

BEFORE THE TOWN OF NORMAL
LOCAL LIQUOR CONTROL COMMISSIONER

In the Matter of:

JSP, LLC

d/b/a

Joe's Station House Pizza Pub
305 S. Veterans Parkway, Ste 230
Normal, IL 61761

2020-LC-002

COMPLAINT AND CITATION

You are hereby summoned to appear before the Local Liquor Control Commissioner of the Town of Normal at the following place and time:

29 December 2020

3:30 p.m.

11 Uptown Circle, Second Floor
Normal, IL 61761

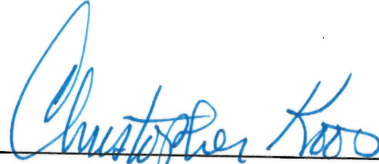
to show cause why your liquor license should not be suspended or revoked or otherwise subject to disciplinary action for violation of Normal Town Code. The complaint against you is as follows:

1. The Licensee, JSP, LLC, holds a Class D liquor license for the premises located at 305 S. Veterans Parkway, Ste 230 in Normal, Illinois. The Class A license allows the retail sale of alcoholic liquor for on-premises consumption.
2. Under section 4.3 of the Normal Town Code, it is unlawful to sell alcoholic liquor except under the terms, conditions, limitations, and restrictions enumerated in the Liquor Code and under the laws of the State of Illinois.
3. Section 4.4(D)(5)(a) of the Normal Town Code provides that the local liquor control commissioner may sanction a licensee for violating any Town ordinance or any State or federal law.

4. Section 4.4(D)(5)(d) of the Normal Town Code provides that the Local Liquor Control Commissioner may sanction a licensee for failing to use and maintain the licensed premises in compliance with all codes and regulations pertaining to health and safety that apply within the Town of Normal.
5. Section 7 of the Illinois Emergency Management Act authorizes the governor to issue executive orders in response to emergencies and disasters.
6. On 09 March 2020, Governor JB Pritzker issued a proclamation under that statute, declaring that the COVID-19 pandemic constituted a disaster within the State of Illinois.
7. The pandemic persisted, and the governor issued subsequent disaster proclamations and emergency orders related to the pandemic. The Illinois appellate court has ruled that the governor has the authority to issue the subsequent disaster proclamations and emergency orders. See, *Fox Fire Tavern, LLC v. Pritzker*, 2020 IL App (2d) 200623.
8. On 02 November 2020, the governor issued Executive Order 2020-69 (EO69), requiring the suspension of indoor on-premise consumption at all restaurants and bars in Region 2, which includes the Town of Normal. See attachment 1. On 13 November 2020, the governor reissued EO69 by Executive Order 2020-71. See attachment 2.
9. On 18 November 2020, the governor issued Executive Order 2020-73 (EO73), which applies statewide and requires restaurants and bars to suspend indoor on-premises consumption. Customers eating or drinking on the premises must be seated at outdoor tables spaced at least six feet apart. See attachment 3.
10. Both EO69 and EO73 constitute state law and health and safety regulations that apply within the Town of Normal.
11. On 06 November 2020, the licensee allowed the licensed premises to be used for indoor on-premises consumption, violating the terms of EO69. See attachment 4.
12. On 13 November 2020, the licensee allowed the licensed premises to be used for indoor on-premises consumption, violating the terms of EO69 and EO73. See attachment 5.

13. On 16 November 2020, the local liquor control commissioner informed the licensee of its violation and its obligation to follow the law. See attachment 6.
14. On 11 December 2020, the licensee allowed the licensed premises to be used for indoor on-premises consumption, violating the terms of EO69 and EO73. See attachment 7.

Dated 15 December 2020.



Christopher Koos
Local Liquor Control Commissioner
Town of Normal

Prepared by:

Brian Day
Corporation Counsel
11 Uptown Circle
Normal, IL 61761
309-454-9507
legalpleadings@normal.org

Attachments:

Attachment 1: Executive Order 2020-69—02 November 2020

Attachment 2: Executive Order 2020-71—13 November 2020

Attachment 3: Executive Order 2020-73—18 November 2020

Attachment 4: McLean County Incident Report 202013874—06 Nov 2020

Attachment 5: McLean County Incident Report 202014221—13 Nov 2020

Attachment 6: Correspondence to Licensee—16 Nov 2020

Attachment 7: McLean County Incident Report 202015502—11 Dec 2020

Attachment 1
Executive Order 2020-69
02 November 2020



FILED
INDEX DEPARTMENT
NOV 02 2020
IN THE OFFICE OF
SECRETARY OF STATE

November 2, 2020

Executive Order 2020-69

EXECUTIVE ORDER IN RESPONSE TO COVID-19
(COVID-19 EXECUTIVE ORDER NO. 65)

WHEREAS, Coronavirus Disease 2019 (COVID-19), a novel severe acute respiratory illness, has rapidly spread throughout Illinois and continues to necessitate updated and more stringent guidance from federal, state, and local public health officials and significant measures to respond to the increasing public health disaster; and,

WHEREAS, COVID-19 can spread among people through respiratory transmissions, asymptomatic people can transmit the virus, and there is currently no effective treatment or vaccine; and,

WHEREAS, for the preservation of public health and safety throughout the entire State of Illinois, and to ensure that our healthcare delivery system is capable of serving those who are sick, I have found it necessary to take additional measures consistent with public health guidance to slow and stop the spread of COVID-19; and,

WHEREAS, on October 16, 2020, considering the expected continuing spread of COVID-19 and the ongoing health and economic impacts that that will be felt over the coming month by people across the State, I again declared all counties in the State of Illinois as a disaster area; and,

WHEREAS, working with experts in the Department of Public Health, I put forward a deliberate plan that utilizes several layers of mitigation steps to combat a resurgence of COVID-19 and prevent uncontrollable spread; and,

WHEREAS, that plan described two scenarios that would cause the State to institute more restrictive public health measures and impose additional mitigations in a region: first, a sustained increase in the 7-day rolling average (7 out of 10 days) in the positivity rate, coupled with either (a) a sustained 7-day increase in hospital admissions for a COVID-like illness, or (b) a reduction

ILCS 3305, and consistent with the powers set forth in the State's public health laws, I hereby order the following, effective November 4, 2020 at 12:01 a.m.:

Section 1. The following public health restrictions and mitigations are instituted for Region 2, comprised of Rock Island, Henry, Bureau, Putnam, Kendall, Grundy, Mercer, Knox, Henderson, Warren, McDonough, Fulton, Stark, Marshall, Peoria, Tazwell, McLean, Woodford, Livingston, and LaSalle counties:

- a. Mitigation for restaurants and bars. Restaurants and bars in the region are subject to these restrictions and mitigation measures, which supplement the Phase 4 guidance from the Department of Commerce and Economic Opportunity for Indoor and Outdoor Dining:
 1. All restaurants and bars in the region must close at 11:00 p.m., and must remain closed until 6:00 a.m. the following day.
 2. All restaurants and bars in the region must suspend indoor on-premises consumption.
 3. All customers eating or drinking on premises must be seated at outdoor tables spaced at least six feet apart. Multiple parties may not be seated at a single table.
 4. Customers who are not yet seated at a table must wait off premises and, when waiting, must not congregate in groups larger than the party with whom they are dining. Standing, congregating, or dancing on premises is not permitted.
 5. Each party must have a reservation, even if made on-site, so that the restaurant or bar has contact information to reach every party for contact tracing if needed.
- b. Mitigation for meetings and social events. Meetings and social events in the region are subject to these restrictions and mitigation measures, which supplement the Phase 4 guidance from the Department of Commerce and Economic Opportunity for Meetings and Social Events:
 1. Meetings and social events are limited to the lesser of 25 people or 25% of overall room capacity.
 2. Attendance lists must be kept for contact tracing.
 3. Party buses are not permitted.
- c. Mitigation for gaming and casinos. Gaming and casinos in the region are subject to these restrictions and mitigation measures:
 1. Gaming venues and casinos must close, and gaming terminals must stop operating, between 11:00 p.m. and 6:00 a.m. the following day.
 2. Gaming venues and casinos are limited to 25% capacity.
 3. Gaming venues and casinos must follow the mitigation strategies for restaurants and bars for those portions of their facilities.
- d. Mitigation for all workplaces. Businesses and establishments shall institute remote work for high risk individuals, and shall evaluate whether additional workers can telework. This Executive Order encourages remote work for as many workers as possible.

Section 2. This Executive Order supplements the Community Revitalization Order (Executive Order 2020-43), which remains in effect other than when its terms are inconsistent with those expressly set forth in Section 1 above. The additional requirements of the Community Revitalization Order, including the requirements relating to social distancing and wearing face coverings, remain in place. The exemptions set forth in Section 4 of the Community Revitalization Order apply to this Executive Order.

Section 3. If any provision of this Executive Order or its application to any person or circumstance is held invalid by any court of competent jurisdiction, this invalidity does not affect any other provision or application of this Executive Order, which can be given effect without the invalid provision or application. To achieve this purpose, the provisions of this Executive Order are declared to be severable.



