

**INDUSTRY-SPECIFIC GUIDANCE OF THE HEALTH OFFICER OF  
THE COUNTY OF MARIN REGARDING REQUIRED BEST  
PRACTICES FOR RESTAURANTS ALLOWING SEATED OUTDOOR  
DINING**

This industry-specific guidance is being issued pursuant to the May 15, 2020 Order of the Health Officer of the County of Marin Directing All Individuals in the County to Continue Sheltering in their Place of Residence (the “Shelter in Place Order”) and unless otherwise defined below, initially capitalized terms used in this guidance have the same meaning given them in that order. This guidance goes into effect June 1, 2020 upon issuance for restaurants to operate in outdoor spaces according to allowed local land uses.

This guidance remains in effect until suspended, superseded, or amended by the Health Officer, is supported by the justifications set forth in the Shelter in Place Order, and automatically incorporates any revisions to that order or other future orders issued by the Health Officer that supersede that order or reference this guidance. All businesses addressed herein and allowed to operate under the Shelter in Place Order are required to follow this industry-specific guidance and implement all Best Practices detailed below.

This guidance and its enumerated Best Practices may be revised by the Health Officer, through revision of this guidance or another future order, as conditions relating to COVID-19 require, at the discretion of the Health Officer. Each business identified herein must stay updated regarding any changes to the Shelter in Place Order, this guidance, and the Best Practices specifically applicable to it by checking the [Marin Recovers](#) website regularly.

**UNDER THE AUTHORITY OF CALIFORNIA HEALTH AND SAFETY CODE  
SECTIONS 101040, 101085, AND 120175, THE HEALTH OFFICER DIRECTS AS  
FOLLOWS:**

1. This guidance applies to all owners, operators, managers, or supervisors of any business that Shelter in Place Order permits to be open to the public in the County of Marin (the “County”) and that consist of any of the following:
  - 1.1. restaurants that provided sit-down food service prior to March 16, 2020 and that intend to provide sit-down dining to patrons outdoors as allowed by this Guidance and by local jurisdictions (“Outdoor Dining”); or
  - 1.2. brewpubs, breweries, bars, pubs, craft distilleries, and wineries that provided sit-down food service prior to March 16, 2020 and intend to provide sit-down dining to patrons outdoors as allowed by this Guidance and by local jurisdictions (“Outdoor Dining”). Brewpubs, breweries, bars, pubs, craft distilleries, and wineries must otherwise remain closed until those establishments are allowed to resume modified or full operation.
2. Each restaurant operating Outdoor Dining must create, adopt, and implement a written COVID-19 Site-Specific Protection Plan (a Site-Specific Protection Plan template is

available online at [marinrecovers.com](http://marinrecovers.com)) that incorporates and addresses all applicable Best Practices included in this guidance.

3. Depending on the nature of the business covered by this guidance, there may be certain people associated with the business that are subject to this guidance. Collectively those people are referred to by this guidance and the Best Practices as “Personnel”, and those people include all of the following who provide goods or services associated with the business in the County: employees; contractors and sub-contractors (such as those who sell goods or perform services onsite or who deliver goods for the business); independent contractors (such as “gig workers” who perform work via the business’ app or other online interface); vendors who are permitted to sell goods onsite (such as farmers or others who sell at stalls in farmers’ markets); volunteers; and other individuals who regularly provide services onsite at the request of the business. This guidance requires the business to ensure that Personnel who perform work associated with the business are addressed by the COVID-19 Site-Specific Protection Plan and comply with those requirements.
4. Implementation of this guidance augments—but does not limit—the obligations of each Restaurant under all other existing Health Officer Orders, including, but not limited to, all requirements of the Facial Coverings Order and the obligation to prepare, post, and implement a Social Distancing Protocol as required by the Shelter in Place Order.
5. Best Practices for restaurants allowing Outdoor Dining:
  - 5.1. Protect Personnel health
    - 5.1.1. Personnel must wear gloves when handling items contaminated by body fluids such as moving items used by customers (dirty cups, plates, napkins, etc.) or handling trash bags.
    - 5.1.2. When utilizing gloves, Personnel shall wash hands before putting on and after removing gloves.
    - 5.1.3. Eliminate person-to-person contact for delivery of goods whenever possible. Designate drop-off locations to receive deliveries away from high traffic areas.
  - 5.2. Physical distancing
    - 5.2.1. Adhere to the mandatory requirement to space all tables at least six feet apart.
    - 5.2.2. Place tape or markings at least six feet apart in any area where members of public may form a line.
    - 5.2.3. Encourage reservations or advise people to call in advance to confirm seating/serving capacity. Consider a phone reservation system that allows people to queue or wait in cars and enter only when a phone call, text, or other method, indicates that a table is ready.
    - 5.2.4. Limit tables to no more than 6 people; all who share a table must be within the same household group.
    - 5.2.5. Utilize expanded outdoor seating where possible along right of ways or other outdoor areas as approved by local jurisdictions.
  - 5.3. Measures to increase sanitization and disinfection
    - 5.3.1. Ensure that all utensils and food-ware are properly washed, rinsed and sanitized. Manual sanitization: submerge in rinse solution with 100 ppm chlorine sanitizer for

