



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

INDOOR FACE COVERINGS MANDATE

WHEREAS, the Board of Health of the City of Beverly has determined that the threat of COVID-19 continues to pose a present, real, imminent, and ongoing danger to public health, safety, and general welfare of the people of Beverly;

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

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

WHEREAS, COVID-19 variants continue to emerge, which are more contagious and are resulting in increased risk of infection and transmission;

WHEREAS, the Massachusetts Department of Public Health on December 21, 2021, issued a Winter Advisory Regarding Face Coverings advising that all resident of the Commonwealth, regardless of vaccination status, wear a mask or face covering when indoors and not at your own home;

WHEREAS, the daily infection rate in Essex County is continuing to rise significantly, 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;

NOW THEREFORE, pursuant to the foregoing, M.G.L. c. 111, §§31, 104, and 122; 310 CMR 11.05; 105 CMR 300.200; and all other authorizing statutes and regulations, acting by and through its agent authorized under M.G.L. c. 111, § 30, we, the Board of Health of the City of Beverly, Massachusetts, hereby order the following:

1. Face coverings that cover the nose and face are required for all individuals, including employees, regardless of vaccination status, aged two (2) years and above except where an individual is unable to wear a face covering due to a medical condition or disability, in all indoor public spaces, whether publically or privately owned, including but not limited to restaurants, retail establishments, bars, performance venues, social clubs, event spaces, lodgings, places of religious worship, funeral homes, grocery stores, pharmacies, and municipal buildings, including schools.
2. Food service establishment customers may only remove face coverings when seated and actively consuming food and/or beverages.
3. Indoor bar and dance customers may only remove face coverings when seated at tables or seated at a bar

and actively consuming food and/or beverages. Patrons standing or ordering at the bar must be masked. Patrons on dance floors must be masked.

4. Indoor performance venue customers may only remove face coverings in the actual act of eating and drinking, if permitted in the venue.
5. Lodging guests and workers are required to wear face coverings when inside hallways and common areas.
6. Residents and employees of multi-family dwelling units are required to wear face coverings inside hallways and other common areas. Building management shall post notice of this requirement at all entry doors to the building and common areas.
7. Fitness Center/Health Club workers, members, customers, and visitors are required to wear face coverings during fitness activity, including strenuous activity and group activity, and while in locker rooms.
8. At Personal Services establishments, including, but not limited to barber shops, hair and nail salons, and massage/body work establishments, all customers and workers are required to wear face coverings, except for skin or beard care that occurs on the face, where the customer may temporarily remove the face covering but must immediately put the face covering back on for the remainder of the visit.
9. Face Coverings remain mandatory for all individuals on public and private transportation systems (including rideshares, livery, taxi, ferries, and buses), in healthcare facilities and in other settings hosting vulnerable populations, such as congregate care settings, as directed by the Governor and the Massachusetts Department of Public Health.
10. Nothing in this regulation shall affect any state and federal orders already in effect in Massachusetts relating to COVID safety.
11. All entry doors of businesses open to the public must display notice advising customers and staff that face coverings must be worn inside the establishment pursuant to this Order of the Board of Health. Establishment management shall enforce this requirement with respect to their staff.
12. The Beverly Board of Health and authorized agents pursuant to M.G.L. c. 111, §§ 30 and 31, are authorized to enforce this regulation and if necessary, may do so with the assistance of the Police Department.
13. Whoever violates any provision of this Order may be penalized by a noncriminal disposition process as provided in M.G.L. c. 40, § 21D, and the City's non-criminal disposition of violations Ordinance, Article II, §1-6. If non-criminal disposition is elected, then any person who violates any provision of this Regulation shall be subject to: for a first offense, a penalty in the amount of one hundred dollars (\$100); for a second offense, a penalty of two hundred dollars (\$200); and for a third offense or subsequent offense, a penalty of three hundred dollars (\$300). Each day or portion thereof shall constitute a separate offense. If more than one, each condition violated shall constitute a separate offense.
14. Notwithstanding the foregoing, agents and officers of the Board of Health are encouraged to educate offenders and to exercise their judgment on a case-by-case basis, and they may in their discretion issue

verbal or written warnings.

15. This Order is effective at 12:01 a.m. on January 6, 2022, and shall remain in effect through 11:59 p.m. on February 2, 2022

ORDERED, by the Board of Health at 8:20 a.m. (p.m)

This 5th day of January 2022.



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