



Frequently Asked Questions about Executive Order 20-04: Providing for the Temporary Closure of Bars, Restaurants, and Other Places of Public Accommodation

INFORMATION FOR THE HOSPITALITY INDUSTRY AND REGULATORY AGENCIES

The COVID-19 pandemic presents an unprecedented challenge

[Executive Order 20-04: Providing for the Temporary Closure of Bars, Restaurants, and Other Places of Public Accommodation \(https://www.leg.state.mn.us/archive/execorders/20-04.pdf\) \(PDF\)](https://www.leg.state.mn.us/archive/execorders/20-04.pdf) was issued on March 16, 2020. [Executive Order 20-08: Clarifying Public Accommodations Subject to Executive Order \(https://www.leg.state.mn.us/archive/execorders/20-08.pdf\) \(PDF\)](https://www.leg.state.mn.us/archive/execorders/20-08.pdf) was issued on March 18, 2020.

Types of establishments affected

The following types of establishments are affected by Executive Order 20-04. They must be closed to the public beginning at **5:00 p.m. Tues., March 17**.

Food and beverage establishments

These establishments must stop all food and beverage service for **on-site consumption**:

- Restaurants, food courts, cafes, coffeehouses, other businesses or charitable establishments.
- Bars, taverns, brew pubs, breweries, microbreweries, distilleries, wineries, tasting rooms, clubs, and other businesses or charitable establishments.

These establishments may, when allowed by law, offer food and beverages using delivery services, window service, walk-up service, drive-through service, or drive-up service, so long as social distancing precautions are taken.

Hotels

- Hotels are allowed to continue offering lodging rooms to guests.
- Continental breakfast and other self-serve dining operations are not allowed. Food may be provided in take-out containers or covered trays for guests to bring to their rooms. Dining rooms and self-service breakfast areas must be closed.

- Room service is allowed. Food should be delivered to rooms in wrapped containers or on covered trays.
- Swimming pools and spas must be closed.
- Fitness centers must be closed.

Other types of businesses

These establishments must be **closed to the public**:

- Hookah bars, cigar bars, and vaping lounges that offer their products for on-premises consumption.
- Theaters, cinemas, indoor and outdoor performance venues, and museums.
- Gymnasiums, fitness centers, recreation centers, indoor sports facilities, indoor exercise facilities, exercise studios, and spas.
- Amusement parks, arcades, bingo halls, bowling alleys, indoor climbing facilities, skating rinks, trampoline parks, and other similar recreational or entertainment facilities.
- Country clubs, golf clubs, boating or yacht clubs, sports or athletic clubs, and dining clubs.

Types of services not affected

The restrictions imposed by this executive order do not apply to the following:

Food and beverage establishments – off-site consumption

Retail establishments who sell food to be **consumed off-site** are not included in this suspension **so long as there is no on-site food consumption**. Nevertheless, we want to encourage the direct order and pickup of product whenever possible to help prevent the spread of Coronavirus and COVID-19.

- Farmers' markets
- Grocery stores
- Convenience Stores
- Pharmacies
- Hardware stores
- Retail outlets
- Bakeries

Other facilities

These establishments are not affected:

- Health care facilities, child care facilities, residential care facilities, congregate care facilities, and juvenile justice facilities.
- Crisis shelters, soup kitchens, and other emergency feeding locations.
- Restaurants and food courts inside of secure areas of airports.

Closures in effect through March 27, 2020, 5:00 p.m.

The closure will be in effect beginning no later than March 17, 2020 at 5:00 p.m. and continuing until March 27, 2020 at 5:00 p.m.

Because the COVID-19 pandemic is changing rapidly, it is important to keep up to date with new guidance. Please follow the most current information found on these websites:

- Minnesota Department of Health: [Coronavirus Disease 2019 \(COVID-19\)](https://www.health.state.mn.us/diseases/coronavirus/index.html) (<https://www.health.state.mn.us/diseases/coronavirus/index.html>)
- U.S. Centers for Disease Control and Prevention: [Coronavirus \(COVID-19\)](https://www.cdc.gov/coronavirus/2019-nCoV/index.html) (<https://www.cdc.gov/coronavirus/2019-nCoV/index.html>)
- U.S. Food and Drug Administration: [Coronavirus Disease 2019 \(COVID-19\) – Food Products](https://www.fda.gov/emergency-preparedness-and-response/mcm-issues/coronavirus-disease-2019-covid-19-frequently-asked-questions#food) (<https://www.fda.gov/emergency-preparedness-and-response/mcm-issues/coronavirus-disease-2019-covid-19-frequently-asked-questions#food>)

Law enforcement and public health agencies will monitor and enforce the closure

The executive order directs local law enforcement and public health authorities to monitor and enforce this Executive Order in accordance with the law.

Pursuant to Minnesota Statutes 2019, section 12.45, a person who willfully violates the executive order is guilty of a misdemeanor and upon conviction must be punished by a fine not to exceed \$1,000, or imprisonment for not more than 90 days.

Frequently asked questions

Can food service in long-term care facilities stay open?

Yes. In EO 20-04, the governor encourages Minnesotans to continue to maintain essential activities, including providing nutritious, safe, and appropriate meals for residents of long-term care facilities. Staff and residents should follow social distancing recommendations before, during and after meal service.

Can adult day cares stay open and serve food to their clients?

