



**STATE OF RHODE ISLAND
RHODE ISLAND DEPARTMENT OF HEALTH**

**IN THE MATTER OF:
The Centredale Revival Company
Violations of Executive Orders and
RI Department of Health Regulations**

IMMEDIATE COMPLIANCE ORDER

Now comes the Director of the Rhode Island Department of Health (“RIDOH”), as informed by the Chair (“Chair”) of the Rhode Island COVID-19 Enforcement Task Force (“Task Force”), and pursuant to R.I. Gen. Laws § 23-1-21, Executive Orders 21-22 and 21-24 (“Executive Orders”), and the RIDOH rules and regulations pertaining to Safe Activities By Covered Entities During the COVID-19 Emergency (216-RICR-50-15-7) (“Safe Regulations”), determines that The Centredale Revival Company (“Respondent”) is in violation of applicable Executive Orders and/or the Safe Regulations, which violations require immediate action to protect the health, welfare, and safety of the public.

NEED FOR IMMEDIATE ACTION

On March 9, 2020, Governor Gina M. Raimondo declared a state of emergency for the State of Rhode Island due to the dangers to health and life posed by COVID-19. The Safe Regulations were promulgated as an emergency rule, pursuant to R.I. Gen. Laws § 42-35-2.10, based on a finding that an imminent peril to the public health, safety, or welfare required immediate promulgation of the rule, specifically that “[i]n order to prevent further spread of COVID-19 as individuals begin to leave their homes more frequently and establishments begin to reopen, protective measures must be followed and

implemented for individuals and establishments to resume operations so that the public's health and welfare is protected.”

GROUNDS FOR DETERMINATION OF VIOLATION

- I. Respondent is a restaurant and bar establishment, duly licensed by RIDOH for food service (License No. FSV34284), located at 2025 Smith Street in North Providence.
- II. Respondent is a covered entity as defined in the Safe Regulations. As such, the Respondent is required to comply with applicable Executive Orders and the Safe Regulations.
- III. On or about December 28, 2020, a Task Force inspector conducted a spot check inspection of the Respondent to determine compliance with bar requirements. The inspector observed multiple violations of applicable Executive Orders and/or the Safe Regulations. As a result of that spot check, the Respondent was issued an Immediate Compliance Order (“ICO”) to close until the Respondent corrected violations as detailed in the ICO. (See “Exhibit A”)
- IV. On or about December 31, 2020, the Respondent satisfied the terms and conditions of the ICO and was allowed to reopen. (See “Exhibit B”)
- V. On or about January 8, 2021, a Task Force inspector conducted a spot check inspection of the Respondent to determine compliance with bar requirements. Upon entry, the inspector was able to observe multiple violations of applicable Executive Orders and/or the Safe Regulations, however, due to harassment by a patron, was unable to complete her inspection. The Inspector contacted the North Providence Police Department, which sent a patrol officer to assist. Upon arrival of the officer, the inspector and officer attempted to enter the establishment, but were denied entry by the owner. (See “Exhibit C”) As a result of that spot check, the Respondent was issued a second ICO to close until the Respondent corrected violations as detailed in the ICO. (See “Exhibit D”)

- VI. Despite the ICO's requirement to close, the Respondent refused to do so and remained open. In response RIDOH and the Department of the Attorney General sought injunctive relief in the Providence Superior Court. (See "Exhibit E") After hearing oral arguments, on or about January 22, 2021, the Court entered an Order, which in part, required Respondent to immediately close until such time as the Respondent satisfied all requirements set forth in the ICO, with the exception of the requirement that Respondent remain closed for a period of time of not less than 14 days. (See "Exhibit F"). This Order expired on or about February 5, 2021.
- VII. On or about January 22, 2021, a Task Force Inspector conducted a reinspection of the Respondent. The inspector determined that the Respondent scored a 10/12 for overall requirements and a 4/5 for restaurant requirements. No bar inspection was conducted due to the bar being closed. The Respondent satisfied the terms and conditions of the ICO and was allowed to reopen. (See "Exhibit G")
- VIII. On or about January 29, 2021, a Task Force Inspector conducted a reinspection of the Respondent. The inspector determined that the Respondent scored a 12/12 for overall requirements, a 5/5 for restaurant requirements, and a 7/7 for bar requirements.
- IX. On or about March 12, 2021, a Task Force inspector conducted a spot check of the Respondent to determine compliance, particularly as it pertained to the bar requirements. The inspector observed numerous violations as detailed below.
- X. Therefore, as a result of the Respondent's continued failure to comply with applicable Executive Orders and the Safe Regulations, and in the absence of any other information to rebut the allegations above, RIDOH has drawn the conclusion that the above allegations are true, and the Respondent is not in compliance with applicable Executive Orders and/or the Safe Regulations.

VIOLATIONS

The following alleged violations stem from the March 12, 2021 spot check.

- I. Respondent is in violation of Section 7.4.1(A)(3) of the Safe Regulations, which requires all individuals in an establishment to wear cloth face coverings unless physical distancing or an exception applies and requires establishments to deny entry to any employee, who is not otherwise exempt from the requirement or who refuses to wear a cloth face covering when required. The inspector observed approximately ten (10) employees in the establishment, of which, three (3) were improperly wearing cloth face coverings under their chins. One other employee was not wearing a cloth face covering, but said employee was the only one to claim a medical exception. The inspector also observed that customer mask usage was not being enforced.
- II. Respondent is in violation of Section 7.4.1(A)(1)(a) of the Safe Regulations, which requires establishments to ensure compliance with a plan that includes procedures relative to, among other things, physical distancing at all times, to the extent feasible, and additional measures to be taken in high traffic, communal, or other areas where physical distancing is not feasible. The inspector observed that there were no measures in place to ensure that physical distancing was maintained and that due to the number of patrons in the establishment, physical distancing was not being maintained to the extent feasible.
- III. Respondent is in violation of Section 7.4.1.(A)(12) of the Safe Regulations, which prohibits congregating and/or mingling in an establishment or areas under the establishment's control. The inspector observed numerous patrons standing, congregating, and/or mingling in areas under the establishment's control.
- IV. Respondent is in violation of Section 7.4.2(A)(5) of the Safe Regulations, which requires that all parties seated at a bar be separated by at least 6 feet, unless separated by a physical, non-porous barrier of an appropriate height. The inspector observed that at the "large" bar, parties were not separated by a barrier of any kind and were not spaced at least six (6) feet apart.

- V. Respondent is in violation of Section 7.4.2(A)(6) of the Safe Regulations, which requires that:
- a. when parties are seated at the bar, no staff are permitted to work in any areas behind the bar and all work areas behind the bar unless a physical, non-porous barrier of appropriate height and made of a material which complies with the interior finish requirements of the State Fire Code, is installed between the bar work areas and customers; and
 - b. even with physical barriers between bar work areas and customers, staff may only serve seated customers drinks and food through a gap or opening in the barrier that is no more than eight (8) inches in size; and,
 - c. working bar areas (e.g. drink making stations or glassware storage) must be located at least six (6) feet from these gaps. Drinks and/or food may not be passed to customers under, over, or around such barrier by staff behind the bar.

