



Town of Arlington
Department of Health and Human Services
Office of the Board of Health
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TOWN OF ARLINGTON BOARD OF HEALTH

Temporary Order on Masks or Facial Coverings in Public Places

Whereas, the 2019 Novel Coronavirus ("COVID-19") is a highly contagious and potentially fatal disease, the prevalence of which is increasing rapidly throughout the world, inclusive of the United State and the Commonwealth of Massachusetts; and

Whereas, on March 10, 2020, the Governor of the Commonwealth of Massachusetts issued a Declaration of a State of Emergency in Response to COVID-19; and

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

Whereas, on March 23, 2020, the Arlington Select Board issued a local Declaration of a State of Emergency relative to the COVID-19 Pandemic authorizing and directing Town personnel to take all action appropriate to respond to the emergency, including invoking those powers conferred under c. 639 of the Acts of 1950 (the "Civil Defense Act"); and

Whereas, on May 1, 2020, the Governor of the Commonwealth of Massachusetts issued an Executive Order entitled "COVID-19 Order No. 31," requiring all non-exempt persons to wear a mask or face covering in both indoor and outdoor places open to the public with certain conditions, limitations, and further requirements; and

Whereas COVID 19 Order No. 31 authorizes local boards of health, their authorized agents, and municipal police to enforce the terms of such order at an amount up to \$300.

NOW THEREFORE, pursuant to COVID-19 ORDER No. 31, M.G.L. c. 111 § 95-105, 310 CMR 11.05, 105 CMR 300.200; c. 639 of the Acts of 1950 and all other authorizing statutes and regulations, the Board of Health of the Town of Arlington hereby orders the following:

Effective Wednesday, May 13, 2020, any person over the age of two who is in a place open to the public in Arlington, 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 the 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 the Commonwealth's 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 Board of Health and its agents shall rely upon the additional guidance of the use of face coverings by children between the ages of two and five years old issued by the Commonwealth's Commission of Public Health. If a customer refuses to wear a mask or cloth face covering for non-medical reasons, a business may decline entry of the individual.

Any person found in violation of this order may be issued a warning for the first violation, a fine of \$50 for the second violation, a fine of \$100 for the third violation, and a fine of \$300 for the fourth and any subsequent violations. To the extent necessary, this order shall be enforced by the Arlington Board of Health officials, its designated agents, and the Arlington Police Department.

This emergency order shall be effective beginning May 13, 2020 at 12:00 P.M. and remain in effect until such time as that the Board of Health deems necessary or until the State of Emergency Declared by the Arlington Select Board has been lifted. Signed by the Arlington Board of Health on this day: May 13, 2020.

Marie Walsh Condon, MD

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Kevin J. Fallon, DMV