



## CITY OF MELROSE

## HEALTH DEPARTMENT

### Board of Health

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### INDOOR MASK MANDATE

#### CITY OF MELROSE COVID-19 PUBLIC HEALTH ORDER OF THE BOARD OF HEALTH

WHEREAS the City of Melrose continues to monitor and respond to the COVID-19 public health emergency, including the new Omicron variant that accounts for 59% of all U.S. positive cases;

WHEREAS the new variants (Delta, Omicron) are twice as contagious as previous variants, with early evidence suggesting that Omicron does not have lower severity than Delta, Omicron does have an increased ability to re-infect individuals who have had COVID-19 before;

WHEREAS research has shown that appropriate masks help prevent transmission of all known COVID-19 variants at this point in time, and

WHEREAS, due to the sharp increase in the number of cases in Massachusetts, which includes Middlesex County, and the City of Melrose, we are using every tool at our disposal (getting vaccinated, social distancing, wearing a mask in indoor spaces, testing) to limit the spread within the community and protect those that are most vulnerable. Accordingly, the intent of this Order is to prevent the spread of COVID-19 to the maximum extent possible. All provisions of this Order should be interpreted to effectuate this intent to protect the public health in the community.

NOW, THEREFORE, commencing on January 02, 2022 at 12:01 a.m., the following Order MUST be implemented at all times at all public indoor spaces in the City of Melrose.

#### Section 1 Authority:

This order is promulgated under the authority granted to the Board of Health under Massachusetts General Laws, , in accordance with G.L. c.111, §§ 31 and 122, 310 CMR 11.05, 105 CMR 300.200 and any other authorizing statutes and regulations, we, the Board of Health, find taking these additional measures necessary to protect the public health during the COVID-19 public health emergency in light of current conditions, including an ongoing surge in COVID-19 cases.

#### Section 2 Definitions:

Public Indoor Spaces - The term "public indoor spaces" shall include all places into which members of the public are invited or otherwise allowed to enter a building or structure to interact with any persons in order to or transact any public or private business. This includes, but is not limited to, restaurants, bars, offices, social clubs, grocery stores, pharmacies and other retail establishments, indoor performance and event venues, hotels, gyms, fitness clubs, barber shops, hair and nail salons, dance studios and places of worship.

#### Section 3 Order:

Except where otherwise indicated in this section, any individual who is age five (5) or older, regardless of

vaccination status, shall be required to cover their nose and mouth with a clean mask when in or at any public indoor spaces as well as private places open to the public except where an individual is unable to wear a mask due to a medical condition or disability. If a customer, patron, or attendee refuses to wear a mask for non-medical reasons, the operator of a facility, business, or event may decline entry to the individual.

- Employees of public indoor spaces must wear masks at all times while on the premises of the business, unless alone in their personal workspace.
- Customers of public indoor spaces in the City of Melrose must wear a mask at all times while on the premises of the business.
- Customers at food service establishments may only remove masks when seated.
- Customers may remove masks when receiving dental care, other health care, or swimming.
- Customers at indoor performance venues may only remove masks for eating and drinking.
- Customers at indoor dance floors must be masked.
- Houses of worship are included in this Order.
- Customers, workers, and visitors at fitness centers/health clubs are required to wear a mask at all times, even during fitness activities (other than swimming).
- Customers and workers at personal service establishments, including but not limited to barber shops, hair salons, nail salons, are required to wear a mask at all times except when face treatments are applied; masks can be removed temporarily but be put back immediately after service is complete.
- Residents and employees at multi-family buildings are required to wear masks in common areas and hallways.
- Individuals on public and private transportation systems are required to wear a mask.
- Individuals in all healthcare and congregate care settings are required to wear a mask.
- All entry doors of businesses open to the public must post an advisory for customers that masks must be maintained inside the establishment.

This Order shall not apply to informal gatherings at private residences in which no compensation for use of the property is paid to the owner.

#### Section 4 Enforcement:

The person or entity in control of a public indoor space shall have the obligation to enforce the requirements of the mask mandate set forth in this Order. All entry doors of businesses open to the public must post signage stating that face masks must be worn inside the establishment except for a medical exemption.

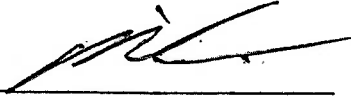
This Order and Regulation is enforceable against the person or entity in control of the public indoor space by a fine of \$50 for the first offense, \$100 for the second offense, and \$150 for the third and subsequent offense, in the manner provided for non-criminal disposition of violations of municipal by-laws, ordinances, rules, or regulations, pursuant to G.L. c. 40, s. 21D and City of Melrose Code Section 1-21. The Director or any Agent of the Board of Health is authorized to enforce this Order and Regulation.

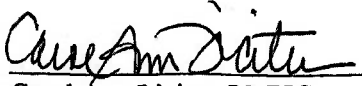
#### Section 5 Effective.

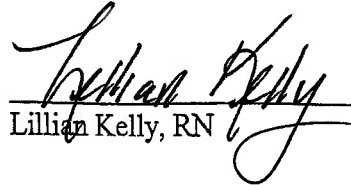
This order shall be effective beginning at 12:01 a.m. on Sunday, January 02, 2022. This Order shall be reviewed by the Board of Health at its next regular meeting currently scheduled for Tuesday February 8, 2022 at 5:30 p.m. and each one thereafter, if still in effect. If no action is taken by the BOH to rescind, this Order as written shall remain in effect.

ORDERED at City Hall this 29<sup>th</sup> day of December 2021.

BOARD OF HEALTH MEMBERS:

  
Dr. Frank Brincheiro MD

  
Carol Ann Licitra, LMHC

  
Lillian Kelly, RN