



COVID-19 FREQUENTLY ASKED QUESTIONS FOR BUSINESSES

(Rev. July 1, 2020)

I. GENERAL QUESTIONS

A. When can I reopen my business?

Businesses can reopen when the State determines it is safe to do so. Whether something can open and the conditions on opening are all up to the State. To determine if you can open, visit the State's website covid19.ca.gov and find your industry in the industry-specific guidance documents. If you find guidance, you can open if you can comply with it. If you cannot find it, it probably means you cannot open. For businesses regulated by San Mateo County Environmental Health Services (EHS), the guidance for your operation should be listed below if it is allowed to operate.

B. What businesses regulated by EHS cannot operate yet?

The list includes, but may not be limited to spas, organized camps, and temporary events. If you aren't sure and cannot find the information on the website first, contact your inspector or email envhealth@smcgov.org.

C. What businesses are required to follow the Health Order? All businesses. All businesses must develop a Health and Safety Plan and Social Distancing Protocol. These, along with signage required in the Protocol AND the Self Certification Placard must be posted for employees and customers (if applicable).

D. What happens if an employee tells me they have COVID-19?

Follow your Health and Safety Plan and the directions on the documents listed on smchealth.org/eh.

E. Where can my employees go for COVID-19 testing?

Direct employee to contact their healthcare provider or visit smcgov.org/covid-19-testing.

F. Where do I get information/guidance documents for my industry?

If you do not see your business type on Environmental Health Services' website, visit the State website at covid19.ca.gov for more information.

G. What if I have a question about what is allowed?

If you are permitted by EHS, send an email to your inspector, or email envhealth@smcgov.org. If you are not regulated by EHS, visit the State's COVID-19 website covid19.ca.gov.



H. What if an employee refuses to wear a face covering?

An individual can refuse to wear a face covering if any of the following can be shown:

1. A medical professional has advised that wearing a face covering may pose a risk to the individual for health-related reasons
2. Wearing a face covering would create a risk to the individual related to their work as determined by local, state, or federal regulators, or workplace safety policies or guidelines
3. A face covering should also not be used by anyone who has trouble breathing or is unconscious, incapacitated, or otherwise unable to remove the face covering without assistance.

I. Is there some place members of the public can report violations?

The Order is enforced by local law enforcement, who are ultimately responsible for the response they deem appropriate. From a disease prevention and control perspective, San Mateo County Health encourages individuals to raise concerns with the business operator and use discretion when deciding whether to report a violation to law enforcement. Every single one of us has the power, through personal behavior, to help stop the spread of COVID-19.

J. Am I going to get a discount on the cost of my permit?

Generally, no. Exceptions may apply if your business closes permanently. For massage and body art businesses, contact your inspector, or email envhealth@smcgov.org if you have questions regarding your permit.

II. FOOD PROGRAM

A. Fees and or Fee Reduction by Operator

1. Will I get a fee reduction to reflect being unable to seat as many people? (i.e., change my restaurant fee category/PE code?)

Not necessarily. Fees are based on the average amount of time Environmental Health Services spends overseeing a particular type of business. The fee structure uses seat count to categorize the size of the business. It is an estimate. The time required to oversee your business will not change unless you shrink the overall footprint of your operation OR change your menu significantly. If you change site locations or your menu, you may be eligible for a new fee category. You will need to communicate directly with your inspector.

2. Will I be getting a discount on billing since I've been closed or not offering sit down meals?



No. If you have closed permanently, you may be eligible for a partial refund per the County Ordinance. EHS temporarily waived late penalties for businesses that have struggled to pay their annual fees in an effort to assist, but a business needs a valid (unexpired) health permit to operate.

3. Can I get a refund for my permit fee?

If you have closed permanently, you may be eligible for a partial refund per the County Ordinance.

4. Can I get a seasonal permit for a short period of time?

It depends. There are some food facility operations that have seasonal permits. If your business receives annual permits, they are eligible only for 12-month cycles.

5. How do I pay for my bills at your office if all of my transactions are only through cash?

Contact EHS fiscal staff listed on your invoice prior to coming to the office for an appointment.

B. Onsite Dining

1. What type of dining is allowed in San Mateo County?

Indoor and outdoor dining are allowable in San Mateo County, with social distancing restrictions.

2. Can I get someone from EHS to guide me onsite on how to set-up dining rooms for Covid-19?

EHS and the Health Officer defer to the business. Each business is responsible for setting up its dining to meet the social distancing requirements as part of its Social Distancing Protocol. Each business decides for itself how it is configured. Review the Restaurant Dining Guidance document at smchealth.org/eh for recommendations.

3. May I set up dining areas in public egresses in a parking lot adjacent to my restaurant? EHS does not have a role in this. Contact your property manager and the city your business is located in to determine where you can add outdoor seating.

4. May I set up a tent on private property and sell foods or have seating for my patrons?

EHS does not have a role in this. Contact your property manager and the city your business is located in to determine where you can add outdoor seating.

5. May I host a caterer to sell foods at my location?

Wineries, breweries, flower shops, car dealerships? It depends. Submit an application with plans to EHS. The proposed operation will be assessed against the current Order.



It may require additional approvals by other partnering agencies (e.g. zoning/building/fire).

6. Can I distribute food to patrons via a car line and boxed foods, in a large parking lot? As a fundraiser for a non-profit?

It depends. Submit an application with plans to EHS. The proposed operation will be assessed against the current Order. It may require additional approvals by other partnering agencies (e.g. zoning/building/fire).

7. May I distribute homemade foods from my home (not Cottage Food)?

You must have an EHS permit to sell or give away food.

8. How do I determine a restaurant is in “good standing” and has an active permit to be able to offer outdoor dining?

All restaurants with a valid Health Permit can resume operation once required protocols are in place and posted.

