



## CITY OF CAMBRIDGE

### **FOURTH AMENDED TEMPORARY EMERGENCY ORDER AMENDING OUTDOOR MASK REQUIREMENTS AND REQUIRING THE WEARING OF MASKS IN ALL INDOOR PUBLIC PLACES, BUSINESSES, AND IN COMMON AREAS OF RESIDENTIAL BUILDINGS EFFECTIVE APRIL 30, 2021**

**This Amended Emergency Order replaces and supersedes all prior versions**

**WHEREAS**, the 2019 Novel Coronavirus (“COVID-19”) is a highly contagious and potentially fatal respiratory disease, which is prevalent throughout the world, inclusive of the United States 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 to Respond 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 13, 2020, the President of the United States announced a national declaration of emergency; and

**WHEREAS**, on March 19, 2020, the Cambridge Commissioner of Public Health and Cambridge City Manager declared that a state of emergency exists in the City of Cambridge; and

**WHEREAS**, in response to the COVID-19 outbreak in the Commonwealth of Massachusetts, over the course of 2020 through the present, Governor Baker has issued a number of public health orders initially closing businesses, other than those that provide COVID-19 essential services, and restricting gatherings, and then in response to improving public health data phasing in the reopening of specific industries in Massachusetts; and

**WHEREAS**, over the course of 2020 through the present the Cambridge Commissioner of Public Health and Cambridge City Manager have issued a number of public health orders specifically targeted to address the COVID-19 public health conditions in Cambridge; and

**WHEREAS**, on April 9, 2020, the Cambridge Commissioner of Public Health and Cambridge City Manager issued an advisory urging all residents to wear face masks; and

**WHEREAS**, on April 10, 2020, the Massachusetts Department of Public Health issued an Advisory stating that the wearing of a face covering may help prevent the spread of COVID-19 by individuals who are infected, including those who show no signs of illness; and

**WHEREAS**, on April 27, 2020, the Cambridge Commissioner of Public Health and Cambridge City Manager issued a mandatory Mask and Face Covering Order, that has been amended on several occasions, including to allow for the removal of face masks over the summer of 2020; and

**WHEREAS**, on May 1, 2020, Governor Baker issued an COVID-19 Order No. 31 requiring face-coverings in public places where social distancing is not possible and at all times on public transit and in retail settings; and

**WHEREAS**, on May 1, 2020 the Massachusetts Department of Public Health issued Guidance for Wearing Masks in Public Settings which is issued pursuant to Governor Baker’s May 1, 2020 Order to further clarify who is required to wear masks and any exceptions, and provides that mask use by children two years of age and up to the age of 5 is encouraged but should be at the discretion of the child’s parent or guardian; and

**WHEREAS**, on October 2, 2020, the Cambridge Commissioner of Public Health and the Cambridge City Manager issued an Order requiring the wearing of masks or cloth face coverings in all public places, businesses, and in common areas of residential buildings (the “City’s October 2, 2020 Mask Order”); and

**WHEREAS**, on November 2, 2020, Governor Baker issued COVID-19 Order No. 55 requiring all persons to wear face-coverings in all public places, even where they are able to maintain six feet of distance from others; and

**WHEREAS**, Governor Baker has issued several orders regulating gatherings in the Commonwealth, and in the most recent order, COVID-19 Order No. 63, issued on February 4, 2021, and amended on March 18, 2021, Governor Baker has ordered that all persons over the age of 5 must wear masks of cloth face coverings in public locations and this rule applies to all gatherings held in places open to the public used for gatherings, including gatherings of more than 10 non-household members at private residences; and

**WHEREAS**, on April 27, 2021, Governor Baker announced that effective April 30, 2021, the Commonwealth’s Face Coverings Order will be relaxed and will require that face coverings only be required outside in public when it is not possible to socially distance, and at other times required by sector-specific guidance; and

**WHEREAS**, the City has continued to closely monitor the public health data and the specific conditions in Cambridge, particularly in light of the availability of COVID-19 vaccinations, and the City has experienced a sustained decline in the number of cases, hospitalizations and deaths linked to COVID-19; and

**NOW THEREFORE**, the Cambridge Commissioner of Public Health and the City Manager hereby order (the “Emergency Order”) as follows:

