

**SAFE. SMART. STEP-BY-STEP.
STATE OF FLORIDA PHASE I RECOVERY &
RESPONSIBLE INDIVIDUAL ACTIVITY.**

PHASE 2

**CITY OF BARTOW BUSINESS ACTIVITY FAQ FOR RETAILERS, RESTAURANTS,
MEDICAL SERVICES PROVIDERS, PERSONAL CARE SERVICES PROVIDERS,
GYMS AND FITNESS CENTERS, ENTERTAINMENT BUSINESSES, AND
ESSENTIAL BUSINESSES / ESSENTIAL SERVICES PROVIDERS**

E.O. 20-112 / E.O. 20-120 / E.O. 20-123 / E.O. 20-139

DBPR E.O. 2020-09

JUNE 29, 2020 UPDATE

Q: Who is this Frequently Asked Questions (“FAQ”) document for?

A: This FAQ is for owners and operators of retail shops, restaurants, bars, medical services providers, personal care services providers, gyms and fitness centers, entertainment businesses and essential businesses / essential services providers in the City of Bartow that have questions about the State of Florida’s Phase 2 Recovery, Governor Ron DeSantis’s Executive Orders 20-112, 20-120, 20-123 and 20-139, and the Department of Business and Professional Regulation Emergency Order 2020-09.

Q: Am I allowed to open my business?

A: If you have a retail shop with a storefront, you have a restaurant, you have a bar, you are a medical services provider, you have a barbershop or cosmetology salon, you run a gym or a fitness center, you have a tattoo parlor, you are an acupuncturist, you own a tanning and massage business, you have an entertainment business, or you are an essential business / essential services provider, you can open and operate your business as follows:

Essential Businesses / Essential Services Providers: (Effective May 4, 2020) Essential businesses / essential services providers are those entities that were allowed to operate without restrictions during Florida’s “Safer At Home” period under Governor DeSantis’s April 1, 2020 Executive Order 20-91. A list of essential businesses and essential services providers can be found at: <https://www.floridadisaster.org/globalassets/governor-essential-services.pdf>. Essential businesses and essential services providers may open and continue to operate during the State of Florida’s Phase 2 Recovery period in the same manner as they did during the “Safer At Home” period.

Retail Shops With Storefronts: (Effective May 18, 2020; Modified June 5, 2020) Under Executive Orders 20-112, 20-123, and 20-139 retail shops with storefronts that were not open during “Safer at Home” may operate at full capacity for in-shop sales so long as they abide by all safety guidelines issued by the CDC and OSHA. CDC guidance can be found at: <https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html>. OSHA guidance can be found at: <https://www.osha.gov/Publications/OSHA3990.pdf>.

Restaurants: (Effective May 18, 2020; Modified June 5, 2020) Under Executive Orders

20-112, 20-123, and 20-139, and Department of Business and Professional Regulation (“DBPR”) E.O. 2020-09, restaurant licensees who derive less than 50% of gross revenue from the sale of alcoholic beverages may re-open as follows: (1) Indoor seating with social distancing is allowed at 50 percent of indoor capacity, excluding employees; (2) Outdoor seating with social distancing is allowed if permissible under Bartow’s code of ordinances; (3) Bar areas may be open with seated service; (4) Social distancing requires (i) maintaining a minimum of 6 feet between parties or placing an appropriate partition between parties and (ii) only seating parties of 10 or fewer people; and (5) Restaurants should use appropriate sanitation measures. Guidance developed by the Florida Restaurant and Lodging Association can be viewed here: https://frla.org/wp-content/uploads/2020/04/FRLA-Reopening-Guidance-COVID-19-FINAL.pdf?mc_cid=3ef71f2a6a&mc_eid=%5bUNIQID%5d. Mandatory measures and best practices developed by DBPR may be found here: <http://www.myfloridalicense.com/dbpr/os/documents/2020.05.15%20Posted%20Mandatory%20Measures%20and%20Best%20Practices%20for%20Restaurants.pdf>. An FAQ for restaurants developed by DBPR may be found here: <http://www.myfloridalicense.com/dbpr/os/documents/2020.05.15%20Posted%20FAQs%20re%20Executive%20Order%2020-123%20-%20Restaurants.pdf>.