Yes. In EO 20-04, the governor encourages Minnesotans to continue to maintain essential activities, including providing nutritious, safe, and appropriate meals for clients and employees of adult day cares. Staff and clients should follow social distancing recommendations before, during and after meal service.

Can feeding sites stay open and serve food to their clients?

Yes. The executive order does not apply to shelters, soup kitchens, or similar institutions. Staff and patrons should follow social distancing recommendations before, during and after meal service.

Can hospital cafeterias and corporate cafeterias stay open?

Yes. The executive order allows institutional or in-house cafeterias to stay open to employees. Care should be taken to allow for proper social distancing of staff and patrons. This includes limiting available seating and modifying check-out and service line areas to allow appropriate social distancing space.

Can buffets, salad bars, and other self-service operations open to the public stay open?

No. Buffets and customer self-service operations open to the public are not allowed to operate. Institutional and in-house cafeterias are strongly urged to close buffet, salad bars, and self-service operations to help prevent the spread of Coronavirus and COVID-19.

Can mobile food units operate?

Yes. Mobile food units and seasonal temporary food stands (“food trucks”) can operate.

- Staff should follow social distancing recommendations to keep at least six feet apart, so trucks may have to operate with a limited number of staff.
- Discontinue offering self-serve condiments.
- Encourage online and electronic payment transactions.

Local zoning and ordinances may apply.

Will sandwich shops and coffee shops be required to limit guests to five or fewer individuals in the store at a time?

Yes. You may allow up to five customers or guests in the establishment at one time, so long as those individuals are at least six feet apart from one another while on the premises. They are only allowed in the establishment while they are picking up their order.

Drive-through service is a good option.

Are people allowed to enter an establishment and order a drink while they wait for their food?

No. On-site consumption of food and beverages is not allowed.

Do take-out containers need to be tamper-resistant?

Food establishments should use their discretion in choosing appropriate packaging and containers for take-out food. Single-service and single-use articles must be safe and clean. This includes items such as carry-out utensils, bags, containers, or wrappers. Tightly close or seal all food items prepared for pick-up or delivery to keep it safe from tampering.

It is the duty of the person in charge (PIC) to ensure safe food, including food security. One way to ensure food security is to limit access to the food establishment, including food preparation and staging areas.

Can swimming pools remain open?

No. Public swimming pools and spas must close.

Are credit card payments and online orders required?

Not at this time. Payments should be made electronically whenever possible.

What if there is a sick employee in the food establishment?

All of MDH's normal employee illness requirements for reporting and exclusion apply. See [Illness Reporting for Food Establishments \(PDF\)](#) (<https://www.health.state.mn.us/people/foodsafety/dwi/empillfs.pdf>).

Sore throat and fever must be reported to the Person in Charge. Respiratory illnesses should be recorded on the [Employee Illness Log \(PDF\)](#) (<https://www.health.state.mn.us/people/foodsafety/dwi/empilog.pdf>).

Employees who have symptoms of acute respiratory illness should stay home and not come to work until they are free of fever (100.4°F or greater using an oral thermometer), signs of a fever, cough, and any other symptoms for 7 days and at least 3 days without the use of fever-reducing medicines and improvement of respiratory symptoms (whichever is longer).

FDA has provided additional guidance about employees with fevers and respiratory illness on their website [Coronavirus Disease 2019 \(COVID-19\) Frequently Asked Questions](#) (<https://www.fda.gov/emergency-preparedness-and-response/mcm-issues/coronavirus-disease-2019-covid-19-frequently-asked-questions#food>).

Can hair salons, nail salons, beauty parlors and tanning salons remain open?

No. Executive order 20-08 clarified that these types of businesses are included in the temporary closure order.

Can massage parlors remain open?

No. Executive order 20-08 clarified that these types of businesses are included in the temporary closure order.

Can body art facilities (tattoos, piercings) stay open?

No. Executive order 20-08 clarified that these types of businesses are included in the temporary closure order.

Can golf courses remain open?

No. Golf clubs and most other recreational activities are included in the Governor's Executive order. At this time, golf courses should be closed.

Can ski resorts remain open?

No. Ski resorts fall under other recreational facilities included in the Governor's Executive Order. Facilities such as these make it difficult to follow social distancing recommendations and encourage large numbers of individuals to gather in one place.

Can funeral services still happen?

Yes. Funerals and other gatherings are not covered by the Governor's Executive Order. While these events are not prohibited, funeral homes and family members should follow [MDH Guidance](#) to the best extent possible. This includes ensuring people who are ill do not attend the event, implementing social distancing to the best of their ability and limiting the number of people present at the event.

Can personal training facilities that provide one-on-one services remain open?

No. The executive order specifically includes gymnasiums, fitness centers, recreation centers, indoor sports facilities, indoor exercise facilities, exercise studios, and spas. There are no exceptions for the number of clients served.

Can mixed-use retail spaces that include food and beverage establishments remain open?

Each business in a mixed-use space must determine whether it is covered by Governor's Executive Order. Restaurants and other non-grocery food establishments must not allow dine-in food and beverage service and must be able to limit the number of customers in the entire enclosed space to 5 or fewer individuals. Food courts and all seating areas must be closed. Non-grocery retail food establishments in these settings should provide delivery or curbside take out whenever possible. Owners and operators of mixed-use spaces should consider whether social distancing can be practiced in determining whether businesses and the property as a whole should remain open.

Can co-working spaces remain open?

Co-working spaces are not covered by the executive order. However, the Commissioner of Health's guidance is to telework from home, to minimize contact with others.

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