



Key Business Requirements as of October 21, 2020

Although the state has shifted to “Phase 3” of its reopening strategy, various local emergency orders remain in effect within the City of St. Petersburg to supplement statewide measures still in effect. This document contains excerpts from two of these local orders applicable to businesses in the City.

County Ordinance 20-14 remains in effect and is enforceable as a municipal ordinance violation pursuant to City Executive Order 2020-27. Accordingly, all businesses must comply with the requirements of that ordinance including, but not limited to:

SECTION 3. Mandatory requirements and prohibitions.

(1) All persons must wear a face covering while in any Indoor Public Place within Pinellas County. All persons who own, manage, or are employed by any Restaurant or Bar within Pinellas County must wear a face covering at all times while on duty and directly or indirectly preparing food or beverage, or serving food or beverage, or having customer contact, regardless of where the food or beverage is being prepared or whether the customers being served food or beverage or the customer contact is inside an Indoor Public Place or outdoors, such as on a patio or sidewalk.



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(4) Any business establishment, including all Bars and Restaurants, that serves food or drink for on-site consumption must comply with all of the following:

- a) Social Distancing must be maintained in accordance with this Ordinance and CDC guidance to the greatest extent feasible at all times.
- b) No food or drinks may be served to patrons for on-site consumption that are not seated at a table or bar. Standing at a bar is prohibited.
- c) Tables must be spaced such that no person and their Companions seated at a table is less than 6 feet from another seat or person and their Companions at a different table.
- d) Persons seated at a bar must be spaced such that no person with their Companions seated at the bar is less than 6 feet from another person or their Companions.
- e) Bars shall not maintain spaces that allow the congregation of unseated people. Bar patrons must not be permitted to remain unseated at a table or at the bar, in any area of the Bar, unless waiting to be seated. Any groups of patrons so waiting must remain Socially Distanced in groups not larger than 10, all of whom must be Companions. This specifically is intended to prohibit dance floor areas within any Bar or Restaurant or other areas allowing congregation of unseated persons.
- f) No group larger than 10 may be seated at any one table.

Additionally, effective Monday, October 5, business mitigation planning requirements previously imposed by the City in executive order 2020-27 were revised pursuant to City executive order 2020-43. These revised requirements (i) emphasize that provisions of the County ordinance 20-14 related to face coverings must be reflected in a plan; (ii) require a plan component addressing CDC event guidance when appropriate; (iii) clarify when a plan must be updated; (iv) require the plan to be published online if the business is promoted online; and (v) require an operator (or designated employee) to take reasonable efforts to achieve compliance with the plan by each patron, including those attending a “private” function at the business. The key portion of order 2020-43 is as follows:

SECTION 4—BUSINESS PLANNING: Effective Monday October 5, 2020, at 8:00am, an operator shall ensure that that the operator’s business meets or exceeds the following requirements for COVID-19 mitigation and contingency planning:

- (a) An operator shall ensure that the business has a written plan for COVID-19 mitigation and contingency planning in accordance with the following:
 - (i) The plan may be based on the CDC Business Guidance, the OSHA Business Guidance, or both.
 - (ii) If any applicable guidance for a specific industry *supplements* the CDC Business Guidance or the OSHA Business Guidance (e.g., guidelines for gyms and fitness centers published by DBPR), that industry-specific applicable guidance must be reflected in the plan.
 - (iii) If any applicable guidance for a specific industry *conflicts with* the CDC Business Guidance or the OSHA Business Guidance, that industry-specific applicable guidance supersedes the CDC Business Guidance or OSHA Business Guidance, as applicable, to the extent of the conflict.
 - (iv) The plan must reflect applicable provisions of the County Ordinance, including those that require operators, employees, and patrons to wear a face covering.
 - (v) If it is foreseeable that an activity falling within the scope of CDC Event Guidance will occur at the business (due to the nature of the business; history, expectation, or likelihood of such activities being scheduled or occurring informally; or any other applicable factor), the plan must have an additional component that addresses such activities in a manner consistent with CDC Event Guidance.
- (b) An operator shall update the plan as needed to address any of the following: (i) changes in applicable guidance, (ii) changes in business operations, (iii) scheduling or occurrence of an activity falling within the scope of CDC Event Guidance, or (iv) changes in risk factors (e.g., increased community spread).
- (c) An operator shall ensure (i) that the plan is made available to each employee; (ii) that each employee receives training regarding compliance with the plan; and (iii) that each employee complies with the plan.
- (d) An operator shall ensure (i) that the plan is available to patrons of the business and (ii) that aspects of the plan that apply to patrons (e.g., with respect to social distancing or face covering) are clearly communicated to patrons through signage or other appropriate means, as more specifically provided below.
- (e) An operator shall ensure that the plan is available to the public so that a member of the public can make an informed decision as to patronizing the business. If an operator controls an online presence for the business, that operator shall ensure that the plan is available through that online presence.
- (f) An operator (either directly or through one or more designated employees) shall take reasonable efforts to achieve compliance with the plan by each patron. The following actions are presumed reasonable and the minimum necessary to comply with this section:
 - (i) At each entrance, post a conspicuous notice that a face covering must be worn in accordance with applicable law.
 - (ii) At each entrance, post a conspicuous notice that the plan is available upon request. This notice may be combined with the notice required in subsection (i) above.

- (iii) If a patron fails to comply with any aspect of the plan (including requirements related to face covering, social distancing, or CDC Event Guidance), ask the patron to comply. If the patron refuses to comply, ask the patron to leave. This provision does not require any action to compel compliance by a patron, but an operator or employee may contact the City for assistance in addressing a patron's non-compliance.
- (iv) If any portion of the business will be used for a "private" function (with or without compensation), require compliance with the plan as a condition of such use. This may be effectuated by including a provision in the agreement associated with such use or by otherwise informing the individual or entity responsible for the function that compliance with the plan is required as a condition of use.

This document is a summary of the requirements established by local emergency ordinances and orders, and the owner or operator of any business in St. Pete should consult the full text of the applicable ordinance or order to understand those requirements.