

EFFECTS OF THE UTAH STATEWIDE "PUBLIC HEALTH ORDER" ON DABC LICENSEES

Licensees **MUST** check with their county public health order, as it may be more restrictive

TO ALL LICENSEES WHOSE OPERATIONS HAVE BEEN CLOSED DUE TO EMERGENCY GOVERNMENT ORDER:

Total Closure:

1. If you plan to close completely and not remain open for takeout or curbside business, please contact your DABC Compliance Officer now and remain in contact with them to ensure you remain in compliance.
2. DABC will consider your closure as subject to Section 32B-5-309(2) of the Utah Code. Your closure is approved and will be reviewed in 30 days, unless the health department closure orders are extended.
3. **If you intend to remain closed for any period of time after the emergency health department orders are lifted, you must contact DABC.** If necessary, your compliance officer may grant an additional 60-day closure, if requested.
4. Any closures past 90 days require DABC Commission approval, unless the emergency health department orders are extended. It is your obligation to stay in contact with your compliance officer.

Continued/Limited Operation: You do **not** need to notify your compliance officer if you intend to remain open pursuant to the conditions of recently issued health department orders.

PLEASE SEE BELOW IF YOU PLAN TO REMAIN OPEN FOR CURBSIDE OR WALK-IN TAKEOUT BUSINESS.

Please note: You may only continue to serve alcohol as governed by the laws for your particular type of license. The following advice is meant as a guide, but does not constitute legal advice.

No licensees may offer curbside alcohol sales or service. **No retail licensees** may deliver alcohol or give to a third party (e.g. Uber Eats, Grub Hub, etc.) for delivery. Alcohol not in use must be stored pursuant to statutory requirements.

I. RESTAURANTS - Beer only, Limited, and Full:

- a. May only sell food that is packaged to go. Depending on your county, some may only sell curbside.
- b. Since only those who are eating on the restaurant premises may order alcohol, there are NO alcohol sales allowed. NO ALCOHOL may be sold to go.
- c. If the restaurant stays open for take-out food, they will still be considered by DABC as OPEN and they will not have to request a closure.

II. Bars and Taverns:

- a. May only sell food that is packaged to go, depending on their county's health order.
- b. If allowed to offer food sales to go, they may also sell sealed containers of regular beer (5% or less alcohol by volume).
- c. No liquor, wine, heavy beer, or FMBs may ever be sold to go.
- d. All beer must be purchased at the regular listed menu prices and not discounted in any way.
- e. If the bar or tavern stays open for take-out, they will still be considered by DABC as OPEN and they will not have to request a closure.

III. Beer Recreational Licensees:

- a. May only sell food that is packaged to go.
- b. May remain open and operate only according to the provisions of the respective health order
- c. May sell sealed containers of regular beer to go.
- d. All beer must be purchased at the regular listed menu prices and not discounted in any way.
- e. Beer recreational licensees are not required to request a closure

IV. Banquets:

- a. Alcohol and food may only be served as room service.
- b. Please check the health department orders for specific details.

V. Reception Centers: Need to remain closed during the time-period specified in the health department order.

VI. Hotels and Resorts

- a. Sublicenses will be under the same restrictions as listed above.
- b. Be sure to check your local county health order, as it may be more restrictive than the statewide order.