

## CITY OF CAMBRIDGE

**ORDER EXTENDING TEMPORARY EMERGENCY ORDER REQUIRING A MODIFIED  
ROLLBACK TO PHASE II, STEP 2 OF GOVERNOR BAKER'S REOPENING PLAN IN THE  
CITY OF CAMBRIDGE  
ISSUED ON JANUARY 29, 2021**

**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**, on March 15, 2020, Governor Baker issued an emergency Order (the "March 15, 2020 Order") to respond to the evolving COVID-19 public health emergency impacting the Commonwealth, including prohibitions on public gatherings of twenty-five or more people and prohibiting on-premises consumption of food or drink at bars and restaurants from March 17, 2020 until April 6, 2020; and

**WHEREAS**, on March 23, 2020, Governor Baker issued an Order (the "March 23, 2020 Executive Order") limiting gatherings of more than ten people in the Commonwealth and ordering businesses, other than those that provide COVID-19 essential services as defined in the March 23, 2020 Executive Order as amended ("COVID-19 Essential Businesses"), 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 (the "State of Emergency"); and

**WHEREAS**, on March 31, 2020, Governor Baker issued an Order extending the March 23, 2020 Executive Order closing of businesses, other than those that provide COVID-19 essential services, to May 4, 2020; and

**WHEREAS**, on April 28, 2020, Governor Baker issued an Order extending the May 4, 2020 Executive Order closing of businesses, other than those that provide COVID-19 essential services, to May 18, 2020; and

**WHEREAS**, on May 1, 2020, Governor Baker issued an Executive Order requiring any person over the age of two to cover their mouth and nose with a mask or cloth face covering in places open to the public in the Commonwealth, whether indoor or outdoor, at all times when such person is unable or does not maintain a distance of six feet from

WHEREAS, in order to allow for essential services and other vital functions of society to continue it is necessary to restrict certain activities to reduce virus transmission by restricting the potential exposure due to indoor activities and to limit the encounters by members who may be from different households. This will lessen the likelihood of additional community spread which has contributed to a greater number of new COVID-19 cases statewide; and

WHEREAS, on December 23, 2020, the City issued the Temporary Emergency Order Requiring a Modified Rollback to Phase II, Step 2 of Governor Baker's Reopening Plan in the City of Cambridge;

WHEREAS, on January 12, 2021, the City issued an order extending the Modified Rollback to Phase II, Step 2 of Governor Baker's Reopening Plan in the City of Cambridge until 12:00 a.m. on February 1, 2021;

NOW THEREFORE, the Cambridge Commissioner of Public Health and the City Manager hereby order as follows:

1. The provisions of the City's Temporary Emergency Order Requiring a Modified Rollback to Phase II, Step 2 of Governor Baker's Reopening Plan in the City of Cambridge (which is attached hereto) are hereby extended and shall remain in effect until 12:00 a.m. on February 8, 2021, unless further extended by subsequent order, or until further notice or until the declaration of a State of Emergency in the City has been rescinded, whichever is sooner.
2. Upon expiration of the City's Temporary Emergency Order Requiring a Modified Rollback to Phase II, Step 2 of Governor Baker's Reopening Plan in the City of Cambridge the City will return to Phase III, Step 1 of Governor Baker's Reopening Plan subject to the following requirement for fitness centers and health clubs. Fitness centers and health clubs shall only operate in accordance with the following requirements:
  - a. Fitness centers and health clubs shall operate at 25% capacity;
  - b. Fitness centers and health clubs shall limit capacity of locker rooms/changing rooms to 1 person per 200 square feet and shall post signage and enforce capacity limits;
  - c. Customers of fitness centers and health clubs shall only utilize the facility for a ninety (90) minute time period, per day;
  - d. Fitness centers and health clubs shall post a sign at the entrance clearly displaying the maximum capacity of the facility;
  - e. In addition to the mandatory requirements of this Order, the City recommends that indoor fitness centers and health clubs abide by the following provisions, as further detailed below:
    - i. Consider scheduling a one-hour buffer between group classes to ventilate the room/studio where classes are held. If possible, fitness centers and health clubs shall utilize passive ventilation in group activities and/or classes (i.e. open windows to create a cross-flow air pattern);
    - ii. Consider utilizing self-standing, movable air filtration units rather than building-wide air handling systems;
    - iii. It is recommended that each indoor fitness center and health club participate in IAQ consult/training;
    - iv. Consider offering a real-time on-line dashboard indicating the current capacity and the number of available slots for customers;
    - v. Consider adding a system for scheduling appointments for the facility;
    - vi. Consider offering group classes outside whenever possible;
    - vii. It is recommended that each indoor fitness center and health club close changing rooms/locker rooms; and
    - viii. Consider using a sign-in sign-out sheet indicating area/equipment used by each customer.