9. May I change my buffet restaurant to a cafeteria-style service?

Yes, but contact your EHS inspector to determine the extent of the change to your operations so that assistance can be provided if you plan to change your menu, purchase equipment, or perform any remodeling.

C. Other

1. I want to complain about foods being delivered [to my home] in unsanitary condition and neither hot nor cold? Who takes these complaints?

File a complaint with the restaurant you ordered food from, and a complaint to the delivery company. The restaurant is required to prepare food to the proper temperature, but the consumer is responsible for hiring a third party to collect it from the restaurant and deliver it.

D. Alcohol

May I sell beverages outside of my establishment and as a delivery service?

Contact Alcohol Beverage Control or review the documents on smchealth.org/eh under food safety.

E. COVID-19

1. Are there any rules/regulations for restaurant employees not wearing face coverings?

All businesses must have a Health and Safety Plan in place. There are a few exceptions for employees not wearing face coverings. If you are uncomfortable with the operation procedures of a business, complain to the business operator and leave.

2. May I deny service to a patron not wearing a face covering?



Generally, you have the right to refuse service to anyone. As a business, you are legally responsible for ensuring your Health and Safety Plan and Social Distancing Protocol are followed. You are also legally obligated to protect your employees' health by ensuring the Health Order is followed. If there is a COVID-19 outbreak at your restaurant, you will likely be required to temporarily close.

3. Are there legal repercussions for denying service if unbeknownst to us, the person is exempted by their medical provider from wearing a mask?

EHS does not have the answer. Consult with an attorney.

4. Who do I notify when a food facility is not complying with the Health Officer's Orders?

What action can I expect to be implemented as a result of my complaint? As a business owner, you are legally responsible for adherence to your Health and Safety Plan and Social Distancing Protocol. If you are a patron, you are responsible for ensuring your own safety. The Order is enforced by local law enforcement, who are ultimately responsible for the response they may deem appropriate. From a disease prevention and control perspective, San Mateo County Health encourages individuals to raise concerns with the business operator and use discretion when deciding whether to report a violation to local law enforcement.

5. Can a restaurant be fined/penalized/closed for lapses in Appendix A and who enforces these violations?

The Order is enforced by local law enforcement, who are ultimately responsible for the response they may deem appropriate. Therefore, it is the responsibility of the individual to practice personal safety and avoid settings that you deem unsafe. It is the responsibility of each business operator to protect their staff and their customers by ensuring the Social Distancing Protocols and Health and Safety Plan are being followed.

6. I have a restaurant employee that tested positive for COVID- 19. Do I report this to you?

If you are a food facility, first access the document posted on smchealth.org/eh that guides businesses. Contact EHS at envhealth@smcgov.org, or call 650-372-6200 to receive further guidance.

7. When should I allow an employee who tested positive for COVID-19 back at work to ensure my other staff do not get sick?

The County Public Health Department will work with your employee on when he/she can return to work. You must ensure your Health and Safety Plan is being implemented, which includes symptom checks of all employees at the start of shifts.

F. Inspections



1. I'd like to schedule an inspection to reopen my shuttered food establishment.

If you have a valid Health Permit, you can resume operations without an inspection. Refer to smchealth.org/eh for guidance.

2. I'd like to change my business food model and I require onsite consultation by the inspector for my proposed new model.

Contact your inspector or email envhealth@smcgov.org to schedule an appointment.

3. Why aren't temporary events allowed if we can create social distancing oversight for patrons?

Temporary events encourage gatherings and are not allowed at this time. Currently, there are restrictions on large "gatherings," and temporary events such as street fairs, concerts and indoor events are not allowed by the State. San Mateo County is consistent with the State Roadmap.

4. I want to report illegal sales of food on the sidewalk egresses and from home kitchens.

Submit a complaint online at smchealth.org/eh.

III. POOLS

A. When will we be able to open?

Pools are allowed to open with conditions. Visit smchealth.org/eh for guidance.

B. If we provide EHS with an actively managed pool/spa protocol, will EHS allow us to open?

Pool operators are expected to comply with the Order. If they can, they can open.

C. Our pools are considered essential to the health of our population we serve (seniors), can we remain open?

Pools are allowed to be open.

D. Our spas are considered essential to the health of our population, such as a non-medical/rehabilitation facility, can we remain open?

Spas are not allowed to be open at this time, unless part of a medical facility, used exclusively for physical therapy.

IV. HHW



A. Is San Mateo County's Household Hazardous Waste (HHW) Program accepting waste from residents?

HHW is open for drop off appointments Thursday – Saturday. To ensure safety of staff and residents, an appointment is required. Make an appointment at smchealth.org/hhw.

B. Are Saturday temporary events and satellite drop off locations available for HHW?

This is dependent on the host facilities allowing access to their properties. Dates and locations are uncertain at this time. Appointments can be made now for them; however, they may get canceled approximately two weeks ahead of time.

C. Is hazardous waste drop off for Very Small Quantity Generators (VSQG) available?

Yes, visit smchealth.org/vsqq.

D. Is the Product Give Away Program occurring?

Not at this time.

V. MESSAGE

Are massage establishments able to open?

Effective, June 19, the State allows massage businesses to operate once they have all plans, signage and protocols in place. For more information, visit smchealth.org/eh.

VI. REUSABLE BAG ORDINANCE SUSPENSION

A. Can a retailer charge me for a bag under the new Reusable Bag Ordinance Suspension requirements?

The County has suspended the mandate for retailers to charge a fee for a bag, but stores may continue to charge at their discretion. Visit smchealth.org/bagban for more information.

B. A retailer is handing out thin, single-use plastic bags. Is this acceptable?

A: All retailers are still required to provide recycled content paper bags or compliant plastic reusable bags.