



## SPIRITUS LAW

We at Spiritus Law understand the complexity and confusion of emergency orders as they proliferate through media reports. Please understand that not all reports include all relevant substantive details and you should consult state regulators and/or counsel to be sure you are in compliance with active emergency orders. Violation of emergency orders can result in fines and even arrest of on-premise staff. While our physical office may be required to close in the coming days, please note that we are fully capable of continuing operations remotely for the duration of our national state of emergency.

### Emergency Order Closing/Partial-Closing/Alcohol Storage Checklist

- ✓ Confirm closure requirements on the State and local levels;
  - Closure requirements vary from jurisdiction to jurisdiction and may impact full facility operation or only on-premise service options;
  - Emergency orders may include limited hours of sale or operation where businesses are allowed to remain open;
  - Many jurisdictions that are requiring closure are still allowing pick-up/delivery ordering;
  - Pick-up delivery ordering must comply with state law requirements and social distancing guidelines;
    - Confirm your current licenses allow for off-premise sale of alcohol (SFS licenses are now permitted to offer delivery/pick-up of sealed alcohol beverages the state of Florida); many other states have waived traditional restrictions and are allowing retailers to sell alcohol with food for delivery or pick-up;
    - In FL, the delivery driver must verify ID at the time of delivery;
    - ID must be verified at the time of purchase and delivery – we recommend maintaining logs with customer name, delivery order # and date for alcohol sales.
- ✓ Update inventory and confirm all food/alcohol in-stock.
  - Keep in mind that food and alcohol wholesalers may be overloaded while emergency orders are activated and as emergency orders are lifted and may not be able to service your location quickly;
  - Place re-stock orders for essential items early;
  - Confirm expiration and “use by” dates on perishable products in order to compile accurate re-stocking lists.
- ✓ If you will not be able to sell alcohol products seal open bottles with tape and indicate sealed/closing date. Cans should be similarly labeled with tape or placed in sealed boxes.
  - Where possible as time and staffing resources allow, it is advisable to seal bottles/cans with tape and indicate “sealed on” date with employee initials;
  - Do not refill or combine alcohol bottle contents!
  - Do not destroy inventory without checking state regulations on same;
  - These steps help reduce likelihood of tampering and/or loss.
- ✓ Move alcohol products that will not be used into locked storage room and keep access log;
  - Alcohol products should be moved into locked storage rooms where available with access log sheets;
  - Log sheets should indicate any access to storage areas and any removal or addition of alcohol product.



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- Emergency operations can be hectic and move quickly. Removing and storing inventory that will not be in use will clear space for emergency operations and reduce the risk of confusion with other products, tampering and loss.
- ✓ Mark expiration and “use by” dates clearly.
  - All perishable alcohol beverages (primarily beer/perishable wine products) and food items should be clearly marked.
- ✓ Empty and clean beer lines/draft equipment.
- ✓ Remember all usual state laws apply with respect to service of alcohol to minors and sales to intoxicated individuals – usual business practices in these areas should continue.
- ✓ Post signage at all entrances and exits indicating take-out/delivery only options. Add notices to websites so customers are fully informed on limited service restaurants.
  - Implement social distancing procedures amongst employees and assign dedicated work stations. This will help identify any source of contamination and prevent cross-contamination;
  - Train employees to avoid hand to hand contact.
- ✓ Keep all invoices and purchase/sale records as usual along with employee records.
  - If adding staff or extra delivery drivers, be sure to collect usual employee background and personal information – be clear if any hire is temporary;
  - Use name tags for new emergency operation employees or ID lanyards to prevent confusion.
- ✓ Confirm state orders re: waivers on escrow/safe keeping requirements;
  - At this time, it appears some states may waive license escrow and safe-keeping requirements so businesses are immediately ready to open as emergency orders are lifted;
  - Please do not wait to close pending confirmation as closure orders require immediate attention! If you need assistance in this area, please let us know and we will confirm and act as needed.
  - FL does not require that licensed be placed in escrow.

We are actively monitoring all closing and emergency orders. Please contact us should you need clarification on closing procedures and internal protocols.