JB Pritzker, Governor

Issued by the Governor November 2, 2020

Filed by the Secretary of State November 2, 2020

FILED
INDEX DEPARTMENT

NOV 02 2020

IN THE OFFICE OF
SECRETARY OF STATE

Attachment 2
Executive Order 2020-71
13 November 2020



SPRINGFIELD, ILLINOIS

FILED
INDEX DEPARTMENT
NOV 13 2020
IN THE OFFICE OF
SECRETARY OF STATE

November 13, 2020

Executive Order 2020-71

EXECUTIVE ORDER 2020-71
(COVID-19 EXECUTIVE ORDER NO. 67)

WHEREAS, since early March 2020, Illinois has faced a pandemic that has caused extraordinary sickness and loss of life, infecting over 550,000, and taking the lives of more than 10,500 residents; and,

WHEREAS, as Illinois adapts and responds to the public health disaster caused by Coronavirus Disease 2019 (COVID-19), a novel severe acute respiratory illness that spreads rapidly through respiratory transmissions and that continues to be without an effective treatment or vaccine, the burden on residents, healthcare providers, first responders, and governments throughout the State is unprecedented; and,

WHEREAS, at all times but especially during a public health crisis, protecting the health and safety of Illinoisans is among the most important functions of State government; and,

WHEREAS, public health research and guidance indicates the necessity and efficacy of wearing cloth face coverings in public settings where social distancing measures are difficult to maintain, and indicates that the risk of transmission outdoors is less than the risk of transmission indoors; and,

WHEREAS, public health guidance advises that minimizing physical interactions between people who do not reside in the same household is critical to slowing the spread of COVID-19; and,

WHEREAS, as COVID-19 has spread in Illinois over the course of the Gubernatorial Disaster Proclamations, the circumstances causing a disaster throughout the State have changed and continue to change, making definitive predictions of the course the virus will take over the coming

WHEREAS, in response to the epidemic emergency and public health emergency described above, I find it necessary to re-issue Executive Orders 2020-03, 2020-04, 2020-07, 2020-08, 2020-09, 2020-11, 2020-12, 2020-15, 2020-16, 2020-17, 2020-20, 2020-21, 2020-22, 2020-23, 2020-24, 2020-25, 2020-26, 2020-27, 2020-28, 2020-29, 2020-30, 2020-34, 2020-35, 2020-36, 2020-40, 2020-41, 2020-42, 2020-43, 2020-45, 2020-47, 2020-50, 2020-53, 2020-56, 2020-57, 2020-60, 2020-61, 2020-62, 2020-63, 2020-64, 2020-65, 2020-66, 2020-67, 2020-68, 2020-69, and 2020-70 and hereby incorporate the WHEREAS clauses of those Executive Orders;

THEREFORE, by the powers vested in me as the Governor of the State of Illinois, pursuant to the Illinois Constitution and Sections 7(1), 7(2), 7(3), 7(8), 7(9), and 7(12) of the Illinois Emergency Management Agency Act, 20 ILCS 3305, and consistent with the powers in public health laws, I hereby order the following, effective November 13, 2020:

Part 1: Re-Issue of Executive Orders.

Executive Orders 2020-03, 2020-04, 2020-07, 2020-08, 2020-09, 2020-11, 2020-12, 2020-15, 2020-16, 2020-17, 2020-20, 2020-21, 2020-22, 2020-23, 2020-24, 2020-25, 2020-26, 2020-27, 2020-28, 2020-29, 2020-30, 2020-34, 2020-35, 2020-36, 2020-40, 2020-41, 2020-42, 2020-43, 2020-45, 2020-47, 2020-50, 2020-53, 2020-56, 2020-57, 2020-60, 2020-61, 2020-62, 2020-63, 2020-64, 2020-65, 2020-66, 2020-67, 2020-68, 2020-69, and 2020-70 as follows:

Executive Order 2020-04 (Closure of James R. Thompson Center; waiver of sick leave requirement for State employees):

Sections 2 and 3 of Executive Order 2020-04 are re-issued and extended through **December 12, 2020**. Nothing in Section 2 precludes the Department of Central Management Services from designating specific points of ingress and egress and controlling traffic flow in the James R. Thompson Center for State employees, members of the public attending to State business, and members of the public patronizing the businesses and food court.

Executive Order 2020-07 (In-person meeting requirements):

Section 6 of Executive Order 2020-07, as amended by Executive Order 2020-33 and Executive Order 2020-44, is re-issued and extended through **December 12, 2020**.

Executive Order 2020-08 (Secretary of State operations):

Sections 3, 4, and 5 of Executive Order 2020-08, as amended by Executive Order 2020-39 and Executive Order 2020-44, are re-issued and extended through **December 12, 2020**.

Executive Order 2020-09 (Telehealth):

Executive Order 2020-09, as amended by Executive Order 2020-52, is re-issued in its entirety and extended through **December 12, 2020**.

Executive Order 2020-11 (Illinois Department of Corrections notification period):

Section 4 of Executive Order 2020-11 is re-issued and extended through **December 12, 2020**.

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Executive Order 2020-16 (Suspension of classroom training requirement for security services):

Section 2 of Executive Order 2020-16 is re-issued and extended through December 12, 2020.

Executive Orders 2020-03 and 2020-17 (Cannabis deadlines and applications):

Executive Orders 2020-03 and 2020-17, as modified by Executive Order 2020-18, are re-issued and shall remain in effect as specified by Executive Order 2020-18.

Executive Order 2020-20 (Public assistance requirements):

Executive Order 2020-20 is re-issued in its entirety and extended through December 12, 2020.

Executive Order 2020-21 (Furlough of Illinois Department of Corrections inmates):

Executive Order 2020-21 is re-issued in its entirety and extended through December 12, 2020.

Executive Order 2020-22 (Placements under the Child Care Act of 1969; fingerprint submissions under Health Care Worker Background Check Act):

Sections 4, 5, and the Savings Clause of Executive Order 2020-22 are re-issued and extended through December 12, 2020.

Executive Order 2020-23 (Actions by the Illinois Department of Financial and Professional Regulation for licensed professionals engaged in disaster response):

Executive Order 2020-23 is re-issued in its entirety and extended through December 12, 2020.

Executive Order 2020-24 (Illinois Department of Human Services Forensic Treatment Program; investigations of Illinois Department of Human Services employees):

Executive Order 2020-24 is re-issued in its entirety and extended through December 12, 2020.

Executive Order 2020-25 (Garnishment and wage deductions):

Executive Order 2020-25, as amended by Executive Order 2020-55, is re-issued in its entirety and extended through December 12, 2020.

Executive Order 2020-26 (Hospital capacity):

Sections 2(e), 6, 7, 8, 9, and 10 of Executive Order 2020-26 are re-issued and extended through December 12, 2020.

Executive Order 2020-29 (In-person education or exams for professional insurance licenses):

Executive Order 2020-29 is re-issued in its entirety and extended through December 12, 2020.

Executive Order 2020-30 (Expired consular identification documents; electronic filings for the Illinois Human Rights Commission):

Sections, 1, 4, 5, and 6 of Executive Order 2020-30 are re-issued and extended through December 12, 2020.

Executive Order 2020-34 (Cannabis requirements):

Executive Order 2020-34 is re-issued in its entirety and extended through December 12, 2020.

Executive Order 2020-35 (Illinois Department of Public Health regulatory activities):

Sections 14, 15, 16, and 17 of Executive Order 2020-35 are re-issued and extended through December 12, 2020.

Executive Order 2020-36 (Marriage licenses):

Executive Order 2020-36 is re-issued in its entirety and extended through December 12, 2020.

Executive Order 2020-40 (Child Labor Law):

Sections 2 and 4 of Executive Order 2020-40 are re-issued and extended through December 12, 2020.

Executive Order 2020-41 (Sports wagering):

Executive Order 2020-41 is re-issued in its entirety and extended through December 12, 2020.

Executive Order 2020-42 (State Fairs):

Executive Order 2020-42 is re-issued in its entirety and extended through December 12, 2020.

Executive Order 2020-43 (Phase 4 Community Revitalization Order):

Executive Order 2020-43, as amended by Executive Order 2020-55 and Executive Order 2020-59, is re-issued in its entirety and extended through December 12, 2020.

Executive Order 2020-45 (Cannabis licenses):

Executive Order 2020-45 is re-issued in its entirety and shall remain in effect as specified

Executive Order 2020-50 is re-issued in its entirety and extended through December 12, 2020.

Executive Order 2020-53 (Region 7 mitigations):

Executive Order 2020-53 is re-issued in its entirety and extended through December 12, 2020.

Executive Order 2020-56 (Region 1 mitigations):

Executive Order 2020-56 is re-issued in its entirety and extended through December 12, 2020.

Executive Order 2020-57 (Cannabis identification cards):

Executive Order 2020-57 is re-issued in its entirety and extended through December 12, 2020.

Executive Order 2020-60 (Region 5 mitigations):

Executive Order 2020-60 is re-issued in its entirety and extended through December 12, 2020.

Executive Order 2020-61 (Regions 7 and 8 mitigations):

Executive Order 2020-61 is re-issued in its entirety and extended through December 12, 2020.

Executive Order 2020-62 (Region 1 Tier 2 mitigations):

Executive Order 2020-62 is re-issued in its entirety and extended through December 12, 2020.

Executive Order 2020-63 (Regions 4 and 10 mitigations):

Executive Order 2020-63 is re-issued in its entirety and extended through December 12, 2020.

Executive Order 2020-64 (Region 11 mitigations):

Executive Order 2020-64 is re-issued in its entirety and extended through December 12, 2020.

Executive Order 2020-65 (Region 9 mitigations):

Executive Order 2020-65 is re-issued in its entirety and extended through December 12, 2020.

Executive Order 2020-66 (Region 3 mitigations):

Executive Order 2020-66 is re-issued in its entirety and extended through December 12,

Executive Order 2020-69 (Region 2 mitigations):

Executive Order 2020-69 is re-issued in its entirety and extended through December 12, 2020.

Executive Order 2020-70 (Regions 5, 7, and 8 Tier 2 mitigations):

Executive Order 2020-70 re-issued in its entirety and extended through December 12, 2020.

