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Dept. of Health Defines What it Means to be Designated a Nightclub in USVI, Clarifies Bryan's Recent Order

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The interior of a nightclub with modern design and lightning equipment. By. GETTY IMAGES

The V.I. Dept. of Health on Sunday issued what it deemed a clarification of Governor Albert Bryan's [latest order](#) announced last Tuesday for entertainment and dining establishments, while providing what the department said is the definition of being designated a nightclub in the U.S. Virgin Islands.

The release followed the [controversial shutdown](#) of Bliss Bar & Lounge in Estate Glynn on Saturday ahead of a planned Halloween event the entertainment and dining venue had scheduled, costing the owners about \$8,000, according to co-owner of Bliss Bar & Lounge Theo Sutherland.

D.O.H. described a nightclub in its clarification release as "every business which has a capacity for at least 30 persons seated at tables and the bar, and which maintains a bartender, table service, and dancing and/or other live entertainment for the guests."

It further stated that nightclubs "shall cease business and close doors to the public at 4:00 am and any night club that is enclosed 100 percent shall close its doors to the public at 5:00 am of every day except that night clubs which are surrounded by at least two dwellings within a distance of 100 feet on any two sides of said night club shall close at 1:00 am on weekdays and 2:00 am on Saturdays, Sundays, and legal holidays."

Relative to dancing at these establishments, D.O.H. said, "While dancing is now permitted, other Covid-19 safety practices must be adhered to. Persons still must wear their masks while dancing and try to social distance as much as possible from other couples or other people who may be dancing. Persons not dancing must remain seated. The seated service policy is still in effect. Bar stools and tables must be spaced 4-feet-apart. Food or beverages are only permitted to be served to patrons while they are seated."

The department further stated:

"Businesses must maintain social distancing and only allow 75% of their original capacity in an establishment provided that the social distancing measures are maintained. Mass gatherings are not permitted. Masks must be worn at all times unless eating or drinking.

"The moratorium on serving alcohol past 11:00 p.m. has been lifted. Businesses can resume regular business hours based on their business license. The COVID-19 task force will strictly enforce the Virgin Islands Code based on the category each business is licensed for. Businesses are urged to adhere to the guidelines based on the category of their business license. Health permits and business licenses are non-transferrable.

"Business establishments, including taverns, shall cease doing business, including the dispensing of liquors, and close doors to the public at 1:00 am of every day, except Saturdays, Sundays and legal holidays when the hour of ceasing business and closing doors to the public shall be 2:00 am. Provided, that any such business establishment may remain open after 2:00 am upon the owner making application to the Police Commissioner for a Special License for said purpose, and upon payment of a special license fee of \$1,000 for each hour the business establishment will be opened after 2:00 am. Provided, further, that no special license shall be granted which will extend the closing time beyond 4:00 am. Provided, further, that no special license shall be granted to bars and taverns which are surrounded by at least two dwellings within a distance of 100 feet on any two sides of said bar or tavern."

The Covid-19 orders are upheld by the Covid-19 Task Force, which the Dept. of Health said is comprised of law enforcement officers from the Department of Health, Department of Licensing and Consumer Affairs, Department of Planning and Natural Resources, Waste Management Authority, Police Department, Taxicab Commission, Fire Service, and the Superior Court Marshall's Division.

"In addition to enforcing the Virgin Islands Code, The Covid-19 Task Force officers enforce all executive orders issued by the governor of the Virgin Islands," stated the D.O.H. release. "These executive orders are implemented to ensure Covid-19 mitigation measures are followed throughout the various establishments."