The inspector observed that at the “large” bar there was no non-porous physical barrier installed between the bar work areas and customers. It should be noted that during prior inspections and spot checks there was an appropriate barrier in place. When asked, owner Shane Piche stated that it had fallen down.

ORDER

It is hereby **ORDERED**, that Respondent is to immediately close. Prior to reopening, violations shall be remedied to the satisfaction of the Director of RIDOH by fulfilling the conditions as set forth below:

- I. Respondent must develop and incorporate into its written control plan a strategy to prevent the violations listed above from reoccurring. Said written plan shall incorporate the following:
 - a. Respondent shall require all employees in its establishment to wear cloth face coverings unless an exception applies. In accordance with Section 7.4.1(3)(a) of the Safe Regulations,

Respondent shall deny access to its establishment to any employee who refuses to wear a cloth face covering when required by the Safe Regulations unless an exception applies.

- b. Respondent shall instruct all individuals/customers in its establishment to wear cloth face coverings unless an exception applies.
- c. Respondent shall ensure that no congregating and/or mingling occurs within the establishment or any area under the establishment's control.
- d. Respondent shall ensure that all parties seated at a bar be separated by at least 6 feet, unless separated by a physical, non-porous barrier of an appropriate height.
- e. Respondent shall ensure that
 - i. when parties are seated at the bar, no staff are permitted to work in any areas behind the bar and all work areas behind the bar unless a physical, non-porous barrier (i.e., plexiglass) of appropriate height is installed between the bar work areas and customers; and
 - ii. even with physical barriers between bar work areas and customers, staff may only serve seated customers drinks and food through a gap or opening in the barrier that is no more than eight (8) inches in size; and,
 - iii. working bar areas (e.g. drink making stations or glassware storage) are located at least six (6) feet from these gaps and that drinks and/or food is not passed to customers under, over, or around such barrier by staff behind the bar.

II. In addition to the conditions as set forth above, Respondent may not reopen until such time that the following conditions are met, to the satisfaction of the Director of RIDOH:

- a. Email the following documents to: DBR.CovidTaskForce@dbr.ri.gov
 - i. An updated control plan which, in addition to addressing the matter set forth above in this ICO, must detail a strategy to ensure your employees and patrons

are adhering to other applicable RIDOH regulations found here:

<https://rules.sos.ri.gov/regulations/part/216-50-15-7>

- ii. Your establishment's employee worklog, dating back two weeks from the date the violations outlined in the ICO were witnessed by a Task Force inspector.
- b. Ensure all persons on the worklog are tested for COVID-19; if anyone on the worklog refuses to be tested, such person may not return to work for fourteen days from the date of this order.
- c. Once all employees have been tested AND their results are available, send confirmation of such to: DBR.CovidTaskForce@dbr.ri.gov
- d. Respondent shall attend and participate in a meeting with the Rhode Island Department of Health to discuss health concerns. You will be emailed the contact information of the RI Department of Health (RIDOH) so you can schedule your meeting with RIDOH.
- e. After you have met with RIDOH, please contact: DBR.CovidTaskForce@dbr.ri.gov to schedule an inspection of your establishment.
- f. Respondent establishment shall be completely cleaned and sanitized in accordance with applicable CDC guidance.
- g. All employees must be trained on, and comply with, Respondent's updated written control plan.
- h. Any area within Respondent establishment or under the Respondent's control where patrons can congregate and/or mingle, e.g., dance floors, shall be roped off or otherwise made inaccessible to patrons.
- i. Respondent shall determine its regular indoor seating capacity and shall limit the number of patrons allowed to enter the establishment at any one time to sixty-six percent (66%)

of that indoor seating capacity. Such capacity limitation will be identified in the modified control plan described above.

This order, as well as any other supporting information shall be provided by RIDOH to the local board of licenses/municipality which holds the liquor license.

Entered this 16th day of March 2021.

Nicole Alexander-Scott, MD, MPH
Director
Rhode Island Department of Health
Cannon Building, Rm. 401
Three Capitol Hill
Providence, RI 02908

EXHIBIT A



**STATE OF RHODE ISLAND
RHODE ISLAND DEPARTMENT OF HEALTH**

**IN THE MATTER OF:
The Centredale Revival Co.
Violations of Executive Orders and
RI Department of Health Regulations**

IMMEDIATE COMPLIANCE ORDER

Now comes the Director of the Rhode Island Department of Health (“RIDOH”), as informed by the Chair (“Chair”) of the Rhode Island COVID-19 Enforcement Task Force (“Task Force”), and pursuant to R.I. Gen. Laws § 23-1-21, Executive Order 20-108, and the RIDOH rules and regulations pertaining to Safe Activities By Covered Entities During the COVID-19 Emergency (216-RICR-50-15-7) (“Safe Regulations”), determines that The Centredale Revival Co. (“Respondent”) is in violation of applicable Executive Orders and/or the Safe Regulations, which violations require immediate action to protect the health, welfare, and safety of the public.

NEED FOR IMMEDIATE ACTION

On March 9, 2020, Governor Gina M. Raimondo declared a state of emergency for the State of Rhode Island due to the dangers to health and life posed by COVID-19. The Safe Regulations were promulgated as an emergency rule, pursuant to R.I. Gen. Laws § 42-35-2.10, based on a finding that an imminent peril to the public health, safety, or welfare required immediate promulgation of the rule, specifically that “[i]n order to prevent further spread of COVID-19 as individuals begin to leave their homes more frequently and establishments begin to reopen, protective measures must be followed and

implemented for individuals and establishments to resume operations so that the public's health and welfare is protected."

GROUND FOR DETERMINATION OF VIOLATION

- I. Respondent is a restaurant and bar establishment, duly licensed by RIDOH for food service (License No. FSV34284), located at 2025 Smith Street in North Providence.
- II. Respondent is a covered entity as defined in the Safe Regulations. As such, the Respondent is required to comply with applicable Executive Orders and the Safe Regulations.
- III. On or about December 11, 2020, a Task Force inspector conducted a spot check inspection of the Respondent. The inspector observed that the bar was open and that patrons were standing and not practicing physical distancing. The inspector observed approximately 25-35 customers with the establishment. Of the 10-15 patrons at the bar, approximately eight (8) were standing and mingling. After the inspection, the inspector provided information and resources to the Respondent to help it achieve full compliance. In particular, Respondent was warned at the time, and in a separate telephone call, to close the bar area. This included a recommendation to the Respondent on how to access www.ReopeningRI.com and the relevant websites for the Executive Orders, rules, regulations, and guidance. The Respondent was also advised that an inspector would conduct a reinspection in the near future. The inspector noted, however, that the owner, identified as "Shane," made clear that he is unwilling to allow the inspector to fully inspect the restaurant, preventing the inspector from viewing the interior, and believes that that the governor is over reaching, impeding his and his patrons rights, that the virus is not as serious as it is being made out to be, and that people should not have to wear masks.
- IV. On or about December 26, 2020, a different Task Force inspector conducted another spot check of the Respondent. The inspector noted that two (2) of eight (8) employees within the establishment were not wearing masks, that the bar was open, and that, moreover, patrons, most

if not all of whom were not wearing cloth face coverings, were standing and walking around within the establishment.