3. The Cambridge Public Health Commission may issue guidance consistent with the provisions of this Order.

This Order shall take effect immediately and shall remain in effect until further notice or until the declaration of a State of Emergency in the City has been rescinded, whichever is sooner.

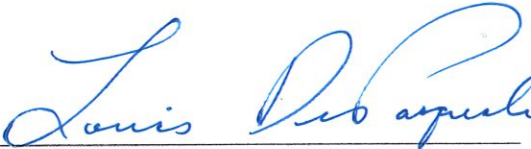
In the event that any portion of this Emergency Order is held to be invalid by a court of competent jurisdiction, said invalid or unenforceable portion shall be severable from the remainder of this Emergency Order and to the fullest extent possible this Emergency Order shall be read as if it did not contain said invalid or unenforceable portion.

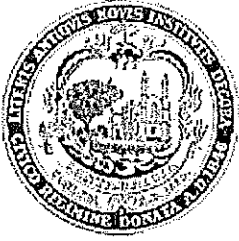
This Emergency Order shall be enforced by the following: officers of the Cambridge Police Department; enforcement officials of the Cambridge Public Health Department; and enforcement officials of the City's Inspectional Services Department.

Any person found to be in violation of this Emergency Order may be issued a warning or may be issued a violation notice with a fine of three hundred dollars (\$300). The person to whom a violation notice has been issued pursuant to this Emergency Order may pay the fine within 21 days of the date the violation notice was served, or within 21 days of the date the violation notice was served, may contest the matter by requesting a noncriminal hearing by mailing a copy of the violation notice to: Clerk Magistrate, Cambridge District Court, 4040 Mystic Valley Parkway, Medford, MA 02155. G. L. c. 111 §§ 30, 95-105, and 122; 310 CMR 11.05 et seq., 105 CMR 300.200; St. 1950, c. 639; G. L. c. 40, § 21D; and Cambridge Municipal Code c. 1.24, § 1.24.030.

Dated: 1/29/21

By:   
Assaad J. Sayah, MD, Commissioner of Public Health

  
Louis A. DePasquale, City Manager



## CITY OF CAMBRIDGE

### TEMPORARY EMERGENCY ORDER REQUIRING A MODIFIED ROLLBACK TO PHASE II, STEP 2 OF GOVERNOR BAKER'S REOPENING PLAN IN THE CITY OF CAMBRIDGE ISSUED ON DECEMBER 23, 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**, on March 15, 2020, Governor Baker issued an emergency Order (the "March 15, 2020 Order") to respond to the evolving COVID-19 public health emergency impacting the Commonwealth, including prohibitions on public gatherings of twenty-five or more people and prohibiting on-premises consumption of food or drink at bars and restaurants from March 17, 2020 until April 6, 2020; and

**WHEREAS**, on March 23, 2020, Governor Baker issued an Order (the "March 23, 2020 Executive Order") limiting gatherings of more than ten people in the Commonwealth and ordering businesses, other than those that provide COVID-19 essential services as defined in the March 23, 2020 Executive Order as amended ("COVID-19 Essential Businesses"), 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 (the "State of Emergency"); and

**WHEREAS**, on March 31, 2020, Governor Baker issued an Order extending the March 23, 2020 Executive Order closing of businesses, other than those that provide COVID-19 essential services, to May 4, 2020; and

**WHEREAS**, on April 28, 2020, Governor Baker issued an Order extending the May 4, 2020 Executive Order closing of businesses, other than those that provide COVID-19 essential services, to May 18, 2020; and

**WHEREAS**, on May 1, 2020, Governor Baker issued an Executive Order requiring any person over the age of two to cover their mouth and nose with a mask or cloth face covering in places open to the public in the Commonwealth, whether indoor or outdoor, at all times when such person is unable or does not maintain a distance of six feet from others, except where a person is unable to wear a mask or cloth face covering due to a medical condition or where the person is exempted under Massachusetts Department of Public Health Guidance; and

