

The Town of Bellingham Community Action Response Plan – COVID-19

Economic Recovery

May 5, 2020



Introduction.....	3
Understanding the Regulatory Framework.....	4
Federal Regulatory Framework.....	4
State Regulatory Framework.....	4
State Defined Essential Businesses....	6
DRAFT Municipal Regulatory Framework....	21
Direct Engagement with the Bellingham Business Community...	21
Reopen a Bellingham Business Application Process...	22
Enforcement.....	23
Strategies to Reduce COVID-19 Exposure.....	24
Appendix A - Bellingham Small Business Assistance Program	
Appendix B – State Business Recovery Financial Resources	
Appendix C - Governors Executive Order Assuring Continued Operation of Essential Services in the Commonwealth, Closing Certain Workplaces, and Prohibiting Gatherings of More Than 10 People.	
Appendix D - Guidance Regarding the Operation of Essential Services	
Appendix E - Attorney General’s Guidance on Local Authority Amid COVID-19	
Appendix F – Town of Bellingham Board of Health Emergency Order to Require Mask or Facial Coverings in Certain Public Places	
Appendix G – Order Requiring Face Coverings in Public Places Where Social Distancing is Not Possible	

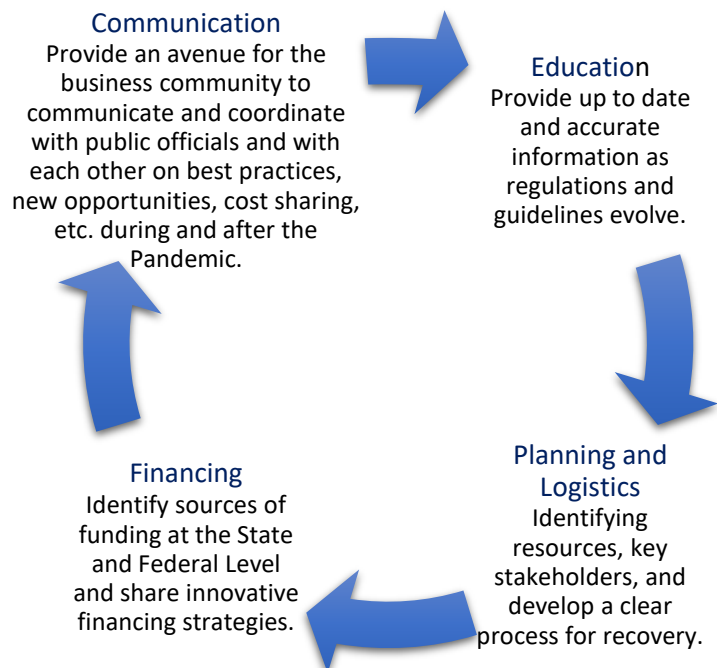
Introduction

The following proposed community action response plan provides an introductory outline to the current COVID-19 Pandemic regulatory structure and recommended format by the Economic Development Sub-Committee to assist the business community in a safe and responsible reopening.

The Town of Bellingham established the Economic Development Sub-Committee (EDSC) in response to the March 24th, 2020 Governor's COVID-19 Order Number 13 and 21, and extended order issued on April 28, 2020, to advise the Board of Health and Board of Selectmen on matters related to economic support to the business community during the COVID-19 Pandemic.

As such, the EDSC shall develop the following action response plan to facilitate the safe and organized reopening of the Bellingham local economy. The action response plan is intended to be a living document that shall be expanded upon as the Pandemic evolves and guidelines change.

The four key components of local recovery shall be Communication, Education, Financing, and Planning.



Bellingham recognizes that a specific region or municipality's business community may have different needs than what may be necessary statewide, and municipal leaders are well positioned to know their specific municipality's business community needs. Therefore, the Economic Development Sub-Committee shall support the business community through an advisory role to the Board of Selectmen and Board of Health to:

1. Identify businesses, not expressly prohibited by the Governor's Order, that may operate in a safe manner in accordance with the Governor's Order and CDC social distancing guidelines during the ongoing COVID-19 concern;
2. Identify and review ways in which businesses, both expressly deemed essential by the Governor's Order and those further allowed to operate by the municipality, shall limit the

spread of, and exposure to, the COVID-19 virus and ways in which a business shall adhere to the CDC social distancing guidelines;

3. Monitor and review updated Federal and State guidelines for addition of, and/or rescinding of, further business operation guidelines and identify changing economic trends and develop resources available to the business community, town boards, and commissions; and
4. Work with staff to obtain Federal and state grant funds to support the business community and/or municipal support.

Understanding the Regulatory Framework

Federal Regulatory Framework

The Federal Centers for Disease Control and Prevention recommend a proposed phased approach based on up to date data and readiness, mitigating risk of resurgence and protects the most vulnerable population. The implementation is on a statewide or county by county basis at the Governor's discretion.

Additionally, the Federal Centers for Disease Control and Prevention recommend strict Social Distancing guidelines as well as the following key concepts in order to reopen localities.

Key Concepts for Municipalities:

Slow transmission of disease. The goals for using mitigation strategies in communities with local COVID-19 transmission are to slow the transmission of disease and in particular to protect individuals at increased risk for severe illness, including older adults and persons of any age with underlying health conditions, and the healthcare and critical infrastructure workforces.

Emphasize individual responsibility. Based on emphasizing individual responsibility for implementing recommended personal-level actions, empowering businesses, schools, and community organizations to implement recommended actions, particularly in ways that protect persons at increased risk of severe illness, focusing on settings that provide critical infrastructure or services to individuals at increased risk of severe illness, and minimizing disruptions to daily life to the extent possible.

Tailor strategies to target population. Each community is unique, and appropriate mitigation strategies will vary based on the level of community transmission, characteristics of the community and their populations, and the local capacity to implement strategies. Consider all aspects of a community that might be impacted, including populations most vulnerable to severe illness and those that may be more impacted socially or economically, and select appropriate actions. Mitigation strategies can be scaled up or down depending on the evolving local situation. When developing mitigation plans, communities should identify ways to ensure the safety and social well-being of groups that may be especially impacted by mitigation strategies, including individuals at increased risk for severe illness.

State Regulatory Framework

The Federal Government has provided States with guidelines and best practices. The State has provided a more specific response. The Governor has issued and extended executive orders identifying ways in which essential services may continue to operate and the closing of certain workplaces and prohibition of gatherings of more than ten people.

Sections 1, 2, and 3 of Executive Order 13 identify specifically these requirements.

1. Maintaining Operation of COVID-19 Essential Services and Workforces

The production and service sectors identified in Exhibit A are hereby designated as “COVID-19 Essential Services.” The workforces engaged and working in these production and service sectors are hereby designated as “COVID-19 Essential Workforces.” I shall amend and publish updates to Exhibit A as I determine necessary in response to conditions as they develop.

Businesses and other organizations that provide the services and functions identified as COVID-19 Essential Services in Exhibit A are urged to continue operations during the state of emergency, but to do so with allowance for social distancing protocols consistent with guidance provided by the Department of Public Health.

Restaurants, bars, and other retail establishments that sell food and beverage products to the public provide COVID-19 Essential Services and are designated as such in Exhibit A. These establishments are therefore encouraged to continue to offer food and beverages for take-out and by delivery provided that they follow the social distancing protocols set forth in Department of Public Health guidance. Restaurants, bars, or other establishments that offer food or beverages to the public shall not permit on-premises consumption of food or beverages.

2. Temporary Closing of Other Businesses and Organizations

All businesses and other organizations that do not provide COVID-19 Essential Services shall close their physical workplaces and facilities (“brick-and-mortar premises”) to workers, customers, and the public as of 12:00 noon on March 24, 2020 and shall not re-open to workers, customers, or the public before 12:00 noon on April 7, 2020. Churches, temples, mosques, and other places of worship shall not be required to close their brick and mortar premises to workers or the public; provided, however, that such institutions shall be required to comply with all limitations on gatherings established in section 3 below.

Businesses and other organizations that do not provide COVID-19 Essential Services are encouraged to continue operations where they are able to operate through remote means that do not require workers, customers, or the public to enter or appear at the brick-and-mortar premises closed by this Order.

3. Limitations on Gatherings

Gatherings of more than 10 people are prohibited throughout the Commonwealth. Gatherings subject to this Order include, without limitation, community, civic, public, leisure, faith-based, or sporting events, concerts, conferences, conventions, fundraisers, parades, fairs, festivals, weddings, funerals, and any similar event or activity that brings together more than 10 persons in any confined indoor or outdoor space. This limitation shall not apply to the operations or activities of any business or organization in its provision or delivery of COVID-19 Essential Services.

This Order does not prohibit gatherings of more than 10 people in an unenclosed, outdoor space such as a park, athletic field, or parking lot.

Athletic and recreational activities that bring participants into close, physical contact are prohibited even when involving 10 or fewer people and regardless of where conducted.