- V. Therefore, as a result of the Respondent's continued failure to comply with applicable Executive Orders and the Safe Regulations, and in the absence of any other information to rebut the allegations above, RIDOH has drawn the conclusion that the above allegations are true, and the Respondent is not in compliance with applicable Executive Orders and/or the Safe Regulations.

VIOLATIONS

The following alleged violations stem from the December 26, 2020 reinspection.

- I. Respondent is in violation of Section 7.4.1(A)(3) of the Safe Regulations, which requires all individuals in an establishment to wear cloth face coverings unless physical distancing or an exception applies and requires establishments to deny entry to any employee, who is not otherwise exempt from the requirement or who refuses to wear a cloth face covering when required. The inspector observed eight (8) employees in the establishment, two (2) of whom were not wearing a cloth face covering. Neither employee claimed an exception. Most if not all patrons were not wearing a cloth face covering.
- II. Respondent is in violation of Executive Order 20-108, paragraph 26, which requires that, at all times, a licensee for on-premises consumption must close its bar area, including but not limited to the bar counter and seating at the bar counter, and ensure that the bar area is not accessible to patrons. All such bars, restaurants and other establishments must rope off the bar area and make seating at the bar counter unavailable to customers. The inspector observed approximately 20 patrons seated/standing in the bar area, which was staffed by a bar tender and in operation.
- III. Respondent is in violation of Section 7.4.1.(A)(12) of the Safe Regulations, which prohibits congregating and/or mingling in an establishment or areas under the establishment's control. As stated, above, the inspector observed patrons of the establishment, most if not all of whom were

not wearing a cloth face covering, congregating and/or mingling in the bar area of the establishment.

ORDER

It is hereby **ORDERED**, that Respondent is to immediately close. Prior to reopening, violations shall be remedied to the satisfaction of the Director of RIDOH by fulfilling the conditions as set forth below:

- I. Respondent must develop and incorporate into its written control plan a strategy to prevent the violations listed above from reoccurring. Said written plan shall incorporate the following:
 - a. Respondent shall require all employees in its establishment to wear cloth face coverings unless an exception applies. In accordance with Section 7.4.1(3)(a) of the Safe Regulations, Respondent shall deny access to its establishment to any employee who refuses to wear a cloth face covering when required by the Safe Regulations unless an exception applies.
 - b. Respondent shall actively remind all individuals/customers in its establishment to wear a mask or cloth face covering.
 - c. Respondent shall require that, at all times, its bar area, including but not limited to the bar counter and seating at the bar counter, is closed, and ensure that the bar area is not accessible to patrons. Respondent shall rope off the bar area and make seating at the bar counter unavailable to customers.
 - d. Respondent shall ensure that no congregating and/or mingling occurs within the establishment or any area under the establishment's control.
- II. Once completed, said written plan must be emailed to DBR.CovidTaskForce@dbr.ri.gov for approval. You will be notified whether your updated plan has been approved and, if so, the date for your reinspection.
- III. Respondent shall ensure that all employees are tested for COVID-19. Once test results are available, Respondent shall send confirmation of such to DBR.CovidTaskForce@dbr.ri.gov.

IV. Respondent shall ensure that all required RIDOH licensing is in current and good standing.

This order, as well as any other supporting information shall be provided by RIDOH to the local board of licenses/municipality which holds the liquor license.

Entered this 28th Day of December, 2020.

A handwritten signature in black ink, appearing to read "Nicole Alexander-Scott". The signature is fluid and cursive, with the first name "Nicole" written in a larger, more prominent script than the last name "Alexander-Scott".

Nicole Alexander-Scott, MD, MPH
Director
Rhode Island Department of Health
Cannon Building, Rm. 401
Three Capitol Hill
Providence, RI 02908

EXHIBIT 1







COMFORT FOOD & COCKTAILS
THE
CENTREDALE
RESTAURANT



EXHIBIT B



**STATE OF RHODE ISLAND
RHODE ISLAND DEPARTMENT OF HEALTH**

**IN THE MATTER OF:
The Centredale Revival Co.
Violations of Executive Orders and
RI Department of Health Regulations**

**LIFTING OF IMMEDIATE COMPLIANCE ORDER
HEALTHY ENVIRONMENT**

Now comes the Director of the Rhode Island Department of Health and hereby lifts the Immediate Compliance Order issued against Respondent, on or about, December 28, 2020 ("Immediate Compliance Order"). For cause, the Respondent has satisfied the terms and conditions of the Immediate Compliance Order.

Entered this 31st Day of December 2020.

A handwritten signature in black ink, appearing to read "Nicole Alexander-Scott".

Nicole Alexander-Scott, MD, MPH
Director
RI Department of Health
Cannon Building, Rm. 401
Three Capitol Hill
Providence, RI 02908

EXHIBIT C



**North Providence Police Department
Incident Report**

**Incident #: 21-1-OF
Call #: 20-37865**

Date/Time Reported: 12/31/2020 2358
Report Date/Time: 01/01/2021 0048
Occurred Between: 12/31/2020 2358-01/01/2021 0005
Status: No Crime Involved

Reporting Officer: Patrol Officer Cody Beaudette
Assisting Officer: Patrol Officer Justin Ferreira
Approving Officer: Sergeant Kevin Guindon

Signature: _____

Signature: _____

#	INVOLVED	SEX	RACE	AGE	SSN	PHONE
1	PICHE, SHANE M 8 ROBERT DR NORTH PROVIDENCE RI 02911	M	W	35	037-54-3735	401-640-5765
Military Active Duty: N BODY: NOT AVAIL. COMPLEXION: NOT AVAIL. DOB: 03/01/1985 PLACE OF BIRTH: NOT AVAIL. LICENSE NUMBER: RI 2113491 ETHNICITY: NOT HISPANIC						
[CONTACT INFORMATION]						

Home Phone (Primary) 401-640-5765

ALIAS	LAST NAME	FIRST NAME	MIDDLE NAME	SSN	DOB
PICHE		SHANE	M	NOT AVAIL	03/01/1985
PICHE		SHANE	N	NOT AVAIL	03/01/1985
PICHE		SHANE	N	037-54-3735	03/01/1985
PICHE		SHANE	N	NOT AVAIL	03/11/1985
PICHE		SHANE	M	NOT AVAIL	03/01/1985

#	EVENTS (S)
	LOCATION TYPE: Residence/Home/Apt./Condo Zone: TAB 28 CENTREDALE REVIVAL, COMPANY 2031 SMITH ST NORTH PROVIDENCE RI 02904

1 COVID19 COMPLIANCE

#	PERSON(S)	PERSON TYPE	SEX	RACE	AGE	SSN	PHONE
1	CENTERDALE REVIVAL COMPANY 2031 SMITH ST NORTH PROVIDENCE RI 02904	BUSINESS					401-232-8696

North Providence Police Department
NARRATIVE FOR PATROL OFFICER CODY T BEAUDETTE
Ref: 21-1-OF

Page: 1
01/01/2021

Entered: 01/01/2021 @ 0051 Entry ID: CTB96
Modified: 01/01/2021 @ 0128 Modified ID: KJG69
Approved: 01/01/2021 @ 0127 Approval ID: KJG69

On Thursday, December 31st, 2020 at approximately 2358 hours, I (Ptlm. Beaudette), along with Ptlm. Ferreira, responded to 2031 Smith Street (Centerdale Revival) for the report of COVID19 violations. Upon arrival, I observed there to be patrons inside as well as a live musician. The doors were locked and no one would open the door. Report taken for documentation.

