



CITY of BEVERLY
BOARD of HEALTH
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Public Health
 Prevent. Promote. Protect.

Mayor
Michael P. Cahill
Director of Public Health
William T. Burke III, RS, CHO

**EMERGENCY ORDER ESTABLISHING FINES FOR VIOLATION OF GOVERNOR’S MAY 1, 2020,
 ORDER REQUIRING FACE COVERINGS IN PUBLIC PLACES WHERE
 SOCIAL DISTANCING IS NOT POSSIBLE**

WHEREAS, the Governor of the Commonwealth of Massachusetts has declared a State of Emergency on March 10, 2020, due to the virus that caused the Coronavirus 2019 (“COVID-19”) pandemic;

WHEREAS, the Mayor of the City of Beverly 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 Beverly and as such declared a State of Emergency in the City of Beverly on March 20, 2020;

WHEREAS, the Board of Health of the City of Beverly 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 Beverly and as such declared a Public Health Emergency in the City of Beverly on March 20, 2020;

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, on May 1, 2020, the Governor of the Commonwealth of Massachusetts issued an Order Requiring Face Coverings in Public Places Where Social Distancing is Not Possible (“COVID-19 Order No. 31”);

WHEREAS, COVID-19 Order No. 31 authorizes local boards of health and authorized agents pursuant to G.L. c. 111, § 30, to enforce the Order and if necessary do so with the assistance of municipal police, and to issue civil fines in the manner provided for non-criminal disposition of violations of municipal ordinances pursuant to G.L. c. 40, § 21D;

WHEREAS, on May 1, 2020, the Department of Public Health issued Guidance for Wearing Face Masks in Public Settings, as directed by the Governor to implement COVID-19 Order No. 3, which includes the manner for which violations of COVID-19 Order No. 31 are to be punished;

NOW THEREFORE, pursuant to the foregoing, we, the Board of Health of the City of Beverly, Massachusetts, acting by and through its agent authorized under G.L. c. 111, § 30, hereby orders that COVID-19 Order No. 31 shall be enforced by the method provided in M.G.L. c. 40, § 21D, and City of Beverly Ordinance § 1-6, Noncriminal Disposition of Violations. The noncriminal fines for each such violation shall be:

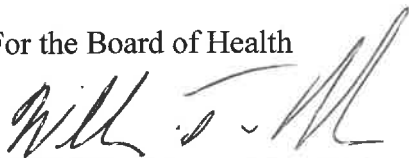
- First violation: written warning
- Second or subsequent violation: \$300.00

The Board of Health, acting through its emergency agent and his designees, and officers of the Beverly Police Department shall be considered enforcing persons in accordance with City of Beverly Ordinance § 1-6.

This Emergency Order shall be effective at 12:01 a.m., Wednesday, May 6, 2020, and shall remain in effect until COVID-19 Oder No. 31 is rescinded or the Governor terminates the March 10, 2020, State of Emergency, whichever is earlier.

ORDERED, at 10:00 p.m.
This 5th day of May 2020.

For the Board of Health

A handwritten signature in black ink, appearing to read 'William T. Burke, III', written over a horizontal line.

William T. Burke, III, RS, CHO
Director of Public Health
Emergency Agent of the Beverly Board of Health