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## Restaurant Closing Checklist: COVID-19 Response

Procedure
Complete the below checklists. Email a photo or scan of the completed document to [Point/Team of Contact email address].
Assign designated team members to visit premises as allowed by state and local emergency orders. Generally, unless a “Shelter in Place” order has been issued, limited site visits for essential functions like security and cleaning are permitted provided all other social distancing guidelines are followed (limited number of employees on premises – generally no more than 10). CHECK LOCAL REGULATIONS.
Establish an emergency contact and communication line for patrons and employees. Post signage at all entrances and exits listing emergency contact numbers or websites and closing notice or permitted services (delivery/pick-up).

Food/Alcohol Items Checklist		
Contact: Direct all questions & concerns about this checklist to [Point of Contact]		
Category	Tasks	Initials
<b>Proteins, Vegetables, Dairy, and Sauces</b>	Removed from stand-alone refrigeration units and either: <ol style="list-style-type: none"> <li>1. Allow employees to take home</li> <li>2. Donate to approved partners. If no longer in original packaging, pack all raw produce, prepped proteins &amp; cooked foods into catering trays [or any large disposable trays]. All items are labelled with the item name and date.</li> <li>3. Transfer to another restaurant, if the donation partner cannot take particular items.</li> </ol> No perishables left on site, walk-ins left empty except beverages	
<b>Dry Food Products (rice, farro, etc)</b>	Remain in tightly sealed containers. Confirm date/name labels have been added and up to date.	
<b>Beverages</b>	Removed from stand-alone refrigeration and stored in the walk-in. If there is no space in the walk-in, store with dry goods at least 6 inches off the floor.	
<b>Frozen Foods</b>	[Insert process for saving or disposing.]	

<p><b>Alcohol Inventory</b></p>	<ul style="list-style-type: none"> <li>○ Keep in mind that food and alcohol wholesalers may be overloaded while emergency orders are activated and as emergency orders are lifted and may not be able to service your location quickly;</li> <li>○ Place re-stock orders for essential items early;</li> <li>○ Confirm expiration and “use by” dates on perishable products in order to compile accurate re-stocking lists.</li> </ul>	
<p><b>Storage of Alcohol/Product returns</b></p>	<ul style="list-style-type: none"> <li>✓ If you will not be able to sell alcohol products seal open bottles with tape and indicate sealed/closing date. Can’s should be similarly labeled with tape or placed in sealed boxes. <ul style="list-style-type: none"> <li>○ Where possible as time and staffing resources allow, it is advisable to seal bottles/cans with tape and indicate “sealed on” date with employee initials;</li> <li>○ Do not refill or combine alcohol bottle contents!</li> <li>○ Do not destroy inventory without checking state regulations on same;</li> <li>○ These steps help reduce likelihood of tampering and/or loss.</li> </ul> </li> <li>✓ Move alcohol products that will not be used into locked storage room and keep access log; <ul style="list-style-type: none"> <li>○ Alcohol products should be moved into locked storage rooms where available with access log sheets;</li> <li>○ Log sheets should indicate any access to storage areas and any removal or addition of alcohol product.</li> <li>○ Emergency operations can be hectic and move quickly. Removing and storing inventory that will not be in use will clear space for emergency operations and reduce the risk of confusion with other products, tampering and loss.</li> </ul> </li> <li>✓ Mark expiration and “use by” dates clearly. <ul style="list-style-type: none"> <li>○ All perishable alcohol beverages (primarily beer/perishable wine products) and food items should be clearly marked.</li> </ul> </li> <li>✓ Empty and clean beer lines/draft equipment. <ul style="list-style-type: none"> <li>○</li> </ul> </li> </ul>	

<b>[Food Inventory/Log] Checklist</b>		
<b>Contact: Direct all questions &amp; concerns about this checklist to [Point of Contact].</b>		
<b>Category</b>	<b>Tasks</b>	<b>Initials</b>
<b>Food Shared with Team Members (priority 1)</b>	[Insert directions on how to log transfer/waste]	
<b>Food for Donations or Transfers</b>	[Insert directions on how to log transfer/waste]	
<b>Commissary Orders + Invoices</b>	[If applicable, insert directions on how to close out/approve all invoices]	
<b>Closing Inventory</b>	[Insert directions on how and what to inventory]	

