



CITY of BEVERLY
BOARD of HEALTH
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Public Health
Prevent. Promote. Protect.

Mayor

Michael P. Cahill

Director of Public Health

William T. Burke III, RS, CHO

EMERGENCY ORDER REGARDING EVICTIONS AND INSPECTIONS

WHEREAS, the Governor of the Commonwealth of Massachusetts has declared a State of Emergency on March 10, 2020, due to the virus that caused the Coronavirus 2019 (“COVID-19”) pandemic;

WHEREAS, the Mayor of the City of Beverly has determined that the threat of COVID-19 poses a present, real and imminent danger to public health, safety, and general welfare of the people of Beverly and as such declared a State of Emergency in the City of Beverly on March 20, 2020;

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 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;

WHEREAS, COVID-19 is easily transmitted, especially in group settings, and it is essential that the spread of the virus be slowed to protect the ability of public and private health care providers to handle the influx of new patients and safeguard public health and safety;

WHEREAS, the Governor of the Commonwealth of Massachusetts and the Mayor of Beverly have requested that residents stay home to prevent the spread of COVID-19, and the Governor has requested that the Department of Public Health issue a stay at home advisory;

WHEREAS, evictions would make it impossible for Beverly residents to stay at home by rendering them homeless and would therefore further increase the risk to public health and safety posed by COVID-19;

WHEREAS, the eviction of essential commercial tenants (as defined by the directive of the Governor of Massachusetts) could decrease essential services necessary to meet the demands of this pandemic and would further reduce the ability of these businesses to generate revenue, further destabilizing the community;

Effective 6:00 a.m., Sunday, April 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 order:

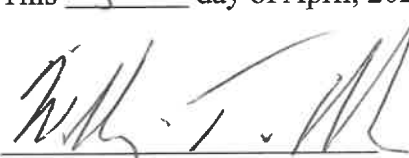
1. Notwithstanding MGL c. 186, MGL c. 239, or any general or special law to the contrary, no landlord and/or owner shall enforce an eviction upon a resident of Beverly including residential tenants and commercial tenants deemed to be essential businesses per the directive of the Governor of Massachusetts, during this public health crisis.
2. No landlord and/or owner shall access or seek to access a tenant’s dwelling space for purposes such as general inspections, displaying units to potential future tenants and other non-critical activities. A landlord may only access a tenant’s dwelling space to make repairs requested by the tenant, repairs

required as a matter of law, or to respond to a life-threatening emergency. A tenant may refuse access of entry for non-critical purposes or when adequate social distancing arrangements (at a minimum of six feet) have not been made.

3. If any provision of this Order or the application thereof to any person or entity or circumstance is determined to be invalid by a court of competent jurisdiction, such judgment shall not affect or impair the validity of the other provisions of this Order or the application thereof to other persons, entities, and circumstances.

This Emergency Order shall remain in effect until notice is given, pursuant to the Board of Health's judgment, that the Public Health Emergency no longer exists.

ORDERED, at City Hall at 6:00 (a.m.) p.m.
This 5th day of April, 2020.



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