



**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:
Pizza Roma
Violations of Executive Orders and
RI Department of Health Regulations**

NOTICE OF VIOLATION AND COMPLIANCE ORDER

Now comes the Chair (the “Chair”) of the Rhode Island COVID-19 Enforcement Task Force (“Task Force”) and pursuant to R.I. Gen. Laws § 23-1-20, Executive Order 20-32, Executive Order 20-40, Executive Order, 20-50, and Rhode Island Department of Health (“RIDOH”) regulation 216-RICR-50-15-7 (the “Safe Regulations”), determines there are reasonable grounds that Pizza Roma (“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 1092 Chalkstone Avenue 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 July 13, 2020, a Task Force inspector conducted a Healthy Environment inspection of the Respondent. An inspector met with an employee and performed a checklist inspection of

eleven items based on the Safe Regulations. The inspector determined that Respondent was substantially not in compliance with applicable Executive Orders and/or the Safe Regulations. In response, the inspector provided information and resources to the Respondent in an attempt to help it achieve compliance. The Respondent was advised that a reinspection would occur in approximately one week.

- IV. On or about July 20, 2020, a Task Force inspector again met with an employee and conducted a reinspection of the Respondent. The inspector again performed a checklist inspection of eleven items based on the Safe Regulations. The inspector determined that the Respondent remained substantially not in compliance with applicable Executive Orders and/or the Safe Regulations.
- 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 July 20, 2020 reinspection.

- I. Respondent is in violation of 216-RICR-50-15-7.4.1(A)(1)(f) of the Safe Regulations, which requires the designation of a point of contact who will work with the Department on testing, contact tracing, case investigation, isolation and quarantine follow up. Upon request, the employee identified the owner John (no last name given) as the Point of Contact. Multiple attempts via telephone were made to the owner, however, the owner never responded. As a result of the findings of his inspection, the inspector concluded that there is no designated Point of Contact who is familiar with the applicable Executive Orders and the Safe Regulations.
- II. Respondent is in violation of 216-RICR-50-15-7.4.1(A)(1) of the Safe Regulations, which requires each covered entity to develop and maintain a written plan for the safe operation of the

establishment. Upon request, the employee stated that they did not have a written plan because the owner had not gotten to it yet.

- III. Respondent is in violation of 216-RICR-50-15-7.4.1(A)(6) & (7) of the Safe Regulations, which requires each covered entity to ensure the performance of environmental cleaning of their establishments once per day and to maintain records documenting such environmental cleaning. Although the employee states that environmental cleaning is taking place daily, the Respondent does not maintain any logs to document said cleaning.
- IV. Respondent is in violation of 216-RICR-50-15-7.4.1(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. The employee admitted that they do not screen individuals entering the establishment. Further, there are no posters placed at the entry of the establishment to direct individuals to self-screen.
- V. Respondent is in violation of 216-RICR-50-15-7.4.1(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 social distancing, use of cloth face coverings, and other subjects as provided in guidance issued by the Department. Inspectors observed that required posters were absent from the entry to the establishment and concluded, therefore, that the Respondent failed to ensure the placement of required posters.
- VI. Respondent is in violation of 216-RICR-50-15-7.4.1(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. Upon observation, the Respondent did not have its restrooms open and did not have ready access to

hand sanitizer available. The employee was able to produce hand sanitizer but admitted that it is not located where the public has access to it.

- VII. Respondent is in violation of 216-RICR-50-15-7.4.1(A)(1)(a) of the Safe Regulations, which requires all individuals in public or in an establishment to maintain social distancing at all times, to the extent feasible, and to include additional measures to be taken in high traffic, communal, or other areas where social distancing is not feasible. Inspectors observed that there were no physical distancing measures in place.

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 will work with the Department on testing, contact tracing, case investigation, isolation and quarantine follow up.
- II. Respondent shall develop and maintain 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 implement and ensure compliance with screening of all individuals entering its establishment(s) at any time for any reason.
- V. Respondent shall ensure the placement of posters or signs at entry to its establishment educating any individual at the establishment concerning entry screening, required social distancing, use of cloth face coverings, and other subjects as provided in guidance issued by RIDOH.

- VI. 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.
- VII. Respondent shall ensure that social distancing is maintained at all times, to the extent feasible, and to include additional measures to be taken in high traffic, communal, or other areas where social distancing is not feasible.

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 22nd day of July 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**