

ALLEGAN COUNTY HEALTH DEPARTMENT

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Office Administration

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Bioterrorism Preparedness

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Personal Health

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Communicable Disease

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Environmental Health

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Resource Recovery

(269) 673-5415

July 17, 2020

License Holders,

The Governor has issued two new executive orders that pertain to restaurants.

Executive Order 2020-145 takes the place of Executive order 2020-114 and became effective July 9, 2020. The language in the restaurant section has changed and now includes the following:

- **Section 8. c. Require patrons to wear a face covering except when seated at their table or bar top (unless the patron is unable medically to tolerate a face covering)**
- **Section 8. d. Require patrons to remain seated at their table or bar tops except to enter or exit the premises, to order food or to use the bathroom.**
- **Section 8. e. Sell alcoholic beverages only via table service, not via orders at the bar except to patrons seated at the bar.**
- **Section 8. f. Prohibit access to common areas in which people can congregate, dance or otherwise mingle.**

Regarding these changes this applies both to indoor and outdoor seating.

All other sections of EO 2020-114 are still in affect and in written into EO 2020-145.

Executive Order 2020-147 specifically addresses mask use and applies to businesses as of July 13, 2020. This is guidance for all people including the general public/customers. If they are not familiar with the executive order there should be educational infographics or other educational material for all.

- **Section 3. To protect workers, shoppers and the community, no business that is open to the public may provide service to a customer or allow a customer to enter its premises, unless the customer is wearing a face covering as required by law.**
 - Businesses that are open to the public must post signs at entrance(s) instructing customers of their legal obligation to wear a face covering while inside. The Michigan Department of Labor and Economic Opportunity may, in its discretion require such businesses to post signs developed and made available by the Department, or conforming to requirements established by the department.
 - A department or agency that learns that a licensee is in violation of this section will consider whether the public health, safety or welfare requires summary, temporary suspension of the businesses license to operate (including but not limited to a liquor license) under section 92 of the Administrative Procedures Act of 1969, 1969 PA 306, as amended, MCL 24.292(2)

Due to the high volume of complaints from the general public regarding the improper and non-use of masks and failure to require social distancing in our licensed facilities, Allegan County Health Department has implemented a Warning Order Finding Imminent Danger to the Public Health in regards to violations of the Executive Orders. This order is in accordance with Section 2451 of the Public Health Code, being MCL 333.2451 and Section 2453 of the Public Health Code, being MCL 333.2453.

The enforcement of the Warning Order is as follows:

- **First validated investigation violation:** Will result in a warning order, requirement to provide a written corrective action regarding the violation of the executive orders within 72 hours.
- **Second validated investigation violation:** Will result in a warning order, facility will be closed for 72 hours or 3 days. Building entrances will be placarded that the facility is closed due to violations of the executive orders. Our department will be required to visit facility prior to their re-opening.
- **Third validated investigation violation:** Will result in a warning order, facility will be closed until Allegan County petitions the courts to require action to avoid, correct, or remove the imminent danger, which may include a request to revoke the facility's fixed food license.

Sincerely,
Randy Rapp, R.S.
Environmental Health Services Manager
Allegan County Health Department

Rebecca Long REHS
Food Program Coordinator
Allegan County Health Department