**WHEREAS**, on May 18, 2020, Governor Baker's Administration released a plan entitled "Reopening Massachusetts" pursuant to which previous restrictions on business operations will be relaxed in phases, with Phase 1 beginning on Monday, May 18, 2020; and

**WHEREAS**, on June 6, 2020 Governor Baker issued an Order allowing Step 1 of Phase II, which includes outdoor dining at restaurants to commence on June 8, 2020, and thereafter, issued an announcement that Step 2 of Phase II, which includes indoor dining at restaurants, shall commence on June 22, 2020; and

**WHEREAS**, on July 2, 2020, Governor Baker issued COVID-19 Order No. 43 which provided that Step 1 of Phase III of the Reopening Plan would go into effect, which includes the reopening with restrictions of, among others, movie theaters, museums, cultural and historical sites, and fitness centers and health clubs; and

**WHEREAS**, on September 29, 2020, Governor Baker issued COVID-19 Order No. 51 which provided that Step 2 of Phase III of the Reopening Plan would go into effect, which includes the reopening with restrictions of, among others, indoor performance venues, arcades, and recreation businesses; and

**WHEREAS**, on October 2, 2020, the Cambridge Commissioner of Public Health and the City Manager issued an Order that the City of Cambridge shall not advance to Step 2 of Phase III of the Governor's Reopening Plan until further notice. Accordingly, businesses and organizations that are identified as Phase III, Step 2 enterprises in COVID-19 Order No. 51 were ordered to not open their brick-and-mortar premises. Additionally, Phase I, II and III enterprises, including fitness centers and health clubs were ordered to not operate pursuant to revised Safety Standards that may provide for increased capacity and other adjustments to safety protocols upon commencement of Step 2 of Phase III;

**WHEREAS**, on November 2, 2020, Governor Baker announced a series of targeted measures to disrupt the increasing trend of new COVID-19 cases, which included Order No. 53 requiring certain businesses and activities to close by 9:30 p.m., Order No. 54 reducing the size of gatherings, and Order No. 55 requiring all persons to wear face-coverings even when they are able to maintain 6' of distance from others;

**WHEREAS**, on November 23, 2020, Governor Baker launched a public awareness effort entitled #GetBackMass which encouraged residents to stay safe and vigilant in light of the increase in COVID-19 cases and the expectation that COVID-19 cases will continue to increase because of holiday festivities; and

**WHEREAS**, on December 8, 2020, Governor Baker issued COVID-19 Order No. 58, which is an Order Returning all Municipalities to Phase III, Step 1 COVID-19 Safety Rules; and

**WHEREAS**, on December 22, 2020, Governor Baker issued COVID-19 Order No. 59, which is an Order Temporarily Applying Further Capacity Restrictions to Statewide COVID-19 Safety Rules; and

**WHEREAS**, over the course of December, 2020, COVID-19 cases have increased significantly since the pre-Thanksgiving levels and hospitals across the Commonwealth are experiencing a surge for the need of available intensive care unit beds in recent weeks; and

**WHEREAS**, in order to allow for essential services and other vital functions of society to continue it is necessary to restrict certain activities to reduce virus transmission by restricting the potential exposure due to indoor activities and

to limit the encounters by members who may be from different households. This will lessen the likelihood of additional community spread which has contributed a greater number of new COVID-19 cases statewide;

