



ISSUED

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Frequently Asked Questions for Restaurant and Bar Owners Related to Executive Order 29

Q: What kinds of establishments may reopen?

A: Restaurants and similar food establishments that sell more food than alcohol and whose primary purpose is to make, cook and serve food, but not bars or other establishments that sell more alcohol than food. All TABC licensed restaurants and wine-only restaurants will meet this definition and may reopen pursuant to the Governor's order. This order also includes such restaurants selling more food than alcohol that may be licensed as premier type resorts, urban park centers and similar license types.

Additionally, this order also includes any restaurants selling more food than alcohol that are located within other licensed establishments, such as such a restaurant within a hotel, movie theater, golf course, sports arena, resorts, performing arts center, museum and other establishments, provided that while the restaurant within such an establishment may reopen, that does not mean that the rest of the establishment outside the restaurant is permitted to reopen.

Q: What kinds of establishments may not reopen?

A: Any establishment that is currently required to be closed and is

not a restaurant as described above may not reopen. This specifically includes bars and similar establishments selling more alcohol than food or whose primary purpose is not the making, selling and serving of food. All establishments licensed by the TABC as a limited service restaurant may not reopen, but other establishments that may also fit into this category that could not reopen include private clubs and any other licensee that sells more alcohol than food sales or whose primary purpose is not the making, selling and serving of food.

Q: Does this apply to all counties? What if I am in one of the six counties with locally run health departments (Davidson, Hamilton, Knox, Madison, Shelby or Sullivan)?

A: Pursuant to Executive Order 29, this order applies to all counties in Tennessee. However, if you are located in one of the six counties with locally run health departments (Davidson, Hamilton, Knox, Madison, Shelby or Sullivan), you are subject to orders issued by those health departments which may include further restrictions on reopening. Such restrictions may include extending the dates that restaurants and other businesses are required to be closed. If you are located in Davidson, Hamilton, Knox, Madison, Shelby, or Sullivan County, you must adhere to all orders and guidance issued by your county health department.

Q: May Davidson, Hamilton, Knox, Madison, Shelby and Sullivan Counties allow limited service restaurants, bars and similar establishments to be open to the public or otherwise allow activity that is not permitted under Executive Order 29?

A: No. While Executive Order 29 authorizes the County Health Departments of these counties “to maintain any existing order or

issue further restrictions regarding the operation of restaurants for the purposes of containment or management of the spread of COVID-19”, this authorization does not allow such departments to permit activity that is prohibited under the executive order or to create authorizations less restrictive than the executive order. Thus, such departments may not authorize limited service restaurants, bars and similar establishments to be open to the public and any such authorization would be void. For your convenience, these county health department websites are listed below.

Davidson County Metro Public Health Department:

<https://www.nashville.gov/Health-Department.aspx>

Hamilton County Health Department:

<http://health.hamiltontn.org/>

Knox County Health Department:

<https://www.knoxcounty.org/health/>

Madison County Health Department:

<https://www.madisoncountyttn.gov/144/Health-Department>

Shelby County Health Department:

<http://www.shelbytnhealth.com/>

Sullivan County Health Department:

<https://www.sullivanhealth.org/>

Q: Can I still offer carryout and delivery of alcoholic beverages?

A: Restaurants, wine-only restaurants, and limited service restaurants may continue to offer carryout and delivery of alcoholic beverages until further notice. No other on-premise liquor-by-the-drink license types may offer alcoholic beverages for carryout or delivery.

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