



**STATE OF RHODE ISLAND
DEPARTMENT OF HEALTH
COVID-19 ENFORCEMENT TASK FORCE
3 Capitol Hill
Providence, RI 02908**

SERVICE OF NOTICE OF COMPLIANCE ORDER
In Hand Service

Business Name: La Casa Restaurant
Address: 407 Laurel Hill Avenue, Cranston
Phone #: (401) 946-1610

Delivery of Notice of Compliance Order, pursuant to RI Gen. Laws Chapters § 23-1-20,
for the Department of Health.

RI Department of Health – COVID-19 Enforcement Task Force
Date: 9/25/2020



STATE OF RHODE ISLAND
DEPARTMENT OF HEALTH
COVID-19 ENFORCEMENT TASK FORCE
3 Capitol Hill
Providence, RI 02908

PROOF OF SERVICE OF COMPLIANCE ORDER
In Hand Service

Name of Business: _____

Address of Service: _____

I hereby certify that on this _____ day of _____, _____, I personally delivered
and served a copy of the within Compliance Order upon _____,

_____, _____
DATE OF BIRTH ADDRESS

Having made due and diligent attempts to serve the within Compliance Order, I have been unable to serve

_____ for the following reasons.
NAME OF BUSINESS

Signature

Printed

Fees
Travel _____ \$ _____
Service _____ \$ _____



**STATE OF RHODE ISLAND
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3 Capitol Hill
Providence, RI 02908**

INFORMATION ABOUT THIS ORDER

- You have been issued this Order because a recent inspection has determined that you have failed to comply with governmental requirements for the safe operation of your establishment as it relates to COVID-19 precautions.
- If this Order is captioned Notice of Compliance only, you have 10 days to make the necessary corrections. You may request a re-inspection once you believe you have resolved the issues raised. If you do not request a re-inspection, you will be re-inspected 10 days after receipt of this Order. If you wish to request a hearing on the Notice of Compliance, you must submit a written request for a hearing within 10 days of service. Please send the request to the address above.
- If this Order is captioned Immediate Compliance Order only, you are required to immediately cease the specified establishment operations. Prior to resuming operations, you must be granted permission by the RI Department of Health. To do so, you must request a re-inspection once you believe you have resolved the issues raised. Be advised that no request for a hearing on an immediate compliance order may be made.
- If this Order is captioned Immediate Compliance Order and Notice of Compliance, you are required to immediately cease only the specified establishment operations. For all other violations identified within the Order, you have 10 days to institute corrective measures. Prior to resuming full operations, you must be granted permission by the RI Department of Health. To do so, you must request a reinspection once you believe you have resolved the issues raised, otherwise, you will be re-inspected 10 days after receipt of this Order. You may request a hearing for the portion of this Order that applies to the Notice of Compliance as described above. No request for a hearing may be made for the portion of the Order that applies to an Immediate Compliance Order.
- To obtain the information necessary to achieve compliance, all applicable Guidelines, Executive Orders, and Regulations can be accessed by visiting.
 - <https://reopeningri.com/>
 - <https://governor.ri.gov/newsroom/orders/>
 - <https://rules.sos.ri.gov/regulations/part/216-50-15-7>
- For questions, assistance, or to schedule a re-inspection, contact Chief of Inspectors Stephen Tamborelli at 401-529-9337 or via email at stephen.tamborelli@dbr.ri.gov



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

**ELIZABETH M. TANNER, ESQ.
IN HER CAPACITY AS CHAIR OF THE
RHODE ISLAND COVID-19 ENFORCEMENT
TASK FORCE**

**IN THE MATTER OF:
La Casa Restaurant
Violations of Executive Orders and
RI Department of Health Regulations**

NOTICE OF VIOLATION AND COMPLIANCE ORDER

Now comes the Chair (“Chair”) of the Rhode Island COVID-19 Enforcement Task Force (“Task Force”) and pursuant to R.I. Gen. Laws § 23-1-20, Executive Orders 20-32, 20-40, and 20-67, and Rhode Island Department of Health (“RIDOH”) regulation 216-RICR-50-15-7 (the “Safe Regulations”), determines that there are reasonable grounds to believe that La Casa Restaurant (“Respondent”) is in violation of Executive Orders and/or the Safe Regulations, and provides notice thereof.

REASONABLE GROUNDS FOR DETERMINATION OF VIOLATION

- I. Respondent is a dining establishment located at 407 Laurel Hill Avenue in Cranston.
- 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 July 12, 2020, a Task Force inspector conducted a Healthy Environment inspection of the Respondent. The inspector performed a checklist inspection based on the Safe Regulations

and determined that Respondent scored a 6/11 for overall requirements and a 4/5 for dining requirements. After the inspection, the inspector provided information and resources to the Respondent to help it achieve full compliance. 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.

- IV. On or about September 23, 2020, a different Task Force inspector met with owner Orlando Worthington (“Owner”) and conducted a reinspection of the Respondent. The inspector performed a checklist inspection based on the Safe Regulations and determined that the Respondent scored a 4/11 for overall requirements and a 3/5 for dining requirements.
- 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.

ALLEGED VIOLATIONS

The following alleged violations stem from the September 23, 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 two (2) employees in the establishment, neither of which, including the manager, was wearing a cloth face covering. Neither employee claimed an exception, nor was either employee able to continuously maintain physical distancing.

