



NEW YORK STATE SENATOR

Shelley B. Mayer

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State Senator Shelley B. Mayer (SD-37) and Assemblyman Steve Otis (AD -91) announced today that the NYS Department of Health rules for Orange Zone designated areas, which have prohibited indoor dining in Port Chester, have now been lifted. This change is in response to an Erie County court decision temporarily granting a select few restaurants located within an Orange Zone in Erie County the ability to resume indoor dining under the rules governing Yellow Zones.

While health officials are still reviewing the court decision, to ensure uniformity and fairness, they have decided to lift the Orange Zone restaurant restrictions throughout the state. The state will now allow restaurants in Orange Zones to operate under rules governing Yellow Zones, where indoor dining is allowed under restricted capacity rules. Senator Mayer and Assemblyman Otis had sought for Yellow Zone treatment for Port Chester restaurants for over two months.

Senator Shelley B. Mayer said, "I am very pleased that the 100-plus restaurants of Port Chester, decimated by over 8 weeks without indoor dining, will be allowed to operate with the sensible and safe precautions of the Yellow Zone restaurants in our surrounding communities. These small businesses are committed to the health and safety of their patrons and their employees, and this uniformity will provide both a level playing field for the restaurants and safety for diners. I thank the Governor for his research-based approach to the pandemic and for providing this consistency."

Assemblyman Steve Otis said, “This is the change we have been seeking: to allow Port Chester restaurants to open for indoor dining under the same rules as nearby communities. We thank Governor Cuomo and Department of Health officials for working with us and agreeing to relax the rules for Orange Zones statewide. Great restaurants are a vital part of Port Chester’s economy. The return of indoor dining will benefit these businesses and the community.”

Port Chester Mayor Fritz Falanka said, “On behalf of the Village, we are happy our restaurants can again open for indoor dining. Following the same safety rules as other communities, this announcement will help our restaurants survive in this very challenging Covid-19 business environment. I want to thank Governor Cuomo, Senator Mayer and Assemblyman Otis for fighting for Port Chester and our restaurants.”

Governor Cuomo previously announced micro-cluster focus zones would be determined to help control Covid-19 spread and protect hospital capacity. The ‘Micro-Cluster Strategy’ identified clusters and the areas around them and categorized them into one or more color-coded zones with corresponding levels of restrictions based on severity: Red Zones, Orange Zones, and Yellow Zones. These new rules and restrictions were intended to directly target areas with the highest transmission of Covid-19 cases and surrounding communities. More information on the restrictions within each cluster can be found [HERE](#).

The stricter Orange Zone rules closed Port Chester restaurants to indoor dining, limiting them to outdoor and takeout business only. The Yellow Zone rules will reopen indoor dining to Port Chester with a limit of 4 persons per table.

Prohibiting indoor dining in Port Chester was a concern for the Port Chester business community, local officials, restaurant owners and workers. A number of press conferences and events to highlight the problem were held, many organized by the owners of the restaurants, and included support from Mayor Falanka, Members of the Board of Trustees, County Executive George Latimer and County Legislator Nancy Barr.