EXHIBIT D



**STATE OF RHODE ISLAND
RHODE ISLAND DEPARTMENT OF HEALTH**

**IN THE MATTER OF:
The Centredale Revival Company
Violations of Executive Orders and
RI Department of Health Regulations**

IMMEDIATE COMPLIANCE ORDER

Now comes the Director of the Rhode Island Department of Health (“RIDOH”), as informed by the Chair (“Chair”) of the Rhode Island COVID-19 Enforcement Task Force (“Task Force”), and pursuant to R.I. Gen. Laws §23-1-21, Executive Order 20-108 (“Executive Orders”), and the RIDOH rules and regulations pertaining to Safe Activities By Covered Entities During the COVID-19 Emergency (216-RICR-50-15-7) (“Safe Regulations”), determines that Centredale Revival Company (“Respondent”) is in violation of applicable Executive Orders and/or the Safe Regulations, which violations require immediate action to protect the health, welfare, and safety of the public.

NEED FOR IMMEDIATE ACTION

On March 9, 2020, Governor Gina M. Raimondo declared a state of emergency for the State of Rhode Island due to the dangers to health and life posed by COVID-19. The Safe Regulations were promulgated as an emergency rule, pursuant to R.I. Gen. Laws § 42-35-2.10, based on a finding that an imminent peril to the public health, safety, or welfare required immediate promulgation of the rule, specifically that “[i]n order to prevent further spread of COVID-19 as individuals begin to leave their homes more frequently and establishments begin to reopen, protective measures must be followed and

implemented for individuals and establishments to resume operations so that the public's health and welfare is protected."

GROUNDS FOR DETERMINATION OF VIOLATION

- I. Respondent is a restaurant and bar establishment, duly licensed by RIDOH for food service (License No. FSV34284), located at 2025 Smith Street in North Providence.
- II. Respondent is a covered entity as defined in the Safe Regulations. As such, the Respondent is required to comply with applicable Executive Orders and the Safe Regulations.
- III. On or about December 28, 2020, a Task Force inspector conducted a spot check inspection of the Respondent to determine compliance with bar requirements. The inspector observed multiple violations of applicable Executive Orders and/or the Safe Regulations. As a result of that spot check, the Respondent was issued an Immediate Compliance Order ("ICO") to close until the Respondent corrected violations as detailed in the ICO. (See "Exhibit 1")
- IV. On or about December 31, 2020, the Respondent satisfied the terms and conditions of the ICO and was allowed to reopen. (See "Exhibit 2")
- V. On or about January 8, 2021, a Task Force inspector conducted a spot check inspection of the Respondent to determine compliance with bar requirements. Upon entry, the inspector was able to observe multiple violations of applicable Executive Orders and/or the Safe Regulations, however, due to harassment by a patron, was unable to complete her inspection. The Inspector contacted the North Providence Police Department, which sent a patrol officer to assist. Upon arrival of the officer, the inspector and officer attempted to enter the establishment, but were denied entry by the owner. (See "Exhibit 3")
- VI. Therefore, as a result of the Respondent's failure to comply with applicable Executive Orders and the Safe Regulations, and in the absence of any other information to rebut the allegations above,

RIDOH has drawn the conclusion that the above allegations are true, and the Respondent is not in compliance with applicable Executive Orders and/or the Safe Regulations.

VIOLATIONS

The following alleged violations stem from the January 8, 2021 spot check.

- I. Respondent is in violation of Section 7.4.1(A)(3) of the Safe Regulations, which requires all individuals in an establishment to wear cloth face coverings unless physical distancing or an exception applies and requires establishments to deny entry to any employee, who is not otherwise exempt from the requirement or who refuses to wear a cloth face covering when required. The inspector observed three (3) employees in the establishment, none of which was wearing a cloth face covering. One employee claimed an exception.
- II. Respondent is in violation of Executive Order 20-108, paragraph 23, which states that restaurants and bars may serve patrons on-site, indoors and outdoors, until 10:00 p.m. Sunday through Thursday and until 10:30 p.m. Friday and Saturday, after which times restaurants and bars shall only offer pick-up, delivery and drive through service. The inspector arrived at 11:40 p.m. to find the front door locked but, based on the number of car's in the lot, she believed that the establishment was still operating. As such, the inspector knocked on the door to the establishment and was let in. Inside, the inspector observed that the establishment was still serving patrons more than one hour past the allowable service time of 10:30 p.m.
- III. Respondent is in violation of Section 7.4.1.(A)(12) of the Safe Regulations, which prohibits congregating and/or mingling in an establishment or areas under the establishment's control. The inspector observed that there were numerous unmasked patrons congregating and/or mingling in areas under the establishment's control.
- IV. Respondent is in violation of Section 7.6(A)(1) of the Safe Regulations, which states that RIDOH and its authorized representatives may enter and inspect any establishment's premises in a

reasonable manner, including, without limitation, all equipment, materials, containers, records, processes and controls, in order to ascertain compliance with the Safe Regulations, any applicable Executive Orders, and R.I. Gen. Laws Chapter 23-1, "Department of Health." When the Inspector attempted to enter the premises with the assistance of the North Providence Police, both the officer and the inspector were impermissibly denied entry by the owner.

ORDER

It is hereby **ORDERED**, that Respondent is to immediately close for a period of not less than fourteen (14) days. Prior to reopening, violations shall be remedied to the satisfaction of the Director of RIDOH by fulfilling the conditions as set forth below:

- I. Respondent must develop and incorporate into its written control plan a strategy to prevent the violations listed above from reoccurring. Said written plan shall incorporate the following:
 - a. Respondent shall require all employees in its establishment to wear cloth face coverings unless physical distancing can be continuously maintained, or an exception applies. In accordance with Section 7.4.1(3)(a) of the Safe Regulations, Respondent shall deny access to its establishment to any employee who refuses to wear a cloth face covering when required by the Safe Regulations unless an exception applies.
 - b. Respondent shall instruct all individuals/customers in its establishment to wear cloth face coverings unless physical distancing or an exemption applies.
 - c. Respondent shall ensure that no congregating and/or mingling occurs within the establishment or any area under the establishment's control.
 - d. Respondent shall only serve patrons on-site, indoors and outdoors, until 10:00 p.m. Sunday through Thursday and until 10:30 p.m. Friday and Saturday, after which times Respondent shall only offer pick-up, delivery and drive through service.

