

- Is there an update available on the Fiscal Year 2021 budget?
 - Governor Baker filed an interim budget for the month of July, and the Legislature has engrossed this [bill](#).
 - The Division of Local Services released an informational bulletin on monthly local aid and cherry sheets, which may be viewed [here](#).

- How does the occupancy limit designated for offices spaces apply to municipal buildings such as town halls? How does the occupancy limit apply to businesses or organizations previously designated as a “COVID-19 Essential Service”?
 - Cities and towns have discretion to determine what municipal services and programs they consider critical, and therefore have considerable flexibility in applying the 50% capacity limitation to municipal buildings. If a municipality determines a municipal office or service is a “COVID-19 Essential Service” then that Office has until July 1, 2020 to comply with the 50% occupancy limitations. Further, a municipality may determine that a municipal office can exceed the maximum occupancy level if the municipality determines that it is in the interest of public health or safety consideration, or where strict compliance may interfere with the continued delivery of a critical service, as determined by the municipality.
 - Generally, municipalities have considerable discretion as to how to operate their buildings open to the public, and should use that discretion to determine which guidance is most appropriate.
 - To the extent that a municipal space is not listed in a particular phase or governed by Department of Labor Standards guidance, municipalities have discretion over when those places should open. We would, however, strongly urge municipalities to delay those places where older individuals are expected to congregate, like Councils on Aging and Senior Centers, because of the increased risk of COVID-19 to older individuals.
 - By July 1, 2020, the businesses and organizations using office spaces that have not demonstrated a need for relief from the occupancy limit and were previously designated “COVID-19 Essential Services” must be in compliance with the office space sector specific workplace safety standards, including any occupancy limit in effect.
 - If a business does not know its maximum capacity, it may calculate the 50% using its typical occupancy as of March 1st.

- How is occupancy determined for inside and outside dining areas?
 - There have not been changes made with regards to occupancy load.
 - Tables must be spaced 6ft apart for proper social distancing to abide by the sector specific protocols for dining.

- With the move to outdoor dining, if a restaurant has a special permit with a condition requiring all dining be indoors, is there any relief offered for this scenario or does the restaurant need to go through the process to amend their special permit if only temporarily, such as the relief offered by the ABCC?
 - The Governor’s COVID-19 [Order](#) No. 35 (Order Preparing for Phase II Reopening) provides special relief in this situation. It provides that a city or town may approve requests for expansion of outdoor table service if the mayor, select board, or chief executive establishes a process to approve such requests. Per the Order, the city or town’s process does not need to comply with the notice and publication requirement of section 11 of chapter 40A of the General Laws. Please see Section 4 of COVID-19 Order No. 35 for more information.

- Under pending legislation, the local liquor licensing authority need not be subject to the two-week Public Hearing notice requirement as was intended. Is there another remedy currently available to address this issue?
 - Under the Governor's COVID-19 [Order](#) No. 35 (Order Preparing for Phase II Reopening), a local licensing authority may approve a change in the description of a licensed premises to permit outdoor alcohol service as the local licensing authority deems reasonable and proper, without having to comply with the normal notice requirement in section 15 of chapter 138. Please see Section 4 of COVID-19 Order No. 35. This is the same effect as House Bill 4767, as amended and republished as House Bill 4774.

- For outdoor dining, are municipalities allowed to lower the normal closing time for alcohol service due to neighborhood concerns?
 - Municipalities should consult the ABCC.