

REOPENING OREGON

OLCC GUIDANCE – PHASE TWO



ON-SITE SERVICE AND CONSUMPTION

PHASE II

On June 3, 2020, Governor Kate Brown's office provided an [overview of activities and operations allowed for counties in Phase II](#) and announced that businesses in counties satisfying specific public health requirements are eligible to enter Phase II as quickly as June 5, 2020.

- [Go here](#) to find the current Phase status of the county where your business is located.
- [Go here](#) for Governor Brown's most up-to-date list of Executive Orders, including [Executive Order 20-27](#), which provides the framework for businesses operating under Phase II.
- Also visit [OHA's Reopening Guidance Tool](#) to determine what OHA guidance applies to your business and what is allowed under the Governor's executive orders, based on the Phase the county is in.

Once a county is approved to reopen, the restaurants, bars, breweries, brewpubs, wineries, tasting rooms, and distilleries in that county may begin limited reopening. Licensees in counties in Phase II must comply with specific Oregon Health Authority (OHA) Phase II reopening guidance.

- OHA Phase II guidance for Restaurants, Bars, Breweries, Tasting Rooms, and Distilleries is [available here](#); OHA Phase II Reopening FAQs are [available here](#).
- Other relevant OHA Phase II guidance for alcohol licensed businesses (such as venue and event operator guidance, indoor/outdoor recreational facility guidance, gathering limit guidance, etc.) can be found [here](#).

OLCC is unable to address OHA guidance. OHA has information on its website: <https://govstatus.egov.com/OR-OHA-COVID-19> (which also has a "contact us" email button) or call 503-947-2340.

For complaints about non-compliance with Governor Brown's executive orders or OHA requirements, contact the Oregon Occupational Safety and Health Administration (OHSA) enforce.web@oregon.gov

Licensees who operate in violation of the Governor's Orders will be subject to enforcement action, which may include license suspension.

This document will be updated if the Governor makes modifications to Phase II requirements relating to on-site service and consumption of food and beverage.

MY OLCC-LICENSED BUSINESS IS IN A COUNTY APPROVED TO REOPEN (PHASE I OR II). ARE THERE ANY OLCC REQUIREMENTS?

Licensees in counties approved to reopen may begin operating without notifying the OLCC, as long as no changes are made to the premises, and licensees comply with OHA social distancing requirements.

EXPANDING THE AREA WHERE YOU WANT TO SELL AND SERVE ALCOHOLIC BEVERAGES FOR ON OR OFF-PREMISES CONSUMPTION

Licensees in counties approved to reopen that are expanding their alcohol service areas to comply with OHA social distancing requirements **MAY** need to notify the OLCC of the expansion prior to starting operations in the new area.

On-going (permanent) expansion of premises

If the licensee is expanding to an **outdoor area for more than 180 consecutive days or to an indoor area**, the licensee **MUST** submit an application to the OLCC. Go [here](#) for an application to expand a service area.

Limited duration or intermittent expansion of premises

If the licensee is expanding to an **outdoor area** and the landowner (publicly or privately owned) granted permission for use of the area as a part of the business **on a limited basis** (not all days of the week or 180 days or less), licensees **must read and follow:**

- [OAR 845-005-0329\(3\)](#) and [OAR 845-006-0309](#) if the outdoor area **is not** continuous with your current premises, or
- [OAR 845-005-0331\(3\)](#) if the area **is** continuous with your current premises.

If you meet all the requirements in the rule that applies to the outdoor area you are proposing to use as a part of your licensed premises, **YOU DO NOT NEED TO SUBMIT THE APPLICATION TO EXPAND THE SERVICE AREA.**

GUIDANCE ON IMPORTANT OLCC TOPICS:

CURRENT OLCC LICENSE

Only businesses with a **current** OLCC license may sell and serve alcoholic beverages for drinking on or off of the premises.

If you **do NOT have a current OLCC license** and you want to sell and serve alcoholic beverages for drinking on or off of the premises, you must apply to the OLCC for a license. Go [here](#).

LIQUOR LIABILITY INSURANCE

If you have a license with a liquor liability insurance requirement, you **must** have current liquor liability insurance for the premises that meets minimum coverage requirements **prior to** re-starting the sale or service of alcoholic beverages for on-premises consumption.

If you provided notice to the OLCC that you cancelled or suspended your liquor liability insurance policy

because of COVID-19 business conditions, please follow the process outlined in this [document](#) **before** re-starting the sale or service of alcoholic beverages for on-premises consumption.

OLCC MINOR POSTINGS

Licensees who do not want to allow minor patrons into a premises, room, or area where minors already are prohibited under the minor posting assigned by the OLCC, do not need to contact the OLCC on this issue.

Licensees who want to allow minor patrons into a premises, room, or area where minors are already prohibited under a minor posting assigned by the OLCC, may allow minors into the room or area provided they:

- **DO NOT** allow minors in a room or area where there are video lottery games (but not other games offered by the Oregon Lottery, such as scratch-its, keno, etc.) or nude entertainment and not allow minors in an area where this entertainment is visible.
- **DO** ensure that in the premises, room, or area where minors are allowed that either:
 - The primary activity is patrons consuming food; or
 - If the primary activity is not solely patrons consuming food, there is not a combination of conditions or factors which create an environment where drinking alcohol is or appears to be the predominant activity. Typically, this scenario is created by the combination of several factors, such as dim lighting and the conspicuous display of multiple alcohol signs, banners, and posters.

OTHER IMPORTANT OLCC INFORMATION

The OLCC has produced a Frequently Asked Questions (FAQ) document addressing information related to OLCC's response to Governor Brown's Executive orders. That document is available [here](#).

I HAVE QUESTIONS FOR THE OLCC. HOW DO I CONTACT THE OLCC?

In order to help contain the spread of the coronavirus (COVID-19), the OLCC has closed its offices to the general public, and OLCC staff are following physical distancing measures, so OLCC offices are **open only by APPOINTMENT**.

- Find your local OLCC office here: [List of OLCC offices based on the counties they serve](#).
- To contact the OLCC by email please refer to the contact list located on the [OLCC's Covid-19 Business Continuity Page](#).

I HAVE CONCERNS ABOUT AN OLCC LICENSEE. HOW DO I REPORT A POSSIBLE VIOLATION AT A LOCATION WITH AN OLCC LICENSE?

In order to report a possible violation at an OLCC licensed location, please contact our Public Safety team at 503-872-5253.