- e. Respondent shall allow entry to inspect its premises in a reasonable manner, in order to ascertain compliance with the Safe Regulations, any applicable Executive Orders, and the R.I. Gen. Laws Chapter 23-1.
- II. In addition to the conditions as set forth above, Respondent may not reopen until such time that the following conditions are met, to the satisfaction of the Director of RIDOH:
- a. Email the following documents to: DBR.CovidTaskForce@dbr.ri.gov
 - i. An updated control plan which, in addition to addressing the matter set forth above in this ICO, must detail a strategy to ensure your employees and patrons are adhering to other applicable RIDOH regulations found here: <https://rules.sos.ri.gov/regulations/part/216-50-15-7>
 - ii. Your establishment's employee worklog, dating back two weeks from the date the violations outlined in the ICO were witnessed by a Task Force inspector.
 - b. Ensure all persons on the worklog are tested for COVID-19; if anyone on the worklog refuses to be tested, such person may not return to work for fourteen days from the date of this order.
 - c. Once all employees have been tested AND their results are available, send confirmation of such to: DBR.CovidTaskForce@dbr.ri.gov
 - d. Respondent shall attend and participate in a meeting with the Rhode Island Department of Health to discuss health concerns. You will be emailed the contact information of the RI Department of Health (RIDOH) so you can schedule your meeting with RIDOH.
 - e. After you have met with RIDOH, please contact: DBR.CovidTaskForce@dbr.ri.gov to schedule an inspection of your establishment.
 - f. Respondent establishment shall be completely cleaned and sanitized in accordance with applicable CDC guidance.

- g. All employees must be trained on, and comply with, Respondent's updated written control plan.
- h. Any area within Respondent establishment or under the Respondent's control where patrons can congregate and/or mingle, e.g., dance floors, shall be roped off or otherwise made inaccessible to patrons.
- i. Respondent shall determine its regular indoor seating capacity and shall limit the number of patrons allowed to enter the establishment at any one time to sixty-six percent (66%) of that indoor seating capacity. Such capacity limitation will be identified in the modified control plan described above.
- j. Respondent shall ensure that information be collected from all visitors and other entrants who have interacted with others present on site solely for the purposes of contact tracing. Said information must be maintained for a period of thirty (30) days and made available to the Department of Health upon request.

This order, as well as any other supporting information shall be provided by RIDOH to the local board of licenses/municipality which holds the liquor license.

Entered this 14th day of January 2021.



Nicole Alexander-Scott, MD, MPH
Director
Rhode Island Department of Health
Cannon Building, Rm. 401
Three Capitol Hill
Providence, RI 02908

EXHIBIT 1



**STATE OF RHODE ISLAND
RHODE ISLAND DEPARTMENT OF HEALTH**

**IN THE MATTER OF:
The Centredale Revival Co.
Violations of Executive Orders and
RI Department of Health Regulations**

IMMEDIATE COMPLIANCE ORDER

Now comes the Director of the Rhode Island Department of Health (“RIDOH”), as informed by the Chair (“Chair”) of the Rhode Island COVID-19 Enforcement Task Force (“Task Force”), and pursuant to R.I. Gen. Laws § 23-1-21, Executive Order 20-108, and the RIDOH rules and regulations pertaining to Safe Activities By Covered Entities During the COVID-19 Emergency (216-RICR-50-15-7) (“Safe Regulations”), determines that The Centredale Revival Co. (“Respondent”) is in violation of applicable Executive Orders and/or the Safe Regulations, which violations require immediate action to protect the health, welfare, and safety of the public.

NEED FOR IMMEDIATE ACTION

On March 9, 2020, Governor Gina M. Raimondo declared a state of emergency for the State of Rhode Island due to the dangers to health and life posed by COVID-19. The Safe Regulations were promulgated as an emergency rule, pursuant to R.I. Gen. Laws § 42-35-2.10, based on a finding that an imminent peril to the public health, safety, or welfare required immediate promulgation of the rule, specifically that “[i]n order to prevent further spread of COVID-19 as individuals begin to leave their homes more frequently and establishments begin to reopen, protective measures must be followed and

implemented for individuals and establishments to resume operations so that the public's health and welfare is protected.”

GROUNDINGS FOR DETERMINATION OF VIOLATION

- I. Respondent is a restaurant and bar establishment, duly licensed by RIDOH for food service (License No. FSV34284), located at 2025 Smith Street in North Providence.
- II. Respondent is a covered entity as defined in the Safe Regulations. As such, the Respondent is required to comply with applicable Executive Orders and the Safe Regulations.
- III. On or about December 11, 2020, a Task Force inspector conducted a spot check inspection of the Respondent. The inspector observed that the bar was open and that patrons were standing and not practicing physical distancing. The inspector observed approximately 25-35 customers with the establishment. Of the 10-15 patrons at the bar, approximately eight (8) were standing and mingling. After the inspection, the inspector provided information and resources to the Respondent to help it achieve full compliance. In particular, Respondent was warned at the time, and in a separate telephone call, to close the bar area. This included a recommendation to the Respondent on how to access www.ReopeningRI.com and the relevant websites for the Executive Orders, rules, regulations, and guidance. The Respondent was also advised that an inspector would conduct a reinspection in the near future. The inspector noted, however, that the owner, identified as “Shane,” made clear that he is unwilling to allow the inspector to fully inspect the restaurant, preventing the inspector from viewing the interior, and believes that that the governor is over reaching, impeding his and his patrons rights, that the virus is not as serious as it is being made out to be, and that people should not have to wear masks.
- IV. On or about December 26, 2020, a different Task Force inspector conducted another spot check of the Respondent. The inspector noted that two (2) of eight (8) employees within the establishment were not wearing masks, that the bar was open, and that, moreover, patrons, most

if not all of whom were not wearing cloth face coverings, were standing and walking around within the establishment.

- V. Therefore, as a result of the Respondent's continued failure to comply with applicable Executive Orders and the Safe Regulations, and in the absence of any other information to rebut the allegations above, RIDOH has drawn the conclusion that the above allegations are true, and the Respondent is not in compliance with applicable Executive Orders and/or the Safe Regulations.

VIOLATIONS

The following alleged violations stem from the December 26, 2020 reinspection.

- I. Respondent is in violation of Section 7.4.1(A)(3) of the Safe Regulations, which requires all individuals in an establishment to wear cloth face coverings unless physical distancing or an exception applies and requires establishments to deny entry to any employee, who is not otherwise exempt from the requirement or who refuses to wear a cloth face covering when required. The inspector observed eight (8) employees in the establishment, two (2) of whom were not wearing a cloth face covering. Neither employee claimed an exception. Most if not all patrons were not wearing a cloth face covering.
- II. Respondent is in violation of Executive Order 20-108, paragraph 26, which requires that, at all times, a licensee for on-premises consumption must close its bar area, including but not limited to the bar counter and seating at the bar counter, and ensure that the bar area is not accessible to patrons. All such bars, restaurants and other establishments must rope off the bar area and make seating at the bar counter unavailable to customers. The inspector observed approximately 20 patrons seated/standing in the bar area, which was staffed by a bar tender and in operation.
- III. Respondent is in violation of Section 7.4.1.(A)(12) of the Safe Regulations, which prohibits congregating and/or mingling in an establishment or areas under the establishment's control. As stated, above, the inspector observed patrons of the establishment, most if not all of whom were

not wearing a cloth face covering, congregating and/or mingling in the bar area of the establishment.

