



CITY OF SALEM, MASSACHUSETTS

BOARD OF HEALTH
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Public Health
Prevent. Promote. Protect.

KIMBERLEY DRISCOLL
MAYOR

DAVID GREENBAUM, RS
HEALTH AGENT

CITY OF SALEM EMERGENCY ORDER ESTABLISHING COVID-19 RULES AND RESTRICTIONS FOR THE MONTH OF OCTOBER

MAYOR KIMBERLEY DRISCOLL AND SALEM BOARD OF HEALTH ISSUED: October 2, 2020

WHEREAS, a sudden, generally unexpected occurrence of circumstances demanding public action has arisen throughout the world and within the City of Salem due to the pandemic spread of the novel coronavirus known as SARS-CoV-2, and persons suffering from the effects of the resulting illness caused by the virus, known as COVID-19 ("COVID-19 Pandemic"); and

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

WHEREAS, on March 10, 2020, Governor Charles D. Baker, acting pursuant to the powers provided by Chapter 639 of the Acts of 1950 and Section 2A of Chapter 17 of the Massachusetts General Laws, declared a state of emergency in the Commonwealth of Massachusetts due to the outbreak of COVID-19; and

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

WHEREAS, on March 13, 2020, the President of the United States announced a national declaration of emergency in response to the COVID-19 Pandemic; and

WHEREAS, on March 20, 2020 the Mayor and the Board of Health of the City of Salem has determined that the threat of COVID-19 poses a present, real and imminent danger to public health, safety, and general welfare of the people of Salem and as such declared a Public Health Emergency in the City of Salem;

WHEREAS, there are traditionally large crowds of residents, tourists and other visitors to Salem during the month of October where social/physical distancing cannot be maintained;

WHEREAS, COVID-19 is easily transmitted, especially in group settings, and it is essential that the spread of the virus be slowed to protect the ability of public and private health care providers to handle the influx of new patients and safeguard public health and safety;

WHEREAS, the State reopening Phase III mandatory safety standards, recommended best practices and a checklist for restaurants issued by the Executive Office of Housing and Economic Development) updated September 22, 2020 and effective September 28, 2020 ("September 22, 2020 Guidance") amended the Sector Specific Workplace Safety Standards for Restaurants to Address COVID-19, effective August 11, 2020, by increasing the number of people authorized to sit at a table from a maximum of six people to a maximum of 10 people; and

WHEREAS, the State announced Phase III, Step 2 of reopening would commence on October 5, 2020.

WHEREAS, immediate action is needed to prevent, minimize, or mitigate damage to public health, safety, or general welfare of the residents of Salem which may otherwise result from the COVID-19 Pandemic; and

WHEREAS, pursuant to M.G.L. c. 111, §§ 104 and 30, the City's Board of Health and their Agent shall use all possible care to prevent the spread of COVID-19 infection;

The Mayor and the Board of Health, pursuant to 310 CMR 11.05, 105 CMR 300.200 and all other authorizing statutes and regulations, acting by and through its agent authorized under MGL c. 111, §30, hereby Order the following rules and restrictions for the month of October in the City of Salem:

1. The City of Salem shall remain in Step 1 of Phase III of the Commonwealth of Massachusetts phased reopening plan and the implementation of Step 2 of Phase III of the reopening plan shall be delayed until at least November 5, 2020.
2. Performers, including but not limited to musicians, balloon and face-painting artists and costumed actors, and public orators historically generate an audience in the area of the Essex Street pedestrian mall far exceeding the maximum number of audience members and the physical distancing required in Governor Baker's Phase III Step 1 Guidance. As such, in order to prevent the spread of COVID-19, these activities shall not be allowed on the Essex Street pedestrian mall and designated side streets, shown on the map attached hereto. Alternate venues outside of this designated area are available for such activities, so long as there is compliance with the Governor's Phase III Step 1 Order requiring a minimum of six foot physical distancing between audience members and all performers must be a minimum of 25 feet from the first row of audience members.
3. That notwithstanding the September 22, 2020 Guidance, the size of a party seated at a restaurant table or bar in the City of Salem cannot exceed six people. In all other respects, the September 22, 2020 Guidance shall take effect in Salem on September 28, 2020.
4. The City of Salem will issue a local travel order that requires the following, a) All hotels/motels, bed and breakfast and short term rental operators in the city of Salem will notify their guests of this order and provide a link and/or QR code to the travel form and b) All visitors to the City of Salem staying in a hotel, motel, bed and breakfast or a short term rental from high risk states as designated by the Governor shall complete a local travel form to include but not limited to, the name and/or address of the lodging establishment they will be staying at, a valid phone number for contract tracing and Board of Health follow up and if they have taken a COVID-19 test with a negative result 72 hours prior to their arrival in Salem or where the traveler will be quarantining for 14 days. The link and QR code to the Salem Travel Form can be found here:

<https://forms.office.com/Pages/ResponsePage.aspx?id=p0ACuytMoUy7ejqELk1JkGRoMwZHNkJBuZIUceCAq3NUMTJHT0JaMk9LWIM4UE04OTNSS0w5QzhETSQIQCN0PWcu>



5. 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.

Violations of this Order may be punishable by monetary municipal fines up to \$300.00 and to the extent necessary, this Order shall be enforced by Board of Health officials and the Salem Police Department.

This emergency order shall be effective Friday, October 2, 2020 and remain in effect until at least November 5, 2020.

ORDERED at City Hall this 2nd day of October 2020.

Kimberley Driscoll
Mayor
City of Salem

David Greenbaum
Health Agent
Salem Board of Health

Updated information regarding the City's actions against the spread of COVID-19 may be found on the City website at www.salem.com

