

**CITY OF FRAMINGHAM, MASSACHUSETTS
MAYOR YVONNE M. SPICER LOCAL STATE OF EMERGENCY ORDER E02021-002
JOINT ORDER OF BOARD OF HEALTH ORDER**

WHEREAS, on March 10, 2020, Massachusetts Governor Charles D. Baker declared a state of emergency in Massachusetts for COVID-19 (“Commonwealth State of Emergency”); and

WHEREAS, on March 12, 2020, Governor Baker issued an Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §20 (“Governor Baker OML Order”), which, inter alia, relieved public bodies of the obligation to conduct their meetings in a public place that are open and physically accessible to the public and permitted public bodies to allow remote participation by all members in any meeting of the public body provided certain prerequisites were followed. The Governor Baker OML Order remains in effect until rescinded or until the Commonwealth State of Emergency is terminated; and

WHEREAS, on March 22, 2020, Mayor Yvonne M. Spicer declared a local state of emergency retroactive to March 10, 2020; and

WHEREAS, on February 4, 2021, Governor Baker issued COVID-19 Order No. 63 rescinding COVID-19 Order No. 57, established gathering limits of 10 people indoors; 25 people outdoors as affected by the March 22, 2021 Appendix Adjusting Gathering Limits Set in COVID-19 Order No. 63; and

WHEREAS, on May 7, 2021, Governor Baker announced that Massachusetts will move forward in the Commonwealth's reopening of certain outdoor Phase 4 industries effective May 10, 2021, and announced the lifting of further restrictions on May 29, 2021, contingent on continued positive trends in the public health and vaccination data; and

WHEREAS, on May 7, 2021, the Commonwealth of Massachusetts Executive Office of Housing and Economic Development published reopening Phase IV mandatory safety standards, recommended best practices and checklists effective May 10, 2021; and

WHEREAS, on May 17, 2021, Governor Baker announced that effective on May 29, 2021 all industries will be permitted to open with the exception of remaining face-covering requirements for public and private transportation systems and facilities housing vulnerable populations; that all industry restrictions will be lifted; that capacity will increase to 100% for all industries; that the gathering limit will be rescinded and that all industries will be encouraged to follow CDC guidance for cleaning and hygiene protocols; and

WHEREAS, on May 17, 2021, Governor Baker further announced that the Commonwealth State of Emergency will end on June 15, 2021, and that the Administration will work together with municipal and state officials to manage an orderly transition from emergency measures adopted by executive order and special legislation during said state of emergency; and

WHEREAS, the Mayor has consulted with the Acting Director of Public Health regarding the terms of this Order and concurs with it as protective of public health during this COVID-19 Pandemic and in furtherance of the Declaration of Local State of Emergency issued on March 22, 2020.

NOW THEREFORE, pursuant to my authority as Mayor under the March 22, 2020, Declaration of a Local State of Emergency, Article III, Section 2 of the Framingham Home Rule Charter and the general municipal police power and power to protect public health incorporated therein, I hereby order that the Order of the Mayor Declaring State of Emergency in Framingham dated March 10, 2020 (**Exhibit A**) shall terminate on June 15, 2021 at 12:01 a.m. to coincide with the termination of the Commonwealth State of Emergency.

FURTHER, the Mayor and Board of Health hereby order that the following Executive Orders, Joint Orders and Orders of the Board of Health, copies of which are appended hereto as Exhibits B through G, are rescinded effective on May 29, 2021, at 12:01 a.m. so that the City of Framingham will be fully consistent with and mirror the Orders issued by Governor Baker and the Commonwealth of Massachusetts Department of Public Health and such safety standards, recommended best practices and checklists as may be issued by the Commonwealth of Massachusetts Executive Office of Housing and Economic Development and Guidance issued by the Alcoholic Beverage Control Commission (collectively, "Orders of the Governor and Commonwealth Agency Guidance"):

- Order of the Framingham Board of Health to Restrict Public In-person Meetings dated **March 16, 2020 (Exhibit B)**
- Order of the Framingham Board of Health to Prohibit Certain Self-Service Food Operations, Lottery Sales, and Personal Care Services dated **March 24, 2020 (Exhibit C)**
- Order of the Mayor regarding Parking and Taxes dated **April 10, 2020, Order No. EO2020-001 (Exhibit D)**
- Joint Order of the Framingham Board of Health and Mayor Yvonne M. Spicer Relative to the Operations of Essential Services dated **April 15, 2020, Order No. EO 2020-002 (Exhibit E)**
- Joint Order of the Framingham Board of Health and Mayor Yvonne M. Spicer Regarding Restaurant Seating Limits dated **April 17, 2020, Order No. EO 2020-006 (Exhibit F)**
- Order of the Mayor Establishing a Moratorium on Eviction Enforcement in the City of Framingham dated **February 9, 2021, Order No. EO 2021-001 (Exhibit G)**, except insofar as a tenant against whom an eviction proceeding has been initiated and who has applied for relief under a state or federal program, and whose application is pending as of May 24, 2021.

