

Environmental Health Services Division

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Summary of closure addressed to Person in Charge (PIC) at Flowers Restaurant and steps to permit reinstatement

Suspension of Permit

Due to operating in manner that creates an imminent health hazard, the food establishment operating permit issued by Public Health – Seattle & King County (Public Health) for Flowers Restaurant is suspended so that corrective actions to protect human health may be taken. These actions and the steps needed to reinstate the permit are described below.

Washington State Emergency Orders and Mandates

To protect the health of our community and to reduce the severe increases in COVID-19 cases and hospitalizations currently occurring, and to reduce the increase in deaths from COVID-19 that likely will follow, Governor Inslee's "Stay Safe – Stay Healthy" Proclamations 20-25 *et seq.* proclaim a state of emergency and provides relevant mandated requirements for businesses and people in Washington State.

- https://www.governor.wa.gov/sites/default/files/proclamations/proc_20-25.12.pdf

King County Enforcement Authorization

This permit suspension order is issued under King County Board of Health Code section 5.60.020 and Health Director Emergency Rule ACO-8-26-1-PR on Required Protective Measures Against COVID-19 in Food Establishments, which authorize suspension of a food establishment operating permit when continued operation of the food establishment constitutes an imminent or actual health hazard, including the following: Repeated occurrences of failure to observe directives of the Governor and WA Secretary of State, including (a) use of face coverings by restaurant staff and customers, (b) food establishment occupancy limits, (c) maintaining social distancing requirements, and (d) establishing and implementing a COVID-19 Prevention Plan.

Documented History of non-compliance at Flowers Restaurant

Aug 28, 2020 - Complaint Investigation.

- Spoke with the PIC, who indicated he knew who the complainant was because she didn't like that a table of 6 guys was sitting behind her. Reminder table of 6 people can only dine together if they are from the same household.
- Asked to place markers on the tables that can be used, because a couple tried to seat themselves at an already occupied table.
- Reminder that all the tables may not be used and that at half capacity would only be allowed to have 36 people in the restaurant.

Oct 24, 2020 - SSTAR Inspection

- Operator reported not screening food workers/employees for ALL COVID -19 symptoms.
- Observed a table with 7 customers (maximum allowed at the time was 5 persons per table).
- Observed a short divider, about 4 feet high, with two sets of tables on each side.
- Observed several tables and their occupied chairs were less than 6 feet apart.
- Observed about 15 customers standing inside the restaurant.

Feb 5, 2021 - Complaint Investigation –items discussed

- Limit at 25% of occupancy restaurant can only seat 20 customers at any one time.
- To assist with ease of enforcement with patrons, extra chairs removed to the back area, thus only leaving 20 available chairs within the restaurant.
- Tables were spaced such that seated customers are at least 6-feet from the next seated customers at another table.

Apr 30, 2021 – Complaint Investigation (response to 3 complaints)

- Observation of crowding, email warning letter provided on May 1, 2021.
- Observed the restaurant operating at full capacity.
- Observed limited masking.

May 1, 2021 – Complaint Investigation (continuation of April 30th)

- Observation of tables located less than 4 feet apart.
- Observed serving drinks without wearing face covering.
- Noted Mr. Hamade as saying multiple times “not care about people, not care government orders, and COVID-19 Safety Regulations”.

Steps to Permit Reinstatement

Please follow the below Steps to Permit Reinstatement so that we can work with you to reinstate your food establishment permit.

- **Immediately cease all food service operations until reopening is approved in writing by Public Health.**
- **Provide Confirmed Seattle Fire Department Occupancy and Upgrade Permit if needed.** Numbers recalled by staff are inconstant with numbers verbally reported and with the permit you filed with us which states service up to 50 people.
- **Develop and follow a written COVID Prevention and Safety Plan that demonstrates how your workplace will prevent the spread of COVID-19 that is at least as protective as the Governor’s Eating and Drinking Establishment COVID-19 Requirements.**

<https://www.governor.wa.gov/sites/default/files/COVID19%20Eating%20and%20Drinking%20Establishment%20Guidance.pdf>

- The plan should include contingencies for both Phase 3 and Phase 2. This includes requirements for employee health screening, employee and customer face coverings, employee and customer physical distancing, proper sanitation and disinfection, and compliance with current occupancy limits. [See template for creating a COVID Prevention Plan.](#)
- **Hearing and Review Panel** - After reviewing the submitted safety plan confirming compliance with the above corrective actions, the operations lead of Public Health’s COVID-19 Inspection and Compliance

team will reach out to you to schedule a virtual conference to go over your plan and discuss pre-opening procedures.

Your continued compliance with current COVID-19 disease prevention requirements is both appreciated and required for you to be authorized to operate as a food establishment in King County.