a minimum of 30 seconds or a solution of 200 ppm of quaternary ammonium for at least one minute. Mechanical sanitization in the final rinse at: utensil surface temperature of 160 F; or contact with 50 ppm chlorine solution for at least 30 seconds; or contact with 25 ppm iodine solution for at least 30 seconds. If this cannot be reasonably accommodated, only single-service utensils or food-ware should be used.

5.3.2. Remove dirty linens from dining tables from dining areas in sealed bags.

5.3.3. Thoroughly clean each customer dining location and condiments after each use.

5.3.4. Restrooms must be cleaned and disinfected every hour.

5.4. Measures to prevent unnecessary contact

5.4.1. Alcohol may only be sold in the same transaction as a meal.

5.4.2. No self-service buffets, salad bars, or beverage stations.

5.4.3. Use of self-service machines, such as frozen yogurt machines, shall not be allowed as determined by local public health orders.

5.4.4. Provide disposable or digitally available menus. If not, disinfect menus between use.

5.4.5. Provide table settings (napkins, cutlery, glassware, etc.) to customers only as requested.

5.4.6. Supply single serve disposable condiment containers only, or if that is not possible only provide shared condiments upon customer request and sanitize condiment containers thoroughly after each use.

5.4.7. Pre-roll utensils in napkins prior to use by customers and store in a clean container.

5.4.8. Discontinue tableside food preparation and presentation such as food item selection carts and conveyor belts, guacamole preparation, etc.

5.4.9. Provide takeout containers as needed and require customers to pack their own leftovers.

5.4.10. Customers shall not be permitted to bring their own bags, mugs, or other reusable items from home.

5.4.11. Do not leave mints, candies, snacks, and toothpicks out; provide only as requested.

5.4.12. Limit the number of Personnel who serve individual parties. Consider assigning the same employee to each party for the entire experience (as long as there is no conflict with mandatory meal and rest break laws).

5.4.13. All restaurant workers should minimize the amount of time spent within six feet of guests and other Personnel.

5.4.14. Encourage contactless payment systems with customers.

5.4.15. Takeout food items should be made available using contactless pick-up and delivery protocols.

5.5. Shade structures

5.5.1. Umbrellas, canopies and other shade structures are only allowed if they do not have sides and allow for the free flow of air through the space.

6. This guidance is issued in furtherance of the purposes of the Shelter in Place Order. Where a conflict exists between this guidance and any state, local, or federal public health order related to the COVID-19 pandemic, including, without limitation, the Site-Specific

Protection Plan, the most restrictive provision controls. Failure to carry out this guidance is a violation of the Shelter in Place Order, constitutes an imminent threat and menace to public health, constitutes a public nuisance, and is a misdemeanor punishable by fine, imprisonment, or both.

Date: June 1, 2020

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