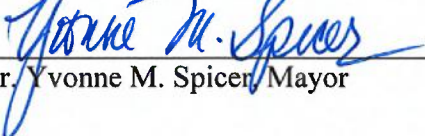
FURTHER, **Local State of Emergency Order No. EO2020-003 dated June 1, 2021 (Exhibit H)** regarding the non-enforcement of certain General Bylaw provisions concerning portable signs and the Central Business District Sidewalk Usage Ordinance and certain provisions of the Zoning Bylaw concerning the Table of Uses for Restaurants and Parking Facilities shall remain in effect until 60 days after expiration of the Commonwealth State of Emergency and Local State of Emergency (August 14, 2021), or until the City Council enacts appropriate changes to the General Bylaw and Zoning Bylaw, whichever first occurs.

FURTHER, pursuant to the Governor Baker OML Order, public bodies in Framingham may continue to meet fully remotely until the expiration of the Commonwealth State of Emergency on June 15, 2021. After June 15, 2021, absent state legislation or state guidance to the contrary, public bodies in Framingham must begin meeting again in public place that are open and physically accessible to the public, or partially remotely in accordance with the Mayor Policy on Remote Participation issued July 1, 2019.

FURTHER, any Framingham Order of the Mayor and Board of Health not specifically referenced herein shall also be modified or rescinded to conform to Orders of the Governor and Commonwealth Agency Guidance.

SIGNED THIS 25th DAY OF MAY 2021.

MAYOR, CITY OF FRAMINGHAM



Dr. Yvonne M. Spicer, Mayor

FRAMINGHAM BOARD OF HEALTH

(Pursuant to vote at duly posted public meeting on May 24, 2021)



Gillian Carcia, Board of Health Chair




David Moore, M.D., Board of Health Vice Chair



Laura Housman, MPH, MBA

Approved as to Form:


Christopher J. Petrini, City Solicitor
May 25, 2021

cc: City Council, School Committee, City Division and Department Heads, Boards and Commissions, Chief Operating Officer, City Solicitor, Superintendent of Schools, Media Outlets

Exhibit A



CITY OF FRAMINGHAM

Dr. Yvonne M. Spicer
Mayor

508-532-5401
mayor@framinghamma.gov
www.framinghamma.gov

MEMORIAL BUILDING
150 Concord Street, Room 121
Framingham, MA 01702

Thatcher W. Kezer III
Chief Operating Officer

CITY OF FRAMINGHAM, MASSACHUSETTS MAYOR YVONNE M. SPICER DECLARATION OF EMERGENCY

WHEREAS, a sudden, generally unexpected occurrence of circumstances demanding public action has arisen or is about to arise within the City of Framingham due to the pandemic spread of the novel coronavirus known as SARS-CoV-2, and persons suffering from the effects of the resulting illness caused by the virus, known as COVID-19 ("COVID-19 Pandemic"); and

WHEREAS, the COVID-19 Pandemic is a highly contagious and potentially fatal respiratory disease, the prevalence of which is increasing rapidly throughout the world, inclusive of the United States and the Commonwealth of Massachusetts; and

WHEREAS, on March 10, 2020, the Governor of the Commonwealth of Massachusetts issued a Declaration of a State of Emergency to Respond to the COVID-19 Pandemic; and

WHEREAS, on March 11, 2020 the World Health Organization designated COVID-19 outbreak a Pandemic Health Emergency; and

WHEREAS, on March 13, 2020, the President of the United States announced a national declaration of emergency in response to the COVID-19 Pandemic; and

WHEREAS, on March 15, 2020, Governor Baker announced emergency actions to respond to the evolving COVID-19 Pandemic and the resulting public health emergency impacting the Commonwealth, including prohibitions on public gatherings of 25 or more people and prohibiting on-premises consumption of food or drink at bars and restaurants from March 17, 2020 until April 6, 2020, as well as suspension of elementary and secondary school educational operations from March 17, 2020 until April 6, 2020; and

WHEREAS, Governor Baker's March 15th order is applicable to all public meetings except those of state and municipal legislative bodies; and

WHEREAS, at a duly noticed and posted meeting held on March 16, 2020, and upon the recommendation of the Director of Public Health, the Framingham Board of Health recognized in its deliberations the serious public health threat presented by the COVID-19 Pandemic and voted to issue an order prohibiting all in-person public meetings of