ARRANGEMENT

Rearrange space to maintain at least 6 feet of distance between customers. **Ensure tables are at least 6+ ft apart.** If customers are sitting in booths or seating is fixed, groups of customers must still be 6+ ft apart. This may require keeping some booths or seats empty. Distance shall be measured from the closest chair at one table to the closest chair at another table.



BUFFETS

Eliminate buffet self-serve stations; only permit employees to serve from food counters.



NON-ESSENTIAL AMENITIES

Close or remove amenities non-essential to business' main function (e.g., dance floors, pool tables, playgrounds, etc.).



DISCRETE WORK ZONES FOR SERVERS

Servers shall serve specific zones in the restaurant to minimize overlap, where possible.



SHARED EQUIPMENT

Ensure employees do not share equipment to the extent possible (e.g., cooking equipment, trays, etc.).

RESTAURANTS OUTDOOR ONLY



IN THE KITCHEN

Rearrange workstations so that food workers do not face one another and are 6 ft apart where possible (e.g., stagger workstations on either side of processing lines).



SILVERWARE

Use rolled or packaged silverware.



TOUCHLESS APPLIANCES

Install touchless appliances wherever possible, including:

- Contactless payments, paper towel dispensers, soap dispensers, and trash cans



MENUS

Offer paper menus and dispose after guests have ordered, or display menu on a wall/white board, and/or encourage customers to view the menu on their phone.



CONDIMENTS

Use single use packets or containers.



HOTLINE FOR VIOLATIONS

Post clear signage that includes the state hotline (211) for employees and customers to report potential violations of these rules.

RESTAURANTS OUTDOOR ONLY

PERSONAL PROTECTION FOR EMPLOYEES

- All employees are required to wear a facemask or other cloth face covering that completely covers the nose and mouth, unless doing so would be contrary to his or her health or safety due to medical conditions.
- Employees may utilize their own cloth face covering over that provided by their employer if they choose.
- Gloves are required for table servers, and must be replaced frequently.
- Gloves and eye protection are required when using cleaning chemicals.
- Kitchen workers shall follow FDA guidelines on usage of gloves where appropriate.

EMPLOYERS ARE RESPONSIBLE FOR PROVIDING PERSONAL PROTECTION TO THEIR EMPLOYEES

- If businesses do not have adequate personal protection, they cannot open.

PERSONAL PROTECTION FOR CUSTOMERS

- Customers are required to bring and wear masks or cloth face coverings that completely cover the nose and mouth unless doing so would be contrary to his or her health or safety due to a medical condition or when eating in the restaurant.

RESTAURANTS OUTDOOR ONLY



HAND SANITIZER

Hand sanitizer shall be made available at entrance points and common areas, where possible.



HANDWASHING

Ensure employees wash their hands routinely using soap and water for at least 20 seconds.



CLEANING, DISINFECTANT PRODUCTS, AND/OR DISPOSABLE DISINFECTANT WIPES

Make available near commonly used surfaces where possible (e.g., tables and chairs, bathrooms, self-service areas).



BATHROOMS

Clean frequently, implement use of cleaning log for tracking.



CLEANING AND DISINFECTING

Follow federal guidelines (CDC, EPA) on what specific products should be used and how:

- Use products that meet EPA's criteria for use against SARS-CoV-2 and that are appropriate for the surface. Prior to wiping the surface, allow the disinfectant to sit for the necessary contact time recommended by the manufacturer. Train staff on proper cleaning procedures to ensure safe and correct application of disinfectants.
- Disinfectants are irritants and sensitizers, and should be used cautiously.
- Avoid all food contact surfaces when using disinfectants; these surfaces should be sanitized instead.
- Clean and disinfect common areas, high transit areas, and frequently touched surfaces on an ongoing basis (at least daily) and more frequently if used more often. Clean and disinfect shared objects after each use. Examples include:
 - Entrances and exits
 - Payment devices (e.g., PIN pad)
 - Chairs



SEATING AREA AND TABLES

Sanitize seating area, tables, and common items after each seating.



KITCHEN

Sanitize kitchen and kitchen equipment on an ongoing basis (at least daily) and more frequently if used more often.

RESTAURANTS OUTDOOR ONLY



DAILY HEALTH CHECK

Ask employees resuming on-premise work to confirm they have not experienced COVID-19 CDC-defined symptoms; and to monitor their own symptoms, including cough, shortness of breath, or any two of the following symptoms:

- Fever
- Chills
- Repeated shaking with chills
- Muscle pain
- Headache
- Sore throat
- New loss of taste or smell

Employees shall stay home if sick.



IN THE EVENT OF A POSITIVE COVID-19 CASE

Employees shall inform their employers, and follow state testing and contact tracing protocols.



WHISTLEBLOWER PROTECTION

Employers may not retaliate against workers for raising concerns about COVID-related safety and health conditions.

- Additional information can be accessed at www.OSHA.gov.
- Additional information for the public sector can be accessed at www.connosha.com.



LEAVE

Employers shall adhere to federal guidance pertaining to paid leave for employees and provide this guidance to employees. Employers shall post the Families First Coronavirus Response Act (FFCRA) Department of Labor poster. The poster can be accessed at: <https://www.dol.gov/agencies/whd/posters>

- Additional guidance can be accessed at: <https://www.dol.gov/agencies/whd/pandemic/ffcra-employee-paid-leave>