



CITY OF CAMBRIDGE

EMERGENCY ORDER TEMPORARILY SUSPENDING ENFORCEMENT OF THE CAMBRIDGE ZONING ORDINANCE AT CITY PARKING LOT NO. 5

June 10, 2020

WHEREAS, the 2019 Novel Coronavirus (“COVID-19”) is a highly contagious and potentially fatal respiratory disease, the prevalence of which is increasing rapidly throughout the world, inclusive of the United States and the Commonwealth of Massachusetts; and

WHEREAS, on March 10, 2020, the Governor of the Commonwealth of Massachusetts issued a Declaration of a State of Emergency to Respond to COVID-19; and

WHEREAS, on March 11, 2020 the World Health Organization designated the COVID-19 outbreak a Pandemic Health Emergency; and

WHEREAS, on March 13, 2020, the President of the United States announced a national declaration of emergency; and

WHEREAS, by various orders issued in March, 2020, Governor Baker prohibited on-premises consumption of food or drinks at bars and restaurants, limited gatherings of more than ten people in the Commonwealth, and ordered businesses, other than those that provide COVID-19 Essential Services, to close their brick and mortar operations and operate only by remote means; and

WHEREAS, the Cambridge Commissioner of Public Health and the Cambridge City Manager, in consultation with the Massachusetts Department of Public Health have determined that COVID-19 presents a major disaster which poses an immediate threat to public health, safety, and general welfare of people residing both within and outside of the City of Cambridge, and on March 19, 2020, the Cambridge Commissioner of Public Health and Cambridge City Manager declared that a state of emergency exists in the City of Cambridge; and

WHEREAS, the public health orders issued in response to COVID-19 have significantly impacted small businesses and the national, state and local economy; and

WHEREAS, recent public health data indicates improvement in key areas of measurement as a result of the COVID-19 Pandemic Orders; and

WHEREAS, there is lower risk of the transmission of COVID-19 when outside, while maintaining social distancing and wearing a mask;

WHEREAS, on May 18, 2020, Governor Baker issued COVID-19 Order No. 33, which authorized the re-opening of certain brick-and-mortar premises designated as “Phase I” workplaces, subject to requirements that all such workplaces comply with workplace safety rules and standards, and which otherwise extended the restriction of other businesses that do not provide Essential Services; and

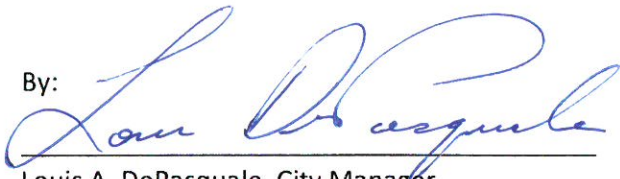
WHEREAS, on June 1, 2020, Governor Baker issued COVID-19 Order No. 35, which authorized the re-opening of "Phase II" workplaces, subject to requirements that all such workplaces comply with workplace safety rules and standards, and which includes re-opening of restaurants for outdoor dining. COVID-19 Order No. 35 also designated "Phase III" and "Phase IV" workplaces which will be authorized to re-open in the future. COVID-19 Order No. 35 ordered that "Phase II" workplaces shall not be subject to the 10-person limitation on gatherings previously ordered; and

WHEREAS, the City of Cambridge (the "City") operates a City Parking Lot at 84 Bishop Allen Drive known as Lot No. 5 ("Lot 5"), and the City intends to enter into a License Agreement with the Central Square Business Improvement District, a business improvement district of the City of Cambridge organized pursuant to the provisions of G. L. c. 400 (the "BID"), granting a license to the BID for the use of Lot No. 5 for a variety of community uses such as a Farmer's Market and other retail sales, outdoor education space and performance space once such activity is allowed by Governor Baker (the "License Agreement"); and

NOW THEREFORE, the City of Cambridge Commissioner of Inspectional Services, with the approval of the City Manager and the Commissioner of Public Health, hereby temporarily suspends enforcement of the requirements of the Cambridge Zoning Ordinance that would otherwise restrict or prohibit the BID's use of Lot No. 5 for the uses set forth above until further notice or until the License Agreement expires or is otherwise terminated.

Dated: June 10, 2020

By:



Louis A. DePasquale, City Manager



Ranjit Singanayagam, Commissioner of Inspectional Services



Dr. Assaad J. Sayah, Commissioner of Public Health