State Defined Essential Businesses

As noted in Sections 1 of Executive Order 13, the Governor has identified those businesses deemed Essential. These businesses are (this list continues to expand, and was compiled on April 30, 2020):

Health Care/ Public Health / Human Services

- Workers who perform critical clinical research, development, and testing needed for COVID-19 response.
- Healthcare providers and Caregivers including physicians, dentists, psychologists, mid-level practitioners, nurses and assistants, infection control and quality assurance personnel, pharmacists, physical and occupational therapists and assistants, social workers, optometrists, speech pathologists, chiropractors, other providers of mental and behavioral health care, peer support and recovery coach workers, personal care attendants, home health aides and home care workers, and diagnostic and therapeutic technicians and technologists.
- Hospital and laboratory personnel (including accounting, administrative, admitting and discharge, engineering, epidemiological, source plasma and blood donation, food service, housekeeping, medical records, information technology and operational technology, nutritionists, sanitarians, respiratory therapists, etc.).
- Workers in other medical and biomedical facilities (including Ambulatory Health and Surgical, Blood Banks, Medical Clinics, Community Mental Health Centers, Comprehensive Outpatient rehabilitation, Methadone/OBOT Clinics, 24 hour Diversionary and Residential Behavioral Health Providers, End Stage Renal Disease, Health Departments, Home Health care, Hospices, Hospitals, Rest Homes, Assisted Living Residences, Nursing Care Facilities, Organ Pharmacies, Procurement Organizations, Psychiatric Residential, Residential Treatment Schools, Rural Health Clinics and Federally Qualified Health Centers, State Hospitals, licensed medical marijuana retailers, and retail facilities specializing in medical good and supplies).
- Manufacturer workers for health manufacturing (including biotechnology companies), materials and parts suppliers, logistics and warehouse operators, distributors of medical equipment (including those who test and repair), personal protective equipment (PPE), isolation barriers, medical gases, pharmaceuticals (including companies and institutions involved in the research and development, manufacture, distribution, warehousing, and supplying of pharmaceuticals, biotechnology therapies, and medical devices, diagnostics, equipment and services) (including materials used in radioactive drugs), dietary supplements, blood and blood products, vaccines, testing materials, laboratory supplies, cleaning, sanitizing, disinfecting or sterilization supplies, and tissue and paper towel products.
- Public health / community health workers, including those who compile, model, analyze and communicate public health information.
- Blood and plasma donors and the employees of the organizations that operate and manage related activities.
- Workers who manage health plans, billing, and health information, who cannot practically work remotely.
- Workers who conduct community-based public health functions, conducting epidemiologic surveillance, compiling, analyzing and communicating public health information, who cannot practically work remotely.

- Workers performing information technology and cybersecurity functions at healthcare and public health facilities, who cannot practically work remotely.
- Workers performing security, incident management, and emergency operations functions at or on behalf of healthcare entities including healthcare coalitions, who cannot practically work remotely.
- Pharmacy employees necessary to maintain uninterrupted prescription filling.
- Workers performing mortuary funeral, cremation, burial, cemetery, and related services, including at funeral homes, crematoriums, cemeteries, and coffin makers.
- Workers who coordinate with other organizations to ensure the proper recovery, handling, identification, transportation, tracking, storage, and disposal of human remains and personal effects; certify cause of death; and facilitate access to mental/behavioral health services to the family members, responders, and survivors of an incident.

Law Enforcement, Public Safety, First Responders

- Public, private, and voluntary personnel (front line and management) in emergency management, law enforcement, fire and rescue services, emergency medical services, and private security, to include public and private hazardous material responders, air medical service providers (pilots and supporting technicians), corrections, and search and rescue personnel.
- 911 call center employees (including telecommunicators, dispatchers and managers) and Public Safety Answering Points and other police communication facilities who can't perform their duties remotely.
- Fusion Center employees.
- Workers – including contracted vendors -- who maintain, manufacture, or supply equipment and services supporting law enforcement emergency service and response operations (to include electronic security and life safety security personnel).
- Workers supporting the manufacturing of safety equipment and uniforms for law enforcement, public safety personnel, and first responders.
- Workers supporting the operation of firearm or ammunition product manufacturers, importers, and distributors.
- Public agency workers responding to abuse and neglect of children, elders, and dependent adults.
- Workers who support weather disaster / natural hazard mitigation and prevention activities.
- Security staff to maintain building access control and physical security measures.

Food and Agriculture

- Workers supporting groceries, pharmacies, convenience stores, farmers markets and farm stands, nurseries, greenhouses, garden centers, and agriculture supply stores, and other retail (including unattended and vending) that sells human food, animal/pet food and pet supply, and beverage products (including liquor stores), including retail customer support service and information technology support staff necessary for online orders, pickup and delivery.
- Restaurant carry-out and quick serve food operations, including dark kitchen and food prep centers, and carry-out and delivery food employees.

- Food manufacturer employees and their supplier employees—to include those employed in food ingredient production and processing facilities; livestock, poultry, seafood slaughter facilities; pet and animal feed processing facilities; human food facilities producing by-products for animal food; beverage production facilities; and the production of food packaging.
- Farmers, farm workers, and agribusiness support services to include those employed in auction and sales: grain and oilseed handling, processing and distribution; animal food, feed, and ingredient production, packaging, and distribution; manufacturing, packaging, and distribution of veterinary drugs; truck delivery and transport; farm and fishery labor needed to produce our food supply domestically and for export.
- Farmers, farm workers, support service workers, and their supplier employees to include those engaged in producing and harvesting field crops; commodity inspection; fuel ethanol facilities; biodiesel and renewable diesel facilities; storage facilities; and other agricultural inputs.
- Employees and firms supporting the distribution of food, feed, and beverage and ingredients used in these products, including warehouse workers, vendor- managed inventory controllers and blockchain managers.
- Workers supporting the sanitation and pest control of all food manufacturing processes and operations from wholesale to retail.
- Employees in cafeterias used to feed employees, particularly employee populations sheltered against COVID-19.
- Food service workers in residential schools with students who are unable to leave campus
- Workers in animal diagnostic and food testing laboratories in private industries and in institutions of higher education.
- Government, private, and non-governmental organizations' workers essential for food assistance programs (including school breakfast and lunch programs) and government payments.
- Employees of companies engaged in the production, storage, transport, and distribution of chemicals, medicines, vaccines, and other substances used by the food and agriculture industry, including seeds, pesticides, herbicides, fertilizers, minerals, enrichments, and other agricultural production aids.
- Animal agriculture workers to include those employed in veterinary health (including those involved in supporting emergency veterinary or livestock services); raising of animals for food; animal production operations; livestock markets; slaughter and packing plants, manufacturers, renderers, and associated regulatory and government workforce.
- Transportation supporting animal agricultural industries, including movement of animal medical and reproductive supplies and materials, animal vaccines, animal drugs, feed ingredients, feed, and bedding, live animals, animal by-products, and deceased animals for disposal.
- Workers who support sawmills and the manufacture and distribution of fiber and forest products, including, but not limited to timber, paper, and other wood and fiber products.
- Employees engaged in the manufacture and maintenance of equipment and other infrastructure necessary for agricultural production and distribution.
- Organizations and workers responsible for the care and custody of animals, pets and livestock

Energy

- Workers supporting the energy sector, regardless of the energy source (including but not limited to nuclear, fossil, hydroelectric, or renewable), segment of the system, or infrastructure the worker is involved in, or who are needed to monitor, operate, engineer, and maintain the reliability, safety, environmental health, and physical and cyber security of the energy system.
- Energy/commodity trading/scheduling/marketing functions, who can't perform their duties remotely.
- IT and OT technology for essential energy sector operations including support workers, customer service operations; energy management systems, control systems, and Supervisory Control and Data Acquisition SCADA systems, and energy sector entity data centers; cybersecurity engineers; and cybersecurity risk management.
- Workers supporting the energy sector through renewable energy infrastructure or energy efficiency projects (including, but not limited to wind, solar, biomass, hydrogen, ocean, geothermal, and/or hydroelectric), including those supporting construction, manufacturing, transportation, permitting, operation/maintenance, monitoring, and logistics.
- Workers and security staff involved in nuclear re-fueling operations.
- Providing services related to energy sector fuels (including, but not limited, petroleum (crude oil), natural gas, propane, natural gas liquids, other liquid fuels, nuclear, and coal), supporting the mining, processing, manufacturing, construction, logistics, transportation, permitting, operation/maintenance, security, waste disposal and storage, and monitoring of support for resources.
- Environmental remediation/monitoring, limited to immediate critical needs technicians.
- Manufacturing and distribution of equipment, supplies, and parts necessary to maintain production, maintenance, restoration, and service at energy sector facilities (across all energy sector segments).

Electricity industry

- Workers who maintain, ensure, or restore, or are involved in the reliable development, transportation, fuel procurement, expansion, or operation of the generation, transmission, and distribution of electric power, including call centers, utility workers, engineers, retail electricity, constraint maintenance, and fleet maintenance technicians- who cannot perform their duties remotely.
- Workers at coal mines, production facilities, and those involved in manufacturing, transportation, permitting, operation/maintenance and monitoring at coal sites which is critical to ensuring the reliability of the electrical system.
- Workers who produce, process, ship and handle coal used for power generation and manufacturing.
- Workers needed for safe and secure operations at nuclear generation to include but not limited to, the broader nuclear supply chain, parts to maintain nuclear equipment, fuel manufacturers and fuel components used in the manufacturing of fuel.
- Workers at renewable energy infrastructure (including, but not limited to wind, solar, biomass, hydrogen, geothermal, and/or hydroelectric), including those supporting construction, manufacturing, transportation, permitting, operation/maintenance, monitoring, and logistics.

- Workers at generation, transmission, and electric black start facilities.
- Workers at Reliability Coordinator, Balancing Authorities, and primary and backup Control Centers, including but not limited to independent system operators, regional transmission organizations, and local distribution control centers.
- Mutual assistance personnel which may include workers from outside of the state or local jurisdiction.
- Vegetation management and traffic control for supporting those crews.
- Environmental remediation/monitoring workers limited to immediate critical needs technicians.
- Instrumentation, protection, and control technicians.
- Essential support personnel for electricity operations.
- Generator set support workers such as diesel engineers used in power generation including those providing fuel.