**NOW THEREFORE**, the Cambridge Commissioner of Public Health and the City Manager hereby order as follows:

1. The City is ordering a modified rollback to Phase II, Step 2 of Governor Baker's Reopening Plan. Therefore, all businesses, activities, facilities and premises designated as Phase III, Step 1 Enterprises in Schedule A of Governor Baker's Order Returning all Municipalities to Phase III, Step 1 COVID-19 Safety Rules, COVID-19 Order No. 58, which is attached hereto as Appendix B, are ordered to temporarily cease operations and close as of **12:00 a.m. on December 26, 2020, and remain closed for a three-week period until 12:00 a.m. on January 16, 2021**, subject to the exceptions and modifications set forth below.
2. Post-Secondary/Higher Ed/Vocational-Tech/Trade/Occupational Schools may continue to be open for general operations.
3. Fitness centers and health clubs may continue to be open, however, shall only operate at 25% capacity and in accordance with the Following requirements:
  - a. Fitness centers and health clubs shall limit capacity of locker rooms/changing rooms to 1 person per 200 square feet and shall post signage and enforce capacity limits;
  - b. Customers of fitness centers and health clubs shall only utilize the facility for a ninety (90) minute time period, per day;
  - c. In addition to the mandatory requirements of this Order, the City recommends that indoor fitness centers and health clubs abide by the following provisions, as further detailed below:
    - i. Consider scheduling a one-hour buffer between group classes to ventilate the room/studio where classes are held. If possible, fitness centers and health clubs shall utilize passive ventilation in group activities and/or classes (i.e. open windows to create a cross-flow air pattern);
    - ii. Consider utilizing self-standing, movable air filtration units rather than building-wide air handling systems;
    - iii. It is recommended that each indoor fitness center and health club participate in IAQ consult/training;
    - iv. Consider offering a real-time on-line dashboard indicating the current capacity and the number of available slots for customers;
    - v. Consider adding a system for scheduling appointments for the facility;
    - vi. Consider offering group classes outside whenever possible;
    - vii. It is recommended that each indoor fitness center and health club close changing rooms/locker rooms; and
    - viii. Consider using a sign-in sign-out sheet indicating area/equipment used by each customer.
4. Indoor recreational and athletic facilities for general use (not limited to youth programs) may only operate at 25% capacity.
5. Youth sports activities and programs are permitted in accordance with the Commonwealth's Workplace Safety and Reopening Standards for Businesses and Other Entities Providing Youth and Adult Amateur Sports Activities – Phase III, Step 1, amended on December 9, 2020 and effective on December 13, 2020.

6. Outdoor theatres and other outdoor performance venues not designated as Phase IV enterprises may continue to operate and do not have to close, however, may only operate with a capacity of twenty-five (25) people.
7. Outdoor event spaces used for gatherings and celebrations including those in parks reservations, and other outdoor spaces not designated as Phase IV enterprises may continue to operate and do not have to close, however, may only operate with a capacity of twenty-five (25) people.
8. Indoor non-athletic instructional classes art/education/life skills for persons 18 years or older may continue to operate and do not have to close, however, may only operate with a capacity of ten (10) people or at 25% capacity, whichever is less.
9. All businesses, activities, facilities and premises that may remain open, including Phase II Enterprises and the Phase III Enterprises referenced above, shall operate in accordance with Governor Baker's Order Temporarily Applying Further Capacity Restrictions to Statewide COVID-19 Safety Rules, COVID-19 Order No. 59, or any amendments thereto, while COVID-19 Order No. 59 is in effect, and any applicable sector specific safety and reopening standards.
10. See Appendix A for a listing of Phase III, Step 1 Enterprises that are closed or are permitted pursuant to this Order.
11. The Cambridge Public Health Commission may issue guidance consistent with the provisions of this Order.

This Order shall take effect at midnight (12:00 AM) on December 26, 2020 and shall remain in effect until midnight (12:00 AM) on January 16, 2021, or until further notice or until the declaration of a State of Emergency in the City has been rescinded, whichever is sooner.

In the event that any portion of this Emergency Order is held to be invalid by a court of competent jurisdiction, said invalid or unenforceable portion shall be severable from the remainder of this Emergency Order and to the fullest extent possible this Emergency Order shall be read as if it did not contain said invalid or unenforceable portion.

This Emergency Order shall be enforced by the following: officers of the Cambridge Police Department; enforcement officials of the Cambridge Public Health Department; and enforcement officials of the City's Inspectional Services Department.

Any person found to be in violation of this Emergency Order may be issued a warning or may be issued a violation notice with a fine of three hundred dollars (\$300). The person to whom a violation notice has been issued pursuant to this Emergency Order may pay the fine within 21 days of the date the violation notice was served, or within 21 days of the date the violation notice was served, may contest the matter by requesting a noncriminal hearing by mailing a copy of the violation notice to: Clerk Magistrate, Cambridge District Court, 4040 Mystic Valley Parkway, Medford, MA 02155. G. L. c. 111 §§ 30, 95-105, and 122; 310 CMR 11.05 et seq., 105 CMR 300.200; St. 1950, c. 639; G. L. c. 40, § 21D; and Cambridge Municipal Code c. 1.24, § 1.24.030.

