



CITY OF CAMBRIDGE

TEMPORARY EMERGENCY ORDER REQUIRING THE WEARING OF MASKS OR CLOTH FACE COVERINGS IN ALL PUBLIC PLACES, BUSINESSES, AND IN COMMON AREAS OF RESIDENTIAL BUILDINGS

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 10, 2020, the Massachusetts Department of Public Health issued an Advisory stating that the wearing of a face covering may help prevent the spread of COVID-19 by individuals who are infected, including those who show no signs of illness; and

NOW THEREFORE, the Cambridge Commissioner of Public Health and the City Manager hereby order (the “Emergency Order”) as follows:

1. Each person over the age of four years old shall wear a mask or cloth face covering which covers both the mouth and nose at all times when in public, including, without limitation, when on, in, or about sidewalks, streets, parks, plazas, bus stops, non-residential parking lots and garages, and any other outdoor area or non-residential parking facility which is open and accessible to the general public ("Public Areas").
2. Any person, including employees of businesses, over the age of five years old entering any business open to the public, including, without limitation, grocery stores, supermarkets, pharmacies, laundromats, dry cleaners, hardware stores, restaurants, cafes or similar establishments where prepared foods, meals or beverages may be purchased, local government buildings, commercial office buildings (hereinafter, "Places of Business") shall wear a mask or a cloth face covering which covers both the mouth and nose prior to entering such Place of Business and continuously during the time the person is in the Place of Business. All Places of Business shall post signage at entrances to buildings informing the public that masks or cloth face coverings must be worn at all times within or about the premises of the Place of Business.
3. All employees, contractors, or visitors to COVID-19 Essential Businesses as defined in Governor Baker's March 23, 2020 Executive Order as amended ("Essential Businesses") shall wear a mask or a cloth face covering which covers both the mouth and nose prior to entering any COVID-19 Essential Business for work or any other purpose and at all times while on the Essential Business' premises or at the Essential Business' work site. All COVID-19 Essential Businesses shall maintain additional measures to reduce the spread of COVID-19, including, providing disposable gloves, hand sanitizer, and disposable masks or cloth face coverings to all employees, requiring employees to wash hands, even where gloves are worn, with soapy water at regular intervals (every thirty minutes) and providing handwashing stations for that purpose, requiring employees to maintain a distance of six feet at all times practicable, screening employees for symptoms of COVID-19 prior to allowing them on work sites, and ordering sick employees to stay at home. Employees who recovered from symptoms of COVID-19 shall not return to work until they have met the CDC's guidelines for ending home isolation posted at: <https://www.cdc.gov/coronavirus/2019-ncov/hcp/ending-isolation.html>. Essential Businesses shall follow the Massachusetts Department of Public Health's "Safety Practices for Non-Healthcare Essential Service Workers Who May Have Had Exposure to a Person with Suspected or Confirmed COVID-19" issued on April 14, 2020 and posted at: <https://www.mass.gov/doc/non-healthcare-essential-service-worker-covid-19-exposure-guidance/download>.
4. In addition to the above-enumerated requirements, Essential Businesses which are retail establishments as defined by Governor Baker's Covid-19 Executive Orders ("Essential Retail Establishments") must limit the number of customers and staff inside the establishment at any given time so that social distancing of six feet may be maintained and must establish maximum occupancy loads of forty percent of the maximum allowable occupancy of the establishment in order to allow for such social distancing of six feet within the establishment in accordance with the Guidance for Grocery Stores and Local Boards of Health issued by the Massachusetts Department of Public Health on April 7, 2020 and posted at: <https://www.mass.gov/doc/order-grocery-stores-40-percent/download>. Maximum occupancy shall be posted at each entrance to the establishment and shall be readily visible to members of the public. An employee of the retailer shall be designated to ensure the maximum number of individuals inside of the store is not exceeded. Customers queued outside of the store must maintain a minimum of six feet distance. In addition, all Essential Retail Establishments shall take any and all steps necessary to follow the Guidance for Grocery Stores issued by the Massachusetts Commissioner of Public Health on March 25, 2020 and posted at <https://www.mass.gov/doc/march-25-2020-pharmacy-grocery-order>.

5. In residential buildings consisting of at least two dwelling units ("Residential Buildings"), any person over the age of four years old shall wear a mask or cloth face covering which covers both the mouth and nose prior to entering, without limitation, any lobby, hallway, elevator, stairwell, laundry room, garage or parking lot, walkway, yard and other common outdoor areas, or any other indoor or outdoor areas in or about a residential building which are accessible to more than one dwelling unit (collectively, "Common Areas") of that building. Residential Buildings shall post signage in or about such Common Areas informing all residents that masks or cloth face coverings must be worn at all times while in or about such Common Areas. Any person entering such Common Areas shall maintain a distance of six feet between any other individual in said Common Areas excepting individuals who live in the same household or individuals who are caring for a child.
6. The Cambridge Public Health Commission may issue guidance consistent with the provisions of this Emergency Order.

This Emergency Order shall not apply to anyone under the age of five, anyone who has trouble breathing, or is unconscious, incapacitated, or otherwise unable to remove the mask without assistance, and/or any other person exempted by Centers for Disease Control guidelines or Massachusetts Department of Public Health guidelines.

This Emergency Order shall take effect at midnight (12:01 a.m.) on Wednesday, April 29, 2020 and shall remain in effect until further notice or until the declaration of a State of Emergency in the City has been rescinded.

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 request a hearing before the Cambridge Commissioner of Public Health or his designee by filing with the Cambridge Public Health Commissioner within seven days of the date the violation notice was served, a written petition requesting a hearing on the matter. G. L. c. 111 §§ 30, 95-105, 310 CMR 11.05 et seq., 105 CMR 300.200, and St. 1950, c. 639.

Dated: April _____, 2020

By:

Assaad J. Sayah, MD, Commissioner of Public Health

Louis A. DePasquale, City Manager