Petroleum industry

- Workers for onshore and offshore petroleum drilling operations; platform and drilling construction and maintenance; transportation (including helicopter operations), maritime transportation, supply, and dredging operations; maritime navigation; well stimulation, intervention, monitoring, automation and control, extraction, production; processing; waste disposal, and maintenance, construction, and operations.
- Workers for crude oil, petroleum and petroleum product storage and transportation, including pipeline, marine transport, terminals, rail transport, storage facilities and racks and road transport for use as end-use fuels such as gasoline, diesel fuel, jet fuel, and heating fuels or feedstocks for chemical manufacturing.
- Petroleum and petroleum product security operations center employees and workers who support maintenance and emergency response services.
- Petroleum and petroleum product operations control rooms/centers and refinery facilities.
- Retail fuel centers such as gas stations and truck stops, and the distribution systems that support them.
- Supporting new and existing construction projects, including, but not limited to, pipeline construction.

Natural Gas, Natural Gas Liquids (NGL), Propane and other liquid fuels

- Workers who support onshore and offshore drilling operations, platform and drilling construction and maintenance; transportation (including helicopter operations); maritime transportation, supply, and dredging operations; maritime navigation; natural gas and natural gas liquid production, processing, extraction, storage and transportation; well intervention, monitoring, automation and control; waste disposal, and maintenance, construction, and operations.
- Transmission and distribution pipeline workers, including compressor stations and any other required, operations maintenance, construction, and support for natural gas, natural gas liquid, propane, and other liquid fuels.
- Natural gas, propane, natural gas liquids, and other liquid fuel processing plants, including construction, maintenance, and support operations.

- Natural gas processing plants workers, and those that deal with natural gas liquids.
- Workers who staff natural gas, propane, natural gas liquids, and other liquid fuel security operations centers, operations dispatch and control rooms/centers, and emergency response and customer emergencies (including leak calls) operations.
- Drilling, production, processing, refining, and transporting natural gas for use as end-use fuels, feedstocks for chemical manufacturing, or use in electricity generation.
- Dispatch and control rooms and emergency response and customer emergencies, including propane leak calls.
- Propane gas service maintenance and restoration, including call centers.
- Propane, natural gas liquids, and other liquid fuel distribution centers.
- Propane gas storage, transmission, and distribution centers.
- Supporting new and existing construction projects, including, but not limited to, pipeline construction.
- Ethanol and biofuel production, refining, and distribution.
- Workers in fuel sectors (including, but not limited to nuclear, coal, and gas types and liquid fuels) supporting the mining, manufacturing, logistics, transportation, permitting, operation/maintenance, and monitoring of support for resources.

Steam workers

- Workers who support steam distribution companies' provision of district heating and any electric generation
- Workers who support steam distribution companies' dispatch and control rooms and emergency response and customer emergencies, including steam leak calls
- Workers who support steam distribution companies' service maintenance and restoration, including call centers
- Workers who support steam distribution companies' storage, transmission, and distribution centers

Water and Wastewater

- Employees needed to operate and maintain public and private drinking water and wastewater/drainage infrastructure, including:
 - Operational staff at water authorities.
 - Operational staff at community water systems.
 - Operational staff at wastewater treatment facilities.
- Workers repairing water and wastewater conveyances and performing required sampling or monitoring, including field staff.
- Operational staff for water distribution and testing.
- Operational staff at wastewater collection facilities.
- Operational staff and technical support for SCADA Control systems.
- Chemical and equipment suppliers to water and wastewater systems and personnel protection.
- Workers who maintain digital systems infrastructure supporting water and wastewater operations.

Transportation and Logistics

- Employees supporting or enabling transportation functions, including truck drivers, bus drivers, dispatchers, maintenance and repair technicians, warehouse workers, truck stop and rest area workers, Registry of Motor Vehicle (RMV) employees, towing/recovery services, roadside assistance workers, intermodal transportation personnel, and workers who maintain and inspect infrastructure (including those that require cross-jurisdiction travel).
- Workers supporting the distribution of food, pharmaceuticals (including materials used in radioactive drugs) and other medical materials, fuels, chemicals needed for water or water treatment and energy
- Workers, including contracted vendors, engaged in the maintenance and operation of essential highway infrastructure, including roads, bridges, and tunnels (e.g., traffic operations centers and moveable bridge operators).
- Employees of firms providing services, supplies, and equipment that enable warehouse and operations, including cooling, storing, packaging, and distributing products for wholesale or retail sale or use. Includes cold- and frozen-chain logistics for food and critical biologic products.
- Mass transit, freight and passenger rail workers, including contracted vendors, providing transit services and/or performing critical or routine maintenance to rail or mass transit infrastructure or equipment.
- Employees supporting personal and commercial transportation services – including taxis, delivery services, vehicle rental services, bicycle maintenance and car-sharing services, and transportation network providers.
- Workers responsible for operating and dispatching passenger, commuter and freight trains public transportation and buses and maintaining rail and transit infrastructure and equipment.
- Maritime transportation workers, including dredgers, port workers, mariners, ship crewmembers, ship pilots and tug boat operators, equipment operators (to include maintenance and repair, and maritime-specific medical providers), ship supply, Chandler, and repair companies.
- Workers including truck drivers, railroad employees and contractors, maintenance crew, and cleaners supporting transportation of chemicals, hazardous, medical, and waste materials to support critical infrastructure, capabilities, functions, and services, including specialized carriers, crane and rigging industry workers.
- Bus drivers and workers who provide or support intercity, commuter and charter bus service in support of other essential services or functions.
- Automotive repair, maintenance, and transportation equipment manufacturing and distribution facilities (including those who repair and maintain electric vehicle charging stations).
- Workers who respond to and clear traffic crashes, including contracted vendors and dispatchers
- Transportation safety inspectors, including hazardous material inspectors and accident investigator inspectors.
- Manufacturers and distributors (to include service centers and related operations) of packaging materials, pallets, crates, containers, and other supplies needed to support manufacturing, packaging staging and distribution operations.
- Postal, parcel, courier, last-mile delivery, and shipping and related workers, to include private companies.

- Workers who support moving and storage services
- Employees who repair and maintain motor vehicles, subway and rail vehicles, rolling stock, buses, aircraft, rail equipment, marine vessels, bicycles, and the equipment and infrastructure that enables operations that encompass movement of cargo and passengers.
- Air transportation employees, including air traffic controllers and maintenance personnel, ramp workers, aviation and aerospace safety, security, and operations personnel and accident investigations.
- Workers, including contracted vendors, who support the operation, distribution, maintenance, and sanitation, of air transportation for cargo and passengers, including flight crews, maintenance, airport operations, those responsible for cleaning and disinfection, and other on- and off- airport facilities workers.
- Workers supporting transportation via inland waterways such as barge crew, dredging, river port workers for essential goods.
- Workers critical to rental and leasing of vehicles and equipment that facilitate continuity of operations for essential workforces and other essential travel.
- Warehouse operators, including vendors and support personnel critical for business continuity (including HVAC & electrical engineers; security personnel; and janitorial staff) and customer service for essential functions.

Public Works & Infrastructure Support Services

- Support to ensure the effective removal, storage, and disposal of residential and commercial solid waste, recycling, and hazardous waste, including landfill operations.
- Workers who support the operation, inspection, and maintenance of essential dams, locks and levees.
- Workers who support the inspection and maintenance of aids to navigation, and other government provided services that ensure continued maritime commerce.
- Licensed site clean-up professionals and other workers addressing hazardous spills, waste sites, and remediation.
- Workers who support the operation, maintenance and public safety of parks, forests, reservations, conservation restrictions, wildlife management areas, water supply protection lands, and other critical natural resources and open space for passive recreation.
- Workers who support storm clean-up operations (e.g., foresters).

Communications and Information Technology

Communications:

- Maintenance of communications infrastructure- including privately owned and maintained communication systems- supported by technicians, operators, call -centers, wireline and wireless providers, cable service providers, satellite operations, Internet Exchange Points, Points of Presence, Network Access Points, back haul and front haul facilities, and manufacturers and distributors of communications equipment.
- Government and private sector employees (including government contractors) with work related to undersea cable infrastructure and support facilities, including cable landing sites, beach manhole vaults and covers, submarine cable depots and submarine cable ship facilities.

- Government and private sector employees (including government contractors) supporting Department of Defense internet and communications facilities.
- Workers who support radio, television, newspaper and media service, including, but not limited to front-line news reporters, studio, and technicians for newsgathering, and reporting, and publishing news.
- Network Operations staff, engineers and/or technicians to include IT managers and staff, HVAC & electrical engineers, security personnel, software and hardware engineers, and database administrators that manage the network or operate facilities.
- Engineers, technicians and associated personnel responsible for infrastructure construction and restoration, including contractors for construction and engineering of fiber optic cables, buried conduit, small cells, other wireless facilities, and other communications sector-related infrastructure. This includes construction of new facilities and deployment of new technology as these are required to address congestion or customer usage due to unprecedented use of remote services.
- Installation, maintenance and repair technicians that establish, support or repair service as needed.
- Central office personnel to maintain and operate central office, data centers, and other network office facilities, critical support personnel assisting front line employees.
- Customer service and support staff, including managed and professional services as well as remote providers of support to transitioning employees to set up and maintain home offices, who interface with customers to manage or support service environments and security issues, including payroll, billing, fraud, logistics, and troubleshooting.
- Workers providing electronic security, fire, monitoring and life safety services, and to ensure physical security, cleanliness and safety of facilities and personnel, including temporary licensing waivers for security personnel to work in other States or Municipalities.
- Dispatchers involved with service repair and restoration.
- Retail customer service personnel at critical service center locations for onboarding customers, distributing and repairing equipment and addressing customer issues in order to support individuals' remote emergency communications needs, supply chain and logistics personnel to ensure goods and products are on-boarded to provision these front-line employees.
- External Affairs personnel to assist in coordinating with local, state and federal officials to address communications needs supporting COVID-19 response, public safety, and national security.