Dated: 12/23/20

By:   
 Assaad J. Sayah, MD, Commissioner of Public Health

  
 Louis A. DePasquale, City Manager

**APPENDIX A**

**Phase III, Step 1 Enterprises that are permitted under the City of Cambridge Modified Phase II, Step 2 Order**

Post-Secondary/Higher Ed/Vocational-Tech/Trade/Occupational Schools – general operations	Allowed for general operations
Casino gaming floors	Closed
Horse racing tracks and simulcast facilities	Closed
Indoor recreational and athletic facilities for general use (not limited to youth programs)	Allowed at 25% capacity
Fitness centers and health clubs including (defined as any fitness facility that provides access to and/or instruction of personal fitness training).	Allowed at 25% capacity and subject to the following requirements: <ul style="list-style-type: none"> <li>• Locker room/changing room capacity at each indoor fitness center and health club shall be limited to 1 person, per 200 square feet; and</li> <li>• Customers of fitness centers and health clubs shall only utilize the facility for a ninety (90) minute time period, per day.</li> </ul>
Museums	Closed
Indoor historic spaces/sites	Closed
Aquariums	Closed
Outdoor theatres and other outdoor performance venues not designated as Phase IV enterprises	Allowed with maximum capacity of 25 people
Movie theatres	Closed
Sightseeing and other organized tours (bus tours, duck tours, harbor/river cruises, whale watching)	Closed
Motion picture, television, and video streaming production	Closed
Fishing and hunting tournaments and other amateur or professional derbies	Closed
Outdoor event spaces used for gatherings and celebrations including those in parks reservations, and other outdoor spaces not designated as Phase IV enterprises	Allowed with maximum capacity of 25 people
Indoor events spaces such as meeting rooms, ballrooms, and private party rooms – only when used for functions or events permitted under Sector-Specific	Closed

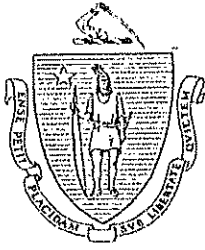


Rules for Indoor and Outdoor Events	
Indoor non-athletic instructional classes art/education/life skills for persons 18 years or older	Allowed with maximum capacity of capacity of ten (10) people or at 25% capacity, whichever is less
Indoor recreational activities with low potential for contact: batting cages, driving ranges, go karts, bowling alleys, rock-climbing walls	Closed

No Phase III, Step 2 Enterprises are permitted to operate

Any sector not addressed above is governed by Governor Baker's COVID-19 Orders and Sector Specific Protocols

APPENDIX B



OFFICE OF THE GOVERNOR  
COMMONWEALTH OF MASSACHUSETTS  
STATE HOUSE • BOSTON, MA 02133  
(617) 725-4000

**CHARLES D. BAKER**  
GOVERNOR

**KARYN E. POLITO**  
LIEUTENANT GOVERNOR

**ORDER RETURNING ALL MUNICIPALITIES TO  
PHASE III, STEP 1 COVID-19 SAFETY RULES**

COVID-19 Order No. 58

Superseding and Rescinding Order No. 56

**WHEREAS**, on March 10, 2020, I, Charles D. Baker, Governor of the Commonwealth of Massachusetts, acting pursuant to the powers provided by Chapter 639 of the Acts of 1950 and Section 2A of Chapter 17 of the General Laws, declared that there now exists in the Commonwealth of Massachusetts a state of emergency due to the outbreak of the 2019 novel Coronavirus (“COVID-19”);

**WHEREAS**, on March 11, 2020, the COVID-19 outbreak was characterized as a pandemic by the World Health Organization;

**WHEREAS**, the Federal Centers for Disease Control and Prevention (“CDC”) have advised that COVID-19 is spread mainly by person-to-person contact and that the best means of slowing the spread of the virus is through practicing social distancing and by minimizing personal contact with large groups and with environments where this potentially deadly virus may be transmitted including, in particular, spaces that present enhanced risks because of the large number of persons present or passing through the area who may spread the virus through respiratory activity or surface contacts;

**WHEREAS**, on March 23, 2020, in order to restrict all non-essential person-to-person contact and movement outside the home and reduce opportunities for spreading the COVID-19 virus within the Commonwealth, I issued COVID-19 Order No. 13, which temporarily closed the brick-and-mortar premises of businesses and organizations that do not provide COVID-19 Essential Services;