ORDER

It is hereby **ORDERED**, that Respondent is to immediately close. Prior to reopening, violations shall be remedied to the satisfaction of the Director of RIDOH by fulfilling the conditions as set forth below:

- I. Respondent must develop and incorporate into its written control plan a strategy to prevent the violations listed above from reoccurring. Said written plan shall incorporate the following:
 - a. Respondent shall require all employees in its establishment to wear cloth face coverings unless an exception applies. In accordance with Section 7.4.1(3)(a) of the Safe Regulations, Respondent shall deny access to its establishment to any employee who refuses to wear a cloth face covering when required by the Safe Regulations unless an exception applies.
 - b. Respondent shall actively remind all individuals/customers in its establishment to wear a mask or cloth face covering.
 - c. Respondent shall require that, at all times, its bar area, including but not limited to the bar counter and seating at the bar counter, is closed, and ensure that the bar area is not accessible to patrons. Respondent shall rope off the bar area and make seating at the bar counter unavailable to customers.
 - d. Respondent shall ensure that no congregating and/or mingling occurs within the establishment or any area under the establishment's control.
- II. Once completed, said written plan must be emailed to DBR.CovidTaskForce@dbr.ri.gov for approval. You will be notified whether your updated plan has been approved and, if so, the date for your reinspection.
- III. Respondent shall ensure that all employees are tested for COVID-19. Once test results are available, Respondent shall send confirmation of such to DBR.CovidTaskForce@dbr.ri.gov.

IV. Respondent shall ensure that all required RIDOH licensing is in current and good standing.

This order, as well as any other supporting information shall be provided by RIDOH to the local board of licenses/municipality which holds the liquor license.

Entered this 28th Day of December, 2020.

A handwritten signature in black ink, appearing to read "Nicole Alexander-Scott". The signature is fluid and cursive, with a large initial "N" and "A".

Nicole Alexander-Scott, MD, MPH
Director
Rhode Island Department of Health
Cannon Building, Rm. 401
Three Capitol Hill
Providence, RI 02908

EXHIBIT 1







COMFORT FOOD & COCKTAILS
THE
CENTREDALE
RESTAURANT



EXHIBIT 2



**STATE OF RHODE ISLAND
RHODE ISLAND DEPARTMENT OF HEALTH**

**IN THE MATTER OF:
The Centredale Revival Co.
Violations of Executive Orders and
RI Department of Health Regulations**

**LIFTING OF IMMEDIATE COMPLIANCE ORDER
HEALTHY ENVIRONMENT**

Now comes the Director of the Rhode Island Department of Health and hereby lifts the Immediate Compliance Order issued against Respondent, on or about, December 28, 2020 (“Immediate Compliance Order”). For cause, the Respondent has satisfied the terms and conditions of the Immediate Compliance Order.

Entered this 31st Day of December 2020.

A handwritten signature in black ink, appearing to read "Nicole Alexander-Scott".

Nicole Alexander-Scott, MD, MPH
Director
RI Department of Health
Cannon Building, Rm. 401
Three Capitol Hill
Providence, RI 02908

EXHIBIT 3



North Providence Police Department
Incident Report

Page: 1
01/11/2021

Incident #: 21-35-OF
Call #: 21-914

Date/Time Reported: 01/08/2021 2331
Report Date/Time: 01/09/2021 0057
Status: No Crime Involved

Reporting Officer: Sergeant Ryan Emerson
Assisting Officer: Patrol Officer Jonathan Hunt
Approving Officer: Sergeant Ryan Emerson

Signature: _____

Signature: _____

EVENTS (S)

LOCATION TYPE: Restaurant/Cafeteria Zone: TAB 28
CENTERDALE REVIVAL
2025 SMITH ST
NORTH PROVIDENCE RI 02904

1 Civil Issue

Entered: 01/09/2021 @ 0057	Entry ID: RAE87
Modified: 01/09/2021 @ 0102	Modified ID: RAE87
Approved: 01/09/2021 @ 0102	Approval ID: RAE87

On 01/09/2021 at approximately 2340hrs. Ptlm. Hunt and I, Sgt. Emerson, responded to Centerdale Revival to assist an agent with the Department of Business Regulations with a possible COVID-19 violation. Upon arrival, management spoke with the agent outside as management did not want anyone inside. Management was advised of the possible COVID-19 violations and the peace was kept. A report was taken by the agent from the Department of Business Regulations and units cleared without incident.

It should be noted that the blinds were down on most of the windows so I could not see inside. The agent from the Department of Business Regulations took her own report and stated that she would be following up at a later date.

EXHIBIT E

STATE OF RHODE ISLAND
PROVIDENCE, S.C.

SUPERIOR COURT

STATE OF RHODE ISLAND
By and Through,
ITS RHODE ISLAND DEPARTMENT
OF HEALTH

v.

C.A. No.: PC-2021-_____

THE CENTREDALE REVIVAL CO., and
SHANE PICHE

COMPLAINT

1. The State of Rhode Island (“State”) is a sovereign entity within the federal union of the United States of America.
2. The Centredale Revival LLC. (hereinafter “Centredale” or “Defendant”) is a restaurant and bar located at 1985 Smith Street in the Town of North Providence, Rhode Island.
3. Shane Piche is the Resident Agent of Centredale (hereinafter “Piche”).

JURISDICTION

4. This Court has jurisdiction over this action in law and equity pursuant to R.I. Gen. Laws § 8-2-13.
5. The Court also has jurisdiction to issue a declaratory judgment pursuant to the Uniform Declaratory Judgments Act, R.I. Gen. Laws § 9-30-1, et seq.
6. Venue is proper in this Court pursuant to R.I. Gen. Laws §§ 9-4-2 and 9-4-4.

FACTUAL BACKGROUND

7. Pursuant to the Rhode Island Emergency Management Act, R.I. Gen. Laws § 30-15 et. seq. (“Act”), the Governor of the State of Rhode Island is empowered with the authority to declare a “state of emergency . . . if he or she finds a disaster,” defined to include, among other things, “epidemic,” “infestation,” and “endangerment of the health, safety, or resources of the people of the state, has occurred or that this occurrence,

or threat thereof, is imminent.” Further, pursuant to R.I. Gen. Laws § 23-1-21, the Rhode Island Department of Health (“RIDOH”) is authorized to issue an immediate compliance order, stating the existence of a violation and the action he or she deems necessary whenever he or she “determines that there exists a violation of any law, rule, or regulation within the jurisdiction of the director which requires immediate action to protect the health, welfare, or safety of the public or any member of the public.”

