



## EXECUTIVE ORDER ON TEMPORARY CLOSURES | FREQUENTLY ASKED QUESTIONS

### Restaurants, Bars, & Other Foodservice Establishments

#### What are the effective dates of the mandated temporary dine-in closing?

Currently, March 16, 2020 at 3:00 p.m. until March 30, 2020 at 11:59 p.m. It is possible that this date is extended.

#### What types of establishments are included in the temporary closure mandate?

Restaurants, cafes, coffee houses, bars, taverns, brewpubs, distilleries, clubs, movie theaters, indoor and outdoors performance venues, gymnasiums, fitness centers, recreation centers, indoor sports facilities, indoor exercise facilities, exercise studios, spas and casinos.

#### What services are my foodservice establishments allowed to provide?

This Executive Order does not restrict a place of business from offering food and beverage using delivery services, window service, walk-up service, drive-thru service, or drive-up service.

#### How many people may I allow inside my establishment for pick-up orders?

Restaurants may allow five people inside at a time to pick up orders as long as they stay six feet apart from each other.

#### Am I permitted to allow drive-thru service?

Yes. If you can utilize this service, it is recommended as this will be best for patrons who cannot utilize indoor service.

#### How does the Executive Order apply to weddings in a banquet room?

According to a new Executive Order on March 16, 2020, no gatherings of 50+ are permitted in a single gathering space. This takes effect on Tuesday, March 17, 2020 at 9:00 a.m.

#### Can I deliver alcohol?

- On-premises and off-premises retailer licensees that hold **Specially Designated Merchant (SDM) licenses** may deliver beer and wine to customers at their homes or designated locations in compliance with MCL 436.1203(12):
  - The beer or wine is delivered by the SDM licensee's own employees.
  - The SDM licensee or its employee who delivers the beer or wine verifies that the individual accepting delivery is at least 21 years of age.
  - If the SDM licensee or its employee intends to provide service to consumers, the SDM licensee or its employee providing the service has received alcohol server training through a server training program approved by the Commission.

- Off-premises retailer licensees with **Specially Designated Distributor (SDD) licenses** may deliver spirits and mixed spirit drink products to customers at their homes or designated locations in compliance with MCL 436.1203(14):
  - The spirits are delivered by the retailer's own employees.
  - The retailer or its employee who delivers the spirits verifies that the individual accepting delivery is at least 21 years of age.
  - If the retailer or its employee intends to provide service to consumers, the retailer or its employee providing the service has received alcohol server training through a server training program approved by the Commission.
  
- Businesses with **Brewpub and Micro Brewer licenses** may deliver beer they manufacture to customers at their homes or designated locations in compliance with MCL 436.1203(12):
  - The beer is delivered by the brewpub's or micro brewer's own employees.
  - The brewpub or micro brewer or its employee who delivers the beer verifies that the individual accepting delivery is at least 21 years of age. ID verification is required.
  - If the brewpub or micro brewer or its employee intends to provide service to consumers, the brewpub or micro brewer or its employee providing the service has received alcohol server training through a server training program approved by the Commission.
  
- **Third Party Facilitator Service licensees** may deliver beer, wine, or spirits on behalf of SDD and SDM licensees to customers at their homes or designated locations in compliance with MCL 436.1203(15) and (16):
  - If the Third Party Facilitator Service licensees delivers beer, wine, or spirits, the third party facilitator service verifies that the individual accepting the delivery of the beer, wine, or spirits is at least 21 years of age.
  - The retailer or consumer pays the fees associated with deliveries.
  - The Third Party Facilitator Service licensees offers services for all brands available at the SDD or SDM licensed location.

**What businesses cannot deliver alcohol?**

The following license types CANNOT DELIVER alcoholic liquor to customers:

- Class C license
- Tavern license
- A-Hotel license
- B-Hotel license
- Special license
- G-1 or G-2 License
- Brewer license

- Small Wine Maker license
- Wine Maker license
- Small Distiller license
- Distiller/Manufacturer of Spirits license
- Mixed Spirit Drink Manufacturer license
- Off-Premises Tasting Room license
- Joint Off-Premises Tasting Room license

**Are annual liquor licenses still expiring on the annual date of April 30, 2020?**

In response to the state of emergency called by the governor on March 10 due to the coronavirus/COVID-19 pandemic, the Commission issued Administrative Order No. 2020-05 at its licensing meeting on March 13, extending the annual license expiration date for 2020 from April 30, 2020 to May 31, 2020.

