



**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:
A-1 Pizza – Little Compton
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 Order 20-98, and Rhode Island Department of Health (“RIDOH”) regulation 216-RICR-50-15-7 (“Safe Regulations”), determines that there are reasonable grounds to believe that A-1 Pizza (“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 20 Commons, Little Compton.
- 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 August 28, 2020, a Task Force inspector met with owner Bill Kyros (“Owner”) and 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 7/11 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 30, 2020, a different Task Force inspector conducted a reinspection of the Respondent. The inspector met with the Owner and again a checklist inspection based on the Safe Regulations. The inspector determined that the Respondent scored a 7/12 for overall requirements and a 4/5 for dining requirements. It was apparent in the report that no corrective measures had been implemented since the inspection of August 28. The inspector again provided information and resources to the Respondent.
- V. On or about December 8, 2020, the same Task Force inspector conducted a reinspection of the Respondent. The inspector met with the Owner and again performed a checklist inspection based on the Safe Regulations. The inspector determined that the Respondent scored a 6/12 for overall requirements and a 3/5 for dining requirements. It was once again apparent that the Respondent had made no corrective measures and was not in compliance with the applicable Executive Orders and the Safe Regulations.
- 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.

ALLEGED VIOLATIONS

The following alleged violations stem from the December 8, 2020 reinspection.

- I. 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 request, Respondent could not identify a point of contact who is familiar with the guidance and regulations.

- II. 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.
- III. 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")
- IV. 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.
- V. Respondent is in violation of Section 7.4.1(A)(5) of the Safe Regulations, which requires all covered entities to ensure that their establishments have their restrooms open, and that they have running water and are stocked with hand soap. If access to restrooms or running water is limited, the establishment shall ensure ready access to hand sanitizer at all times. The inspector observed that the Respondent did not have its restrooms open and it did not have ready access to hand sanitizer available.
- 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. In addition, there were no posters visible at or near the entrance concerning entry screening.

- VII. Respondent is in violation of Section 7.4.2(A)(2) of the Safe Regulations, which prohibits self-service seating. The inspector observed that patrons were allowed to seat themselves without assistance by the Respondent.
- VIII. 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 could not produce the required information.

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 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.
- II. Respondent shall develop, maintain, and ensure compliance with a written plan for the safe operation of the establishment.
- III. 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.
- IV. Respondent shall ensure the performance of environmental cleaning of its establishment once per day and maintain records documenting such environmental cleaning.

- V. Respondent shall ensure that its establishment has its restroom open, and that they have running water and are stocked with hand soap. If access to restrooms or running water is limited, the establishment shall ensure ready access to hand sanitizer at all times.
- 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 that all parties are seated by the Respondent and that no self-seating occurs.
- VIII. 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 9th day of December 2020.



Elizabeth M. Tanner, Esq.
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**A WRITTEN REQUEST FOR A HEARING MAY BE FILED IN WRITING WITHIN
TEN DAYS AFTER THIS NOTICE**

EXHIBIT A