8. Centredale is a restaurant and bar establishment, duly licensed by the Rhode Island Department of Health, License No FSV34284, and is as bound by the terms in the Executive Orders 20-108 and 21-05.
9. Centredale is a covered entity as defined in the Safe Regulations. As such, is required to comply with applicable Executive Orders and the Safe Regulations.
10. On December 11, 2020, a Task Force Inspector, conducted a spot check of Centredale and observed that the bar was opened and servicing approximately fifteen (15) people, eight of which were not practicing social distancing and were mingling. Exhibit A, Immediate Compliance Order, dated December 28, 2020. This spot check resulted in warning and resources on how to gain compliance. Id.
11. On or about December 17, 2020, the Governor issued Executive Order 20-108, which states, in part:

“10:00 p.m. Sunday through Thursday and until 10:30 p.m. Friday and Saturday, after which times restaurants and bars shall only offer pick-up, delivery and drive through service.” Exhibit B, Executive Order 20-108, Paragraph 23.

“Service to standing customers is prohibited except for food pick-up following the requirements for pick-up described in Phase III Guidelines for Restaurants and regulations set forth by RIDOH. An establishment's indoor dining capacity is limited to 50% of an establishment's regular seating capacity. Indoors, establishments may only seat one household per table, up to a maximum of eight (8) people. When taking a reservation or receiving customers without a reservation, an establishment must ask whether each party contains only members of the same household. Establishments must prominently display the one household maximum rule for indoor dining.” Exhibit B, Executive Order 20-108, Paragraph 24.

“The provisions of Chapter 3-7 of the General Laws permitting the service of alcoholic beverages by a licensee for on-premises consumption after 10:00 p.m. Sunday through Thursday or after 10:30 p.m. Friday and Saturday are hereby suspended. There shall be no service of alcoholic beverages by any licensee for on premises consumption after 10:00 p.m. Sunday through Thursday or after 10:30 p.m. Friday and Saturday. At all times, a licensee must close its bar area, including but not limited to the bar counter and seating at the bar counter, and ensure that the bar area is not accessible to patrons. All such bars, restaurants and other establishments must rope off the bar area and make seating at the bar counter unavailable to customers. However, tables may be placed within six (6) feet of any section of the bar counter where personnel are not working. Customers must order, receive and consume alcoholic beverages while seated at tables in accordance with Phase III guidelines for restaurants at: <https://reopeningri.com>.” Exhibit B, Executive Order 20-108, Paragraph 26.

“All other provisions of this Executive Order and RIDOH regulations applicable to bars and restaurants shall remain in effect including, but not limited to, regulations prohibiting service to standing customers and mingling or congregating.” Exhibit B, Executive Order 20-108, Paragraph 27.

12. Executive Order 20-108 was to remain in effect from December 17, 2020 until January 19, 2021. On January 15, 2021, Executive Order 20-108 was extended from January 19, 2021 up to and including February 18, 2021 pursuant to Executive Order 21-05. Exhibit B, Executive Order 20-108; Exhibit C, Executive Order, 21-05.
13. On December 26, 2020, a Task Force Inspector conducted a spot check of Centredale and observed that one quarter of the Centredale employees not wearing masks, the bar was open to patron seating with approximately twenty patrons at the bar, and the majority of patrons were not wearing masks. This resulted in an “Immediate Compliance Order” dated December 26, 2020, that temporarily closed Centredale for multiple violations and provided multiple compliance orders to permit reopening. Exhibit A, Immediate Compliance Order, dated December 28, 2020.
14. Three days later, on December 31, 2020, Centredale had satisfied the

terms and conditions of the December 28, 2021 Immediate Compliance Order and was permitted to reopen. Exhibit D, Lifting of Immediate Compliance Order dated December 31, 2020.

15. On January 8, 2021, Sandra Julien (hereinafter “Inspector Julien”), a Task Force Inspector with the RIDOH, arrived at Centredale at approximately 11:00PM to perform a spot check. Upon arrival Inspector Julien found the door to Centredale to be locked but based on visual observations through the glass door found the restaurant operating with approximately twenty-four (24) patrons inside. Inspector Julien further observed multiple customers drinking and congregating, with approximately half of the customers not wearing face coverings and three employees without masks. Inspector Julien knocked on the glass door, but was unable to gain entry. After multiple attempts and searching for another point of entry, which was also locked, Inspector Julien was permitted to enter Centredale. Exhibit E, Affidavit of Inspector Sandra Julien.
16. Upon entry, Inspector Julien observed approximately six (6) to ten (10) stationary people, who were drinking, talking, and congregating. None were wearing a mask. Further, Inspector Julien was approached by an unnamed patron who made “aggressive comments about having to wear a mask and the United States being a free country.” This interaction made Inspector Julien “uncomfortable” and prompted her to seek a police escort. Id.
17. At 11:45PM Inspector Julien returned with a police escort and through a glass door and window observed people “drinking, talking, and congregating.” The door was locked. The police officer obtained the attention of Defendant Piche, who exited the restaurant, but refused the request of Inspector Julien and the police officer to enter the restaurant. At this time, Defendant Piche made similar comments as the unnamed patron mentioned in paragraph 16 of this Complaint. Id.
18. Based upon the observations of Inspector Julian outlined above, the RIDOH issued an Immediate Compliance Order dated January 14, 2021, which closed Centredale for fourteen (14) days and issued a series of conditions to permit reopening. Exhibit F, Immediate Compliance Order, dated January 14, 2021.
19. Despite the Immediate Compliance Order issued on January 14, 2021 closing Centredale for fourteen days, the North Providence Police Department found Centredale to be operational with customers being served food and drink, and occasionally live music, on January 15, 2021,

January 16, 2021, January 17, 2021 and January 18, 2021. Id.

20. On January 15th, 16th, and 17th of 2021, the North Providence Police were able to make contact with Jeffrey Merlino, the manager of Centredale. On each occasion, Mr. Merlino acknowledged that Centredale was opened even though it should have been closed. Exhibit G, North Providence Police Reports.
21. On January 18, 2021, the North Providence Police Department visited Centredale at approximately 6PM and observed the restaurant open with approximately eight (8) to ten (10) patrons inside the restaurant. Shane Piche, the owner, spoke with law enforcement and acknowledged that the restaurant was open. Id.
22. Despite RIDOH issuing the January 14, 2021 “Immediate Compliance Order” requiring the immediate closure of Centredale, Centredale remained opened in violation of Executive Orders 20-108 and 21-05 and the January 14, 2021 Immediate Compliance Order. Exhibit F, Immediate Compliance Order, dated January 14, 2021.
23. The State further contends that Centredale continued operation of indoor operations in violation of Executive Orders 20-108, 21-05 and the “Immediate Compliance Order” issued by RIDOH pursuant to R. I. Gen. Laws § 23-1-21 is a clear and present danger to the health, safety, and welfare of the patrons of Centredale and the general public during the Covid-19 virus global pandemic, which has now spiked and infected and/or killed a record number of Rhode Islanders since March of 2020 until the present. Therefore, the State of Rhode Island is now required and compelled to request from this Honorable Court Declaratory Judgment and immediate injunctive relief to forthwith restrain and enjoin Centredale from any further unlawful operation as an indoor restaurant and bar.