You are strongly encouraged to renew your license online to ensure timely processing of your renewal application and avoid any potential delays with mailing your renewed license. The renewal portal is open and may be accessed 24 hours a day, seven days a week at [the Commission's website](#). The MLCC Licensing Division appreciates your timely renewal and is working to ensure that this year's renewal goes smoothly. As a reminder, failure to renew and receive an updated license may result in violations and/or automatic termination of the license.

You may view Administrative Order 2020-05 on the Commission's website [by clicking here](#) or by visiting [www.michigan.gov/lcc](http://www.michigan.gov/lcc).

**Are sales taxes scheduled to be due on Friday as well as upcoming state tax deadlines providing a grace period?**

The Office of the State Treasurer is currently reviewing all options and the economic impact. More answers to come from the Governor's office shortly.

**What financial support will be available for foodservice establishments to receive?**

The governor's office is seeking to work with the Small Business Association on an application for the Disaster Loan Relief which will be formalized later this week with more details to be released. For updates, visit [michiganbusiness.org](http://michiganbusiness.org) or call 888-522-0103.

**How do I pay my bills as a restaurant/hotel when I don't have enough revenue coming in?**

There are applications available now for Small Business Association Disaster Loans. The application can be filled out now. While access has not yet been approved, although not guaranteed on this date, we expect it will be approved the week of March 23.

**How do I apply for a SBA Disaster Loan?**

- Start immediately to collect the information needed to apply for loans. Examples can be found at <https://disasterloan.sba.gov/ela/Information/PaperForms>, but you'll need things like tax returns from recent years and balance sheets.
- Get the latest information by visiting the SBA's coronavirus website, [www.sba.gov/disaster-assistance/coronavirus-covid-19](http://www.sba.gov/disaster-assistance/coronavirus-covid-19), or calling SBA's national disaster relief line at 1-800-659-2955.
- Once familiar with the details, contact Michigan SBA offices in Detroit or Grand Rapids (<https://www.sba.gov/offices/district/mi/detroit>) to talk to them about your specific case and get advice on filling out the right SBA disaster assistance loan. SBA staffers are busy during this crisis period, but will call back if you leave a message.

**Are restaurant inspections required before being allowed to re-open after March 30, 2020?**

No protocol currently, expect to dispose of perishables.

**What unemployment opportunities are available for my employees?**

[Click here to view the newly signed Executive Order from the governor's office to expand unemployment eligibility and cost-sharing.](#)

It is important to note that an employer or employing unit will not be charged for unemployment benefits if their employees become unemployed because of an executive order requiring them to close or limit operations.

**Lodging Properties**

**Can conference centers be open?**

According to a new Executive Order on March 16, 2020, no gatherings of 50+ are permitted in a single gathering space. This takes effect on Tuesday, March 17, 2020 at 9:00 a.m.

**Considering a hotel commandeering policy like in California?**

At this time, Governor Whitmer has not taken an official response on this policy. However, in conversations with senior staff it was acknowledged this has not been discussed.

**Do I need to close my fitness centers or pool areas in my hotel?**

According to the Executive Order, all fitness and recreational areas must be closed.

**Do hotels need to cease "dining room" operations including hot breakfast?**

Yes. Additionally, if customers are waiting for a takeout order, they cannot be served alcohol while they wait.

**Can hotels offer guests items to-go such as carry-out items or pre-packaged breakfast items?**

It is critical that hotels first respect the intent of the Governor's EO: to mitigate the potential transmission of COVID-19, including social distancing. Though it is not clear, it is reasonable to assume that the "hot breakfast" "dine in" are places of public accommodation subject to the Governor's EO. We suggest that hotels implement a food service that uses "delivery service, window service, walk-up

service, drive-through service, or drive-up service, and to use precautions in doing so to mitigate the potential transmission of COVID-19, including social distancing." Grab and go breakfast offerings such as granola bars, bottled water, coffee, and fruit would satisfy the "walk up service" definition, so long as no more than 5 people are in the area at one time and they are at least 6 feet apart.