Part 2: Savings Clause. If any provision of this Executive Order or its application to any person or circumstance is held invalid by any court of competent jurisdiction, this invalidity does not affect any other provision or application of this Executive Order, which can be given effect without the invalid provision or application. To achieve this purpose, the provisions of this Executive Order are declared to be severable.


JB Pritzker, Governor

Issued by the Governor November 13, 2020
Filed by the Secretary of State November 13, 2020

FILED
INDEX DEPARTMENT
NOV 13 2020
IN THE OFFICE OF
SECRETARY OF STATE

Attachment 3
Executive Order 2020-73
18 November 2020

November 18, 2020

Executive Order 2020-73

EXECUTIVE ORDER 2020-73
(COVID-19 EXECUTIVE ORDER NO. 69)

Tier 3 Mitigation Order

WHEREAS, since early March 2020, Illinois has faced a pandemic that has caused extraordinary sickness and loss of life, infecting over 600,000, and taking the lives of more than 11,000 residents; and,

WHEREAS, at all times but especially during a public health crisis, protecting the health and safety of Illinoisans is among the most important functions of State government; and,

WHEREAS, it is critical that Illinoisans who become sick have access to necessary care from medical professionals, including hospital beds, emergency room beds, or ventilators if needed; and,

WHEREAS, it is also critical that the State's health care and first responder workforce has adequate personal protective equipment (PPE) to safely treat patients, respond to public health disasters, and prevent the spread of communicable diseases; and,

WHEREAS, as Illinois responds to the public health disaster caused by Coronavirus Disease 2019 (COVID-19), a novel severe acute respiratory illness that spreads rapidly through respiratory transmissions and that continues to be without an effective treatment or vaccine, the burden on residents, healthcare providers, first responders, and governments throughout the State is unprecedented; and,

WHEREAS, despite efforts to contain COVID-19, the virus has continued to spread rapidly, resulting in the ongoing need for federal and State governments to take significant steps; and,

WHEREAS, the CDC now advises that cloth face coverings or masks protect both the wearer and those around them from COVID-19; and,

WHEREAS, as COVID-19 has spread in Illinois over the course of the Gubernatorial Disaster Proclamations, the circumstances causing a disaster throughout the State have changed and continue to change, making definitive predictions of the course the virus will take over the coming months extremely difficult; and,

WHEREAS, at the time I issued the first Gubernatorial Disaster Proclamation, there were 11 confirmed cases of COVID-19 in one Illinois county; and,

WHEREAS, as of today, there have been over 600,000 confirmed cases of COVID-19 in all 102 Illinois counties; and,

WHEREAS, the first death attributed to COVID-19 in Illinois was announced on March 17, 2020; and,

WHEREAS, as of today, November 18, 2020, more than 11,000 residents of Illinois have died due to COVID-19; and,

WHEREAS, from the outset, studies have suggested that for every confirmed case there are many more unknown cases, some of which are asymptomatic individuals who can pass the virus to others without knowing; and,

WHEREAS, the number of new COVID-19 cases in the State has surged over the past several weeks, and the virus continues to infect thousands of individuals and claim the lives of too many Illinoisans each day; and,

WHEREAS, the COVID-19 pandemic is not limited to the most populous counties, and as of today, counties in all regions of the State are demonstrating significant increased COVID-19 risk; and,

WHEREAS, without precautions COVID-19 can spread exponentially, even in less populous areas; for example, in Jasper County, a single infected first responder visited a nursing home and instigated series of infections that resulted in one of highest infection rates in the State; and similarly, in Randolph County, a single infected person attended an event in mid-March that caused that county likewise to suffer one of the State's highest infection rates; and,

WHEREAS, numerous counties all around the State have reported more than 75 cases per 100,000 people over the past 7 days; and,

WHEREAS, the State and the Illinois Department of Public Health have developed a mitigation plan to trigger additional precautions when regions meet certain risk levels; and,

WHEREAS, as of today, all regions of the State have triggered these additional mitigation strategies; and,

WHEREAS, while the precautions taken by Illinoisans previously slowed the growth of COVID-19 cases and deaths in the State, the number of cases in the State is now again growing exponentially; and,

WHEREAS, COVID-19 has claimed the lives of and continues to impact the health of Black and Hispanic Illinoisans at a disproportionately high rate – magnifying significant health disparities and inequities; and,

WHEREAS, in addition to causing the tragic loss of more than 11,000 Illinoisans and wreaking havoc on the physical health of tens of thousands more, COVID-19 has caused extensive economic loss and continues to threaten the financial welfare of a significant number of individuals and businesses across the nation and the State; and,

WHEREAS, COVID-19 also has been extraordinarily disruptive to schools, and it is among the highest priorities of the State to ensure that students are able to obtain a quality education and that schools are able to provide an environment that is safe for students, teachers, and the community; and,

WHEREAS, considering the rapid spread of COVID-19 and the ongoing health and economic impacts that will be felt over the coming month by people across the State, on November 13, 2020, I declared that the circumstances in Illinois surrounding the spread of COVID-19 constitute an epidemic emergency and a public health emergency under Section 4 of the Illinois Emergency Management Agency Act;

THEREFORE, by the powers vested in me as the Governor of the State of Illinois, pursuant to the Illinois Constitution and Sections 7(1), 7(2), 7(3), 7(8), 7(9), and 7(12) of the Illinois Emergency Management Agency Act, 20 ILCS 3305, and consistent with the powers in public health laws, I hereby order the following, effective at 12:01 a.m. on Friday, November 20:

Tier 3 Mitigation Order

1. **Intent of this Executive Order.** The intent of this Executive Order is to institute strict public health measures that are known to slow the spread of COVID-19 in order to stop the exponential growth of the virus throughout the State. We cannot risk overwhelming our healthcare system, and we must prioritize the health and lives of all Illinoisans, especially the most vulnerable among us. For that reason, this Executive Order aims to limit gatherings and encourages people to stay home to the greatest extent possible. At the same time, this Executive Order allows most industries to continue operating, although at significantly reduced levels, in order to minimize the disruption to our economy and to allow people to perform necessary tasks. The intent of this Executive Order is to effectuate those goals.

This Executive Order supersedes Executive Order 2020-43. The Executive Orders imposing regional mitigation measures remain in place. Where prior guidance and these Tier 3 Mitigations imply different standards, the more restrictive standards apply.

2. **Public health requirements for individuals.** Individuals must take the following public health steps to protect their own and their neighbors' health and lives:
 - a. **Practice social distancing.** To the extent individuals are using shared spaces when outside their residence, including when outdoors, they must at all times and as much as reasonably possible maintain social distancing of at least six feet from any other person who does not live with them.
 - b. **Wear a face covering in public places or when working.**¹ Any individual who is over age two and able to medically tolerate a face covering (a mask or cloth face covering) shall be required to cover their nose and mouth with a face

- c. **Elderly people and those who are vulnerable as a result of illness should take additional precautions.** People at high risk of severe illness from COVID-19, including elderly people and those with a health condition that may make them vulnerable, are urged to stay in their residence and minimize in-person contact with others to the extent possible.
 - d. **Limit gatherings.** Indoor gatherings of more than one household are prohibited by this Executive Order, unless exempted by this Executive Order. Outdoor gatherings are limited to no more than ten people. Nothing in this Executive Order prohibits the gathering of members of a household or residence. Because in-person contact presents the greatest risk of transmission of COVID-19, Illinoisans are encouraged to strictly limit in-person contact with others. Gathering remotely continues to be the safe way to interact with those outside a household or residence.
 - e. **Where possible, conduct activities outdoors.** Public health guidance suggests that the risks of transmission of COVID-19 are greatly reduced outdoors as opposed to indoors. Where possible, Illinoisans are encouraged to conduct their activities outdoors.
3. **Public health requirements for businesses, nonprofits, and other organizations.** For the purposes of this Executive Order, covered businesses include any for-profit, non-profit, or educational entity, regardless of the nature of the service (excluding instructional activities at K-12 institutions, colleges, or universities), the function it performs, or its corporate or entity structure. Those entities must take the following public health measures to protect their employees, their customers, and all others who come into physical contact with their operations:
- a. **Requirements for all businesses.** All businesses must:
 - continue to evaluate which employees are able to work from home, and facilitate remote work from home when possible;
 - ensure that employees practice social distancing and wear face coverings when social distancing is not always possible;
 - ensure that all spaces where employees may gather, including locker rooms and lunchrooms, allow for social distancing; and
 - ensure that all visitors (customers, vendors, etc.) to the workplace can practice social distancing; but if maintaining a six-foot social distance will not be possible at all times, encourage visitors to wear face coverings;
 - cap occupancy at 25 percent capacity for customer-facing activity; and
 - prominently post the guidance from the Illinois Department of Public Health (IDPH) and Office of the Illinois Attorney General regarding workplace safety during the COVID-19 emergency.²

The Department of Commerce and Economic Opportunity (DCEO), in partnership with IDPH, has developed industry-specific guidance and toolkits to help businesses operate safely and responsibly. These documents are available at: <https://dceocovid19resources.com/restore-illinois/restore-illinois-phase-4/> This

- cap occupancy at 25 percent of store capacity for other retail stores, including general merchandise stores, “big box” stores that sell groceries and/or include a pharmacy, and convenience stores;
- provide face coverings to all employees; and
- communicate with customers through in-store signage, and public service announcements and advertisements, about the social distancing and face covering requirements set forth in this Order.

c. **Requirements for manufacturers.** Manufacturers must ensure all employees practice social distancing and must take appropriate additional public health precautions, in accordance with DCEO guidance, which include:

- provide additional COVID-19 training for employees, even if previous training was provided;
- coordinate with IDPH to implement testing protocols and contact tracing;
- provide face coverings to all employees who are not able to maintain a minimum six-foot social distance at all times;
- ensure that all spaces where employees may gather, including locker rooms and lunchrooms, allow for social distancing;
- allow only manufacturing staff and key personnel in facilities, with non-production employees working remotely whenever possible;
- modify and downsize operations (staggering shifts, reducing line speeds, operating only essential lines, while shutting down non-essential lines) to the extent necessary to allow for social distancing and to provide a safe workplace in response to the COVID-19 emergency;
- review policies to ensure that workers are not encouraged or incentivized to report to work while sick or potentially contagious (this may include suspending attendance-based incentive pay and implementing temporary sick leave policies); and
- develop and implement safety protocols for employee travel vans to ensure appropriate spacing, require face coverings, temperature checks, air circulation, and vehicle sanitation.

d. **Requirements for office buildings.** Employers in office buildings must ensure all employees practice social distancing and must take appropriate additional public health precautions, in accordance with DCEO guidance, which may include:

- provide face coverings to all employees;
- cap occupancy at 50 percent of office capacity, and consider implementing stricter capacity limits where the physical space does not clearly allow for social distancing;
- allow telework where possible; and
- develop and prominently post plans and signage to ensure social distancing in shared spaces such as waiting rooms, service counters, and cafeterias.

e. **Requirements for meetings and events.** Indoor venues and meeting spaces such as meeting rooms, banquet centers, private party rooms, private clubs, country

up. Establishments offering food or beverages must ensure that they have an environment where patrons maintain adequate social distancing. All businesses covered in this section may permit outdoor on-premises food and beverage consumption in accordance with DCEO guidance and when permitted by local ordinances and regulations.

- g. **Requirements for hotels.** Hotel room occupancy must be limited to registered guests only. Fitness centers must be closed unless operated only on a reservation model and with a 25 percent occupancy cap. Hotels may not host gatherings in their meeting and event spaces, per the requirements for meetings and events listed above. Hotel restaurants and bars are subject to the requirements for restaurants and bars described above, and may not allow consumption in the restaurant or bar area, but may offer food for take-out and room service.
- h. **Requirements for fitness and exercise gyms.** Fitness and exercise gyms must cap occupancy at 25 percent, must require reservations (which may include walk-up reservations) to ensure capacity is strictly limited, and may not conduct indoor group classes. Face coverings must be worn at all times within the fitness and exercise gym. Locker room areas must be closed except as permitted by DCEO guidance.
- i. **Requirements for personal services facilities.** Personal services facilities such as spas, hair salons, barber shops, nail salons, waxing centers, tattoo parlors, and similar facilities may be open but must cap occupancy at no more than 25 percent. Personal services facilities must ensure the use of face coverings at all times, and must suspend services for which a face covering cannot be worn. Massage therapy and body treatments are allowed as deemed necessary by a medical provider, but appointments must be separated by a minimum of 15 minutes and facilities must take steps to sanitize and circulate clean air through service rooms before and after each service.
- j. **Requirements for recreation, youth day camps, and youth sports.** This Executive Order prohibits indoor group sporting and recreational activities including youth and recreational sports (such as park district and travel leagues) and bowling. Outdoor sports and recreation are allowed in groups no larger than ten, but must ensure the use of face coverings, adherence to social distancing requirements, and must take other public health steps in accordance with DCEO guidance.
- k. **Requirements for places of public amusement.** Places of indoor public amusement and indoor recreation (including but not limited to arcades, indoor driving ranges, museums and aquariums, theaters and performing arts, spectator events, and casinos and gaming), are prohibited from operating by this Executive Order. Outdoor recreational activities are capped at 25 percent occupancy, with adherence to face covering and social distancing requirements. Reservations are required for outdoor activities, and any groups for outdoor activities should be limited to no more than ten people.

- ii. Perform necessary activities to facilitate employees of the business being able to continue to work remotely.
- iii. Fulfill online and telephonic retail orders through pick-up or delivery.

4. **Exemptions.**

- a. **Free exercise of religion.** This Executive Order does not limit the free exercise of religion. To protect the health and safety of faith leaders, staff, congregants and visitors, religious organizations and houses of worship are strongly encouraged to consult and follow the recommended practices and guidelines from the Illinois Department of Public Health.³ As set forth in the IDPH guidelines, the safest practices for religious organizations at this time are to provide services online, in a drive-in format, or outdoors (and consistent with social distancing requirements and guidance regarding wearing face coverings), and to limit services to 10 people. Religious organizations are strongly encouraged to take steps to ensure social distancing, the use of face coverings, and implementation of other public health measures.
- b. **Emergency functions.** All first responders, emergency management personnel, emergency dispatchers, court personnel, law enforcement and corrections personnel, hazardous materials responders, child protection and child welfare personnel, housing and shelter personnel, military, and other governmental employees working for or to support the emergency response are exempt from this Executive Order, but are encouraged to practice social distancing and take recommended public health measures.
- c. **Governmental functions.** This Executive Order does not apply to the United States government and does not affect services provided by the State or any municipal, township, county, subdivision or agency of government and needed to ensure the continuing operation of the government agencies or to provide for or support the health, safety and welfare of the public.
- d. **Election-related functions.** This Executive Order does not apply to activities related to the November 2020 General Election, including the December 14, 2020 meeting of Illinois Presidential Electors as part of the Electoral College. This Executive Order also does not apply to the December 2020 township caucuses and multi-township district caucus, *see* 60 ILCS 1/45, and municipal caucus, *see* 10 ILCS 5/10. Statewide public health-related procedures for the 2020 General Election should be followed for these caucuses as applicable. *See* Illinois Department of Public Health's Guidance for Preventing the Spread of COVID-19 in Election Polling Locations, available at <https://www.dph.illinois.gov/2020election>. Nothing in this Executive Order prohibits caucuses from being held virtually, and caucus organizers are encouraged to facilitate virtual attendance, to convene outdoors, and must adhere to all Social Distancing Requirements.

5. **Social Distancing, Face Covering, and PPE Requirements.** For purposes of this

- i. **Designate six-foot distances.** Designating with signage, tape, or by other means six-foot spacing for employees and customers to maintain appropriate distance;
 - ii. **Hand sanitizer and sanitizing products.** Having hand sanitizer and sanitizing products readily available for employees and customers;
 - iii. **Separate operating hours for vulnerable populations.** Implementing separate operating hours for elderly and vulnerable customers;
 - iv. **Online and remote access.** Posting online whether a facility is open and how best to reach the facility and continue services by phone or remotely; and,
 - v. **Face Coverings and PPE.** Providing employees with appropriate face coverings and requiring that employees wear face coverings where maintaining a six-foot social distance is not possible at all times. When the work circumstances require, providing employees with other PPE in addition to face coverings.
6. **Enforcement.** This Executive Order may be enforced by State and local law enforcement pursuant to, *inter alia*, Section 7, Section 15, Section 18, and Section 19 of the Illinois Emergency Management Agency Act, 20 ILCS 3305.

Businesses must follow guidance provided or published by the Illinois Department of Commerce and Economic Opportunity regarding safety measures during Phase IV, and the Illinois Department of Public Health, local public health departments, and the Workplace Rights Bureau of the Office of the Illinois Attorney General with respect to Social Distancing Requirements. Pursuant to Section 25(b) of the Whistleblower Act, 740 ILCS 174, businesses are prohibited from retaliating against an employee for disclosing information where the employee has reasonable cause to believe that the information discloses a violation of this Order.

7. **No limitation on authority.** Nothing in this Executive Order shall, in any way, alter or modify any existing legal authority allowing the State or any county, or local government body to order (1) any quarantine or isolation that may require an individual to remain inside a particular residential property or medical facility for a limited period of time, including the duration of this public health emergency, or (2) any closure of a specific location for a limited period of time, including the duration of this public health emergency. Nothing in this Executive Order shall be construed as an exercise of any authority to order any quarantine, isolation, or closure. Nothing in this Executive Order shall, in any way, alter or modify any existing legal authority allowing a county or local government body to enact provisions that are stricter than those in this Executive Order.
8. **Savings clause.** If any provision of this Executive Order or its application to any person or circumstance is held invalid by any court of competent jurisdiction, this invalidity does not affect any other provision or application of this Executive Order, which can be given effect without the invalid provision or application. To achieve this purpose, the

Issued by the Governor November 18, 2020
Filed by the Secretary of State November 18, 2020

Attachment 4

McLean County Incident Report 202013874
06 Nov 2020

McLean County Incident Report - 202013874

Date: 12/11/2020 11:28

Page: 1 of 3

Report #: 202013874 Normal PD
Report Date: 11/06/2020 19:13 Start Date: 11/06/2020
End Date:



202013874

Summary: SOCIAL DISTANCING COMPLAINT

Report Type:

Case Status: 202013874 09 - Administratively closed

Incident Location

Address: 305 S VETERANS PRK STE 230
Intersection:
NORMAL, IL 61761
Beat: 4 - Sub Beat: 43 -
Addl. Info: OTHER PUBLIC COMPLAINT/ 719

Incident Offenses

#1 Original Report 6029 OTHER PUBLIC COMPLAINT

Remarks:

Officers Involved

Approving SERGEANT JOSHUA WILSON - NPD - 7372 - Original Report
Reporting OFFICER LUKE SCAGLIONE - NPD - 7719 - Original Report