1. The Commonwealth’s “Further Revised Order Regarding Face Coverings,” COVID-19 Order No. 67, effective April 30, 2021, shall apply to each person within the City of Cambridge when outside. Pursuant to COVID-19 Order No. 67, face coverings are required outside in public when it is not possible to maintain a distance of at least six feet at all times, or other times required by the Commonwealth’s Sector-Specific COVID-19 Safety Rules. Face coverings are also required at all times at indoor or outdoor events and gatherings in public locations. Face coverings are encouraged for events and gatherings at private homes. For the City’s indoor face covering requirements see below.
2. **The following requirements from the City’s October 2, 2020 Mask Order remain in full force and effect** - Any person, including employees of businesses, entering any business open to the public, including, without limitation, grocery stores, supermarkets, pharmacies, laundromats, dry cleaners, hardware stores, restaurants, cafes or similar establishments where prepared foods, meals or beverages may be purchased, local government buildings, commercial office buildings, retail buildings such as indoor malls or shopping centers, industrial buildings, and any corridor, stairway, escalator or elevator, or other areas located within such a building, indoor construction sites, repair garages, and equipment or vehicle storage yards and garage bays (hereinafter, “Places of Business”) shall wear a mask or a cloth face covering which covers both the mouth and nose prior to entering such Place of Business and continuously during the time the person is in the Place of Business. Employees of Places of Business may remove masks or cloth face coverings when working alone in an individual office with a door closed or when working alone in an office suite with no other individuals present. Customers of restaurants, cafés, and other

establishments where food and beverages are served (“Restaurants and Cafés”) may remove masks or cloth face coverings while seated when dining inside or in an outdoor dining area of such restaurant, café, or other establishment where food and beverages are served for on-premise consumption, but customers must wear masks or cloth face coverings at all other times when in indoor and outdoor areas of such Restaurants and Cafés. All Places of Business shall post signage at entrances to buildings informing the public that masks or cloth face coverings must be worn at all times within or about the premises of the Place of Business except while seated when dining.

3. **The following requirements from the City’s October 2, 2020 Mask Order remain in full force and effect** - In residential buildings consisting of at least two dwelling units (“Residential Buildings”), any person entering without limitation, any lobby, hallway, elevator, stairwell, laundry room, garage or parking lot, walkway, yard and other common outdoor areas, or any other indoor or outdoor areas in or about a Residential Building which are accessible to more than one dwelling unit (collectively, “Common Areas”) of that Residential Building shall wear a mask or cloth face covering which covers both the mouth and nose at all times while in such Common Areas, except that: a) masks or cloth face coverings may be temporarily removed while eating or drinking while seated in outdoor seating areas so long as a distance of at least six feet is maintained at all times; and b) these requirements shall not apply to any person specifically exempted from the requirements of this Order as set forth below. Individuals who are caring for a child or a disabled or elderly person and do not share the same household with such child or disabled or elderly person shall be required to wear a mask or cloth face covering while caring for such person, but shall not be required to maintain a distance of six feet from such person. Residential Buildings shall post signage at entrances and in or about Common Areas informing all residents and other individuals that the above requirements must be met at all times while in or about such Common Areas.
4. All provisions of this Emergency Order shall apply to persons over the age of 5. Children under the age of 2 years should not wear face coverings or masks. For children 2 years of age and older, a mask or face covering should be used, if possible. Mask use by children 2 years of age and up to the age of 5 is encouraged but should be at the discretion of the child’s parent or guardian at this time.
5. This Emergency Order shall not apply to anyone who exempted by Massachusetts Department of Public Health guidelines.
6. The Cambridge Public Health Commission may issue guidance consistent with the provisions of this Emergency Order.

In the event that any portion of this Emergency Order is held to be invalid by a court of competent jurisdiction, said invalid or unenforceable portion shall be severable from the remainder of this Emergency Order and to the fullest extent possible this Emergency Order shall be read as if it did not contain said invalid or unenforceable portion.

In the event that any Order issued by Governor Baker or any regulation promulgated by any department of the Commonwealth of Massachusetts, including, but not limited to, regulations issued by the Department of Labor Standards concerning COVID-19 workplace safety, contains stricter provisions than this Emergency Order, such stricter provisions shall govern.

This Emergency Order shall take effect as of midnight (12:00 a.m.) on April 30, 2021, and shall remain in effect until further notice or until the declaration of a State of Emergency in the City has been rescinded.

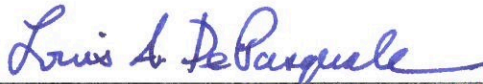
This Emergency Order shall be enforced by the following: officers of the Cambridge Police Department; enforcement officials of the Cambridge Public Health Department; and enforcement officials of the City’s Inspectional Services Department.

Any person found to be in violation of this Emergency Order may be issued a warning or may be issued a violation notice with a fine of three hundred dollars (\$300). The person to whom a violation notice has been issued pursuant to this Emergency Order may pay the fine within 21 days of the date the violation notice was served, or within 21 days of the date the violation notice was served, may contest the matter by requesting a noncriminal hearing by mailing a copy of the violation notice to: Clerk Magistrate, Cambridge District Court, 4040 Mystic Valley Parkway, Medford, MA 02155. G. L. c. 111 §§ 30, 95-105, and 122; 310 CMR 11.05 et seq., 105 CMR 300.200; St. 1950, c. 639; G. L. c. 40, § 21D; and Cambridge Municipal Code c. 1.24, § 1.24.030.

Dated: April 29, 2021

By:

  
Assaad J. Sayah, MD, Commissioner of Public Health

  
Louis A. DePasquale, City Manager