Information Technology:

- Workers who support command centers, including, but not limited to Network Operations Command Centers, Broadcast Operations Control Centers and Security Operations Command Centers.
- Data center operators, including system administrators, HVAC & electrical engineers, security personnel, IT managers and purchasers, data transfer solutions engineers, software and hardware engineers, and database administrators, for all industries (including financial services).
- Workers who support client service centers, field engineers, and other technicians and workers supporting critical infrastructure, as well as manufacturers and supply chain vendors that provide hardware and software, support services, research and development, and information

technology equipment (to include microelectronics and semiconductors), and HVAC and electrical equipment for critical infrastructure, and test labs and certification agencies that qualify such equipment (to include microelectronics, optoelectronics, and semiconductors) for critical infrastructure, including data centers.

- Workers needed to preempt and respond to cyber incidents involving critical infrastructure, including medical facilities, SLTT governments and federal facilities, energy and utilities, and banks and financial institutions, securities/other exchanges, other entities that support the functioning of capital markets, public works, critical manufacturing, food & agricultural production, transportation, and other critical infrastructure categories and personnel, in addition to all cyber defense workers (who can't perform their duties remotely).
- Suppliers, designers, transporters and other workers supporting the manufacture, distribution and provision and construction of essential global, national and local infrastructure for computing services (including cloud computing services and telework capabilities), business infrastructure, financial transactions/services, web-based services, and critical manufacturing.
- Workers supporting communications systems and information technology- and work from home solutions- used by law enforcement, public safety, medical, energy, public works, critical manufacturing, food & agricultural production, financial services, education, and other critical industries and businesses.
- Employees required in person to support Software as a Service businesses that enable remote working, performance of business operations, distance learning, media services, and digital health offerings, or required for technical support crucial for business continuity and connectivity.

Other Community-, Education-, Or Government-Based Operations And Essential Functions

- Workers to ensure continuity of building functions, including but not limited to security and environmental controls (e.g., HVAC), the manufacturing and distribution of the products required for these functions, and the permits and inspections for construction supporting essential infrastructure.
- Local and state inspectors and administrative support of inspection services who are responsible for the inspection of elevators, escalators, lifts, buildings, plumbing and gas fitting, electrical work, and other safety related professional work
- Elections personnel to include both public and private sector elections support.
- Federal, State, and Local, Tribal, and Territorial employees who support Mission Essential Functions and communications networks.
- Trade Officials (FTA negotiators; international data flow administrators).
- Employees necessary to maintain news and media operations across various media.
- Employees supporting Census 2020.
- Weather forecasters.
- Workers at places of worship
- Workers who maintain digital systems infrastructure supporting other critical government operations.
- Workers who support necessary credentialing, vetting and licensing operations for critical infrastructure workers including holders of Commercial Drivers Licenses.

- Workers who are critical to facilitating trade in support of the national, state and local emergency response supply chain.
- Educators and staff supporting emergency childcare programs and residential schools for students with severe disabilities, and public and private K-12 schools, colleges, and universities for purposes of facilitating distance learning, provision of school meals and other essential student support functions, and essential administrative functions necessary to maintain continuity of operations.
- Scientific researchers in higher education completing in-process research to ensure health and safety and to prevent the loss of essential data
- Workers who support the design, production and distribution of educational materials or technologies for the use of educators or students in distance learning during the state of emergency
- Staff at government offices who perform title search, notary, and recording services in support of mortgage and real estate services and transactions.
- Residential and commercial real estate services, including settlement services.
- Workers supporting essential maintenance, manufacturing, design, operation, inspection, security, and construction for essential products, services, and supply chain and COVID-19 relief efforts.
- Critical government workers, as defined by the employer and consistent with Continuity of Operations Plans
- Workers that provide services for or determine eligibility for public benefits such as subsidized health care, food and feeding programs, residential and congregate care programs, shelter, in-home supportive services, child welfare, juvenile justice programs, adult protective services and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals (including family members)
- Workers in sober homes
- Professional services (such as legal, accounting and tax preparation) and payroll and employee benefit services when necessary to assist in compliance with legally mandated activities and critical sector services or where failure to provide such services during the time of the order would result in significant prejudice
- Commercial retail stores that supply essential sectors, including convenience stores, pet supply stores, auto supplies and repair, hardware and home improvement, and home appliance retailers
- Workers and instructors supporting academies or training facilities and courses or assessments for the purpose of graduating or certifying, during the duration of the state of emergency, healthcare personnel, cadets, and other workers who are critical to the ongoing response to COVID-19

Critical Manufacturing

- Workers necessary for the manufacturing of metals (including steel and aluminum), industrial minerals, semiconductors, materials and products needed for medical supply chains, and for supply chains associated with transportation, energy, communications, information technology, food and agriculture, chemical manufacturing, nuclear facilities, wood products, commodities used as fuel for power generation facilities, the operation of dams, water and wastewater

treatment, processing and reprocessing of solid waste, emergency services, and the defense industrial base. Additionally, workers needed to maintain the continuity of these manufacturing functions and associated supply chains, and workers necessary to maintain a manufacturing operation in warm standby.

- Workers necessary for the manufacturing of materials and products needed to manufacture medical equipment and personal protective equipment (PPE).
- Workers necessary for mining and production of critical minerals, materials and associated essential supply chains, and workers engaged in the manufacture and maintenance of equipment and other infrastructure necessary for mining production and distribution.
- Workers who produce or manufacture parts or equipment that supports continued operations for any essential services and increase in remote workforce (including computing and communication devices, semiconductors, and equipment such as security tools for Security Operations Centers (SOCs) or datacenters).

Hazardous Materials

- Workers who manage hazardous materials associated with any other essential activity, including but not limited to healthcare waste (medical, pharmaceuticals, medical material production), testing operations (laboratories processing test kits), and energy (nuclear facilities) Workers at nuclear facilities, workers managing medical waste, workers managing waste from pharmaceuticals and medical material production, and workers at laboratories processing tests Workers who support hazardous materials response and cleanup.
- Workers who maintain digital systems infrastructure supporting hazardous materials management operations.

Financial Services

- Workers who are needed to provide, process and maintain systems for processing, verification, and recording of financial transactions and services, including payment, clearing, and settlement; wholesale funding; insurance services; consumer and commercial lending; and capital markets activities).
- Workers who are needed to maintain orderly market operations to ensure the continuity of financial transactions and services.
- Workers who are needed to provide business, commercial, and consumer access to bank and non-bank financial services and lending services, including ATMs, lending and money transmission, and to move currency, checks, securities, and payments (e.g., armored cash carriers).
- Workers who support financial operations and those staffing call centers, such as those staffing data and security operations centers, managing physical security, or providing accounting services.
- Workers supporting production and distribution of debit and credit cards.
- Workers providing electronic point of sale support personnel for essential businesses and workers.

Chemical

- Workers supporting the chemical and industrial gas supply chains, including workers at chemical manufacturing plants, workers in laboratories, workers at distribution facilities, workers who transport basic raw chemical materials to the producers of industrial and consumer goods, including hand sanitizers, food and food additives, pharmaceuticals, paintings and coatings, textiles, building materials, plumbing, electrical, and paper products.
- Workers supporting the safe transportation of chemicals, including those supporting tank truck cleaning facilities and workers who manufacture packaging items.
- Workers supporting the production of protective cleaning and medical solutions, personal protective equipment, disinfectants, fragrances, and packaging that prevents the contamination of food, water, medicine, among others essential.
- Workers supporting the operation and maintenance of facilities (particularly those with high risk chemicals and/ or sites that cannot be shut down) whose work cannot be done remotely and requires the presence of highly trained personnel to ensure safe operations, including plant contract workers who provide inspections.
- Workers who support the production and transportation of chlorine and alkali manufacturing, single-use plastics, and packaging that prevents the contamination or supports the continued manufacture of food, water, medicine, and other essential products, including glass container manufacturing.

Defense Industrial Base

- Workers who support the essential services required to meet national security commitments to the federal government and U.S. Military. These individuals include, but are not limited to, space and aerospace; mechanical and software engineers (various disciplines), manufacturing/production workers; IT support; security staff; security personnel; intelligence support, aircraft and weapon system mechanics and maintainers; and sanitary workers who maintain the hygienic viability of necessary facilities.
- Personnel working for companies, and their subcontractors, who perform under contract or sub-contract to the Department of Defense, as well as personnel at government-owned/contractor-operated and government-owned/government-operated facilities, and who provide materials and services to the Department of Defense, including support for weapon systems, software systems and cybersecurity, defense and intelligence communications and surveillance, space systems and other activities in support of our military, intelligence and space forces.

Commercial Facilities

- Workers who support the supply chain of building materials from production through application/installation, including cabinetry, fixtures, doors, cement, hardware, plumbing, electrical, heating/cooling, refrigeration, appliances, paint/coatings, and employees who provide services that enable repair materials and equipment for essential functions.
- Workers supporting ecommerce through distribution, warehouse, call center facilities, and other essential operational support functions.

- Workers in hardware and building materials stores, consumer electronics, technology and appliances retail, and related merchant wholesalers and distributors - with reduced staff to ensure continued operations.
- Workers distributing, servicing, repairing, installing residential and commercial HVAC systems, boilers, furnaces and other heating, cooling, refrigeration, and ventilation equipment.

Residential/Shelter Facilities And Services

- Workers in dependent care services, in support of workers in other essential products and services.
- Workers who support food, shelter, and social services, and other necessities of life for needy groups and individuals, including in-need populations and COVID-19 responders (including travelling medical staff).
- Workers in animal shelters.
- Workers responsible for the leasing of residential properties and RV facilities to provide individuals and families with ready access to available housing.
- Workers at hotels, motels, inns, and other lodgings providing overnight accommodation, but only to the degree those lodgings are offered or provided to accommodate the COVID-19 Essential Workforce, other workers responding to the COVID-19 public health emergency, and vulnerable populations
- Workers responsible for handling property management, maintenance, and related service calls who can coordinate the response to emergency “at-home” situations requiring immediate attention, as well as facilitate the reception of deliveries, mail, and other necessary services.
- Workers performing services in support of the elderly and disabled populations who coordinate a variety of services, including health care appointments and activities of daily living.