Incident People

Other **JOSEPH F WARGO**

Sex: M Race: W DOB: 03/10/1984 Age: 36 Original Report

Address: 2013 SINCLAIR CRT (Date of Info: 11/06/2020)
BLOOMINGTON, IL 61704

Business Phone: (618) 244-1234 (Phone Date of Info: 12/10/2010)

Cell Phone: (618) 244-1234 (Phone Date of Info: 11/06/2020)

Employment: JOES STATION HOUSE, 305 S VETERANS PRK NORMAL, IL 61761 Business: (309) 452 - 5637 Date of
info: 12/10/2010 - MANAGER (Emp. Date of Info: 04/20/2018)

Hgt: 601, Wgt: 170, Blue Eyes, Brown Hair (Date of Info: 08/12/2012)



100464456

Incident Businesses

JOES STATION HOUSE PIZZA PUB

Address: 305 S VETERANS PRK STE 230
NORMAL, IL 61761



240119567

Original Report Other

Incident Property

Total Value: \$0

VIDEO TAPE

Safekeeping



110688818

Serial: QJA01874 20201107010746E0 Misc/OAN: 202013874

Description: BWC ON 11/06/20 AT 1907 HOURS

McLean County Incident Report - 202013874

Date: 12/11/2020 11:28

Page: 2 of 3

Associated LEA Cases

LEA Case Number:

LEA Case Summary:

202013874

NPD, Review Status: Review, Case Status: Administratively closed 11/06/2020

Assigned To: No Officer Assigned

McLean County Incident Report - 202013874

Date: 12/11/2020 11:28

Page: 3 of 3

Incident Narrative

Reporting OFFICER LUKE SCAGLIONE - NPD, ID # 7719

1

11/06/2020

19:13

On 11/06/20 I was dispatched to Joe's Station House for a social distancing complaint. I had been directed by Sgt. Wilson to see how many people were dining inside the restaurant.

I walked in to the restaurant and counted 55 patrons. They were seated at the bar and at tables. There were also subjects standing in line for what was presumably carry out orders.

I observed some patrons wearing masks, but noted all employees were wearing cloth masks.

I met with the restaurant owner Joseph Wargo and informed him that he was in violation of the dine in restrictions. Joseph said that he was doing exactly what he had been doing Tuesday and had informed the Health Department of his decisions. I provided him with my business card with report number.

I later entered my BWC recording into the property section of this report.

This report is for informational purposes only.

Attachment 5

McLean County Incident Report 202014221
13 Nov 2020

McLean County Incident Report - 202014221

Date: 12/11/2020 11:29

Page: 1 of 4

Report #: 202014221 Normal PD
Report Date: 11/13/2020 20:22 Start Date: 11/13/2020 20:22
End Date: 11/13/2020 21:22



202014221

Summary: OTHER PUBLIC COMPLAINT

Report Type:

Case Status: 202014221 02 - Pending

Incident Location

Address: 305 S VETERANS PRK STE 230

Intersection:

NORMAL, IL 61761

Beat: 4 - Sub Beat: 43 -

Addl. Info: OTHER PUBLIC COMPLAINT

Incident Offenses

#1 Original Report 6029 OTHER PUBLIC COMPLAINT

Remarks: PUBLIC COMPLAINT - VIOLATION OF REGION 2 COVID RESURGENCE MITIGATIONS

Officers Involved

Approving SERGEANT STEVEN KOSCIELAK - NPD - 7589 - Original Report

Reporting SERGEANT STEVEN KOSCIELAK - NPD - 7589 - Original Report

Incident People

Interviewed **DEVON M FERKO**

Sex: M Race: W DOB: 04/19/1989 Age: 31 Original Report



100797098

Address: [REDACTED] RT (Date of Info: 10/17/2019)

IL 61701

Cell Phone: [REDACTED] (Phone Date of Info: 11/13/2020)

Cell Phone: [REDACTED] (Phone Date of Info: 04/24/2011)

Employment: JOES STATION HOUSE PIZZA PUB, 305 S VETERANS PRK STE 230 NORMAL, IL 61761 - MANAGER.
(Emp. Date of Info: 11/13/2020)

Hgt: 600, Wgt: 200, Hazel Eyes, Brown Hair (Date of Info: 08/15/2019)

Other **JOSEPH F WARGO**

Sex: M Race: W DOB: 03/10/1984 Age: 36 Original Report



100464456

Address: [REDACTED] (Date of Info: 11/06/2020)

61704

Business Phone: [REDACTED] Phone Date of Info: 12/10/2010)

Cell Phone: [REDACTED] Phone Date of Info: 11/06/2020)

Employment: JOE'S STATION HOUSE, 305 S VETERANS PRK NORMAL, IL 61761 Business: (309) 452 - 5637 Date of
info: 12/10/2010 - MANAGER (Emp. Date of Info: 04/20/2018)

Hgt: 601, Wgt: 170, Blue Eyes, Brown Hair (Date of Info: 08/12/2012)

Other **ANTHONY JAMES WARGO**

Sex: M Race: W DOB: 03/07/1978 Age: 42 Original Report



100401176

Address: [REDACTED] R (Date of Info: 08/15/2016)

61701

Home Phone: [REDACTED] Phone Date of Info: 08/15/2016)

Business Phone: [REDACTED] Phone Date of Info: 10/30/2016)

Employment: JOES STATION HOUSE PIZZA PUB, 305 S VETERANS PRK STE 230 NORMAL, IL 61761 - OWNER (Emp.
Date of Info: 04/20/2020)

Hgt: 600, Wgt: 200, Medium, Blue Eyes, Brown Hair, Short Hair, Stubble (Date of Info: 11/01/2019)

McLean County Incident Report - 202014221

Date: 12/11/2020 11:29

Page: 2 of 4

Incident Businesses

JOES STATION HOUSE PIZZA PUB

Address: 305 S VETERANS PRK STE 230
NORMAL, IL 61761



240119567

Original Report Other

Incident Property

Total Value: \$0

VIDEO TAPE

None



110689341

Make: KOSCIELAK

Model: BWC

Serial: QJA01019_20201114032329E0

Description: BWC KOSCIELAK 11/13/2020 2122 HRS

Associated LEA Cases

LEA Case Number:

LEA Case Summary:

202014221

NPD, Review Status: Review, Case Status: Pending 11/13/2020

Assigned To: No Officer Assigned

Incident Narrative

Reporting SERGEANT STEVEN KOSCIELAK - NP, ID # 7589 1 11/13/2020 20:28

On 11/13/2020 at 2022 Hours, I (Sgt. Koscielak) was tasked with checking on a restaurant violating the Illinois Region 2 COVID-19 mitigations. It was reported to Normal PD that Joe's Station House Pizza was open and seating patrons indoors in violation of the state mandates.

Per the Restore Illinois website Mclean County falls within region 2. The mitigations outlined for region 2 which Joe's violated are:

1. no indoor dining or bar service
2. all bar patrons should be seated at tables outside
3. no ordering, seating, or congregating at bar

The complete list of mitigations can be located at : <https://dceocovid19resources.com/assets/Restore-Illinois/COVID-19-Resurgence-Migitations.pdf>

Upon arrival, I met with shift manager Devon Ferko. Devon told me that they were remaining open for indoor dining and that he was aware of the state mandates. Devon explained that the owners of Joe's had enacted the following safety precautions:

1. restaurant would only be seated at 25% capacity; 8 total tables
2. patrons waiting to be seated would leave a number with the hostess and receive a text when a table was ready
3. all wait staff would wear masks and gloves
4. tables and chairs were sanitized between parties

In speaking with Devon it was clear that the restaurant remained open because of the financial hardship that would be felt by the restaurant and its staff if they shut down again. Devon stated that they were taking the Covid-19 situation very seriously and taking all the safety precautions possible. He noted that there were more persons in the nearby Target and local big box stores than in his restaurant.

At the time that I was present, there were 5 tables out of 8 with parties dining at them. The rough total number of persons in the restaurant was between 15 and 20. There were person entering the restaurant to grab take-out food as well.

I asked Devon if there was another COVID-19 metric the restaurant was looking at that would make them close indoor dining. Devon said that would be a better question for Tony and Joe Wargo, the owners, than for him. Devon then told me that the landlords at the Shops at College Hills had not made things easy. There was no chance they'd get to put up a tent for more comfortable outdoor dining; further, they were only allotted two parking spots for takeout order pickup. When asked about putting heating lamps outside he was sure it would be a fire code violation due to the closeness of the building.

Devon was extremely cooperative during my contact with him and was not evasive in answering any questions that I had.

I was wearing a body worn camera during my interaction. I have snipped several stills shots from the body worn camera footage and attached them to this report in the photos section. In the photos you can clearly see two tables seated in the restaurant and two patrons at the bar.

McLean County Incident Report - 202014221

Date: 12/11/2020 11:29

Page: 4 of 4

I recommend this report be forwarded to the Mclean County Health Department for action on the COVID-19 mitigation violations.

Attachment 6
Correspondence to Licensee
16 Nov 2020

RETURN OF SERVICE
POLICE DEPARTMENT

JOE'S STATION HOUSE PIZZA PUB
305 S. VETERANS PARKWAY - SUITE 230
NORMAL, IL 61761

I certify that I served a copy of the 16-NOV-2020 NOTICE OF POTENTIAL VIOLATIONS on the Individual by:

1. PERSONAL SERVICE:

Leaving a copy of the 16-NOV-2020 NOTICE OF POTENTIAL VIOLATIONS with the named Individual, Jenny Murtz (name), personally at 305 S. Veterans Joe's Station (address) on Nov 19, 2020 at 11:16 AM o'clock. Individual is white (race) male/female (circle one), age: 46.