**WHEREAS**, in response to gradual improvements in the public health data, on May 18, 2020, June 6, 2020, and July 2, 2020, I issued COVID-19 Orders No. 33, 37, and 43, respectively, which designated certain businesses and other organizations as Phase I, II, III, or IV enterprises and initiated a progressive, phased plan for re-opening workplaces and other facilities across the Commonwealth;

**WHEREAS**, on September 29 and November 6, 2020, I issued COVID-19 Order Nos. 51 and 56 which authorized the reopening of Phase III, Step 2 enterprises and the application of relaxed capacity rules and other allowances in municipalities determined to be “Lower-Risk Communities” based on a reduced incidence of COVID-19 infection;

**WHEREAS**, the CDC, the Department of Public Health, and other public health authorities continue to improve their understanding of how COVID-19 is spread, where the risk of spread is greatest, and how best to mitigate the risk of transmission, which permits periodic adjustments to safety measures addressing commercial, recreational, and social activities;

**WHEREAS**, as of December 7, 2020, the Department of Public Health has reported 250,022 confirmed cases of COVID-19 and the average daily rate of COVID-19 incidence per 100,000 is 35.7;

**WHEREAS**, the Commonwealth has seen a significant increase in its 7-day average of new daily confirmed cases of COVID-19: as of December 6, 2020, the daily average was 3,509 compared to 1,837 on November 8;

**WHEREAS**, the Commonwealth has likewise seen a significant increase in its 7-day weighted average of positive molecular test rate: as of December 6, 2020, the rate was 5.5% compared to 2.7% on November 8;

**WHEREAS**, between Thanksgiving and December 6, hospitalizations for COVID-19 in the Commonwealth increased 54% from 986 to 1,516 admissions;

**WHEREAS**, as of December 7, 2020, the Executive Office of Health and Human Services has moved all regions in Massachusetts to the Tier 3 designation of the Resurgence Planning and Response Framework due to decreasing hospital capacity and increasing community transmission of COVID-19;

**WHEREAS**, left unchecked, current COVID-19 case growth poses a risk to the Commonwealth’s healthcare system, and intervention is warranted to moderate case growth and preserve hospital capacity; and

**WHEREAS**, sections 7, 8, and 8A of Chapter 639 of the Acts of 1950 authorize the Governor, during the effective period of a declared emergency, to exercise any and all authority over persons and property necessary or expedient for meeting the state of emergency, including but not limited to authority over assemblages in order to protect the health and safety of persons, transportation and travel by any means or mode, regulating the sale of articles of food and

household articles, variance of the terms and conditions of licenses and permits issued by the Commonwealth or any of its agencies or political subdivisions, and policing, protection, and preservation of public and private property;

**NOW, THEREFORE**, I hereby Order the following:

1. Statewide Return to Phase III, Step 1 COVID-19 Safety Rules

Effective at 12:01 am on December 13, COVID-19 Order No. 56, is rescinded, and all enterprises authorized to open their brick-and-mortar premises to workers, customers, and the public under the Commonwealth's phased Re-Opening Plan must comply with rules applicable to Step 1 of Phase III of the Re-Opening Plan.

Accordingly, effective at 12:01 am on December 13, 2020, in every municipality in the Commonwealth:

- a. Businesses and other organizations identified as Phase III, Step 2 enterprises in Schedule A attached hereto must close their brick-and-mortar premises to workers, customers, and the public;
- b. Phase I and II enterprises, and Phase III, Step 1 enterprises, all as identified in Schedule A, may only operate pursuant to Step 1 Sector-Specific COVID-19 workplace safety rules issued pursuant to Section 2 of this Order. Earlier-issued Sector-Specific rules applicable to Step 2 of Phase III, which permitted enterprises located in "Lower-Risk Communities" to operate with increased capacity allowances and other adjustments, are hereby withdrawn; and
- c. Reduced capacity allowances for gatherings shall apply uniformly in every municipality as provided in COVID-19 Order No. 57, or as provided in any later Order further adjusting capacity allowances for gatherings.

