



## OFFICE OF THE GOVERNOR

June 3, 2021

*Via Electronic Mail*

Dear California local leaders,

California is on a path to roar back from the pandemic, in large part thanks to the commitment of Californians and to having one of the highest vaccination rates in the country. Come June 15, we are moving beyond the Blueprint that protected Californians during the worst of the pandemic, retaining in the near-term common-sense face covering requirements, limited testing and vaccination requirements for large indoor events, and modified emergency workplace protection standards still necessary to protect the workforce.

Over the course of the pandemic, one of the key things scientific experts have learned about COVID-19 is that it is far less likely to be transmitted outdoors than indoors. While California is removing the restrictions on business operations indoors, it remains a public health priority to encourage outdoor activities and to remove barriers to outdoor operations.

To this end, my Administration has taken immediate steps to extend the regulatory relief that allows restaurants and bars to maintain their expanded outdoor operations through the end of 2021. Among other things, the regulatory relief continues to allow the expansion of licensed restaurant footprints, expanded outdoor alcohol service, and the sale of alcoholic beverages to go. This will both promote public health by encouraging outdoor dining and promote the economic recovery of the restaurant sectors by allowing restaurants and bars to benefit from the substantial investments that they have made in their outdoor operations.

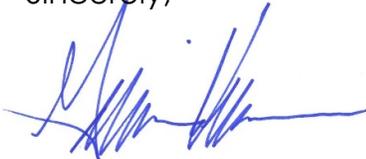
I ask you to join my Administration in promoting public health and economic recovery by taking the steps within your authority to continue to allow expanded outdoor dining opportunities. You are uniquely positioned and

empowered to support local outdoor dining, which will be vital for statewide restaurant recovery, by taking steps such as:

- Allowing temporary dining areas;
- Allowing expanded take-out and delivery options;
- Exercising discretion in working with restaurant owners who may be operating in spaces that are not consistent with local zoning ordinances;
- Considering the potential of expanding areas that are not currently zoned for commercial dining use to encourage outdoor, open-air seating and a safer health environment moving forward; and
- Continuing to develop successful local programs such as the City of San Jose's "Al Fresco" plan, Sacramento's "Farm to Fork Al Fresco," Long Beach's "Open Streets Initiative," San Diego's "Slow Streets Program," and Los Angeles's "L.A. Al Fresco Program."

Thank you for your partnership during the long months of the pandemic, for your continued partnership in keeping Californians safe, and for working collaboratively to make the California Comeback a reality.

Sincerely,



Gavin Newsom  
Governor of California

**Attachment**

Eighth Notice of Regulatory Relief

**DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL**

3927 Lennane Drive, Suite 100  
Sacramento, CA 95834  
(916) 419-2500

**Eighth Notice of Regulatory Relief**

Pursuant to the Constitution of the State of California, Article XX, Section 22, and in furtherance of Governor Newsom's emergency declarations and orders regarding the spread of the COVID-19 virus, the Department of Alcoholic Beverage Control previously provided temporary regulatory relief measures to address the state of emergency throughout the state. The [First Notice](#), [Second Notice](#), [Third Notice](#), [Fourth Notice](#), [Fifth Notice](#), [Sixth Notice](#), and [Seventh Notice](#) of Regulatory Relief were implemented by the Department to support the alcoholic beverage industry in its efforts to slow the spread of the virus throughout California, while also assisting the industry in dealing with the economic challenges it faced as a result.

The Department has continued to carefully consider the public health, safety, and welfare in determining if any Regulatory Relief provisions should be extended. This regulatory relief is designed to support the expanded outdoor operations of the alcoholic beverage industry to slow the spread of the virus while assisting the industry in its economic recovery from the impacts of the pandemic.

The Department has determined that the extension of the following provisions will not jeopardize the public health, safety, or welfare, and they will temporarily remain in place until December 31, 2021:

4. On-Sale Retailers Exercising Off-Sale Privileges
5. Sales of Alcoholic Beverages To-Go
8. Deliveries to Consumers
9. Free Delivery
14. Expansion of Licensed Footprint
16. On-Sale Licensees Without Kitchen Facilities
17. "Virtual" Meet the Winemaker or Brewer Dinners
18. Renewal of Relief for Charitable Promotions and Sales
19. Relief from Type-75 requirement to produce 100 barrels of beer annually.

The extended Regulatory Relief requirements set forth in this Notice and in the respective Notices of Regulatory Relief continue to be applicable to all affected Department licenses until December 31, 2021 or unless otherwise noticed by the Department.

In response to the removal of restrictions on licensed businesses, and the implementation of the Beyond the Blueprint Plan on June 15, 2021, the Department hereby gives notice that the following Regulatory Relief provisions will be rescinded effective at the close of business on June 30, 2021:

1. Returns of Alcoholic Beverages
2. Retail-to-Retail Transactions
3. Extension of Credit
6. Drive-Thru Windows for Off-Sale Transactions
7. Hours of Operations for Retail Sales
10. Delivery Hours Extended to Midnight
12. Distilled Spirits Manufacturers Providing High-Proof Spirits for Disinfection Purposes
13. Virtual Wine Tastings
15. Extension of Regulatory Relief for Club Licenses: Type 50, 51 and 52.

### **Limitations on Relief**

The Regulatory Relief provided by this and prior Notices is temporary. The Department hereby gives notice that all Regulatory Relief that is extended past June 30, 2021, will be rescinded on December 31, 2021. Such relief may be rescinded immediately should the needs of public safety dictate. In addition, licensees are directed to continue to exercise the temporary relief provided by this Notice responsibly, without compromising the public health, safety, or welfare. Notwithstanding any other provision of law, if the Department determines that any licensee is found to be abusing the Regulatory Relief provided by this Notice or prior Notices, or if the licensee's actions jeopardize public health, safety, or welfare, the Department may summarily rescind the relief as to that licensee at any time. Until these temporary relief measures are rescinded, any licensee adhering to the terms of this Notice, prior Notices describing the particular Regulatory Relief, and other applicable laws, may rely on this Notice to utilize the privileges described without risk of enforcement by the Department against its license for actions taken up until the time of the rescission.

In addition, this Notice does not exempt licensees from complying with all local ordinances, zoning restrictions, conditional use permits, and similar local authorizations and limitations, over which the Department has no jurisdiction or control. The Department will not consider any violation of such local controls to constitute a violation of the license issued by the Department.

Licensees are encouraged to register with the Department to receive email notices regarding this and other issues. This is easily done by clicking [Subscribe](#). If you have any questions, please contact the Department.