- II. Respondent is in violation of Section 7.4.1(A)(1)(f) of the Safe Regulations, which requires the designation of a point of contact who is familiar with the applicable Executive Orders and the Safe Regulations, and who will work with RIDOH on testing, contact tracing, case investigation, isolation and quarantine follow up. Upon inquiry, Owner admitted that he was not familiar with the guidance and regulations.
- III. Respondent is in violation of Section 7.4.1(A)(1) of the Safe Regulations, which requires each covered entity to develop, maintain, and ensure compliance with a written plan for the safe operation of the establishment. Upon request, Respondent could not produce a written plan.
- IV. Respondent is in violation of Section 7.4.1(A)(8) of the Safe Regulations, which requires all covered entities to maintain an employee work log that identifies the full name, phone number, and the date and time of all shifts worked by each employee. This work log must be maintained for at least thirty (30) days. Upon request, Respondent could not produce an employee work log.
- V. Respondent is in violation of Sections 7.4.1(A)(6) & (7) of the Safe Regulations, which require each covered entity to ensure the performance of environmental cleaning of its establishments once per day and to maintain records documenting such environmental cleaning. Upon request, the Respondent could not produce the required records.
- VI. Respondent is in violation of Section 7.4.1(A)(2) of the Safe Regulations, which requires each covered entity to implement and ensure compliance with screening of all individuals entering its establishment(s) at any time for any reason. Upon inquiry, the Respondent admitted that it did not conduct entry screening. The inspector observed two customers enter the establishment, neither of which was screened by the Respondent. In addition, there were no posters visible at or near the entrance concerning entry screening.
- VII. Respondent is in violation of Section 7.4.1(A)(4) of the Safe Regulations, which requires each covered entity to ensure the placement of posters or signs at entry to its establishments educating

any individual at the establishment concerning entry screening, required physical distancing, use of cloth face coverings, and other subjects as provided in guidance issued by RIDOH. The inspector observed that none of the required information was posted at the entry to the establishment and concluded, therefore, that the Respondent failed to ensure the placement of required posters. (See "Exhibit A")

- VIII. 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. As stated, above, Respondent admitted to not having the required plan and the inspector observed that there were no measures in place to ensure that physical distancing was maintained.
- IX. Respondent is in violation of Section 7.4.2(A)(1)(a) of the Safe Regulations, which requires that tables be separated by at least eight (8) feet from table edge to table edge or to allow six (6) feet spacing between seated customers at different tables unless separated by a physical, non-porous barrier of an appropriate height. The inspector observed that tables in the dining room were not spaced at least eight (8) feet from table edge to table edge. (See "Exhibit B")
- X. Respondent is in violation of Section 7.4.2(A)(1)(a) of the Safe Regulations, which requires that information be collected from all visitors and other entrants who have interacted with others present on site for a period of 15-minutes or more solely for the purposes of contact tracing. Upon request, the Respondent admitted that they did not collect the required information for patrons who were on site of a period of 15 minutes or more.

ORDER

It is hereby ORDERED, that on or before the tenth (10th) day from service of this Notice of Violation and Compliance Order, Respondent shall remedy the above cited violations and come into full compliance with applicable Executive Orders and Regulations, by fulfilling the conditions as set forth below:

- I. 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.
- II. Respondent shall designate a point of contact who is familiar with applicable Executive Orders and the Safe Regulations, and who will work with RIDOH on testing, contact tracing, case investigation, isolation and quarantine follow up.
- III. Respondent shall develop, maintain, and ensure compliance with a written plan for the safe operation of the establishment.
- IV. Respondent shall maintain an employee work log that identifies the full name, phone number, and the date and time of all shifts worked by each employee. This work log must be maintained for at least thirty (30) days.
- V. Respondent shall ensure the performance of environmental cleaning of its establishment once per day and maintain records documenting such environmental cleaning.
- VI. Respondent shall implement and ensure compliance with screening of all individuals entering its establishment(s) at any time for any reason.
- VII. Respondent shall ensure the placement of posters or signs at entry to its establishment educating any individual at the establishment concerning entry screening, required physical distancing, use of cloth face coverings, and other subjects as provided in guidance issued by RIDOH.

- VIII. Respondent shall ensure compliance with its plan for safe operation, required pursuant to Section 7.4.1(A)(1) of the Safe Regulations, including compliance with, among other things, procedures consistent with the Safe Regulations relative to 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.
- IX. Respondent shall ensure that tables are situated to allow separation of at least eight (8) feet from table edge to table edge or to allow six (6) feet spacing between seated customers at different tables unless separated by a physical, non-porous barrier of an appropriate height.
- X. Respondent shall ensure that information be collected from all visitors and other entrants who have interacted with others present on site for a period of 15-minutes or more solely for the purposes of contact tracing.

Failure to comply with this ORDER may result in the imposition of civil fines, the issuance of an immediate compliance order, and/or any other action authorized by regulation, the Act, or other applicable law.

Entered this 25th day of September 2020.



Elizabeth M. Tanner, Esq.
Chair
Rhode Island COVID-19 Enforcement Task Force
RI Department of Health
Cannon Building, Rm. 401
Three Capitol Hill
Providence, RI 02908

**A WRITTEN REQUEST FOR A HEARING MAY BE FILED IN WRITING WITHIN
TEN DAYS AFTER THIS NOTICE**

EXHIBIT A



EXHIBIT B