2. Step 1 Adjustments to COVID-19 Workplace Safety Rules

The Director of the Department of Labor Standards and the Secretary of the Executive Office for Energy and Environmental Affairs shall issue, subject to my approval, revised Sector-Specific COVID-19 workplace safety rules for Phase I and II enterprises, and Phase III, Step 1 enterprises as necessary to respond to the increased prevalence of COVID-19 infections that has required the return to Step 1 rules across the Commonwealth.

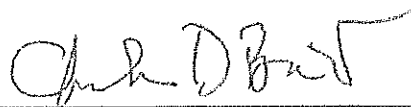
The provisions of Sections 4 and 5 of COVID-19 Order No. 43 (and Section 4 of COVID-19 Order No. 37 as incorporated in COVID-19 Order No. 43), which set requirements for compliance with generally applicable and Sector-Specific COVID-19 safety rules and mechanisms for enforcement shall continue to apply to all Phase I, II, III enterprises authorized to open their brick-and-mortar premises.

Accordingly, any violation of the terms of this Order or any directives, regulations, or guidance issued pursuant to or to enforce this Order may result in a civil fine as provided in

Section 4 of COVID-19 Order No. 37, provided, however, that as provided in St. 1950, c. 639, § 8, a fine of up to \$500 per violation may apply. Each individual instance of non-compliance and each day of continuing non-compliance may be fined as a separate violation. Any penalties issued in an enforcement action shall be administered as provided in COVID-19 Order No. 48.

This Order is effective at 12:01 am on December 13, 2020 and shall remain in effect until rescinded or until the state of emergency is ended, whichever occurs first.

Given in Boston at 12:15 AM/PM this 8th day of December, two thousand and twenty



---

CHARLES D. BAKER  
GOVERNOR  
Commonwealth of Massachusetts

Schedule A  
to COVID-19 Order No. 58 effective December 13, 2020

	All Phase I, II, III, and IV enterprises are required to comply with general and, where applicable, sector-specific COVID-19 workplace safety rules administered by DLS, DPH, EEA, and local boards of health. Workplace safety rules include a variety of mandatory context-specific COVID-19 safety measures such as occupancy limitations, operational modifications, social distancing rules, and specialized cleaning requirements.
Phase I	As specified in COVID-19 Order No. 33: <ul style="list-style-type: none"> <li>• Businesses and other organizations providing products and services identified as “COVID-19 Essential Services” in COVID-19 Order No. 13</li> <li>• Manufacturing</li> <li>• Construction</li> <li>• Places of Worship</li> <li>• Firearms retailers and shooting ranges</li> <li>• General Use Offices</li> <li>• Car Washes</li> <li>• Hair Salons and Barber Shops</li> <li>• Pet Groomers</li> <li>• Drive-In Movie Theaters</li> <li>• Laboratories</li> <li>• Certain Outdoor Recreational Facilities and Activities as specified in <u>Exhibit 1</u> to COVID-19 Order No. 33</li> </ul>
Phase II	As specified in COVID-19 Order No. 37 and including specifically: <ul style="list-style-type: none"> <li>• Retail Stores including stores in enclosed shopping malls</li> <li>• Restaurants providing seated food service prepared on-site and under retail food permits issued by municipal authorities pursuant to 105 CMR 590.000, including beer gardens/wineries/distilleries meeting these criteria <ul style="list-style-type: none"> <li>○ <u>Step 1</u>: outdoor table service</li> <li>○ <u>Step 2</u>: indoor table service</li> </ul> </li> <li>• Hotels, motels, inns, and other short-term lodgings (no events, functions, or meetings)</li> <li>• Limited organized youth and adult amateur sports activities and programs—no contact and no games or scrimmages, and indoor facilities limited to youth programs</li> <li>• Professional sports practice and training programs--no inter-team games and no admission for the public</li> <li>• Personal Services provided at a fixed place of business or at a client location <ul style="list-style-type: none"> <li>○ <u>Step 1</u>: Services involving no close personal contact (photography, window washers, individual tutoring, home cleaning, etc.)</li> <li>○ <u>Step 2</u>: Services involving close personal contact (massage, nail salons, personal training for individuals or no more than 2 persons from same household, etc.)</li> </ul> </li> <li>• Non-athletic instructional classes in arts/education/life skills for youths under 18 years of age in groups of fewer than 10</li> <li>• Driving schools and flight schools</li> <li>• Outdoor historical spaces—no functions or gatherings and no guided tours</li> <li>• Funeral homes—increased capacity to permit 40% occupancy for one service at a time within the facility</li> <li>• Warehouses and distribution centers</li> <li>• Golf facilities including outdoor driving ranges</li> <li>• Other outdoor recreational facilities <ul style="list-style-type: none"> <li>○ pools, playgrounds and spray decks</li> <li>○ mini golf, go karts, balling cages, climbing walls, ropes courses</li> </ul> </li> <li>• Post-Secondary/Higher Ed/Vocational-Tech/Trade/Occupational Schools</li> </ul>

