

**EMERGENCY ORDER OF THE NAHANT  
BOARD OF HEALTH THROUGH ITS APPOINTED  
AGENT EFFECTIVE FRIDAY, MAY 1, 2020, AT 9:00 A.M.  
REGARDING FURTHER PRECAUTIONS IN THE TOWN OF NAHANT  
TO PROTECT RESIDENTS AND VISITORS FROM THE SPREAD OF COVID-19**

**WHEREAS**, on March 10, 2020, Governor Charles D. Baker, acting pursuant to the powers provided by Chapter 639 of the Acts of 1950 and G.L. c.17, §2A, declared that there existed 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**, on March 17, 2020, the Nahant Board of Health declared a Local State of Emergency in the Town of Nahant and, pursuant to G.L. c.111, § 30, appointed Antonio Barletta, Town Administrator, its agent during the Local State of Emergency;

**WHEREAS**, the Nahant Board of Health is urging all Nahant residents and visitors to limit activities outside and to practice social distancing at all times, both inside and outside of the home, to limit the spread of this highly contagious and deadly virus;

**WHEREAS**, as of April 14, 2020, the Town of Nahant, at 733.51 per 100,000 residents, had the 13<sup>th</sup> highest rate of infection amongst the Commonwealth's 351 municipalities;

**WHEREAS**, as of April 29, 2020, the Town of Nahant's rate of infection had increased to 886.33 per 100,000; and

**WHEREAS**, the declarations of Local and State States of Emergency and statutes and regulations, such as G.L. c.111, §§95 through 122; Section 13 of Chapter 639 of the Acts of 1950; 310 CMR 11.01, *et seq.*, 105 CMR 300.001, *et seq.* and any other authorizing statutes or regulations, empower the Nahant Board of Health, during the effective period of declared emergencies, 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**, the Nahant Board of Health, through its appointed agent, in order to take additional measures to protect the Town of Nahant's public health during the COVID-19 public health emergency in light of current conditions, hereby orders the following:

Face Covering

1. All members of the public entering any Essential Business as defined by Governor Baker's COVID-19 Executive Orders must wear a face covering, such as a fabric mask, scarf or

bandana over his or her nose and mouth. The face covering does not have to be a surgical mask or N-95 respirator; those should be left for medical professionals and first responders.

2. All employees of all Essential Businesses shall wear a face covering over their mouth and nose when interacting with the public or when said employee is within six feet of a co-worker. Employers and employees must also comply with all applicable CDC and DPH protocols and guidelines for their particular business, which may include recommendations and/or directives concerning the use of personal protective equipment.

#### Social Distancing – Essential Businesses

3. Any and all Essential Businesses permitting entry to the general public shall, through open and obvious markings, designate six-foot (6') spaces within their premises leading from that Essential Business' point of contact with the public (i.e., cash registers, counters) enabling the general public to maintain the appropriate social distancing.

4. Any and all Essential Businesses permitting entry to the general public shall permit no more than five (5) customers inside its premises at one time. An employee of such establishment shall be designated to ensure that the maximum occupancy of the Essential Business is not exceeded.

5. Any and all Essential Businesses permitting entry to the general public shall maintain appropriate signage at every public point of entry stating the requirements of Sections 3 and 4, above. Said signage shall be readily visible to members of the public. Customers queued outside of the Essential Businesses must maintain a minimum of six (6) feet distance at all times.

#### Enforcement

6. The Nahant Board of Health, either on its own volition or through its appointed agent, may enforce this Order and, if necessary, enlist the assistance of the Nahant Police Department. Violations of this Emergency Order may result in a civil fine of up to \$300 per violation in the manner provided for in Article XIII (Non-Criminal Disposition of Violations) of Nahant's Police By-Laws.

#### Severability

7. If any provision of this Emergency 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 Emergency Order or the application thereof to other persons, entities or circumstances.

Effective Date/Time

8. This Emergency Order shall be effective beginning Friday, May 1st, 2020 at 9:00 A.M. and shall remain in effect until the Board of Health lifts its Local State of Emergency declaration or as otherwise ordered by the Nahant Board of Health or its appointed agent.

ORDERED THIS 30TH DAY OF APRIL, 2020,

NAHANT BOARD OF HEALTH (through its appointed agent)



Antonio Barletta, Town Administrator

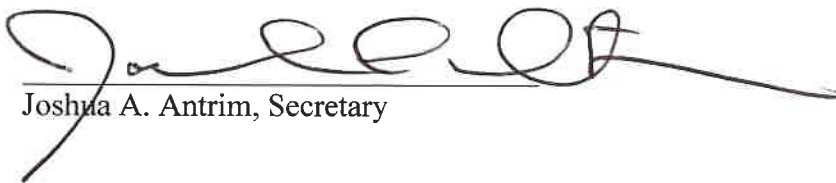
APPROVED ON THIS 30TH DAY OF APRIL, 2020,  
NAHANT BOARD OF HEALTH by a vote of 3 to 0.



Richard J. Lombard, Chairman



Mark P. Cullinan, Vice Chairman



Joshua A. Antrim, Secretary