2. SUBSTITUTE SERVICE:

Leaving a copy of the 16-NOV-2020 NOTICE OF POTENTIAL VIOLATIONS at the Individual's usual place of abode with some person of the family, of the age of 13 years or older, and informing the person of the contents thereof.

The 16-NOV-2020 NOTICE OF POTENTIAL VIOLATIONS was served on _____ (name), _____ (relation to Individual), _____ (race), male/female (circle one), age _____, Address of Service: _____, Date and time of service: _____.

Also, a copy of the 16-NOV-2020 NOTICE OF POTENTIAL VIOLATIONS was mailed on the _____ day of _____, 2020, in a sealed envelope, postage fully prepaid, addressed to the Individual at his/her usual place of abode.

3. _____ The Individual was NOT served.

Reason: moved, wrong address, no answer, no such address,

Other _____ (Circle One)

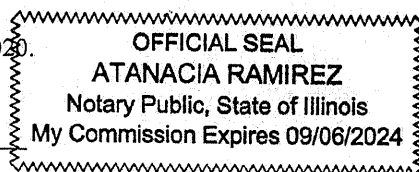
Dates and Times of Attempted Service:

Brad Park
Signature
Brad Park Officer
Name and Title

Subscribed and sworn to before me this

19th day of November, 2020.

Atanacia Ramirez
Notary Public



NOVEMBER 19, 2020



16 November 2020

Joe's Station House Pizza Pub
305 S. Veterans Parkway, Ste. 230
Normal, IL 61761

RE: Notice of potential license violation

Dear Liquor Licensee:

This letter is to inform you of a potential violation of the terms of your liquor license. We have received complaints that you have failed to comply with the mitigation measures in place under the Restore Illinois Plan.

Due to the resurgence of COVID-19 in our region, on 04 November 2020, the state enacted mitigation measures under the 15 July Restore Illinois resurgence plan. Included in those measures is a suspension of all indoor service for bars and restaurants. The mitigation requirements are enclosed.

The Town of Normal received complaints from citizens that you were not following these requirements. On 06 November 2020 and on 13 November 2020, the Normal Police Department investigated the complaints and, on both occasions, found you to be in violation. The police reports for these investigations are enclosed.

As a liquor licensee in the Town of Normal, you have the duty to follow the law. A failure to comply with the mitigation requirements is a violation of section 4.4 of the Town's Liquor Code and a violation of section 4 of Ordinance 5840, which requires all liquor licensees to abide by the Restore Illinois Guidelines. A violation may subject you to fines or to the suspension or revocation of your liquor license.

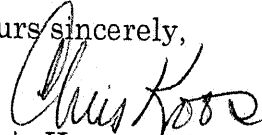
"Committed to Service Excellence"

11 Uptown Circle • Post Office Box 589 • Normal, Illinois 61761-0589
Telephone (309) 454-2444 • Fax (309) 454-9609 • TDD (309) 454-9630
www.normal.org

Joe's Station House
16 November 2020
Page 2

Please consider this letter my order, in my capacity as the Local Liquor Control Commissioner of the Town of Normal, to comply with all of the mitigation requirements of the Restore Illinois Plan. Your failure to do so will result in action against you.

Yours sincerely,



Chris Koos
Local Liquor Control
Commissioner

cc: Pamela S. Reece, City Manager
Rick Bleichner, Chief of Police
Brian Day, Corporation Counsel
McLean County Health Department
Illinois Liquor Control Commission

Encl.

McLean County Incident Summary Report - 202013874

Date: 11/16/2020 16:30

Page: 1 of 2

Report # 202013874 Normal PD
Report Date: 11/06/2020 19:13 Start Date: 11/06/2020
End Date:



202013874

Summary: SOCIAL DISTANCING COMPLAINT

Status: 09 - Administratively closed

Report Type:

Incident Location

Address 305 S VETERANS PRK STE 230

Intersection:

NORMAL, IL 61761

Distance:

Beat: 4 - Sub Beat: 43 -

OTHER PUBLIC COMPLAINT/ 719

Incident Offenses

1 - 6029 OTHER PUBLIC COMPLAINT - - Original Report

Incident People

WARGO, JOSEPH - 03/10/1984 - Other - Original Report



100464456

Incident Businesses

JOES STATION HOUSE PIZZA PUB 305 S VETERANS PRK STE 230 NORMAL, IL 61761
Original Report



240119567

Incident Vehicles

Incident Property

Original Report - VIDEO TAPE;BWC ON 11/06/20 AT 1907 HOURS;
Ser#:QJA01874_20201107010746E0; Lic#:202013874;



110688818

Incident Officers

Approving SERGEANT JOSHUA WILSON - NPD - 7372 - Original Report

Reporting OFFICER LUKE SCAGLIONE - NPD - 7719 - Original Report

McLean County Incident Summary Report - 202013874

Date: 11/16/2020 16:30

Page: 2 of 2

Incident Narrative 1 11/06/2020 19:13

Reporting OFFICER LUKE SCAGLIONE - NPD, ID # 7719

On 11/06/20 I was dispatched to Joe's Station House for a social distancing complaint. I had been directed by Sgt. Wilson to see how many people were dining inside the restaurant.

I walked in to the restaurant and counted 55 patrons. They were seated at the bar and at tables. There were also subjects standing in line for what was presumably carry out orders.

I observed some patrons wearing masks, but noted all employees were wearing cloth masks.

I met with the restaurant owner Joseph Wargo and informed him that he was in violation of the dine in restrictions. Joseph said that he was doing exactly what he had been doing Tuesday and had informed the Health Department of his decisions. I provided him with my business card with report number.

I later entered my BWC recording into the property section of this report.

This report is for informational purposes only.

McLean County Incident Summary Report - 202014221

Date: 11/16/2020 16:31

Page: 1 of 2

Report # 202014221 Normal PD

Report Date: 11/13/2020 20:22 Start Date: 11/13/2020 20:22
End Date: 11/13/2020 21:22



202014221

Summary: OTHER PUBLIC COMPLAINT

Status: 02 - Pending

Report Type:

Incident Location

Address 305 S VETERANS PRK STE 230

Intersection:

NORMAL, IL 61761

Distance:

Beat: 4 - Sub Beat: 43 -

OTHER PUBLIC COMPLAINT

Incident Offenses

1 - 6029 OTHER PUBLIC COMPLAINT - PUBLIC COMPLAINT - VIOLATION OF REGION 2 COVID RESURGENCE MITIGATIONS - Original Report

Incident People

FERKO, DEVON - 04/19/1989 - Interviewed - Original Report



100797098

WARGO, JOSEPH - 03/10/1984 - Other - Original Report



100464456

WARGO, ANTHONY - 03/07/1978 - Other - Original Report



100401176

Incident Businesses

JOES STATION HOUSE PIZZA PUB 305 S VETERANS PRK STE 230 NORMAL, IL 61761
Original Report



240119567

Incident Vehicles

Incident Property

Original Report - VIDEO TAPE;BWC KOSCIELAK 11/13/2020 2122 HRS; Make:KOSCIELAK;
Model:BWC; Ser#:QJA01019_20201114032329E0;



110689341

Incident Officers

Approving SERGEANT STEVEN KOSCIELAK - NPD - 7589 - Original Report

Reporting SERGEANT STEVEN KOSCIELAK - NPD - 7589 - Original Report

McLean County Incident Summary Report - 202014221

Date: 11/16/2020 16:31

Page: 2 of 2

Incident Narrative 1 11/13/2020 20:28

Reporting SERGEANT STEVEN KOSCIELAK - NPD, ID # 7589

On 11/13/2020 at 2222 Hours, I (Sgt. Koscielak) was tasked with checking on a restaurant violating the Illinois Region 2 COVID-19 mitigations. It was reported to Normal PD that Joe's Station House Pizza was open and seating patrons indoors in violation of the state mandates.

Per the Restore Illinois website Mclean County falls within region 2. The mitigations outlined for region 2 which Joe's violated are:

1. no indoor dining or bar service
2. all bar patrons should be seated at tables outside
3. no ordering, seating, or congregating at bar

The complete list of mitigations can be located at : <https://dceocovid19resources.com/assets/Restore-Illinois/COVID-19-Resurgence-Mitigations.pdf>

Upon arrival, I met with shift manager Devon Ferko. Devon told me that they were remaining open for indoor dining and that he was aware of the state mandates. Devon explained that the owners of Joe's had enacted the following safety precautions:

1. restaurant would only be seated at 25% capacity; 8 total tables
2. patrons waiting to be seated would leave a number with the hostess and receive a text when a table was ready
3. all wait staff would wear masks and gloves
4. tables and chairs were sanitized between parties

In speaking with Devon it was clear that the restaurant remained open because of the financial hardship that would be felt by the restaurant and its staff if they shut down again. Devon stated that they were taking the Covid-19 situation very seriously and taking all the safety precautions possible. He noted that there were more persons in the nearby Target and local big box stores than in his restaurant.

At the time that I was present, there were 5 tables out of 8 with parties dining at them. The rough total number of persons in the restaurant was between 15 and 20. There were person entering the restaurant to grab take-out food as well.

I asked Devon if there was another COVID-19 metric the restaurant was looking at that would make them close indoor dining. Devon said that would be a better question for Tony and Joe Wargo, the owners, than for him. Devon then told me that the landlords at the Shops at College Hills had not made things easy. There was no chance they'd get to put up a tent for more comfortable outdoor dining; further, they were only allotted two parking spots for takeout order pickup. When asked about putting heating lamps outside he was sure it would be a fire code violation due to the closeness of the building.

