



**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 a large initial "N" and "A".

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

# EXHIBIT 1









COMFORT FOOD & COCKTAILS  
THE  
CENTREDALE  
RESTAURANT

