



CITY of BEVERLY
BOARD of HEALTH
90 Colon Street
Beverly, Massachusetts 01915
Phone (978) 921-8591
Fax (978) 922-5695



Public Health
 Prevent. Promote. Protect.

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

EMERGENCY ORDER DELAYING IMPLEMENTATION OF STEP 2 PHASE III OF THE COMMONWEALTH’S RE-OPENING PLAN AND LIMITATIONS ON GATHERINGS

WHEREAS, on March 10, 2020, Massachusetts Governor Charles D. Baker issued a proclamation that a State of Emergency exists in the Commonwealth of Massachusetts to respond to COVID-19; and

WHEREAS, on March 20, 2020, Mayor Michael P. Cahill declared a state of emergency in the City of Beverly to respond to COVID-19; and

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 the 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; and

WHEREAS, on July 2, 2020, Governor Baker issued COVID-19 Order 43, Order Authorizing the Re-Opening of Phase III Enterprises (“COVID-19 Order 43”), which advanced Phase III, Step 1, of the Commonwealth’s Re-Opening plan; and

WHEREAS, on August 7, 2020, Governor Baker issued COVID-19 Order 45, Third Revised Order Regulating Gatherings Throughout the Commonwealth (“COVID-19 Order 46”); and

WHEREAS, on September 29, 2020, Governor Baker issued COVID-19 Order 51, Order Further Advancing Phase III Re-Opening in Municipalities with Reduced Incidence of COVID-19 Infection (“COVID-19 Order 51”), which allowed “Lower Risk Communities” to advance from Step 1 to Step 2 of Phase III of the Re-Opening Plan; and

WHEREAS, on September 29, 2020, Governor Baker issued COVID-19 Order 52, Phase III, Step 2 Order Regulating Gatherings in the Commonwealth (“COVID-19 Order 52”), which rescinded COVID-19 Order 46; and

WHEREAS, as of the most recent Massachusetts Department of Public Health COVID-19 Dashboard dated September 30, 2020, the average daily infection rate over the last fourteen days in Essex County is 9.2 per 100,000 persons, exceeded only by Suffolk County; and

WHEREAS, Essex County experienced the highest rate of seven day total new confirmed COVID-19 cases in the Commonwealth through September 21, 2020; and

WHEREAS, over the last four weeks the average daily infection rate for Essex County has continued to rise; and

WHEREAS, the annually recurring time period characterized by the prevalence of outbreaks of influenza, otherwise known as “flu season,” occurs in the fall; and

WHEREAS, the Centers for Disease Control believes that both influenza and COVID-19 viruses will be spreading this flu season; and

WHEREAS, it is the concern of the Board of Health that the daily infection rate in Essex County will continue to rise in the coming months, and appropriate steps must be taken at this time to mitigate the risk of transmission and protect the health and safety of City residents and visitors through safety measures addressing commercial, recreational, and social activities;

Effective 12:01 a.m., October 5, 2020, the Board of Health, pursuant to 310 CMR 11.05, 105 CMR 300.200, and all other authorizing statutes and regulations, acting by and through its agent authorized under G.L. c. 111, § 30, hereby orders that, notwithstanding COVID-19 Order 51, the City of Beverly will not advance to Step 2 of Phase III of the Commonwealth’s Re-Opening Plan. Further, notwithstanding COVID-19 Order 52, the City will not advance to Step 2 of Phase III gathering limitations. The rules and allowances of Step 1 of Phase III of COVID-19 Order 43 and the limitations on gatherings of COVID-19 Order 46 shall continue to apply until notice is given, pursuant to the Board of Health’s judgment that the adjustments of COVID-19 Orders 51 and 52 will not contribute to the rising daily infection rate in Essex County.

This Emergency Order shall be effective at 12:01 a.m., Monday, October 5, 2020.

ORDERED, at City Hall at 1:00 a.m. / (p.m)
This 2 day of October, 2020.



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