



**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:
XTremo Restaurant and Bar
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 21-22 and 21-24 (“Executive Orders”), and Rhode Island Department of Health (“RIDOH”) regulation 216-RICR-50-15-7 (“Safe Regulations”), determines that there are reasonable grounds to believe that XTremo Restaurant and Bar (“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 897 Eddy Street in 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 March 13, 2021 a Task Force inspector conducted a spot check inspection of the Respondent to determine compliance with the Safe Regulations. The inspector observed several violations as described below.
- IV. 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.

ALLEGED VIOLATIONS

The following alleged violations stem from the March 13, 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 an exception applies and requires establishments to deny entry to any employee, who is not otherwise exempt from the requirement, who refuses to wear a cloth face covering when required. The inspector observed that the employee behind the bar was not wearing a cloth face covering. The employee did not claim an exception. (See “Exhibit A”)
- II. Respondent is in violation of Section 7.4.2(A)(3) of the Safe Regulations, which prohibits service to standing customers. The inspector observed a standing patron being served at the bar. (See “Exhibit A”)
- 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 several standing patrons mingling within an area under the establishment’s control. (See “Exhibit B”)
- IV. Respondent is in violation of Section 7.4.1(A)(11) which prohibits the use of hookah or waterpipes indoors. The inspector observed numerous patrons seated at tables using hookah indoors. (See “Exhibits B and C”)

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 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 ensure that service is made only to seated customers and that no service to standing customers occurs.
- III. Respondent shall ensure that no congregating and/or mingling occurs within the establishment or any area under the establishment's control.
- IV. Respondent shall ensure that no hookah or waterpipes are used indoors.

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 16th day of March, 2021.



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



EXHIBIT C