COUNT I

DECLARATORY JUDGMENT

**CENTREDALE’S ACTIONS AND CONTINUED OPERATION AS AN
INDOOR DINING ESTABLISHMENT PAST REGULATED HOURS IS A
CLEAR VIOLATION OF EXECUTIVE ORDERS 20-108 and 21-05 AND THE
IMMEDIATE COMPLIANCE ORDER ISSUED BY THE RI DEPARTMENT
OF HEALTH**

24. The State incorporates and re-alleges Paragraphs 1-23 as if set forth

fully herein.

25. The continued refusal of Centredale to comply with the clear and unambiguous requirements of Executive Orders 20-108 and 21-05 and the Compliance Order issued by RIDOH pursuant to R.I. Gen. Laws § 23-1-21 now unlawfully threatens the State as described above in this Complaint.
26. The State has on several occasions unsuccessfully attempted to resolve this matter with Centredale.
27. The State therefore seeks a Declaratory Judgment by this Honorable Court that:
 - (a) Pursuant to Executive Orders 20-108 and 21-05 and the Compliance Order issued by RIDOH pursuant to R. I. Gen. Laws § 23-1-21, the State maintains it has the lawful authority pursuant to same to require Centredale to comply and cease to operate and/or engage in business as a restaurant and bar;
 - (b) That Centredale is in clear violation of Executive 20-108 and 21-05 and the Compliance Order issued by RIDOH pursuant to R. I. Gen. Laws § 23-1-21;
 - (c) Any such further declaration that this Honorable Court deems appropriate.

COUNT II

INJUNCTIVE RELIEF

THE STATE OF RHODE ISLAND MAINTAINS THERE IS NO IMMEDIATE ADEQUATE RELIEF AND/OR REMEDY AT LAW

28. Plaintiff incorporates and re-alleges Paragraphs 1-27 as if set forth fully herein.
29. The State submits that it is likely to succeed on the merits of its Complaint; that it possesses no adequate remedy at law; that it will suffer irreparable harm and that the equities of granting the Plaintiff's request for equitable relief clearly favors the State and is very much in the public interest.

30. The State of Rhode Island therefore seeks injunctive relief issued by this Honorable Court whereby Centredale is:
- (a) Restrained and enjoined from engaging in any action that purports to continue to operate and/or engage in business as a restaurant and bar;
 - (b) Immediately ordered to cease and desist in any action that purports to continue to operate and/or engage in business as a restaurant and bar;
 - (c) Order Centredale Revival to pay a fine of Three Hundred Dollars (\$300.00) per day for each day Centredale is open in violation of January 14, 2021 Immediate Compliance Order;
 - (d) For such other and further injunctive relief as this Honorable Court deems appropriate.

RULE 65 ACCELERATION/CONSOLIDATION

The State of Rhode Island prays that this Honorable Court, if it determines a hearing on the merits is necessary, accelerate this matter pursuant to Rule 65 of the Superior Court Rules of Civil Procedure and combine the request for injunctive relief with a trial on the merits.

Respectfully submitted,

PLAINTIFF,
STATE OF RHODE ISLAND, by and
through its DEPARTMENT OF
HEALTH

By:

PETER F. NERONHA
ATTORNEY GENERAL

/s/ Michael W. Field

/s/ Chrisanne Wyrzykowski

Michael W. Field, Bar No. 5809
Chrisanne Wyrzykowski, Bar No. 7565
Assistant Attorneys General
150 South Main Street

Providence, Rhode Island 02903
Tel: (401) 274-4400, Ext. 2380, 2235
Fax: (401) 222-3016
mfield@riag.ri.gov
cwyrzykowski@riag.ri.gov

DATED: January 22, 2020

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I filed the within document via the Rhode Island Superior Court E-filing system and that a copy is available for viewing and downloading on this 22nd day of January, 2021.

/s/ Karen M. Ragosta

EXHIBIT F

STATE OF RHODE ISLAND	:	SUPERIOR COURT
PROVIDENCE, S.C.	:	
	:	
STATE OF RHODE ISLAND	:	
By and Through, ITS RHODE	:	
ISLAND DEPARTMENT OF HEALTH	:	
v.	:	C.A. No.: PC-2021- 0626 ⁰⁰⁶²⁶
THE CENTREDALE REVIVAL CO. and	:	
Shane Piche	:	

ORDER

This matter was scheduled for hearing on January 22, 2021, before the Honorable Justice Melissa Darigan, on The State of Rhode Island, Department of Health (hereinafter "RIDOH") Motion for a Temporary Restraining Order against Centredale Revival Co (hereinafter "Respondent"). After hearing oral arguments, and over the objection of Centredale Revival Co, it is hereby:

ORDERED, ADJUDGED, AND DECREED:

1. Respondent shall immediately close and remain closed until both: (a) RIDOH determines that Respondent has satisfied all requirements set forth in Immediate Compliance Order 2, with the exception of the requirement that Respondent remain closed for a period of not less than 14 days, and (b) RIDOH and Respondent have attended and participated in a meeting to discuss and resolve RIDOH's health concerns with Respondent; and
2. RIDOH shall convene such a meeting with Respondent today, January 22, 2021; and
3. Consistent with applicable law, Respondent shall permit inspectors authorized by RIDOH and/or the Task Force to enter and inspect Respondent's

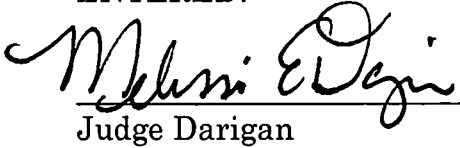
Filed
1-22-21
MKR.

establishment premises in order to ascertain compliance with this Order and applicable law and regulations, including but not limited to any present and/or future Executive Orders; and

4. Respondent shall comply with all applicable COVID-19-related laws and regulations, including but not limited to any Executive Orders, whether existing at the time of this Order or issued after the execution of this Order; and

5. A preliminary injunction hearing is scheduled for February ~~4~~^{5 (wed)}, 2021 at 2 PM.

ENTERED:

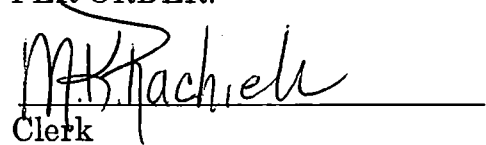


Judge Darigan

Date

1/22/21, 4:52pm

PER ORDER:



Clerk

Date

1.22.21

EXHIBIT G



**STATE OF RHODE ISLAND
RHODE ISLAND DEPARTMENT OF HEALTH**

**IN THE MATTER OF:
The Centredale Revival Company
Violations of Executive Orders and
RI Department of Health Regulations**

**LIFTING OF IMMEDIATE COMPLIANCE ORDER
HEALTHY ENVIRONMENT**

Now comes the Director of the Rhode Island Department of Health and hereby lifts the Immediate Compliance Order issued against Respondent, on or about, January 14, 2021 ("Order"). For cause, the Respondent has satisfied the terms and conditions of the Order.

Entered this 22nd day of January 2021.

A handwritten signature in black ink, appearing to read "Nicole Alexander-Scott".

Nicole Alexander-Scott, MD, MPH
Director
RI Department of Health
Cannon Building, Rm. 401
Three Capitol Hill
Providence, RI 02908