



**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:  
Bristol Sports Club  
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 21-11 (Executive Order), and Rhode Island Department of Health (“RIDOH”) regulation 216-RICR-50-15-7 (“Safe Regulations”), determines that there are reasonable grounds to believe that Bristol Sports Club (“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, which maintains a bar area, located at 417 Wood Street in Bristol.
- 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 September 28, 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 5/11 for overall requirements and a 1/6 for bar 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](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.
- IV. On or about February 5, 2021, a different Task Force inspector conducted a reinspection of the Respondent. The inspector met with an employee and performed a checklist inspection based on the Safe Regulations. The inspector determined that the Respondent again scored a 4/12 for overall requirements, a 4/5 for dining requirements, and a 5/7 for bar 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 February 5, 2021 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 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 that the employee bartender was wearing a cloth face covering improperly beneath her chin. The employee did not claim an exception.

- 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 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.
- 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 Executive Order 21-11, which states in pertinent part, that at all times, a licensee 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 that the bar area was open, allowing seating, and providing service to customers.
- VI. 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.
- VII. 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 (10<sup>th</sup>) 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 develop, maintain, and ensure compliance with a written plan for the safe operation of the establishment.
- III. Respondent shall ensure the performance of environmental cleaning of its establishment once per day and maintain records documenting such environmental cleaning.
- 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 that its bar area remains closed and roped off until such time as the requirement set forth in Executive Order 21-11, and any successor Executive Order thereto, that bar areas remain closed is lifted.
- VI. Respondent shall ensure that service is made only to seated customers and that no service to standing customers occurs.

VII. 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 February 2021.

A handwritten signature in black ink, appearing to read "Elizabeth M. Tanner", is enclosed within a thin black rectangular border.

Elizabeth M. Tanner, Esq.  
Chair  
Rhode Island COVID-19 Enforcement Task Force  
RI Department of Health  
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Providence, RI 02908

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