<b>Tech Checklist</b>		
<b>Contact: Address all questions &amp; concerns about this checklist to [Point of Contact].</b>		
<b>Category</b>	<b>Tasks</b>	<b>Initials</b>
<b>POS</b>	Leave all POS terminals powered on and plugged into a viable power source. Put the display to sleep by [insert directions]. Make sure ALL payments have been batched out and any walk-in orders have been closed.	
<b>Online Orders &amp; 3rd Party Delivery</b>	Notify [guest experience team or equivalent] of any unconfirmed orders so that they may cancel and communicate with guests. Be sure to notify third-party delivery services of closure and post same on websites. If remaining open for limited operations, post signage and advise third parties accordingly (website/social media).	
<b>Hardware Transport</b>	In the event you have been instructed to transfer hardware (e.g., 3rd party delivery tablets, printers and wires) to a different restaurant, do so.	
<b>Hardware Security</b>	For anything not being transported to another restaurant, secure in safe, e.g., all laptops, floating tablets, printers and wires.	
<b>Music</b>	Do NOT turn off amps or any sound equipment. Turning these off can cause problems when the restaurant opens back up.	

Facilities & Food Safety Checklist [GENERAL RECOMMENDATIONS BUT FOLLOW YOUR OWN INTERNAL PROTOCOLS FOR CLOSING]		
Contact: Direct all questions about this checklist to [Point of Contact].		
Category	Tasks	Initials
HVAC	Keep on; Set to [recommended temperature: 70-72°F or as applicable pursuant to internal standards].	
Hot Equipment	Turn off Main Gas Valve that feeds cook line <i>Note: Turn off the gas valve on each individual unit and then the main line. For additional instructions contact [Point of Contact].</i>	
	Turn off all hot equipment (i.e. ovens, grills)	
Refrigeration	Unplug all stand alone refrigerators	
	Once refrigerators are completely defrosted, clean and sanitize units thoroughly to prevent odor and food build up	
Plumbing	[If applicable] Verify the ejector pump is receiving electrical power. Check the outlet or control box. <i>Note: For additional instructions contact your [Point of Contact].</i>	
	Turn off water supply to any leaking faucets/units	
	Clear drains of food debris and clean thoroughly	
Exhaust	If possible manually turn off the exhaust fan via the electrical switch. Otherwise, if the unit is programmed do not touch.	
Electrical	Unplug all non-essential equipment from outlets ([provide examples])	
Garbage Room	Deep clean room and bins and turn upside down for drying	
	Deep clean all dining room and kitchen trash bins. Move to the garbage room and turn upside down for drying.	
Floor	Dry all standing water	
	Move all paper goods to 6" above floor	
Green Room	Remove all employee belongings. Any leftover belongings shall be disposed of.	
General	Deep clean the entire restaurant to remove any food debris and standing water in hard-to-reach areas. This includes underneath undercounter dish machines, refrigeration units, etc.	
External	[If applicable] Remove the lockbox from the front door before locking the restaurant. <i>Note: A manager MUST take home the key in case of emergency.</i>	

FAQs	
Q:	A:
<b>What happens with my restaurant's external preventative maintenance?</b>	The [Facilities Team, or equivalent] may suspend all preventative maintenance to your restaurant while it is closed. This includes exhaust cleanings, grease trap cleanings, fire/life safety, and pest control PM's. Check local emergency orders for permitted essential functions relating to cleaning and security. <b>Follow social distancing protocols even when performing essential functions.</b>
<b>Should I be calling in critical repairs? Should I be calling in non-critical repairs?</b>	[Insert process for critical and non-critical repairs in closed restaurants]. This will depend largely on permitted activities pursuant to local emergency orders. Determine what is critical and essential.
<b>Do I need to notify external parties of my restaurant's closure?</b>	[If yes, provide directions. If no, indicate who from corporate will be responsible for this.] <b>Yes, you should notify all vendors and patrons.</b>
<b>Who should I contact if I have questions about a checklist?</b>	Each checklist has a designated support member assigned to its tasks. Contact that person or any emergency contact numbers provided by supervisors and corporate headquarters.