Devon was extremely cooperative during my contact with him and was not evasive in answering any questions that I had.

I was wearing a body worn camera during my interaction. I have snipped several stills shots from the body worn camera footage and attached them to this report in the photos section. In the photos you can clearly see two tables seated in the restaurant and two patrons at the bar.

BWC serial number - qja01019_20201114032329e0

I recommend this report be forwarded to the Mclean County Health Department for action on the COVID-19 mitigation violations.

Resurgence Mitigations

As detailed in the July 15 Restore Illinois resurgence plan, new mitigations will be applied if a region's positivity rate averages greater than or equal to 8 percent for three consecutive days, or if a region experiences a sustained increase in the positivity rate (increases in 7 out of 10 days) AND sustained increase in hospital admissions for a COVID-19 like illness or reduction in hospital capacity that threatens surge capabilities (availability of ICU or med/surgical beds under 20 percent). If a region has exceeded IDPH criteria that trigger additional mitigations to combat a resurgence of COVID-19 and prevent uncontrollable spread, new measures are necessary to curtail further spread.

Regions that are experiencing a resurgence of COVID-19 will operate under these new mitigation requirements:

SETTING	MITIGATION REQUIREMENTS
Bars	• All bars close at 11pm and may reopen no earlier than 6am the following day • No indoor service • All bar patrons should be seated at tables outside • No ordering, seating, or congregating at bar (bar stools should be removed) • Tables should be 6 feet apart • No standing or congregating indoors or outdoors while waiting for a table or exiting • No dancing or standing indoors • Reservations required for each party • No seating of multiple parties at one table
Restaurants	• All restaurants close at 11pm and may reopen no earlier than 6am the following day • No indoor dining or bar service • Tables should be 6 feet apart • No standing or congregating indoors or outdoors while waiting for a table or exiting • Reservations required for each party • No seating of multiple parties at one table
Meetings, social events and gatherings (including weddings, funerals, potlucks, etc.)	• Limit to lesser of 25 guests or 25% of overall room capacity both indoors and outdoors • No party buses • Gaming and Casinos close at 11:00pm, are limited to 25 percent capacity, and follow mitigations for bars and restaurants, if applicable
Organized group recreational activities (fitness centers, sports, etc.)	• No change • All Sports Guidance effective August 15, 2020, remains in effect • Outdoor Activities (not included in the above exposure settings) continue per current DCEO guidance

IDPH will continue to track the positivity rate in regions requiring additional mitigations over a 14-day monitoring period to determine if mitigations can be relaxed, if additional mitigations are required, or if current mitigation should remain in place. If the positivity rate averages less than or equal to 6.5 percent over a 3-day period, the region will return to Phase 4 mitigations under the Restore Illinois Plan. If the positivity rate averages between 6.5 percent and 8 percent, IDPH will continue to monitor the region to determine if additional mitigations are needed. If the positivity rate averages greater than or equal to 8 percent after 14 days, more stringent mitigations can be applied to further reduce spread of the virus, which could include reducing capacity on organized group recreation, fitness or other activities supported by local contact tracing data and temporary suspension of certain activities.

Follow the latest regional metrics at: <https://dph.illinois.gov/regionmetrics>

Mitigaciones de reaparición

Como se detalla en el plan de resurgimiento de Restore Illinois del 15 de julio, se aplicarán nuevas mitigaciones si el promedio de la tasa de positividad de una región es mayor o igual al 8 por ciento durante tres días consecutivos, o si una región experimenta un aumento sostenido en la tasa de positividad (aumentos en 7 de 10 días) Y un aumento sostenido en las admisiones hospitalarias por una enfermedad similar a la COVID-19 o reducción en la capacidad hospitalaria que amenace la capacidad de respuesta (disponibilidad de UCI o camas médicas / quirúrgicas por debajo del 20 por ciento). Si la región ha superado los criterios del Departamento de Salud Pública de Illinois (Illinois Department of Public Health, IDPH) que activan mitigaciones adicionales para combatir la reaparición de la COVID-19 y evitar la propagación incontrolable, se necesitan nuevas medidas para reducir la propagación.

Las regiones que están experimentando una reaparición de la COVID-19 operarán bajo estos nuevos requisitos de mitigación:

ENTORNO	REQUISITOS DE MITIGACIÓN
Bares	• Todos los bares deben cerrar a las 11pm y no pueden volver a abrir antes de las 6am del día siguiente. • No ofrecer servicio bajo techo. • Todos los clientes del bar deben sentarse en mesas al aire libre. • No ordenar, sentarse ni reunirse en la barra (los taburetes de la barra deben quitarse). • Las mesas deben estar separadas 6 pies. • No estar de pie ni reunirse bajo techo o al aire libre mientras espera una mesa o al salir. • No bailar ni estar de pie bajo techo. • Se requieren reservaciones para cada grupo. • No sentar a varios grupos en una mesa.
Restaurantes	• Todos los restaurantes deben cerrar a las 11 pm y no pueden volver a abrir antes de las 6 am del día siguiente. • No ofrecer servicio de bar o comedor bajo techo. • Las mesas deben estar separadas 6 pies. • No estar de pie ni reunirse bajo techo o al aire libre mientras espera una mesa o al salir. • Se requieren reservaciones para cada grupo. • No sentar a varios grupos en una mesa.
Reuniones, eventos sociales y encuentros (incluidas las bodas, funerales, banquete colectivo, etc.)	• Límite de menos de 25 invitados o al 25% de la capacidad total del espacio, tanto bajo techo como al aire libre. • No usar autobuses de fiesta. • Los juegos y los casinos deben cerrar a las 11:00pm, y están limitados al 25 por ciento de su capacidad y seguir las mitigaciones para bares y restaurantes, cuando corresponda.
Actividades recreativas grupales organizadas (centros de entrenamiento físico, deportes, etc.)	• Sin cambios. • Toda la orientación deportiva que entró en vigor a partir del 15 de agosto de 2020 permanece vigente. • Las actividades al aire libre (no incluidas en los entornos de exposición anteriores) continúan según la guía actual del Departamento de Comercio y Oportunidades Económicas (Department of Commerce and Economic Opportunity, DCEO).

El IDPH continuará haciendo seguimiento a la tasa de positividad en regiones que requieran mitigaciones adicionales, durante un período de monitoreo de 14 días, para determinar si las mitigaciones se pueden suavizar, si se requieren mitigaciones adicionales o si la mitigación actual debe mantenerse. Si la tasa de positividad promedia menos o es igual a 6.5 por ciento durante un período

de 3 días, la región volverá a las mitigaciones de la Fase 4 bajo el plan Restore Illinois. Si la tasa de positividad promedio entre 6.5 por ciento y 8 por ciento, el IDPH continuará monitoreando la región para determinar si se necesitan mitigaciones adicionales. Si la tasa de positividad promedio es mayor o igual al 8 por ciento después de 14 días, se pueden aplicar mitigaciones más estrictas para reducir aún más la propagación del virus, lo que podría incluir la reducción de la capacidad de recreación grupal organizada, acondicionamiento físico u otras actividades respaldadas por datos de seguimiento de contactos locales y suspensión temporal de determinadas actividades.

Siga los parámetros regionales más recientes en: <https://dph.illinois.gov/regionmetrics>

Środki ograniczające ze względu na ponowny wzrost zachorowań

Jak określono w wytycznych planu powrotu stanu Illinois do normalności w razie ponownego wzrostu zachorowań z dnia 15 lipca br., jeżeli średni wskaźnik dodatni w danym regionie będzie większy lub równy 8% przez trzy kolejne dni lub jeżeli w regionie wystąpi ciągły wzrost wskaźnika dodatniego (wzrost następuje w ciągu 7 na 10 dni) ORAZ ciągły wzrost przyjęć do szpitala z powodu choroby podobnej do COVID-19 lub dojdzie do zmniejszenia liczby dostępnych łóżek szpitalnych, które zagrażałyby możliwościom leczenia pacjentów w przypadku nagłego wzrostu zachorowań (dostępność łóżek na OIOM-ie lub łóżek szpitalnych / zabiegowych na poziomie poniżej 20%), wówczas zastosowane zostaną nowe ograniczenia. Jeżeli dany region przekroczył kryteria określone przez Departament Zdrowia Publicznego Stanu Illinois (IDPH), wymagające dodatkowych ograniczeń w celu zwalczania ponownego wzrostu zachorowań na COVID-19 i zapobiegania niekontrolowanemu rozprzestrzenianiu się wirusa, konieczne jest wprowadzenie nowych środków, aby ograniczyć jego rozprzestrzenianie.