Bars and pubs: (Effective June 26, 2020) As advised in DBPR E.O. 2020-09, all vendors licensed to sell alcoholic beverages for consumption on the premises who derive more than 50% of gross revenue from such sales of alcoholic beverages shall suspend such sales of alcoholic beverages for consumption on the premises. Such vendors may continue to sell alcoholic beverages in sealed containers for consumption off the premises in accordance with Sections 1 and 2 of Executive Order 20-71.

Medical Services Providers: (Effective May 4, 2020) Under Executive Order 20-112, medical services providers, including elective procedure providers, surgical centers, office surgery centers, dental offices, orthodontic offices, endodontic office and other health care practitioner offices may fully re-open. As a condition of resuming elective procedures, hospitals will be required to assist nursing homes and long-term care facilities in their efforts to protect the vulnerable. Medical series providers must maintain adequate bed capacity and personal protective equipment. They must also have the capacity to immediately convert additional surgical and intensive care beds in a surge situation and must not have received or sought any additional federal, state or local government assistance regarding personal protective equipment after resuming elective procedures.

Barbershops and Salons: (Effective May 11, 2020) Under Executive Order 20-120, barbershops, cosmetology salons and cosmetology specialty salons that adopt appropriate social distancing and precautionary measures as outlined by DBPR may re-open for personal care services. DBPR has published additional information for shops and salons and a list of frequently asked questions regarding appropriate social distancing and precautionary measures at the website: <http://www.myfloridalicense.com/DBPR/emergency/>. Holders of the following DBPR licenses may provide personal care services at a re-opened shop or salon that follows

proper social distancing and precautionary measures: Barber; Restricted Barber; Cosmetologist; Nail Specialist; Facial Specialist; Full Specialist; Hair Braider; Hair Wrapper; and Body Wrapper.

Gyms and Fitness Centers: (Effective May 18, 2020; Modified June 5, 2020) Under Executive Orders 20-123 and 20-139, gyms and fitness centers may operate up at full capacity so long as they adopt safety measures including appropriate social distancing for classes and sufficient cleaning supplies to ensure, at a minimum, patrons' individual self-cleaning of surfaces and machines using sanitation wipes following each use. Mandatory measures and best practices developed by DBPR may be found here:

<http://www.myfloridalicense.com/dbpr/os/documents/2020.05.15%20Posted%20Mandatory%20Measures%20and%20Best%20Practices%20for%20Gyms%20and%20Fitness%20Centers.pdf>.

Entertainment Businesses: (Effective June 5, 2020) Under Executive Order 20-139 entertainment businesses such as movie theaters, concert houses, auditoriums, playhouses, bowling alleys and arcades may re-open at 50 percent of building capacity, with social distancing between groups and appropriate sanitation measures.

Additional Personal Services Businesses: (Effective June 5, 2020) Under Executive Order 20-139, additional personal services businesses, including, but not limited to, tattooing, body piercing, acupuncture, tanning and massage, may operate with appropriate safety guidelines issued by the Florida Department of Health ("FDOH"). Resources for best practices for personal care services may be found here:

https://floridahealthcovid19.gov/wp-content/uploads/2020/06/Measures-and-Best-Practices-for-Personal-Care-Services_6.4.docx.

Q: My restaurant did not provide outdoor seating before May 4, 2020. Can I open an outdoor seating area?

A: Outdoor seating for restaurants is regulated by the City of Bartow's Code of Ordinances and Unified Land Development Code. Restaurants should not create outdoor seating areas without prior approval or a permit, if required, based on the circumstances and the applicable zoning district. Questions about necessary approvals and permits should be directed to the Planning Department.

Q: How do I determine what my building capacity or maximum occupancy is?

A: Building capacity and maximum occupancy is determined based on the Florida Building Code and the Florida Fire Prevention Code. Some businesses, such as restaurants, likely have a public notice placed near the primary entrance indicating the maximum permitted number of occupants allowed under normal circumstances. If your business operates in a building that does not indicate the maximum permitted number of occupants, and you have questions, please call the Building Department at 863-534-0157 or the Fire Department at 863-534-5044 for more information.

Q: What businesses must stay closed during Phase 2 Recovery?

A: Nightclubs must remain closed. Effective June 26, 2020, bars that derive more than 50%

of gross revenue from the sale of alcohol must cease the sale of alcohol for on-premises consumption.

Q: Are vacation rentals permitted during Phase 2 Recovery?

A: Vacation rentals are permitted to operate in accordance with Polk County's Safety Plan. For the latest information about vacation rentals, check here:

<http://www.myfloridalicense.com/DBPR/vacation-rental-status/>. A copy of Polk County's Safety Plan may be viewed at Visit Central Florida's website here: <https://visitcentralflorida.org/blog/vacation-rental-homes-in-polk-county>.

