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Health Agent

CITY OF EASTHAMPTON

BOARD OF HEALTH

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Public Health
Prevent. Promote. Protect.

Emergency Order of the Board of Health: **Mandatory Wearing of Masks/Face Coverings in Designated Areas of Easthampton**

To protect public health and to mitigate the spread of COVID-19 within the City of Easthampton, the Easthampton Board of Health hereby orders the following:

1. The Order:

All persons over the age of five must wear a face mask or covering (a “mask”) as described in Section 2 below when they are in any outdoor space accessible to the public that is within the COVID-19 Required Face Covering and Mask Area described in Section 3 below, unless one or more of the exceptions in Section 4 apply.

The use of face masks or coverings by children between the ages of two years and five years is at the discretion of the child’s parent or guardian.

Children under the age of two years must not wear face masks or coverings due to the potential risk of suffocation.

Within the Mask Area, masks must be worn at all times, regardless of distancing between others.

Masks shall be on your person on any public sidewalk, outside of the areas described in Section 3 below, and shall be worn when passing or within 6 feet of others.

Nothing in this order shall be construed to reduce or eliminate the requirement of maintaining safe distancing of at least 6 feet from other people, excluding members of the same household.

2. Definition of 'Face Mask or Covering':

A Face Mask or Covering is anything that covers an individual's nose and mouth including but not limited to cloth face masks, dust masks, scarves and bandanas.

3. The Mask Area in which the Order applies:

The COVID-19 Required Face Covering and Mask Area is:

- The orange highlighted area on the map below
- Manhan Rail Trail (bike path)
- All city-owned parks and property

Masks shall be worn at all times, regardless of distancing between others, while in the above-noted areas.

4. Exceptions:

This order shall not apply to

- Persons seated at an outdoor service table at a restaurant providing outdoor service as permitted under State of Massachusetts COVID-19 Order No. 35 or while eating/drinking while stationary (i.e. on a park bench, picnic, etc.).
- Persons for whom a mask would not be safe because of any of the following conditions or circumstances:
 1. The face mask or covering affects the person's ability to breathe safely; or
 2. The person has mental health or other medical diagnoses that advise against wearing a face mask or covering; or
 3. The person has a disability that prevents them from wearing a face mask or covering; or
 4. The person depends on supplemental oxygen to breathe

5. Initiation and rescinding of the Order:

This Order shall be effective beginning on August 21, 2020 at 8:00 AM and shall remain in effect until the Board of Health gives notice that this Order is no longer necessary or the COVID-19 Massachusetts State of Emergency is suspended, whichever occurs first.

6. Enforcement:

The Board's Health Agent, Easthampton Police Department, and any agents designated by the Board shall have the authority to enforce this Order as necessary.

Whoever violates any provision of this Order may be penalized by a non-criminal disposition ticketing process as provided in M.G.L. c. 40 § 21D authorizing non-criminal disposition of violations of town regulations.

Nothing in this Order is intended to encourage residents to act as an enforcement authority for the City of Easthampton. Residents should focus on their personal compliance and not take it upon themselves to approach people who may appear not to be complying.

Please do not dial '911' to report non-compliance. To report non-compliance, you may email covidcomplaints@easthamptonma.gov or contact the non-emergency business line at the Easthampton Police Department at (413) 527-1212 or the Easthampton Health Department at (413) 529-1400 ext. 430.

7. Penalties

A person who violates any provision of this Order shall be subject to a penalty in the amount of:

- Fifty dollars (\$50) for a first offense;
- One hundred and fifty dollars (\$150) for a second offense;
- Three hundred (\$300) for a third & subsequent offenses.

Each day or part thereof shall constitute a separate offense.

Notwithstanding the foregoing, agents and town officials are encouraged to educate offenders and to exercise their judgment on a case-by-case basis, including using their discretion to issue verbal or written warnings before determining that a finable offense has occurred.

To obtain a mask:

If you and your family is in need of a cloth face covering, please contact the Easthampton Health Department at: health@easthamptonma.gov or by phone at (413) 529-1400 x 430. At this time, there are limited quantities, please only request one per person in your household.

To donate:

Cloth face coverings can be dropped off in the lobby at the Public Safety Complex located at 32 Payson Ave.

Adopted: Wednesday, August 19, 2020

Effective: Friday, August 21, 2020 at 8:00 a.m.

DocuSigned by:
Maggie Hebert
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Maggie Hebert, Chair

Aimee Petrosky (absent)

DocuSigned by:
Jennifer Lesperance
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Jennifer Lesperance

