



## Foodservice Establishment Closure FAQ

November 20, 2020

*This document addresses the specific requirement that foodservice establishments (restaurants, bars, nightclubs, banquet and catering halls, and other similar establishments that sell and/or serve food or beverages for consumption on-premises in Maryland, and social clubs with dining facilities) close to the public between 10:00 PM and 6:00 AM. For additional FAQs concerning foodservice establishments, please visit the Office of Food Protection's COVID-19 website:*

<https://phpa.health.maryland.gov/OEHFP/OFPCHS/Pages/Food-Safety-and-Covid19.aspx>

### **Why do foodservice establishments need to close at 10 PM?**

The Governor's executive order ([20-11-17-01](#)) requires that foodservice establishments close to the public between the hours of 10 PM and 6 AM, except for carry-out, drive-through, or delivery services. The purpose of this order is to discourage social gatherings. Bars, restaurants, and social gatherings are some of the most common places where transmission occurs. This may be due to several reasons, including limited use of face coverings, prolonged and close contact with non-household members, and diminished judgement with alcohol. The Department, along with local health departments and law enforcement, has seen significant non-compliance with social distancing and use of face coverings at bars, restaurants, nightclubs, banquet halls, catering halls, and similar foodservice establishments after 10 PM.

### **Can customers finish their meal or drink after 10 PM?**

Foodservice establishments can not allow the general public into the facility for indoor/outdoor dining after 10 PM. Patrons may not be seated or order food or beverages after 10 PM. Patrons who are already seated may finish their food or beverage promptly and then leave the premises (it is recommended that foodservice establishments set a reasonable cut-off time prior to 10 PM, after which no additional patrons will be seated and/or no additional food orders will be taken, to minimize the number of patrons who remain seated at 10 PM). After 10 PM only carry-out, drive-through, or delivery services are allowed, so long as the food is promptly taken from the premises.

### **Does this apply to private events and gatherings too?**

Any social gatherings or events at foodservice establishments (including restaurants, bars, nightclubs, banquet and catering halls, and other similar establishments that sell and/or serve food or beverages) must stop serving drinks and food in accordance with the 10 PM - 6 AM restrictions as stated in the executive order.

### **Does this apply to other facilities that also have a food and beverage service, such as bowling alleys, gaming facilities, and other entertainment establishments?**

Patrons may not be seated in dining areas or order food or beverages after 10PM. Unless the other activity the business engages in is specifically limited by the executive order or a local order, it may continue. No food and drink may be served to patrons on the premises after 10 PM. The food service portion can serve delivery or carry-out for patrons that promptly leave the premises.