

**Town of Belmont**

**TEMPORARY EMERGENCY REGULATION #2 OF THE BELMONT BOARD OF HEALTH AND  
THE BELMONT SELECT BOARD**

**WHEREAS**, on March 10, 2020, the Governor of the Commonwealth of Massachusetts issued a Declaration of a State of Emergency to Respond to COVID-19; and

**WHEREAS**, on March 23, 2020 Governor Baker issued COVID-19 Order no. 13 entitled "Order Assuring Continued Operation of Essential Services in the Commonwealth, Closing Certain Workplaces and Prohibiting Gatherings of More than 10 People", which, among other things, restricted public gatherings to 10 people or less, closed businesses providing non-essential services, identified certain essential services and assured the continued operations of essential services in the Commonwealth subject to certain conditions;

**WHEREAS**, on March 26, 2020, the Select Board of the Town of Belmont and its Board of Health 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 Belmont and as such declared a state of emergency in the Town of Belmont;

**WHEREAS**, on April 27, 2020, the Select Board of the Town of Belmont and its Board of Health enacted "Temporary Emergency Regulation #1" regarding the use of face masks and the operation of essential services in Belmont;

**WHEREAS**, on May 1, 2020, Governor Baker issued COVID-19 Order No. 31 entitled "Order Requiring Face Coverings In Public Places Where Social Distancing Is Not Possible";

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

**NOW THEREFORE**, pursuant to the General Bylaws of the Town of Belmont, and Chapter 111, Section 104 of the Massachusetts General Laws, and all other necessary and appropriate powers and authorities, we, the Select Board and the Board of Health of the Town of Belmont, Massachusetts, hereby issue the following Temporary Emergency Regulation #2 regarding the use of face masks in a place open to the public in Belmont:

**Order:**

1. All members of the public entering any indoor or outdoor public space or essential business as defined by Governor Baker's COVID-19 Executive Orders, including but not limited to grocery stores, pharmacies, laundromats, home improvement stores, banks, restaurant pick-up sites, and government buildings shall wear a clean face covering, such as a fabric mask, scarf, or bandana, over their mouth and nose; and exercise social distancing in accordance with CDC guidelines. Cloth face coverings should not be placed on children younger than 2 years of age, anyone who has trouble breathing, or is

- unable to remove the cover without assistance.
2. All employees working inside or outside of an essential service facility shall wear a clean face covering, such as a fabric mask, scarf, or bandana, over their mouth and nose and exercise social distancing in accordance with CDC guidelines. Operators of essential service shall ensure their employees are in compliance with this requirement.
  3. Additional best practices should be employed by essential businesses as defined in Governor Baker's COVID-19 Order No. 13 to the maximum extent possible in order to enhance social distancing in grocery stores, pharmacies, and other essential businesses:
    - a. Offer home delivery options and encourage online ordering and payment.
    - b. Provide public announcements every 30 minutes to remind shoppers to wear cloth face covering, keep physical distance, avoid crowding, keep distance at check-out, and not load items onto a conveyor belt until the customer in front has finished their transaction.
    - c. All entry doors must be posted – advising customers that face covering and social distancing (at least 6-feet of separation) must be maintained inside the establishment, and outside if waiting to enter. Establishment staff must supervise and enforce this requirement.
    - d. Consider relocating high demand items to limit the amount of time customers are in the store.
    - e. Establishments must increase employee illness surveillance by: 1) Continuing to ask if staff have been exposed to COVID-19. 2) Ensuring employees do not come to work while ill. 3) Taking a daily temperature reading of employees at the start of each work shift. ***Daily surveillance must be recorded by staff noting employee and position.***

**Violations:**

It shall be the responsibility of the individual to ensure compliance with all sections of this regulation and Governor Baker's COVID-19 Order No. 31. The violator shall receive:

1. In the case of the first violation, a written warning shall be issued
2. In the case of two or more violations during the time that this Emergency Regulation and Order are in effect, a fine of three hundred dollars (\$300.00) shall be issued.

**Non-Criminal Disposition:**

Whoever violates any provision of this regulation may be penalized by the non-criminal method of disposition as provided in Massachusetts General Laws, Chapter 40, Section 21D or by filing a criminal complaint at the appropriate venue.

Each day a violation exists shall be deemed a separate offense.

**Enforcement:**

Enforcement of the Emergency Regulation and Governor's Order shall be by the Belmont Board of Health, Belmont Police Department, or its designated agent(s).

This Temporary Emergency Regulation #2 shall remain in effect until notice is given pursuant to the Belmont Board of Health's judgment, or until Commonwealth of Massachusetts orders regarding the activities of COVID-19 essential services are lifted, whichever may occur first.

We the undersigned certify, in multiple counterparts, that the foregoing Regulation was made at a meeting of the Belmont Select Board and a meeting of the Belmont Board of Health duly noticed pursuant to Open Meeting Law as amended by the Governor's Order Suspending Certain Provisions of the Open Meeting Law dated March 12, 2020.

Date: May 18, 2020



Name: Roy Epstein  
Title: Chair, Belmont Select Board

Date: May 12, 2020



Name: Stephen Fiore  
Title: Chair, Belmont Board of Health