

Restaurants can open patio dining

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SANTA FE – For restaurants across most of New Mexico, outdoor dining is back in.

In a first step toward a broader restaurant reopening, Gov. Michelle Lujan Grisham's administration on Tuesday amended a public health order so that restaurants can – starting today – reopen outdoor patio areas that have been off-limits for more than two months.

But no more than six customers will be allowed to sit together at a table.

In addition, outdoor restaurant dining will be limited to 50% capacity – to allow for social distancing – under the revised order issued by Health Secretary Kathy Kunkel.

The revised order will also not mandate that restaurants obtain contact information from its diners as previously proposed; instead customers can decide whether they want to share that information.

With case numbers in many parts of New Mexico declining or leveling off, Lujan Grisham said the state's progress in slowing the spread of COVID-19 has allowed her administration to begin loosening restrictions.

“I greatly look forward to being able to continue to ease the restrictions imposed on us by this heinous virus – provided that we continue on the right track and New Mexicans take every necessary precaution, whether in an individual capacity or as a business-owner,” the governor said in a statement.

While restaurants have been allowed to offer takeout or delivery services since the COVID-19 outbreak began in March, many have been forced to lay off workers due to the financial impact.

Carol Wight, the chief executive of the New Mexico Restaurant Association, said the restaurant industry welcomed the news of the “soft” reopening plan.

While restaurants will not have much time to prepare, she said, eateries already offering takeout food will be able to make a quick transition to outdoor dining.

“We believe this will provide restaurants the opportunity to ease back into the swing of things while taking the time to properly train staff and implement

COVID-19 safe procedures effectively, before fully opening to the public on June 1,” Wight said.

However, she said, the industry association was asking restaurants in Doña Ana County to consider staying closed for now, due to a recent increase in coronavirus transmissions in the area.

The outdoor dining option will not be allowed for now in three northwestern New Mexico counties – San Juan, McKinley and Cibola – that have had elevated case numbers and deaths from the coronavirus outbreak.

In the rest of the state, only restaurants that made more than half their revenue from food sales last year will be able to reopen under the amended order, meaning most bars and breweries will have to remain closed for now.

New Mexico’s death toll from the coronavirus pandemic now stands at 325, after state health officials reported five more deaths Tuesday.

The latest victims were adults ranging in ages from their 60s to their 80s, all with underlying medical conditions. Two of the five were residents of group living facilities.

Two of the deceased were from San Juan County, while the others were from Cibola, McKinley and Otero counties.

In all, state officials said, testing has now confirmed 7,130 cases of COVID-19 – the respiratory illness caused by the coronavirus – since March 11, when the disease was first detected in New Mexico.

Of that amount, the Department of Health has classified 2,564 people as having recovered from the virus.

There were 107 new confirmed cases of the disease reported Tuesday – including 14 new cases of the virus among federal detainees by U.S. Immigration and Customs Enforcement at the Torrance County jail.

State officials also said 211 patients were hospitalized as of Tuesday with COVID-19 symptoms, or five fewer than Monday.

Restaurants that decide to reopen outdoor seating areas will have to comply with COVID-safe practices, including mandatory masks for employees, regular hand-washing or gloves for servers and the frequent cleaning and sanitizing of menus.

However, restaurateurs will not be required to log and store customers’ and employees’ contact information for at least four weeks after dining, after some

restaurant owners expressed concern about how customers would react to the mandate.

The rule had been proposed by the state's Economic Recovery Council and included in a list of COVID-safe practices designed to guide the gradual reopening of the state's economy.

While restaurants will still have to ask, it will be up to customers to decide whether to voluntarily provide their names, phone numbers and other information to support contact tracing efforts.

"We don't want adversarial relationships with our customers," Wight told the Journal.

In addition, pets – with the exception of service animals – will not be allowed on restaurant patios, despite a 2011 law that allows dogs at designated outdoor dining spaces.

Meanwhile, the move to allow restaurant patios to reopen represents a trial run of sorts, as it will allow for outdoor dining a few days before indoor restaurants are allowed to reopen at limited capacity.

That's expected to happen Monday as part of New Mexico's next reopening phase, as Lujan Grisham said last week the state was on track to meeting COVID-19 control criteria established by her administration.

"Our priority throughout this public health crisis has been the safety and health and well-being of New Mexicans, and this modification of the emergency public health order aligns with that mandate while providing an opportunity for restaurants to begin preparing for a wider reopening next week," Lujan Grisham said.