



**CITY OF PHILADELPHIA**  
**OFFICE OF THE MAYOR**  
**DEPARTMENT OF PUBLIC HEALTH**

**FURTHER AMENDMENT REGARDING INDOOR DINING ACTIVITIES TO THE  
EMERGENCY ORDER ALLOWING LIMITED REOPENING OF BUSINESSES,  
ADVISING PHILADELPHIANS THAT THEY ARE SAFER AT HOME, AND  
ESTABLISHING SAFETY MEASURES TO PREVENT THE SPREAD OF  
2019 NOVEL CORONAVIRUS (COVID-19)**

**FURTHER CHANGES TO  
MODIFIED GREEN PHASE**

**WHEREAS**, on September 8, 2020, the Mayor and Health Commissioner issued the “Third Amendment Regarding Additional Permitted Activities to the Emergency Order Allowing Limited Reopening of Businesses, Advising Philadelphians That they are Safer at Home, and Establishing Safety Measures to Prevent the Spread of 2019 Novel Coronavirus (COVID-19) – Further Changes to Modified Green Phase,” which allowed indoor dining activities to commence, subject to certain limitations (“September 8, 2020, Order Allowing Limited Indoor Dining”); and

**WHEREAS**, the introductory clauses from the September 8, 2020, Order Allowing Limited Indoor Dining are incorporated herein by reference; and

**WHEREAS**, effective September 21, 2020, the Governor amended his July 15, 2020, Order Directing Targeted Mitigation Measures, and the Secretary of Health amended her July 15, 2020, Order Directing Mitigation Measures to permit indoor dining facilities to increase capacity limitations to 50% of state fire code maximum occupancy for such establishments that enroll in and comply with the Open & Certified Pennsylvania program administered by the Pennsylvania Department of Community and Economic Development; and

**WHEREAS**, because of social-distancing actions and compliance with the various City Orders protecting the public health, daily COVID-19 case counts have fallen from counts in July and August; and

**WHEREAS**, the Mayor and Health Commissioner have determined that, it is appropriate to modify the occupancy limitations on indoor dining activities under such circumstances; and

**NOW, THEREFORE**, James F. Kenney, Mayor of the City of Philadelphia, and Dr. Thomas A. Farley, Health Commissioner of the City of Philadelphia, pursuant to all authority granted under the Philadelphia Home Rule Charter, The Philadelphia Code, the Regulations of the Board of Health of the City of Philadelphia and applicable state law, hereby **ORDER** as follows:

**Section A.** Section 1(a)(viii) of the September 8, 2020, Order Allowing Limited Indoor Dining is hereby amended as follows (~~strike through~~ indicates matter deleted; **bold** indicates new matter added):

Section 1. Operation of Indoor Dining.

Indoor on-site dining activities at restaurants, cafes, retail food service businesses, and catering halls and event spaces may operate ~~in the beginning on September 8, 2020,~~ subject to the following:

\* \* \*

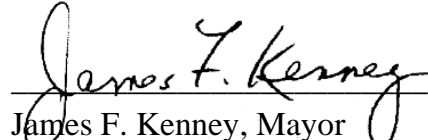
viii. Occupancy limits and spacing requirements: (1) Indoor occupancy must be limited to 25% of the stated fire code occupancy, **provided that an establishment that enrolls in and complies with the Pennsylvania Open & Certified program administered by the Pennsylvania Department of Community and Economic Development may operate at up to 50% of the stated fire code occupancy**, and (2) tables must be arranged as follows unless impermeable physical barriers are used that extend at least 6 feet from the floor separate a table in any given direction: customers sitting at a table must not be within six feet of any customer sitting at another table or customers passing by, in all directions.

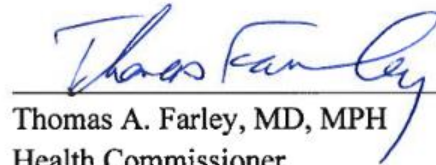
\* \* \*

**Section B.** All applicable restrictions and guidance with respect to indoor on-site dining operations remain in full force and effect and are not otherwise impacted by this amendment.

**Section C.** This Order shall be effective October 2, 2020 and shall remain in effect until rescinded, superseded, or amended by further Order.

Date: October 1, 2020

  
James F. Kenney, Mayor  
City of Philadelphia

  
Thomas A. Farley, MD, MPH  
Health Commissioner  
City of Philadelphia