Hygiene Products And Services

- Workers who produce hygiene products.
- Workers in laundromats, laundry services, and dry cleaners.
- Workers providing personal and household goods repair and maintenance.
- Workers providing disinfection services, for all essential facilities and modes of transportation, and supporting the sanitation of all food manufacturing processes and operations from wholesale to retail.
- Workers necessary for the installation, maintenance, distribution, and manufacturing of water and space heating equipment and its components.
- Support required for continuity of services, including commercial disinfectant services, janitorial/cleaning personnel, and support personnel functions that need freedom of movement to access facilities in support of front-line employees.

Construction-Related Activities

- Workers such as plumbers, electricians, exterminators, builders, contractors, HVAC Technicians, landscapers, inspectors and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, businesses and

buildings such as hospitals, health care facilities, senior living facilities, and any temporary construction required to support COVID-19 response.

- Workers – including contracted vendors - who support the operation, inspection, maintenance and repair of essential public works facilities and operations, including roads and bridges, water and sewer, laboratories, fleet maintenance personnel, construction of critical or strategic infrastructure, traffic signal maintenance, emergency location services for buried utilities, and maintenance of digital systems infrastructure supporting public works operations. Critical or strategic infrastructure includes public works construction including construction of public schools, colleges and universities and construction of state facilities, including leased space, managed by the Division of Capital Asset Management; airport operations; water and sewer; gas, electrical, nuclear, oil refining and other critical energy services; roads and highways; public transportation; steam; solid waste and recycling collection and removal; and internet and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services)
- Workers who support infrastructure, such as by road and line clearing and utility relocation, to ensure the availability of and access to needed facilities, transportation, energy and communications.
- Workers performing housing construction related activities, including construction of mixed-use projects that include housing, to ensure additional units can be made available to combat the Commonwealth's existing housing supply shortage.
- Workers supporting the construction of housing, including those supporting government functions related to the building and development process, such as inspections, permitting and plan review services that can be modified to protect the public health, including allowing qualified private third-party inspections accountable to government agencies).

*****THIS LIST WILL BE ADDED TO WEEKLY AS THE STATE ADDS MORE BUSINESSES*****

The understanding of the Order from the Governor by the Town of Bellingham is that, if you are not expressly listed as essential on the list above, than you must either send a request to the State or appeal to the Local Board of Health, through the Chief Executive, to confirm your business falls in to one of the categories, if you wish to reopen.

This is further supported by the Attorney General's April 27, 2020 "Guidance on Local Authority Amid COVID-19":

When the Governor first established the "Essential Services" Order on March 23, 2020, he stated that enforcement would be handled primarily at the local level. Therefore, Mayors, City Managers, Town Managers and Town Administrators have the authority to make the enforcement decisions necessary to carry out this Order in their respective municipality.

For a business not covered under the Governor's "COVID-19 Essential Services" Order and accompanying guidance, a designation request can be made at www.mass.gov/forms/essential-service-designation-request . And any questions can be directed to covid19.biz@mass.gov.

Therefore, the Town of Bellingham has sought to design a clear, consistent process to reopen businesses as the Governor's order is amended.

Proposed Municipal Regulatory Framework

The Emergency Management Local Action Committee shall continue to meet daily to discuss the day to day activities of the town, community at large and updated regulatory requirements handed down from Federal or State agencies.

The Economic Development Sub-Committee (EDSC) shall continue to work directly with the Bellingham business community to seek ways in which businesses can safely reopen as State Orders are lifted. The EDSC shall do this through:

Direct Engagement with the Bellingham Business Community

- Develop a direct email that the business community may reach the EDSC to raise questions or concerns. This email will be monitored by the Town Administrator and Town Planner and submissions will be distributed to the appropriate party.

To contact the committee email COVID19Business@Bellinghamma.org

- Questionnaire shall be developed and distributed town wide. The questionnaire shall begin to ask the business community, whether essential or not, how they will do their part to prevent exposure of the virus if/when restrictions are lifted and business may reopen. As well as inquiring about how the town may be of assistance to the business community post pandemic.
- Staff availability to answer calls, questions and concerns regarding how a specific business may seek guidance or help during the COVID-19 Pandemic.
- Identify Grants and Other Financial Assistance - Create a Small Business Grant Program and seek funds through the Attorney General's Small Business Relief Partnership Grant.

Reopen a Bellingham Business Application Process

The Economic Development Sub-Committee (EDSC) shall put forward a process to apply for the reopening of a Bellingham Business. All businesses will need to engage in a reopening process to some degree.

The following re-opening program shall be considered:

Essential Businesses (**GREEN LIGHT**) - If your business is expressly stated as an “essential business” on the Governor’s Order you may continue to operate. However, all businesses must implement practices to reduce exposure to COVID-19 (see below).

Those Businesses believed to be essential but are not expressly stated as such (**YELLOW LIGHT**). These businesses may seek guidance either by submitting a designation request to the State’s COVID-19 website at www.mass.gov/forms/essential-service-designation-request or if the business believes to be in one of the essential categories identified in the Governor’s order but not expressly stated, the business may submit a designation request to the Board of Health who shall seek a recommendation by the EDSC. This would only pertain to those businesses who believe to be an essential business and may qualify under an existing category in the Governor’s Order.

Prohibited Businesses (**RED LIGHT**) – If your business is expressly prohibited you are required to remain closed until such time as the Governor’s Order is lifted.

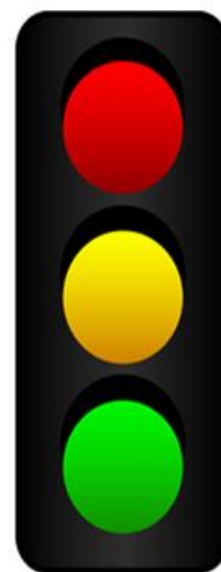
Enforcement

In accordance with the Governor’s Order and the Attorney General’s guidance the following enforcement procedures should take place.

The order’s essential business status shall start at the local level by the Board of Selectmen and Town Administrator who have the authority to make the enforcement decisions necessary to carry out this Order in their respective municipality.

The order’s health and safety concerns shall be enforced by the Department of Public Health, along with local boards of health or their authorized agents. Local boards of health will, as a practical matter, lead enforcement efforts in most cases. If necessary, state and local authorities may call on the assistance of State or municipal police to enforce the order. Violations may result in civil fine of up to \$300 per violation, or criminal charges. Initial complaints should be directed to the local board of health.

Upon receipt of a complaint, a local board of health should contact the business alleged to be in violation of the order to determine if the activities in question constitute an essential service. Local boards may direct the business to cease operations if they determine the business has failed to comply with the order either through illegal business services or noncompliance to health and safety guidelines, and may take such other enforcement action as it deems appropriate, including but not limited to imposing fines.



Strategies to Reduce COVID-19 Exposure

An Inspection Team shall work with all businesses to implement strategies to limit exposure of the COVID-19 virus. The Inspection Team will consist of a member of the Board of Health, Fire Dept, Police Dept. and Building Dept. The Inspection Team will conduct periodic reviews to confirm implementation of the required strategies defined below to all businesses.

All Businesses, whether deemed essential or not shall implement the following procedures to limit exposure of the COVID-19 virus. Plan shall include, at minimum, the following:

Businesses open to the public should deploy strategies to reduce COVID-19 exposure for their customers and employees including but not limited to:

- Access to handwashing facilities, including those available in public restrooms, and allowing employees sufficient break time to wash hands, as necessary.
- Alcohol-based hand sanitizers, as available.
- Disinfecting wipes, as available, at point of entrance for customers to disinfect carts, at cash registers and/or other appropriate locations.
- Procedures to ensure that both employees and customers remain at least six feet apart at all times. Procedures should include a marked "Social Distancing Line," which begins six feet away from all checkout counters.
- Procedures to sanitize frequent touchpoints throughout the day, including point of sale terminals at registers.
- Employees who are sick should not report to work. If, when reporting to work, employees have symptoms of COVID-19, they must be sent home.
- Adoption of remote sales methods for some transactions, including phone orders, online sales, delivery, and email-based transactions.
- Offering of on-site pick-up options such as "curbside" product drops in parking lots in which materials are loaded into customers' trunks, truck beds or cargo areas. In no circumstances may an employee place any product into the cab or passenger area of a customer's vehicle. Employees should not perform bagging of products if reusable checkout bags are used and customers should not use reusable checkout bags.
- Stores should be closed to the public for a sufficient time each evening to allow for proper sanitization.

All businesses not open to the public, should implement practices to reduce exposure to COVID-19 including but not limited to:

- Access to handwashing facilities, including those available in public restrooms, and allowing employees sufficient break time to wash hands, as necessary.
- Alcohol-based hand sanitizers, as available.
- Ensure work spaces are at least six feet apart.
- Discourage workers from using other workers' phones, desks, offices, or other work tools and equipment, when possible.
- Maintain regular housekeeping practices, including routine cleaning and disinfecting of surfaces, equipment, and other elements of the work environment.

- Establish alternating days or extra shifts that reduce the total number of employees in a facility at a given time, allowing them to maintain distance from one another while maintaining a full onsite work week.
- Employees who are sick should not report to work. If, when reporting to work, employees have symptoms of COVID-19, they must be sent home.

Appendix A

Bellingham Small Business Assistance Program – Dependent on Funding Source

Bellingham Small Business is defined as a business of no more than 50 employees, who has a Business Certificate on file with the Town of Bellingham.

Bellingham has a diverse workforce. However, the most prominent industry sectors, as defined by the North American Industry Classification System - NAICS, are Retail Trade (36 percent of all jobs) and Accommodation and Food Services (14 percent). Both of these industries have been devastated by the COVID-19 pandemic.

