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ORDER REQUIRING FACE COVERINGS IN PUBLIC PLACES WHERE SOCIAL DISTANCING IS NOT POSSIBLE

COVID-19 Order No. 31

WHEREAS, on March 10, 2020, I, Charles D. Baker, Governor of the Commonwealth of Massachusetts, acting pursuant to the powers provided by Chapter 639 of the Acts of 1950 and Section 2A of Chapter 17 of the General Laws, declared that there now exists in the Commonwealth of Massachusetts a state of emergency due to the outbreak of the 2019 novel Coronavirus ("COVID-19");

WHEREAS, on March 11, 2020, the COVID-19 outbreak was characterized as a pandemic by the World Health Organization;

WHEREAS, the Federal Centers for Disease Control have determined that COVID-19 is spread mainly by person to person contact and that the best means of slowing the spread of the virus is through practicing social distancing and by minimizing personal contact with environments where the virus may be spread;

WHEREAS, the Department of Public Health continues to urge all residents of the Commonwealth to limit activities outside of the home and to practice social distancing at all times to limit the spread of this highly contagious and potentially deadly virus;

WHEREAS, public health experts have determined that it is possible for an infected individual to transmit COVID-19 even when the individual does not exhibit symptoms of the virus;

WHEREAS, the Centers for Disease Control and Department of Public Health have advised individuals to wear cloth face coverings when they are out of the home and may be in close proximity to others in order to prevent transmission of this highly contagious virus;

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WHEREAS, the number of confirmed cases of COVID-19 continues to rise in the Commonwealth. As of April 30, 2020, the Department of Public Health had reported 62,205 cases of COVID-19, including 3,562 deaths, with all counties across the Commonwealth affected;

WHEREAS, the eventual reopening of businesses and public places in the Commonwealth will require residents to continue to take precautions, including the wearing of masks or cloth face coverings; and

WHEREAS, sections 7, 8, and 8A of Chapter 639 of the Acts of 1950 authorize the Governor, during the effective period of a declared emergency, to exercise any and all authority over persons and property necessary or expedient for meeting a state of emergency, including but not limited to authority over assemblages and pedestrian travel in order to protect the health and safety of persons; transportation or travel; regulation of the sale of articles of food and household articles; and the policing, protection, and preservation of public and private property;

NOW, THEREFORE, I hereby Order the following:

Effective Wednesday, May 6, 2020, any person over age two who is in a place open to the public in the Commonwealth, 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 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 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.

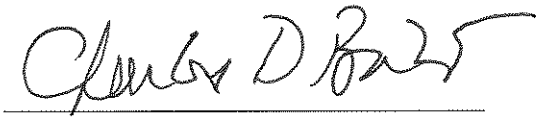
The Commissioner of Public Health is directed to issue guidance, subject to my approval, to implement the terms of this Order, which shall include guidance for the use of face coverings by children between the ages of two and five years old.

If a customer refuses to wear a mask or cloth face covering for non-medical reasons, a business may decline entry to the individual.

The Department of Public Health, local boards of health and authorized agents pursuant to G. L. c. 111, § 30 are authorized to enforce this Order and if necessary may do so with the assistance of State or municipal police. Violation of the terms of this Order or Department of Public Health Guidance may result in a civil fine of up to $300 per violation, in the manner provided for non-criminal disposition of violations of municipal by-law, ordinance, rule, or regulation pursuant to G. L. c. 40, § 21D.

This Order is effective Wednesday, May 6, 2020, and shall remain in effect until rescinded or until the emergency is terminated, whichever happens first.

Given in Boston at 9:30 AM this 1st day of May, two thousand and twenty



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Commonwealth of Massachusetts