



March 10, 2021

**Hand Delivery**

Green Stinger  
235 Stadium Street  
Smyrna, DE 19977  
Attn: Paul Casarotto

**CLOSURE NOTICE**

Dear Mr. Casarotto,

The following Closure Notice is issued under the authority of the Secretary, Delaware Health and Social Services pursuant to 16 Del. C. §122 (3) and the Declaration of a State of Emergency for the State of Delaware Due to a Public Health Threat, including its modifications.

**History of Violations**

The Green Stinger was previously issued an administrative penalty on October 13, 2020 and a warning on December 10, 2020 after observing violations of the State of Emergency Declaration during site visits on July 2, 2020 September 15, 2020, and November 24, 2020 for lack of appropriate face coverings and lack of social distancing. After receiving additional complaints, the Division of Public Health (DPH) conducted a site visit to the above referenced location on January 5, 2021 to assess compliance with the current restrictions in place to reduce transmission of COVID-19. During this visit, DPH inspectors observed numerous violations of the State of Emergency Declaration including:

- Lack of appropriate face coverings among vendors, as required by the Twenty- Seventh Modification of the Declaration of a State of Emergency for the State of Delaware and the Governor's Phase 2 Reopening Plan.
- Lack of social distancing between vendors and customers, as required by the Twenty-Seventh Modification of the Declaration of a State of Emergency for the State of Delaware and the Governor's Phase 2 Reopening Plan.

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In addition, the Town of Smyrna Police Department has responded to the above location no less than six (6) times since January 1, 2021 for criminal complaints and informed the Division of Public Health that capacity was observed to be above 50% and as well as lack of face covering contrary to the restrictions set forth in Twenty- Seventh Modification of the Declaration of a State of Emergency for the State of Delaware and the Governor's Phase 2 Reopening Plan.

**Immediate Closure of The  
Green Stinger**

The Division of Public Health (DPH) formally mandates your location at 235 Stadium Street, Smyrna, DE 19977 to be closed immediately due to repeated noncompliance with the Governor's Declaration of a State of Emergency. Delaware law, 16 *Del. C.* §122 establishes the authority for the Department of Health and Social Services to regulate food establishments, and to prevent the spread of contagious disease.

The Department of Health and Social Services is further authorized to enforce the requirements in Governor Carney's Twenty-Seventh Modification to the Declaration of a State of Emergency. Due to the numerous violations of the State of Emergency Declaration observed by DPH inspectors during the site visit on January 5, 2021 and numerous responses performed by the Smyrna Police Department since January 1, 2021, this establishment is hereby closed until a corrective plan is submitted to, and approved by, DPH.

DPH prohibits all activities at this location until this establishment is in compliance with the Declaration of a State of Emergency for the State of Delaware Due to a Public Health Threat, and any modifications thereto, and the Governor's Phase 2 Reopening Plan. Reopening without prior approval of DPH will result in fines up to \$1,000.00 per day.

Any questions should be addressed to Mr. Jamie Mack, (302) 744-4832.

Sincerely,



Karyl T, Rattay, MD, MS, FAAP  
Director