As a result, the Town of Bellingham has created the Economic Development Sub-Committee. The Sub-Committee was established in response to the March 24th, 2020 Governor's COVID-19 Order Number 13 and 21, to advise the Board of Health and Board of Selectmen on matters related to economic support to the business community during the COVID-19 Pandemic. The Sub-Committee shall be the reviewing body for the Bellingham Small Business Assistance Program.

The purpose of this program is to provide Bellingham Small Businesses, as defined above, an opportunity to request a onetime grant award to be used to help address fixed debt, payroll, accounts payable, lost sales, and other working capital expenses that could have been recognized had COVID-19 pandemic not occurred.

The grant is to be capped at \$5,000.00 per business. A business shall apply only once.

The applicant is required to submit proper documentation identifying sufficient evidence of revenue lost or incurred debt during the COVID-19 pandemic between the dates of February 1, 2020 and June 1, 2020. The Applicant shall provide a detailed description as to what the grant will support and how the grant will benefit the small business moving forward. Such documentation may include, but not be limited to, payroll, monthly sales statements, bank statements, etc.

Criteria shall be:

- That the Applicant has provided sufficient evidence that all funds are to be used in a manner consistent with the purpose of the program;
- The Applicant has completed and provided all necessary documents; and
- The Applicant is a certified Bellingham Small Business.

All grants will be reviewed in the 2020 calendar year on a first-come-first-serve basis. All funding decisions will be at the discretion of the Board of Selectmen, with recommendation by the Economic Subcommittee. Grants will be distributed until funding is fully depleted.

An initial screening for eligibility will be conducted by the Town's Economic Development Subcommittee. Proposals will be reviewed for sufficiency and need. The Town may ask the Applicant for clarification of technical proposal and cost aspects of proposals.

No grant funds will be used to administer the grant program. All administration costs will be borne by the Town.

Appendix B

State Business Recovery Financial Resources

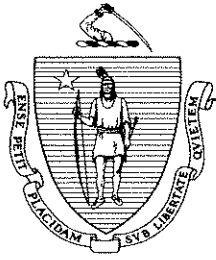
COVID-19 Resources and Guidance for Businesses from the State of Massachusetts:

The Baker-Polito Administration is committed to partnering with the business community to navigate the outbreak of COVID-19. Through this resource page, Secretary Kennealy and the Executive Office of Housing and Economic Development (EOHED) seeks to offer the best information we can, as soon as we can, to those on-the-ground navigating this economic crisis. The information and links related to relief provided by the U.S. Small Business Administration (SBA), a federal agency, are provided to give a complete picture of what is available. EOHED does not administer these programs.

<https://www.mass.gov/info-details/covid-19-resources-and-guidance-for-businesses>

Appendix C

Governors Executive Order Assuring Continued Operation of Essential Services in the Commonwealth, Closing Certain Workplaces, and Prohibiting Gatherings of More Than 10 People.



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 ASSURING CONTINUED OPERATION OF ESSENTIAL SERVICES
IN THE COMMONWEALTH, CLOSING CERTAIN WORKPLACES,
AND PROHIBITING GATHERINGS OF MORE THAN 10 PEOPLE**

COVID-19 Order No. 13

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 number of presumptive positive and confirmed cases of COVID-19 continues to rise exponentially in the Commonwealth. As of March 22, 2020, the Department of Public Health had reported 646 cases of COVID-19, including 5 deaths, with 13 of the 14 counties in the Commonwealth impacted;

WHEREAS, the Department of Public Health is urging all residents of the Commonwealth to limit activities outside of the home and to practice social distancing at all times, both inside and outside of the home to limit the spread of this highly contagious and potentially deadly virus;

WHEREAS, on March 19, 2020, the Federal Cybersecurity and Infrastructure Security Agency issued guidance to assist States that identifies 14 critical infrastructure sectors whose workers provide services and functions that are essential to maintain in order to support a strong response to the COVID-19 pandemic;

WHEREAS, as Governor, I have identified additional services and functions that likewise are essential to promote the public health and welfare of the Commonwealth, and

therefore it is imperative to ensure that workers providing critical services and functions in these State and Federally designated sectors may continue to work to ensure community resilience and continuity of response efforts; 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 a state of emergency, including but not limited to authority over public assemblages in order to protect the health and safety of persons, regulating the sale of articles of food and household articles, and policing, protection, and preservation of public and private property;

NOW, THEREFORE, in order to minimize all unnecessary activities outside of the home during the state of emergency, I hereby order the following:

1. Maintaining Operation of COVID-19 Essential Services and Workforces

The production and service sectors identified in Exhibit A are hereby designated as “COVID-19 Essential Services.” The workforces engaged and working in these production and service sectors are hereby designated as “COVID-19 Essential Workforces.” I shall amend and publish updates to Exhibit A as I determine necessary in response to conditions as they develop.

Businesses and other organizations that provide the services and functions identified as COVID-19 Essential Services in Exhibit A are urged to continue operations during the state of emergency, but to do so with allowance for social distancing protocols consistent with guidance provided by the Department of Public Health.

Restaurants, bars, and other retail establishments that sell food and beverage products to the public provide COVID-19 Essential Services and are designated as such in Exhibit A. These establishments are therefore encouraged to continue to offer food and beverages for take-out and by delivery provided that they follow the social distancing protocols set forth in Department of Public Health guidance. Restaurants, bars, or other establishments that offer food or beverages to the public shall not permit on-premises consumption of food or beverages.

2. Temporary Closing of Other Businesses and Organizations

All businesses and other organizations that do not provide COVID-19 Essential Services shall close their physical workplaces and facilities (“brick-and-mortar premises”) to workers, customers, and the public as of 12:00 noon on March 24, 2020 and shall not re-open to workers, customers, or the public before 12:00 noon on April 7, 2020. Churches, temples, mosques, and other places of worship shall not be required to close their brick and mortar premises to workers or the public; provided, however, that such institutions shall be required to comply with all limitations on gatherings established in section 3 below.

Businesses and other organizations that do not provide COVID-19 Essential Services are encouraged to continue operations where they are able to operate through remote means that do not require workers, customers, or the public to enter or appear at the brick-and-mortar premises closed by this Order.

3. Limitations on Gatherings

Gatherings of more than 10 people are prohibited throughout the Commonwealth. Gatherings subject to this Order include, without limitation, community, civic, public, leisure, faith-based, or sporting events, concerts, conferences, conventions, fundraisers, parades, fairs, festivals, weddings, funerals, and any similar event or activity that brings together more than 10 persons in any confined indoor or outdoor space. This limitation shall not apply to the operations or activities of any business or organization in its provision or delivery of COVID-19 Essential Services.

This Order does not prohibit gatherings of more than 10 people in an unenclosed, outdoor space such as a park, athletic field, or parking lot.

Athletic and recreational activities that bring participants into close, physical contact are prohibited even when involving 10 or fewer people and regardless of where conducted.

4. Exceptions

(a) This Order shall not apply to any municipal legislative body or to the General Court or to the Judiciary.

(b) This Order shall not apply to residential schools for special needs students. This Order also does not apply to public and private elementary and secondary (K-12) schools in the Commonwealth, which are subject to the March 15, 2020 Order Temporarily Closing All Public and Private Elementary and Secondary Schools, as may be subsequently amended, which suspended all normal, in-person instruction.

(c) This Order does not apply to the operation of child care programs in the Commonwealth, which are subject to the March 18, 2020 Order Temporarily Closing All Child Care Programs and Authorizing the Temporary Creation and Operation of Emergency Child Care Programs, as may be subsequently amended.

5. Implementing Guidance and Enforcement

The Commissioner of Public Health is directed to issue guidance ("DPH Guidance"), subject to my approval, to implement the terms of this Order. The DPH Guidance shall include a requirement that grocery stores and other retailers with substantial retail grocery sales establish special limited access hours during which elderly and other vulnerable populations may have exclusive access to make grocery purchases.

The Department of Public Health, along with any board of health or authorized agent pursuant to G. L. c. 111, § 30, shall enforce this Order and if necessary may do so with the assistance of State or municipal police. Violation of the terms of this Order or the DPH Guidance may result in a criminal penalty pursuant to Section 8 of Chapter 639 of the Acts of 1950 or a civil fine of up to \$300 per violation, in the manner provided for non-criminal disposition of violations of municipal by-law, ordinance, rule, or regulation pursuant to G. L. c. 40, § 21D. A criminal complaint for violation of or a motion for an injunction to enforce this Order or the DPH Guidance shall be filed in the district court with jurisdiction for the municipality in which the violation has been charged.

In addition, I hereby direct the Commissioner of Public Health to act under the authority of G. L. c. 17, § 2A and G. L. c. 111, § 6 or any other appropriate authority to supplement the terms of this Order in the event she determines additional measures are required to ensure that the terms of this Order are observed.

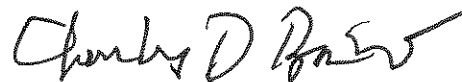
This Order supersedes and makes inoperative any order or rule issued by a municipality that will or might in any way impede or interfere with the achievement of the objectives of this Order. With respect to work and travel in particular, any order or rule issued by a municipality is hereby made inoperative to the extent: (1) such municipal order or rule will or might interfere with provisions of this Order ensuring the continued operation of COVID-19 Essential Services; or (2) such municipal order or rule will or might interfere with the free travel anywhere within the Commonwealth of any person who is a member of any COVID-19 Essential Workforce where such travel is made in connection with the ongoing operation of COVID-19 Essential Services.

This Order rescinds and revokes the Order Prohibiting Gatherings of More than 25 People and On-Premises Consumption of Food or Drink, issued March 15, 2020.

