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NYC INDOOR DINING FAQ

When may indoor dining resume in New York City?

Indoor dining may resume in New York City for all restaurants, food service establishments, and other food vendors and concessions beginning **September 30, 2020**.

What food and beverage service may an establishment offer during indoor dining?

While restaurants and other food service establishments may open indoor spaces with seating for customers, indoor bar service must remain closed.

- Employees may prepare beverages at a bar, but no seating or service at the bar is allowed.
- All alcoholic beverages must be served to the table.

What are the hours of operation for indoor dining?

Daily from **5:00am-midnight**. Establishments may allow customers to remain seated until 12:30 a.m., but only to finish their meal.

Are there any occupancy limits on indoor dining?

Yes. Indoor capacity, not including employees, must be limited to **no more than 25% of the maximum occupancy for a particular area** (as set by the certificate of occupancy). The new maximum occupancy limit must be posted in a conspicuous location inside and outside the restaurant.

Are events at dining establishment allowed?

Yes, events at dining establishments, including large event spaces and catering halls, are allowed, but indoor capacity, not including employees, must be limited to **no more than 25% of the maximum occupancy for a particular area** (as set by the certificate of occupancy) or **50 customers, whichever is less.**

Can you give me an example of how the capacity limits for events apply?

Yes! See below.

<u>Max occupancy</u>	<u>25% of Max. Occupancy</u>	<u>Occupancy Limit for Events</u>
1000	250	50
500	125	50
200	50	50
100	25	25

When are face coverings required?

- All employees must wear face coverings at all times except while eating or drinking.
- All customers (age 2+) must wear a face covering at all times (unless they are unable to medically tolerate it). Face coverings are not necessary while seated.

Are indoor establishments required to conduct temperature checks?

Yes. Employees and customers are required to submit to a temperature check either before or immediately upon arriving at the establishment.

- Any individual with a temperature greater than 100° Fahrenheit must not be allowed to enter.
- Establishments must maintain a record of all checks conducted. Details [here](#).

Is there any additional information that dining establishments must collect from customers?

Yes. One person from each party must sign in and provide their full name, address, and phone number for use in New York State's contact tracing efforts. Details [here](#).

What are the social distancing requirements for customers in line?

All customers must maintain 6 feet of distance while lining up inside or outside for screening **and** establishments must clearly mark six-foot spacing where lines form.

Are establishments required to conduct COVID-19 health screenings of employees?

Yes. Establishments must implement a daily health screening for all employees. If any customers or employees test positive, establishments should follow the steps outlined [here](#).

DINNER AND SERVICE GUIDANCE

What are the social distancing requirements for indoor dining?

- Indoor tables must be separated by a minimum of 6 feet in all directions. Wherever distancing is not feasible, tables must be separated by physical barriers at least 5 feet in height and must not block emergency and/or fire exits.
- Customers in the same party may sit next to each other at communal tables, provided that the party consists of 10 or less people.
 - Customers of the same party may be from different households.
 - Customers of the same party may arrive, be seated, and depart at different times, so long as their interactions remain limited to party members.
- Communal tables w/multiple parties are only permitted if 6 feet of distance can be maintained between parties.
- Customers must maintain social distancing while waiting for and using restrooms.

Can customers eat and drink while standing?

No, only indoor, seated dining is allowed.

Can I put out a buffet?

Yes, but the buffet **cannot** be self-serve and must be sufficiently staffed to ensure no customer touching of common objects. Appropriate social distancing must be maintained.

Can I provide guests with straws and/or toothpicks?

Establishments may only provide customers with individually, prewrapped straws or toothpicks.

Can employees eat inside of the dining establishment?

Employees may remove their face coverings and dine in the kitchen or inside the establishment as long as they maintain social distancing. If employees are eating indoors at a table normally for customer use, it will be counted against the 25% maximum occupancy restriction.

Is my business required to sell food to people in order to serve them alcohol?

It depends. Only restaurants/bars whose liquor licenses require that they make food available to customers are required to sell food along with any alcohol purchase. Specifically, businesses operating under these licenses must only serve alcohol to people who also order food.

If I am required to serve food as a condition of my on-premise liquor license, what food is permissible?

The State Liquor Authority (SLA) outlines the type and quantity of food items needed to meet the “food requirement” [here](#). For a party with multiple customers, one shareable food item may be purchased as long as it would sufficiently serve the number of people in the party.

Must a customer order food with each alcoholic beverage ordered?

No. As long as the food ordered when placing the original drink order is sufficient in substance and quantity based on the number of people in the party, there is no need to order additional food.

Can I have live entertainment or a DJ in my indoor dining area?

It depends on your license. Establishments that have a license through the SLA are only allowed to offer on-premises music if their license certificate specifically allows for such activity. The music, however, must only be incidental, i.e. it cannot be an advertised or ticketed music event to which dining is incidental. All other forms of live entertainment (such as exotic dancing, comedy shows, etc.) are impermissible.

My license allows for dancing and/or on-premises services. Are they allowed?

No, dancing and bar games (such as darts, pool, cornhole, etc.) are not allowed for now.

WORKPLACE REQUIREMENTS

Am I required to post any signage at my establishment?

Yes. Establishments are required to post signage consistent with DOH and social distancing requirements. More information is available [here](#).

Does my establishment need to comply with any air filtration requirements?

Yes, establishments must implement ventilation and/or air filtration protocols. More information [here](#).

Are any pre-return checks for kitchen systems required?

Yes. Prior to reopening, establishments must complete pre-return checks/assessments of kitchen systems.

How should establishments handle pickups and deliveries?

Dining establishments must designate specific areas for vendor pickups/deliveries.

Are there any social distancing requirements for kitchen and storage areas?

Yes. Establishments must prohibit the use of small spaces, such as kitchen and storage areas, by more than one person, unless employees are wearing acceptable face coverings (employees still must not exceed 25% of the maximum occupancy in these areas).

ADDITIONAL RESOURCES

What additional resources may I consult?

- [NYS DOH Interim Guidance for NYC Indoor Food Services](#)
- [SLA Phase 3/4 Guidelines for On-Premises Establishments](#)
- [SLA Guidance on Requirement that Licenses w/On Premises Privileges Serve Food w/Beverages](#)
- [NYS DOH Guidance on Outdoor and Take/Out Food Service](#)
- [NYC Counsel to the Mayor NYC Outdoor Dining FAQ](#)
- [NYC DOH Guidance for Business and Facilities](#)

I have additional questions regarding the indoor dining rules. Who can I contact?

You can email the Office of Counsel to the Mayor at CounselToTheMayor@cityhall.nyc.gov for additional information. **Please include “indoor dining” in the subject line.**