	<ul style="list-style-type: none"> <li>o for the limited purposes of permitting students to complete a degree, program, or prerequisite for employment, or other similar requirement for completion, for summer youth programming including athletic facilities, and any necessary supporting services</li> <li>• Day Camps including sports and arts camps</li> <li>• Public libraries</li> </ul>
Phase III	<p><u>Step 1</u></p> <ul style="list-style-type: none"> <li>• Post-Secondary/Higher Ed/Vocational-Tech/Trade/Occupational Schools—general operations</li> <li>• Casino gaming floors</li> <li>• Horse racing tracks and simulcast facilities</li> <li>• Indoor recreational and athletic facilities for general use (not limited to youth programs)</li> <li>• Fitness centers and health clubs including <ul style="list-style-type: none"> <li>o cardio/weight rooms/locker rooms/inside facilities</li> <li>o fitness studios (yoga, barre, cross-fit, spin classes, general fitness studios)</li> <li>o indoor common areas</li> <li>o indoor swimming pools</li> <li>o indoor racquet courts and gymnasiums</li> <li>o locker rooms</li> <li>o excluding saunas, hot-tubs, steam rooms</li> </ul> </li> <li>• Museums</li> <li>• Indoor historic spaces/sites</li> <li>• Aquariums</li> <li>• Outdoor theatres and other outdoor performance venues not designated as Phase IV enterprises</li> <li>• Movie theatres</li> <li>• Sightseeing and other organized tours (bus tours, duck tours, harbor cruises, whale watching)</li> <li>• Motion picture, television, and video streaming production</li> <li>• Fishing and hunting tournaments and other amateur or professional derbies</li> <li>• Outdoor event spaces used for gatherings and celebrations including those in parks, reservations, and other outdoor spaces not designated as Phase IV enterprises</li> <li>• Indoor event spaces such as meeting rooms, ballrooms, and private party rooms--only when used for functions or events permitted under Sector-Specific Rules for Indoor and Outdoor Events</li> <li>• Indoor non-athletic instructional classes in arts/education/life skills for persons 18 years or older</li> <li>• Indoor recreational activities with low potential for contact: batting cages, driving ranges, go karts, bowling alleys, rock-climbing walls</li> <li>• Indoor and outdoor gaming arcades and associated gaming devices</li> </ul> <p><u>Step 2</u></p> <ul style="list-style-type: none"> <li>• Indoor performance venues used for live performances such as concert halls, theaters, and other indoor performance spaces not designated as Phase IV enterprises</li> <li>• Indoor recreational activities with greater potential for contact: laser tag, roller skating, trampolines, obstacle courses</li> </ul>
Phase IV	<ul style="list-style-type: none"> <li>• Amusement parks, theme parks, indoor or outdoor water parks and indoor or outdoor ball pits</li> <li>• Saunas, hot-tubs, steam rooms at fitness centers, health clubs, and other facilities</li> <li>• Bars, dance clubs, and nightclubs—venues offering entertainment, beverages, or dancing and not providing seated food service prepared on-site and under retail food permits issued by municipal authorities pursuant to 105 CMR 590.000</li> </ul>

	<ul style="list-style-type: none"><li>• Beer gardens/breweries/wineries/distilleries not providing seated food service prepared on-site and under retail food permits issued by municipal authorities pursuant to 105 CMR 590.000</li><li>• Large capacity venues used for group or spectator sports, entertainment, business, and cultural events including<ul style="list-style-type: none"><li>○ Stadiums, arenas, and ballparks</li><li>○ Dance floors</li><li>○ Exhibition and convention halls</li></ul></li><li>• Street festivals and parades and agricultural festivals</li><li>• Road races and other large, outdoor organized amateur or professional group athletic events</li><li>• Overnight camps (Summer 2021)</li></ul> <p>This listing is subject to amendment.</p>
--	---