If any provision of this Order or the application thereof to any person or entity or circumstance is determined to be invalid by a court of competent jurisdiction, such judgment shall not affect or impair the validity of the other provisions of this Order or the application thereof to other persons, entities, and circumstances.

This Order shall be effective at 12:00 noon March 24, 2020 and shall remain in effect through 12:00 noon on April 7, 2020 unless further extended.

Given in Boston at 9:15 AM this 23rd day
of March, two thousand and twenty

A handwritten signature in black ink, appearing to read "Charles D. Baker", written over a horizontal line.

CHARLES D. BAKER

GOVERNOR

Commonwealth of Massachusetts

Appendix D

Guidance Regarding the Operation of Essential Services



Commonwealth of Massachusetts

Executive Office of Housing and
Economic Development

1 Ashburton Place, Room 2101, Boston, MA 02108
(617) 788-3610 | mass.gov/HED

CHARLES D. BAKER
Governor

KARYN E. POLITO
Lieutenant Governor

MIKE KENNEALY
Secretary

GUIDANCE REGARDING THE OPERATION OF ESSENTIAL SERVICES

On March 23, 2020, the Governor issued an Order Assuring Continued Operation of Essential Services in the Commonwealth. On March 31, 2020, the Governor extended that Order and updated the list of “COVID-19 Essential Services.”

The Order designated certain services as essential, allowing some employers to continue operations at this time. Both public-facing and private services that remain open should implement certain practices and procedures to reduce the spread of COVID-19.

Businesses that have been deemed essential and are open to the public should deploy strategies to reduce COVID-19 exposure for their customers and employees including but not limited to:

- Access to handwashing facilities, including those available in public restrooms, and allowing employees sufficient break time to wash hands, as necessary.
- Alcohol-based hand sanitizers, as available.
- Disinfecting wipes, as available, at point of entrance for customers to disinfect carts, at cash registers and/or other appropriate locations.
- Procedures to ensure that both employees and customers remain at least six feet apart at all times. Procedures should include a marked “Social Distancing Line,” which begins six feet away from all checkout counters.
- Procedures to sanitize frequent touchpoints throughout the day, including point of sale terminals at registers.
- Employees who are sick should not report to work. If, when reporting to work, employees have symptoms of COVID-19, they must be sent home.
- Adoption of remote sales methods for some transactions, including phone orders, online sales, delivery, and email-based transactions.
- Offering of on-site pick-up options such as “curbside” product drops in parking lots in which materials are loaded into customers’ trunks, truck beds or cargo areas. In no circumstances may an employee place any product into the cab or passenger area of a customer’s vehicle.

- Employees should not perform bagging of products if reusable checkout bags are used and customers should not use reusable checkout bags.
- Stores should be closed to the public for a sufficient time each evening to allow for proper sanitization.

All businesses that offer essential services, including those that are not open to the public, should implement practices to reduce exposure to COVID-19 including but not limited to:

- Access to handwashing facilities, including those available in public restrooms, and allowing employees sufficient break time to wash hands, as necessary.
- Alcohol-based hand sanitizers, as available.
- Ensure work spaces are at least six feet apart.
- Discourage workers from using other workers' phones, desks, offices, or other work tools and equipment, when possible.
- Maintain regular housekeeping practices, including routine cleaning and disinfecting of surfaces, equipment, and other elements of the work environment.
- Establish alternating days or extra shifts that reduce the total number of employees in a facility at a given time, allowing them to maintain distance from one another while maintaining a full onsite work week.
- Employees who are sick should not report to work. If, when reporting to work, employees have symptoms of COVID-19, they must be sent home.

If you have any questions regarding these procedures, or if you would like to suggest additional best practices, please contact the Executive Office of Housing and Economic Development at covid19.biz@mass.gov.

Appendix E

Attorney General's Guidance on Local Authority Amid COVID-19



THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE ATTORNEY GENERAL
ONE ASHBURTON PLACE
BOSTON, MASSACHUSETTS 02108

MAURA HEALEY
ATTORNEY GENERAL

(617) 727-2200
(617) 727-4765 TTY
www.mass.gov/ago

April 27, 2020

ATTORNEY GENERAL'S GUIDANCE ON LOCAL AUTHORITY AMID COVID-19

The Attorney General's Office has recently received many inquiries from municipal officials regarding their power to protect their communities after Governor Baker declared a state of emergency pursuant to Chapter 639 of the Acts of 1950 (the Civil Defense Act, or "CDA") and G.L. c. 17, § 2A. Municipalities should consult with their municipal counsel in view of the circumstances present in each community and the requirements of any applicable charter, by-law, ordinance, or other law. Subject to that limitation, we offer the following general guidance.

Municipalities have an important role to play in protecting the health and welfare of their citizens. Common ways that they might do so in a public health emergency are discussed below.

1. Can a municipality impose a curfew?

Yes. There are several sources of authority for a municipality to adopt a curfew, including:

1. G.L. c. 40, § 37A, which specifically authorizes municipalities to impose curfews of up to 72 hours in cases of "riot or other form of civil disorder," including a continuing series of curfews if certain procedural requirements are met;
2. G.L. c. 40, § 21(1), which authorizes towns to adopt by-laws "[f]or . . . preserving peace and good order";
3. The general municipal police power and/or public health power, which may support the imposition of a curfew by executive order; and

4. The home rule power to adopt ordinances or by-laws that authorize the imposition of curfews, *see* Home Rule Amendment, Mass. Const. amend. art. 2 § 6 (as amended by amend. art. 89).

2. *Can a municipality restrict the movement of vehicles on roads?*

Yes. A municipality “may restrict or prohibit the movement or presence of . . . vehicles . . . in or on public ways and places,” subject to certain limitations, pursuant to G.L. c. 40, § 37A.

3. *Can a municipality further restrict the number of people who gather in one place beyond the 10-person limit established by the Governor?*

Yes. A municipality “may restrict or prohibit the movement or presence of persons . . . in or on public ways and places,” subject to certain limitations, pursuant to G.L. c. 40, § 37A.

4. *Can a municipality require people to wear face coverings in public?*

Yes. A municipality, through its Board of Health, can “use all possible care” to prevent the spread of infection, which may include issuing an order or reasonable regulations to require people to wear face coverings in public. G.L. c. 111, §§ 26-26C, 31, 104. However, the municipality should consider adopting appropriate exemptions for those persons for whom a mask may pose increased health concerns. As an alternative, a municipality may also encourage people to wear face coverings in public on an advisory basis.

5. *Can a municipality order the National Guard to patrol in its community?*

Not directly, and because their use may be reimbursable by federal disaster relief, requests for the National Guard should be made through MEMA. Specifically, in certain situations involving “public catastrophe or natural disaster,” or where civilian law enforcement needs additional support, a sheriff, mayor, city manager, or selectmen may request - through MEMA - the National Guard “to aid the civil authorit[ies]” G.L. c. 33, § 41.

7. *Who has the authority to enforce the Governor’s Executive Order on “Essential Services”?*

When the Governor first established the “Essential Services” Order on March 23, 2020, he stated that enforcement would be handled primarily at the local level. Therefore, Mayors, City Managers, Town Managers and Town Administrators have the authority to make the enforcement decisions necessary to carry out this Order in their respective municipality.

For a business not covered under the Governor’s “COVID-19 Essential Services” Order and accompanying guidance, a designation request can be made at www.mass.gov/forms/essential-service-designation-request . And any questions can be directed to covid19.biz@mass.gov.

8. *Can a municipal order or advisory be preempted or overruled by an action of the Governor?*

Yes. In a state of emergency, the CDA deems inoperative any ordinance, by-law, municipal order or advisory that is inconsistent with an Order of the Governor.

Specific to curfews and other municipal restrictions on traffic and public gatherings authorized under G.L. c. 40, § 37A, that same statute also authorizes the Governor to modify or revoke a municipally-imposed curfew or restriction on traffic when (as is currently the case) he is acting under authority granted to him under the CDA.

However, this should **not** deter a municipality from enacting an advisory or order in the absence of gubernatorial action. Municipalities may have different needs than what may be necessary statewide, and municipal leaders are well positioned to know their specific municipality’s needs.

9. *Can a municipality issue an “advisory” rather than an “order”?*

Yes. An “advisory” is just that – advice from municipal officials about what citizens ought to do or not do. For example, municipalities may consider issuing advisories urging residents to wear face masks in public, comply with a curfew, or other actions addressed in this Guidance. A municipal advisory is a powerful tool that leverages municipal leaders’ “bully pulpit” and their connections to their community.

We encourage municipalities to consult with municipal counsel when considering the issuance of an advisory.

10. Can a town delay its Town Meeting?

Yes. If the warrant for a Town Meeting has not yet been posted in accordance with G.L. c. 39, § 10, the selectmen may vote to delay the date of the meeting.

If the warrant was previously posted, the recently-enacted Chapter 53 of the Acts of 2020, authorizes the moderator to delay the meeting for a period of up to 30 days, with the option to renew the delay for periods of up to 30 days at a time. The amendments contained in Chapter 53 require that the meeting be convened within 30 days of the rescission of the declaration of emergency and, subject to that limitation, permit the meeting to occur later than June 30. The legislation establishes procedural requirements including notice to the Attorney General of the delay.

11. Do we still need to follow the Open Meeting Law?

Yes, but the law has been modified. The Governor issued an Executive Order on March 12, 2020 that relieves public bodies from the requirement in the Open Meeting Law that meetings be conducted in a public place that is open and physically accessible to the public, provided that the public body makes provision to ensure public access to the deliberations of the public body through adequate, alternative means. “Adequate, alternative means” may include, without limitation, providing public access through telephone, internet, or satellite enabled audio or video conferencing or any other technology that enables the public to clearly follow the proceedings of the public body in real time. A municipal public body that for reasons of economic hardship and despite best efforts is unable to provide alternative means of public access in real time may instead post on its municipal website a full and complete transcript, recording, or other comprehensive record of the proceedings as soon as practicable afterwards.