Q: Can personal care services businesses open?

A: Yes. Personal care services businesses such as barbershops, cosmetology salons and cosmetology specialty salons that adopt appropriate social distancing and precautionary measures as advised by DBPR may re-open for personal care services provided by state-licensed Barbers, Restricted Barbers, Cosmetologists, Nail Specialists, Facial Specialists, Full Specialists, Hair Braiders, Hair Wrappers, and Body Wrappers. Additionally, the retail sales portions of these businesses may re-open if they abide by all safety guidelines issued by the CDC and OSHA, in the same manner as retail sales storefronts.

Q: I have been selling take-out food/making curbside sales/selling packaged alcohol for off-premises consumption during Safer at Home. Can I continue to do this?

A: Yes. If you were allowed to make these sales during "Safer at Home," you are permitted to continue making these sales during the Phase 2 Recovery under E.O. 20-139.

Q: I am eligible to re-open my business during Phase 2. What do I need to do?

A: Review the Governor's Orders and FAQ documents available here: <https://www.flgov.com/covid-19/>. Review CDC guidance and OSHA guidance for the safe operation and safe reopening of your business during the COVID-19 pandemic. Implement appropriate social distancing measures to protect you and your employees. Obtain any personal protective equipment you believe is necessary to protect you and your employees, such as masks and hand sanitizer. If you operate a regulated business under license from the State of Florida, continue to monitor your licensing agency's website for any specific information related to operating your business in safe and responsible manner.

Q: How will compliance with the Governor's Orders be enforced?

A: The Bartow Police Department will assist businesses with their compliance efforts during the Phase 2 Recovery. Businesses eligible to re-open and operate during the Phase 2 Recovery remain responsible to do in a safe, smart and step-by-step manner. Individual activity is largely a matter of personal responsibility and not subject to law enforcement. If enforcement of any actionable provisions of the Governor's Orders becomes necessary, Police Officers and Sheriff's Deputies are authorized to issue citations or make arrests under Chapter 252 of the Florida Statutes. Violation of an emergency order issued by the Governor is a second degree misdemeanor with a fine of up to \$500.00.

Q: What is the City doing during the Phase 2 Recovery to help?

A: The City of Bartow wants to help everyone transition from Safer at Home to the

Responsible Individual Activity allowed by the Governor under E.O. 20-112, E.O. 20-123 and E.O. 20-139. If you have questions about the maximum occupancy of your building or storefront, please call the Building Department at 863-534-0157 or the Fire Department at 863-534-5044. If you require police assistance with patron crowding after reopening, contact 911 for emergencies or 863-534-5034 for non-emergencies. If you have questions about whether outdoor seating is permitted for your restaurant, contact the City Switchboard at 863-534-0100 and ask for the Planning Department.

Q: Is there a program available to assist me with paying my bill for utility services?

A: Yes. The City of Bartow has created a relief program for businesses and other customers to use utility deposit funds to help bring utility accounts current. If your business has an outstanding utility bill that you cannot pay in full, you may make a one-time request to use your business's utility deposit to help pay the delinquency. The maximum amount of deposit money you can use to satisfy an outstanding delinquency is the amount of the most dated (oldest) month's utility services bill. If, after application of deposit monies, the outstanding delinquency is not fully satisfied, you will need to pay the remaining amount due by your cutoff date to avoid service disconnection and termination. You will need to sign an agreement to pay back the deposit amount applied to the City over a six (6) month period. If you have questions about this program, call Customer Service at 863-534-0188.

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Last Revised: June 29, 2020.

The Bartow Chamber of Commerce maintains a webpage with links to COVID-19 resources at: <https://bartowchamber.com/covid-19-resources/>.

The City of Bartow maintains a webpage with links to Emergency Administrative Orders entered during the State of Local Emergency declared by Resolution 20-4041-R at: <http://www.cityofbartow.net/index.aspx?page=738>.

The Florida Governor maintains a webpage with links to Emergency Orders, Additional Resources, Florida Division of Emergency Management Orders and other Executive Agency information at: <https://www.flgov.com/covid-19/>.

The Department of Business and Professional Regulation maintains a webpage with information related to the safe operation of restaurants, barbershops and salons, gyms and fitness centers, and other regulated businesses at: <http://www.myfloridalicense.com/DBPR/emergency/>.