



**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](mailto: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](mailto: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](mailto: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 14<sup>th</sup> 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."

#### **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](http://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](mailto: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](mailto: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 28<sup>th</sup> 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 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

North Providence Police Department

Page: 1

NARRATIVE FOR SERGEANT RYAN A EMERSON

01/11/2021

Ref: 21-35-OF

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.