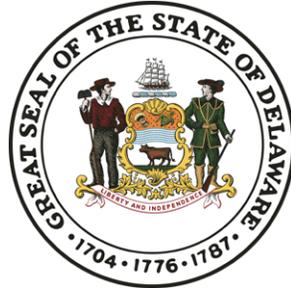


State of Delaware



Executive Department
Dover

SECOND REVISION TO THE TWENTY-SEVENTH MODIFICATION OF THE DECLARATION OF A STATE OF EMERGENCY FOR THE STATE OF DELAWARE DUE TO A PUBLIC HEALTH THREAT

WHEREAS, on September 3, 2020 at 7:00 p.m. E.D.T., I issued the Twenty-Seventh Modification to the State of Emergency, combining all active COVID-19 restrictions into a single order (as used herein the “Omnibus Modification”), a complete copy of which is incorporated herein by reference and available at <https://de.gov/27soe>; and

WHEREAS, on September 25, 2020 at 2:00 p.m. E.D.T., I issued the First Revision to the Omnibus Modification to, among other things, lift the suspension on FOIA responses and permit extension of certain state employee leave policies; and

WHEREAS, except as specifically set forth herein, this Revision shall in no way modify, alter or amend the remaining terms of the Omnibus Modification, all of which shall remain in full force; and

WHEREAS, because the summer beach season has ended, it is no longer necessary to impose greater restrictions on beach community taprooms and restaurant bar service; and

WHEREAS, in the interest of protecting the citizens of this state from a public health threat, the Governor is authorized by law to issue an order reasonably necessary to suspend the provisions of any regulatory statute prescribing the procedures for conducting state business, or the orders, rules, or regulations of any state agency, where strict compliance with such provisions may hinder necessary action in coping with the emergency.

NOW, THEREFORE, I, JOHN C. CARNEY, pursuant to Title 20, Chapter 31 of the Delaware Code, to control and prevent the spread of COVID-19 within the State of Delaware, do hereby order that Section N is hereby modified, effective November 6, 2020 at 8:00 a.m. E.D.T., by making deletions as shown by strike through and insertions as shown by italics as follows:

N. PHASE TWO REOPENING

PHASE 2 BUSINESS REOPENING

4. The following business categories may continue operations or reopen subject to the responsibilities listed in the Phase 2 Reopen Plan, and as amended, available at <https://governor.delaware.gov/wp-content/uploads/sites/24/2020/06/Delaware-Economic-Reopening-PHASE-2.pdf>, as follows:

- b. *Food and Drink Establishments.*

- ~~ii. Notwithstanding the provisions of this Modification and the Phase 2 Reopen Plan, effective September 4, 2020 at 8:00 a.m. E.D.T., the following additional restrictions shall apply to taprooms and bar service in restaurants in the towns of Lewes, Rehoboth Beach, Dewey Beach, Long Neck, Bethany Beach, South Bethany, Fenwick Island, West Fenwick Island, Ocean View, Millville and/or the following zip codes: 19966 east of Rt. 24 and Rt. 5; 19945 east of Rt. 17; 19975 east of the intersection of Rts. 20 and 54, and the entirety of 19944, 19967, 19970, 19930, 19971, and 19958:~~

- ~~1. Premises licensed to sell alcohol for consumption on the premise may not permit patrons to stand at a bar, but may open the bar to prepare drinks to be brought to patrons seated at tables and to serve alcohol to patrons seated at the bar only while the patrons are consuming meals. Patrons must have a reservation for bar seating and seats must be socially distanced between different households.~~

~~Premises licensed to sell alcohol for consumption on the premise that choose to use designated bar space for seating patrons must arrange tables consistent with the Phase 2 Reopen Plan to allow for minimum social distancing, including the following:~~

- ~~a. Tables and booths must be arranged in a way that ensures seated patrons at one table are at least six (6) feet apart from seated customers at another table. For booths, this typically will mean seating patrons at every other booth. For freestanding tables (with pull out chairs), there should be eight (8) feet apart to ensure that a seated patron is six feet from seated guests at other tables. Inside and outside seating must both comply with these standards. Tables must be disinfected in between each party.~~
- ~~b. Patrons from different households may sit at a table together as long as they are socially distanced. Patrons must all have seats. Orders should be placed from a table and received at a table unless an alternative exists that ensures patrons who are not of the same household are socially distanced at all times while placing and receiving an order. All patrons must wear face coverings upon entering and exiting and when getting up from the table to use the restrooms, as required by this Modification.~~
- ~~c. Patrons must have a reservation unless the establishment has a system for ensuring that patrons without a reservation do not gather while waiting to be seated. Takeout can still continue under pre-Phase 1 guidelines but should be done without those ordering entering the dining facility when picking up the order.~~
- ~~d. Any common areas where people would typically stand or engage in other activities must be off limits if not otherwise occupied by tables with seated patrons. This includes dance floors, arcade/bar game areas, pool tables, and similar spaces.~~

APPROVED this 5th day of November 2020 at 2:00 p.m.


Governor