PHASE TWO

NEW MODIFICATIONS | ALLOWANCE AND PROHIBITIONS OVERVIEW
OVERVIEW

Phase Two allows alcohol establishments to:

• Offer limited indoor dining at their licensed premises and at up to two (2) pop-up locations.
• Offer outdoor dining in licensed, new, and expanded outdoor spaces.
• Sell alcohol for carry-out and delivery to DC residences from their licensed premises and at up to two (2) pop-up locations.

Some programs require registration in advance. There is no fee to register or participate. Participation is optional.
# NEW MODIFICATIONS

<table>
<thead>
<tr>
<th>Original Allowance</th>
<th>Modified Allowance</th>
<th>Effective Date</th>
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</thead>
<tbody>
<tr>
<td>On-Premises Alcohol Sales and Consumption Hours</td>
<td>6:00 a.m.-10:00 p.m., daily</td>
<td>November 24</td>
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<tr>
<td>Alcohol Carry-Out and Delivery Hours</td>
<td>6:00 a.m.-12:00 a.m., daily</td>
<td>November 24</td>
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<tr>
<td>Indoor Dining Capacity</td>
<td>50 percent of lowest seating capacity included on Certificate of Occupancy</td>
<td>December 14</td>
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<tr>
<td></td>
<td>25 percent of lowest seating capacity included on Certificate of Occupancy</td>
<td></td>
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</tbody>
</table>
KEY DETAILS

ELIGIBILITY
• Limited to On-Premises Retailer Licensees (Convention Center food and alcohol retailers, hotels, multipurpose facilities, nightclubs, private clubs, restaurants, and taverns); common carriers; manufacturers with an on-site sales and consumption permit; caterer; and temporary license holders.

SERVICE HOURS
• Indoor and outdoor alcohol sales for on-premises consumption is limited to 6:00 a.m. to 10:00 p.m., daily.
  – Alcohol must be removed from tables and bar seating by 10:00 p.m.
• Establishments may continue to remain open only for an additional two (2) hours till 12:00 a.m., daily for indoor and outdoor dining (food only) and alcohol carry-out and delivery.
  – Guests are not permitted to remain on-premises after midnight.
• Establishments with a later closing time on their alcohol license may remain open till the approved hour for food carry-out and delivery—no alcohol sales.
KEY DETAILS

TOTAL CAPACITY
• Indoor dining
  – Now through December 13—50 percent of the lowest occupancy load or seating capacity determined by the establishment’s Certificate of Occupancy, excluding staff and outdoor seating.
  – On and after December 14—25 percent
• Outdoor dining—no maximum but all physical distancing guidelines must be adhered to.

SEATING CAPACITY
• No more than six (6) persons may be seated at a table indoors or outdoors.
• Communal tables may be used if parties are seated at least six (6) feet apart from one another and divisions are clearly marked.
• Plexiglass and other barriers may not substitute for the distance requirement.
KEY DETAILS

BAR SERVICE
• Guests may be seated at bars not being staffed or utilized by bartenders.
• Establishments with multiple bar areas must designate each bar area as either for staff use for bartending or for patron seating.
• Parties seated at bars must be at least six (6) feet apart from one another.
• Standing at bars is prohibited.

PHYSICAL DISTANCING
• Tables must be configured to allow for at least six (6) feet between parties.
• Guests must wait outside to be seated and for carry-out orders, and be at least six (6) feet apart from other parties.
• Guests queuing to order, pick-up, pay, or use the restroom must be at least six (6) feet apart from one another.
KEY DETAILS

FACE MASKS & COVERINGS
• All employees, including kitchen staff, must wear face coverings or masks.
• While not required, guests are strongly recommended to wear face coverings or masks at all times except when eating or drinking.

FOOD & DRINK
• Establishments must offer a food menu containing at least three (3) prepared food items and require the purchase of at least one (1) item per table.
• Salad bars and buffets are permitted as long as pre-portioned servings are prepared and served by staff.
• Establishments may partner with food operators, including food trucks, to meet the prepared food requirement.
• “BYOB” is not permitted.
KEY DETAILS

RESERVATIONS
• ABC licensees must implement a reservation system. Reservations may be done online, by phone or text, or in-person—or a combination.
• Contact information for at least one (1) person per party should be collected.
• Dining records must be saved for at least 30 days.