In addition, all members of a public body may participate in a meeting remotely; the Open Meeting Law’s requirement that a quorum of the body and the chair be physically present at the meeting location is suspended.

All other provisions of the Open Meeting Law, such as the requirements regarding posting notice of meetings and creating and maintaining accurate meeting minutes, as well as the limited, enumerated purposes for holding an executive session, remain in effect.

If you have any questions, please do not hesitate to contact Alicia Rebello-Pradas, Chief of Policy and Government at (617) 963-2057 or at alicia.rebello-pradas@mass.gov.

Appendix F

Town of Bellingham Board of Health Emergency Order to Require Mask or Facial Coverings in Certain Public Places



TOWN OF BELLINGHAM

OFFICE OF THE

Board Of Health Department

Bellingham, Massachusetts 02019

10 Mechanic Street

Office 508-966-5820 Fax 508-966-5844

www.bellinghamma.org

April 22, 2020

TOWN OF BELLINGHAM BOARD OF HEALTH EMERGENCY ORDER TO REQUIRE MASK OR FACIAL COVERINGS IN CERTAIN PUBLIC PLACES

The Town of Bellingham Board of Health pursuant to Massachusetts General Laws Ch. 111 ss. 95-105 and the Board's authority to prevent the spread of infectious disease deems that the following action is necessary to protect the public health.

Whereas the 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 the Center for Disease Control has advised that the spread of the disease from person to person is caused by close (within six feet) or actual personal contact and through respiratory droplets produced when an infected person coughs or sneezes, and that people potentially can spread the disease even before they experience symptoms; and

Whereas, evidence indicates that workers in Essential Services workplaces such as supermarkets, grocery stores, convenience stores, restaurants offering take-out food, and other facilities where the public has general access are especially susceptible to the transmission of the disease; and

Whereas, the Center for Disease Control, the United States Surgeon General, the National Institute of Allergy and Infectious Diseases, among other federal and state medical authorities have recommended that individuals wear masks or other suitable facial covering to prevent individuals from infecting others; and

Whereas, these recommendations observe that covering an individual's nose and mouth can reduce the chance of spreading the virus as well as reduce the likelihood that an individual will touch their face; and

Whereas, the Town of Bellingham Board of Health recognizes additional measures are necessary to prevent or reduce activities that increase the likelihood of the spread of a highly contagious infectious disease; and

Whereas, the State of Emergency declared in the Commonwealth of Massachusetts and in the Town of Bellingham warrant emergency measures to prevent the spread of the infectious disease, The Town of Bellingham Board of Health hereby ORDERS that:

1. All persons over the age of five (5) wear a mask, or some form of suitable covering over their nose and mouth (i.e. a homemade mask, a scarf, bandana or handkerchief) whenever

- a. entering into the inside of any building open to the public; or
- b. using public transportation, taxis, or ride shares; or
- c. engaged in any activity within a confined or enclosed facility where other members of the public are present or have routine access.

2. Every store, workplace, or other facility providing Essential Services and open to the public is required to place a sign no smaller than 8.5 x 11 inches and clearly visible on all doors and any point of entry into the facility stating that the use of a mask or other facial covering IS REQUIRED of every person upon entry into the facility and at all times while in the facility. A facility may impose stricter guidelines as it sees fit.

3. Every store, workplace, or other facility subject to this Order is also required to wear a face mask, or some form of suitable covering over their nose and mouth (i.e. a homemade mask, a scarf, bandana or handkerchief) whenever engaged in any activity within a confined or enclosed facility where other members of the public are present or have access.

4. Every store, workplace, or other facility subject to this Order is authorized to refuse service to any person who fails or refuses to wear a mask or other facial covering while in such facility and is further authorized to expel such person from the facility.

5. Any person entering onto any store, workplace, or other facility, and any person remaining in such store, workplace or facility, who declines or refuses to wear a mask or such other facial covering as required by this Order shall be deemed a Trespasser upon the property and may be subject to arrest and civil or criminal prosecution.

6. Social distancing of six feet (6') shall be adhered to while inside the store, workplace, or other facility. Clear markings of such distance shall be visible for persons entering such premises.

7. Food establishments, stores, and other essential workplaces will only be permitted to do business as follows:

- a. Drive-Thru or Curbside Takeout;
- b. Counter service will require the following;
 - Plexiglas sneeze guard shields shall be placed at countertops to prevent airborne transmission;
 - Not permitting customers to bring their own bags, mugs, or other reusable items from home;
 - Make disinfecting wipes and Hand sanitizer available;
 - Disinfect all payment portals, pens, high-contact surfaces, and styluses after each use.

This Order does not apply to persons who are engaged in permissible outdoor physical activity, riding in a personal vehicle alone in a separate, single space, or indoors with their own shelter group such as family or household members, although every such person is advised that the use of a mask or facial covering is encouraged. In addition to this Order, the Bellingham Board of Health hereby reaffirms its Updated Order Clarifying the Operation of Essential Businesses during the Declared COVID-19 State of Emergency issued April 8, 2020.

ALL PROVISIONS OF This emergency order shall be effective beginning Monday, April 27, 2020 at 6:00 AM and remain in effect until notice is given, pursuant to the Board of Health's judgment, that the Public Health Emergency no longer exists.

To the extent necessary, Board of Health officials and Police Department shall enforce this Order. Local businesses not adhering to the requirements will face fines of \$100 per incident.

THIS ORDER IS EFFECTIVE AS OF 6:00 A.M. ON Monday, April 27, 2020
So Ordered This 21st Day of April 2020

Thank you for your active cooperation in keeping yourself, your family, and your community healthy and safe.

Approved at a Regularly Scheduled Meeting at Town Hall this 21st day of April 2020



Vincent Forte, Chairman



Patricia Leclair, Vice Chairman

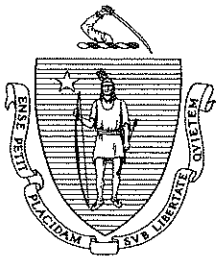


Kelly McGovern, Member

Bellingham Board of Health

Appendix G

Order Requiring Face Coverings in Public Places Where Social Distancing is Not Possible



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 REQUIRING FACE COVERINGS IN PUBLIC PLACES WHERE SOCIAL
DISTANCING IS NOT POSSIBLE**

COVID-19 Order No. 31

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 have determined 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 environments where the virus may be spread;

WHEREAS, the Department of Public Health continues to urge all residents of the Commonwealth to limit activities outside of the home and to practice social distancing at all times to limit the spread of this highly contagious and potentially deadly virus;

WHEREAS, public health experts have determined that it is possible for an infected individual to transmit COVID-19 even when the individual does not exhibit symptoms of the virus;

WHEREAS, the Centers for Disease Control and Department of Public Health have advised individuals to wear cloth face coverings when they are out of the home and may be in close proximity to others in order to prevent transmission of this highly contagious virus;

WHEREAS, the number of confirmed cases of COVID-19 continues to rise in the Commonwealth. As of April 30, 2020, the Department of Public Health had reported 62,205 cases of COVID-19, including 3,562 deaths, with all counties across the Commonwealth affected;

WHEREAS, the eventual reopening of businesses and public places in the Commonwealth will require residents to continue to take precautions, including the wearing of masks or cloth face coverings; 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 a state of emergency, including but not limited to authority over assemblages and pedestrian travel in order to protect the health and safety of persons; transportation or travel; regulation of the sale of articles of food and household articles; and the policing, protection, and preservation of public and private property;

NOW, THEREFORE, I hereby Order the following:

Effective Wednesday, May 6, 2020, any person over age two who is in a place open to the public in the Commonwealth, whether indoor or outdoor, and is unable to or does not maintain a distance of approximately six feet from every other person shall cover their mouth and nose with a mask or cloth face covering, except where a person is unable to wear a mask or face covering due to a medical condition or the person is otherwise exempted by Department of Public Health guidance. A person who declines to wear a mask or cloth face covering because of a medical condition shall not be required to produce documentation verifying the condition. This requirement applies to all workers and customers of businesses and other organizations open to the public that are permitted to operate as COVID-19 Essential Businesses as defined in Appendix A of COVID-19 Order 13, as extended by COVID-19 Orders 21 and 30.

All persons are required to wear masks or cloth face coverings at all times when inside grocery stores, pharmacies, and other retail stores. All persons are also required to wear masks or cloth face coverings when providing or using the services of any taxi, car, livery, ride-sharing, or similar service or any means of mass public transit, or while within an enclosed or semi-enclosed transit stop or waiting area.

All persons are strongly discouraged from using medical-grade masks to meet the requirements of this Order, as medical-grade masks should be reserved for healthcare workers and first responders.

The Commissioner of Public Health is directed to issue guidance, subject to my approval, to implement the terms of this Order, which shall include guidance for the use of face coverings by children between the ages of two and five years old.

If a customer refuses to wear a mask or cloth face covering for non-medical reasons, a business may decline entry to the individual.

The Department of Public Health, local boards of health and authorized agents pursuant to G. L. c. 111, § 30 are authorized to enforce this Order and if necessary may do so with the assistance of State or municipal police. Violation of the terms of this Order or Department of Public Health Guidance may result in a civil fine of up to \$300 per violation, in the manner provided for non-criminal disposition of violations of municipal by-law, ordinance, rule, or regulation pursuant to G. L. c. 40, § 21D.

This Order is effective Wednesday, May 6, 2020, and shall remain in effect until rescinded or until the emergency is terminated, whichever happens first.

Given in Boston at 9:30 AM this 1st day of
May, two thousand and twenty

A handwritten signature in black ink, appearing to read "Charles D. Baker", written over a horizontal line.

CHARLES D. BAKER
GOVERNOR
Commonwealth of Massachusetts