

Legal Update Article

# **Boston Enacts Additional COVID-19 Restrictions**

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## Meet the Authors



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COVID-19

Disability, Leave and Health  
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Workplace Safety and Health

Citing the increased strain on Boston hospitals from the continued spread of COVID-19, the Boston Public Health Commission [ordered restrictions](#) that impose limitations on Boston businesses that go beyond those announced at the [state level](#) that were effective on December 13, 2020. The Boston order is effective on December 16, 2020, [and will remain in effect for at least three weeks](#).

In addition to requiring some businesses and public attractions to close, the order sets new capacity limits on public and private gatherings in Boston.

### Restrictions on Businesses, Public Venues

The order includes the following closures and restrictions:

- *Restaurants:* Must comply with all state workplace standards, no bar seating (unless a waiver is received from the Licensing Board), and all activities ancillary to dining are prohibited, including billiards, bowling, and darts
- *Indoor recreational and athletic facilities for general use:* Closed to customers and the public, except that indoor recreational and athletic use for youth 18 and under is allowed as permitted by the Massachusetts Phase II guidance
- *Indoor non-athletic instructional classes in arts, education, or life skills for persons 18 and over:* Allowed to operate only if 10 or fewer people are present
- *Fitness centers and health clubs:* Closed except that appointment-only training with one customer (or two from the same household) at a time is permitted, retail operations may remain open, and outdoor fitness instruction capped at 25 people is permitted
- *Museums, aquariums, movie theaters, and indoor historic spaces or sites:* Closed to customers and the public
- *Sightseeing and other organized tours:* Not allowed to operate
- *Outdoor theaters and other outdoor performance venues:* May only operate with 25 or fewer people present
- *Outdoor event spaces:* May only operate with 25 or fewer people present
- *Indoor event spaces:* Closed except that private social clubs may operate if they serve food and comply with all regulations and guidance applicable to restaurants
- *Indoor recreational venues with potential for low-contact (e.g., batting cages, driving ranges, bowling alleys, and rock climbing):* Closed to customers and the public
- *Indoor and outdoor gaming arcades associated with gaming devices:* Closed to customers and the public

### Gathering Restrictions

The order limits indoor gatherings in private or public places to 10 or fewer people (the state limit is 25). All private and public outdoor gatherings in the city are limited to 25 or fewer people (the state limit is 50).

Jackson Lewis attorneys are closely monitoring updates and changes to legal requirements and guidance and are available to help employers weed through the complexities involved with [state-specific or multistate-compliant plans](#).

If you have questions or need assistance, please reach out to the Jackson Lewis attorney with whom you regularly work, or any member of our [COVID-19 team](#).

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