APA-4
Revised 1/2018

CERTIFICATION OF EMERGENCY RULES
FILED WITH LEGISLATIVE SERVICES AGENCY
OTHNI LATHRAM, DIRECTOR

Pursuant to Code of Alabama 1975, §§41-22-5(b) and 41-22-6(c) (2)a. and b.

I certify that the attached emergency (amendment, new rule, new chapter, repeal or adoption by reference) is a correct copy as promulgated and adopted on the 29th day of October, 2020.

AGENCY NAME: Alabama Alcoholic Beverage Control Board
RULE NO. AND TITLE: 20-X-6-.21ER Enforcement of State Health Officer Orders on ABC Licensed Premises
EFFECTIVE DATE OF RULE: 29th day of October, 2020
EXPIRATION DATE (If less than 120 days):
NATURE OF EMERGENCY: To address economic disruption caused by COVID-19 pandemic.

STATUTORY AUTHORITY: §28-3-49 and §41-22-5(b)
SUBJECT OF RULE TO BE ADOPTED ON PERMANENT BASIS _____ YES _X_ NO
NAME, ADDRESS AND TELEPHONE NUMBER OF PERSON TO CONTACT FOR COPY OF RULE:

Renee Ferraz
2715 Gunter Park Drive, W
Montgomery, AL 36109
Renee.Ferraz@abc.alabama.gov
334-260-5434

Signature of officer authorized to promulgate
And adopt rules and regulations or his or her
Deputy

FILING DATE
(For APA Use only)

REC'D & FILED
OCT 29 2020
LEGISLATIVE SVC AGENCY

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20-X-6-.21ER ENFORCEMENT OF STATE HEALTH OFFICER ORDERS ON ABC LICENSED PREMISES

Pursuant to the Governor's Declaration of a State Public Health Emergency, as extended, and the ABC Board's authority under the Code of Alabama, 1975 §28-3-2 and §28-3-47, the Alabama ABC Board hereby issues this Emergency Order.

All on-premises ABC licensees shall abide by the directives of the State Health Officer in all aspects of the operation of the ABC licensed business.

At a minimum all businesses licensed by the ABC Board for on-premises sales and consumption of alcoholic beverages shall:

1. ~~Admit no more than fifty percent (50%) of the occupancy as established by the State Fire Marshall and the Health Department; or the amount that will allow safe social distance, not to exceed fifty percent (50%).~~ Observe and enforce the State Health Officer's guidelines for social distancing and occupancy for each business type. Patrons of restaurants and bars shall comply with the guidelines for seated dining. Patrons in all other type ABC on-premises licensees, and those in restaurants and bars not engaged in seated dining, shall admit no more than fifty percent (50%) of the premises' occupancy as established by the State Fire Marshall and the Health Department.

2. Require each patron admitted and each employee to wear a ~~an adequate~~ covering over the nose and mouth at all times except when seated and/or when consuming food or beverages or in an outside area.

3. Require patrons to maintain a minimum of six feet (6') distance between individuals and groups.

4. If walk-up service is allowed, there must be one or more designated sales/service areas and a minimum of six feet (6') distance must be maintained between individuals and groups.

5. Maintain, and encourage the use of, hand sanitizing stations at all entrances and throughout the licensed premises; and,

6. Regularly clean and sanitize fixtures and surfaces in conformance with the State Health Officer's guidelines.

Any ABC licensee found to be in violation of this emergency order or any subsequent directive of the State Health Officer shall be subject to immediate suspension of their ABC license pursuant to Code of Alabama 1975 §28-3A-24(b) and §41-22-19(d).

Author: ABC Board
Statutory Authority: Code of Alabama 1975 §§ 28-3-2, 28-3-47, 28-3A-24(b), 41-22-5(b) and 41-22-19(d)
History: Filed September 29, 2020; Amended October 29, 2020.