Regiony, w których występuje ponowny wzrost zachorowań na COVID-19, będą funkcjonować z zachowaniem niżej określonych nowych ograniczeń:

KLASYFIKACJA	OGRANICZENIA
Bary	• Wszystkie bary są zamykane o godzinie 23:00 i mogą zostać ponownie otwarte nie wcześniej niż o 06:00 następnego dnia. • Brak obsługi wewnątrz lokalu • Wszyscy klienci barów powinni siedzieć przy stołach na zewnątrz. • Brak możliwości zamawiania, siedzenia lub gromadzenia się przy barze (stołki barowe powinny zostać usunięte) • Stoły powinny być oddalone od siebie o 6 stóp • Nie wolno stać ani zbierać się w pomieszczeniach ani na zewnątrz, czekając na wolny stolik lub wychodząc • Nie wolno tańczyć ani stać w lokalu • Każde przybycie należy poprzedzić rezerwacją • Brak miejsc siedzących dla wielu osób przy jednym stole
Restauracje	• Wszystkie restauracje są zamykane o godzinie 23:00 i mogą zostać ponownie otwarte nie wcześniej niż o 06:00 następnego dnia • Brak jadalni lub obsługi baru w pomieszczeniach zamkniętych • Stoły powinny być oddalone od siebie o 6 stóp • Nie wolno stać ani zbierać się w pomieszczeniach ani na zewnątrz, czekając na wolny stolik lub wychodząc • Każde przybycie należy poprzedzić rezerwacją • Brak miejsc siedzących dla wielu osób przy jednym stole
Spotkania, imprezy towarzyskie i zebrania (w tym wesela, pogrzeby, imprezy towarzyskie itp.)	• Ograniczenie do mniej niż 25 osób lub 25% całkowitej pojemności sali zarówno wewnątrz, jak i na zewnątrz lokali. • Zakaz autobusów imprezowych • Salony gier i kasyna zamykane są o godz. 23:00, ich obłożenie jest ograniczone do 25% pojemności, oraz w stosownych przypadkach należy stosować środki ograniczające w odniesieniu do barów i restauracji

**Zorganizowane grupowe
zajęcia rekreacyjne**
(centra fitness, sportowe
itp.)

- Bez zmian
- Wszystkie wytyczne w zakresie sportów obowiązujące od 15 sierpnia 2020 r. pozostają w mocy
- Aktywności na świeżym powietrzu (nieujęte w powyższych ustawieniach ekspozycji) są kontynuowane zgodnie z aktualnymi wytycznymi DCEO

IDPH będzie nadal śledzić wskaźnik pozytywnych wyników w regionach wymagających zastosowania dodatkowych środków ograniczających w ciągu 14-dniowego okresu monitorowania w celu ustalenia, czy można złagodzić środki ograniczające, czy konieczne są dodatkowe środki ograniczające lub czy obecnie obowiązujące środki ograniczające powinny pozostać w mocy. Jeśli wskaźnik dodatni będzie mniejszy lub równy 6,5% w okresie 3 dni, region powróci do Fazy IV łagodzenia skutków w ramach Planu powrotu stanu Illinois do normalności. Jeżeli wskaźnik dodatni wynosi średnio od 6,5% do 8%, IDPH będzie nadal monitorować region, aby ustalić, czy konieczne są dodatkowe środki ograniczające. Jeżeli po upływie 14 dni średni wskaźnik dodatni będzie większy lub równy 8%, można będzie zastosować bardziej rygorystyczne środki w celu dalszego ograniczania rozprzestrzeniania się wirusa. Takie środki ograniczające mogą obejmować zmniejszenie liczebności uczestników zorganizowanych grupowych zajęć rekreacyjnych, fitness oraz innych zajęć przy zachowaniu listy klientów do ustalenia lokalnych kontaktów zakaźnych, a także czasowe zawieszenie niektórych zajęć.

Śledź najnowsze regionalne dane na stronie: <https://dph.illinois.gov/regionmetrics>

疫情反弹之缓解措施

正如7月15日《伊利诺伊州复原计划》（Restore Illinois）中所详述的疫情反弹缓解计划，如果某地区的冠状病毒疾病（COVID-19）阳性率平均值连续三天大于或等于8%，或某地区的冠状病毒疾病阳性率持续增加（10天中有7天呈增加趋势），并且冠状病毒类似疾病的入院人数持续增加，或导致医院容量下降，威胁到激增应对能力（重症监护室（ICU）或医疗/手术床位的可用性低于20%），则将采取新的缓解措施。如果某地区疫情已经超过了伊利诺伊州公共卫生部（IDPH）的标准，进而触发启动额外的缓解措施，以抗击冠状病毒疾病疫情反弹，并防止不可控制的扩散，则需采取新的措施以遏制进一步的蔓延。

正在经历冠状病毒疾病（COVID-19）反弹的地区，将根据这些新的缓解措施要求来运作：

场所	缓解措施要求
酒吧	- 所有酒吧在晚上11点关闭，可在第二天早上6点过后重新开放 - 不提供室内服务 - 所有酒吧的顾客都应该就坐于外面的桌子 - 禁止在吧台点餐、就座或聚集（应撤走吧台的高脚凳） - 桌子之间的距离应保持6英尺 - 在等待可用桌子或离开时，不得在室内或室外站立或聚集 - 禁止在室内跳舞或站立 - 每次聚会都需要预约 - 同一张桌子不能坐不同的聚会方
餐馆	- 所有餐馆在晚上11点关闭，可在第二天早上6点过后重新开放 - 不提供室内餐饮或酒吧服务 - 桌子之间的距离应保持6英尺 - 在等待可用桌子或离开时，不得在室内或室外站立或聚集 - 每次聚会都需要预约 - 同一张桌子不能坐不同的聚会方
会议、社交活动和聚会 （包括婚礼、葬礼、聚餐等）	- 以25位客人或室内室外空间总容量的25%为限（以较低者为准） - 聚会不允许使用巴士 - 博彩业和赌场在晚上11点关闭，人数限于其容量的25%，并执行餐馆和酒吧的缓解措施（如适用）
有组织的集体娱乐活动 （健身中心、运动场等）	- 无变化 2020年8月15日生效的所有运动赛事指南仍然有效 - 户外活动（不包括在上述接触性场所中）继续按照现行的伊利诺伊州商业与经济机会部（DCEO）指南进行

伊利诺伊州公共卫生部 (IDPH) 将在14天的监测期内继续跟踪这些需要执行额外缓解措施的地区的阳性率，以确定是否可以放宽缓解措施、是否需要额外的缓解措施、或是否应保持当前的缓解措施。如果在3天内平均阳性率小于或等于6.5%，该地区将恢复执行《伊利诺伊州复原计划》第四阶段的缓解措施。如果平均阳性率在6.5%至8%之间，伊利诺伊州公共卫生部将继续监测该地区，以确定是否需要采取额外的缓解措施。若14天后的冠状病毒疾病阳性率平均值大于或等于8%，则可采取更严格的缓解措施，以进一步减少病毒的传播，包括根据当地接触者跟踪数据减少有组织的团体娱乐、健身或其他活动的运营能力，以及暂时停止某些活动。

关注最新的区域指标，请点击：<https://dph.illinois.gov/regionmetrics>

Attachment 7
McLean County Incident Report 202015502
11 Dec 2020

McLean County Incident Report - 202015502

Date: 12/11/2020 15:54

Page: 1 of 2

Report #: 202015502 Normal PD
Report Date: 12/11/2020 15:00 Start Date: 12/11/2020
End Date:



202015502

Summary: RESTAURANT ALLOWING PATRONS TO DINE INSIDE

Report Type: Case Status: 202015502 09 - Administratively closed

Incident Location

Address: 305 S VETERANS PRK STE 230
Intersection:
NORMAL, IL 61761
Beat: 4 - Sub Beat: 43 -
Addl. Info: OTHER PUBLIC COMPLAINT

Incident Offenses

#1 Original Report 6029 OTHER PUBLIC COMPLAINT

Remarks:

Officers Involved

Approving LIEUTENANT TIMOTHY EDMIASTON - NPD - 4263 - Original Report

Reporting COMM SERVICE OFFICER BRADLEY PARK - NPD - 7204 - Original Report

Incident People

Other

Sex: M Race: W DOB: 08/05/1988 Age: 32 Original Report



100472037

Address: 706 NORTHWAY LAN (Date of Info: 12/26/2018)
BLOOMINGTON, IL 61701

Home Phone: (Phone Date of Info: 01/09/2008)

Cell Phone: (Phone Date of Info: 12/26/2018)

Employment: JOES STATION HOUSE PIZZA PUB, 305 S VETERANS PRK STE 230 NORMAL, IL 61761 (Emp. Date of Info: 12/26/2018)

Hgt: 600, Wgt: 145, Medium, Brown Eyes, Brown Hair, Short Hair, Mustache&Beard, Fair Skin (Date of Info: 05/13/2015)

Incident Businesses

JOE'S STATION HOUSE

Address: 305 S VETERANS PRK
NORMAL, IL 61761



240117135

Phone: (309) 452-5637 (Date of Info: 03/19/2010)

Original Report Other

Associated LEA Cases

LEA Case Number: 202015502 LEA Case Summary:
NPD, Review Status: Review, Case Status: Administratively closed 12/11/2020

Assigned To: No Officer Assigned

McLean County Incident Report - 202015502

Date: 12/11/2020 15:54

Page: 2 of 2

Incident Narrative

**Reporting COMM SERVICE OFFICER BRADLEY PARK - NPD, ID 1 12/11/2020 15:14
7204**

On 12/11/2020 at 1500 Hours, I (Officer Brad Park) was tasked with checking on a restaurant violating the Illinois Region 2 COVID-19 mitigations. It was reported to Normal PD that Joe's Station House Pizza was open and seating patrons indoors in violation of the state mandates.

Per the Restore Illinois website Mclean County falls within region 2. The mitigations outlined for region 2 which Joe's violated are:

1. no indoor dining or bar service
2. all bar patrons should be seated at tables outside
3. no ordering, seating, or congregating at bar

The complete list of mitigations can be located at : <https://dceocovid19resources.com/assets/Restore-Illinois/COVID-19-Resurgence-Migitations.pdf>

Upon arrival, I met with shift manager Trevor L. Todt. I explained my reason for the visit and Trevor understood.

While I was inside I noticed the following:

5 patrons at the bar total. 3 sitting near each other and another group of 2 sitting near each other. No masks and each of these patrons appeared to have a beverage in front of them.

3 patrons sitting at a table eating. No masks. 2 patrons sitting in a booth eating. No masks.

All employees were wearing masks while working.