ORDERING
• All on-premises dining must be seated. Guests may not be served food or beverages for onsite consumption while standing.
KEY DETAILS

LIVE MUSIC & ENTERTAINMENT
• Only background and recorded music, played at a conversational level, is permitted.
• No live music or entertainment, including DJs or trivia, is permitted.
• TVs may be played on outdoor private space and indoors. Same volume guidelines as above apply.
• Activities that require guests to be in close contact are prohibited.

EVENTS
• Individuals or organizations may apply for a waiver to Homeland Security and Emergency Management Agency (HSEMA) to hold an arts, entertainment, or cultural event.
KEY DETAILS

REGISTRATION

• Not required to reopen existing indoor space or for outdoor space included on an establishment’s alcohol license, including sidewalk cafes and summer gardens.

• Continues to be required to add new or expand outdoor dining space on public or private space.
  – Public space is subject to DDOT approval. Private space requires written consent from the property owner. Neither requires ABC Board approval.
  – All new/expanded space must be on the ground or street level.
  – Available public space include alleys, sidewalks, “streteries,” plazas, and full travel lanes. Potential private space options include patios, courtyards, and parking lots.
  – New/expanded outdoor seating is not subject to an establishment’s existing Settlement Agreement. Establishments can petition the ABC Board to waive specific provisions related to an existing sidewalk cafe/summer garden for up to 180 days.
  – The boundaries of the new/expanded outdoor space must be clearly marked.
  – [https://abra.dc.gov/node/1479681](https://abra.dc.gov/node/1479681)
ADDITIONAL OPPORTUNITIES

Temporary Permissions
ALCOHOL CARRY-OUT AND DELIVERY

Allows select ABC licensees to sell beer, wine, and spirits for carry-out and delivery to DC residences.

ELIGIBILITY
• Limited to On-Premises Retailer Licensees (Convention Center food and alcohol retailers, hotels, multipurpose facilities, nightclubs, private clubs, restaurants, and taverns).

SERVICE HOURS
• 6:00 a.m. to midnight, daily.
ALCOHOL CARRY-OUT AND DELIVERY

FOOD AND DRINK

- All alcoholic beverages must be accompanied by at least one (1) prepared food item.
- Eligible alcoholic beverages include beer, wine, and spirits, and pre-mixed cocktails.
- All items must be given in sealed or closed containers.
- Guests should only be provided the alcoholic beverages purchased for carry-out when the full order, including prepared food, is complete to discourage onsite consumption.

DELIVERY RANGE

- Delivery is limited to DC residences only.
ALCOHOL CARRY OUT AND DELIVERY

OTHER
• Guests must wait for carry-out orders outside and be at least six (6) feet apart from other parties.
• Delivery persons must verify the age and identity of all purchasers.
• Curbside delivery is permissible.
• Third party vendors may deliver on behalf of an establishment.

REGISTRATION
• Registration with ABRA required.
• https://abra.dc.gov/node/1468131
ALCOHOL CARRY OUT AND DELIVERY

PERMANENT PERMISSION

• Registered licensees may continue to sell alcohol for carryout and delivery until March 31, 2021 without an endorsement.

• A Carry-Out and Delivery Endorsement will be required to continue such services effective April 1, 2021.

• Further guidance on securing the endorsement will be issued in early spring.
POP-UPS

Allows select ABC licensees to sell beer, wine, and spirits for carry-out and delivery to DC residences and allow for indoor on-premises consumption from up to two (2) locations other than the address included on their alcohol license.

ELIGIBILITY

• Limited to On-Premises Retailer Licensees (Convention Center food and alcohol retailers, hotels, multipurpose facilities, nightclubs, private clubs, restaurants, and taverns).

SERVICE HOURS

• 6:00 a.m. to 10:00 p.m., daily for on-premises alcohol sales and consumption.
• 6:00 a.m. to 12:00 a.m., daily for food and alcohol carry-out and delivery.
POP-UPS

OTHER
• All previously outlined alcohol carry-out and delivery provisions, including hours, containers, and age verification, apply.

REGISTRATION
• Registration with ABRA required.
• Requires written approval from the property owner of the additional locations.
• https://abra.dc.gov/node/1477341