

COMMONWEALTH OF MASSACHUSETTS

CITY OF NORTHAMPTON

BOARD OF HEALTH

**COVID-19 MANDATORY POLICIES AND PROCEDURES FOR WEARING OF MASKS OR OTHER
FACE COVERINGS IN THE CITY OF NORTHAMPTON**

WHEREAS, the Delta variants are now accounting for approximately 98% of positive cases in Massachusetts (source <https://covid.cdc.gov/covid-data-tracker/#variant-proportions>) and cases have started to appear in Northampton; and

WHEREAS, these variants are almost twice as contagious as previous variants; and

WHEREAS, we know that masks slow or prevent transmission of all COVID-19 variants so far; and

WHEREAS, as we see cases rise in surrounding counties and communities during this season of summer travel and gatherings, we are committed to preventing transmission, keeping our numbers as low as possible, and preventing our most vulnerable from severe illness with a new mask mandate; and

WHEREAS, according to the CDC, "Given what we know about the Delta variant, vaccine effectiveness, and current vaccine coverage, layered prevention strategies, such as wearing masks, are needed to reduce the transmission of this variant."

NOW, THEREFORE, commencing on August 11, 2021 at 12:01 a.m., the following Policies and Procedures **MUST** be implemented at all times at all specified spaces in the City of Northampton.

Section 1 Authority:

This order is promulgated under the authority granted to the Board of Health under Massachusetts General Law, Chapter 111, and Section 31.

Section 2 Definitions:

Performers - Those singing and/or playing woodwind or brass instruments, performing artists and those speaking or presenting at events

Specified Indoor Spaces - The term "specified indoor spaces" shall include all places in the City of Northampton 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, including all public indoor spaces, and shall include but not be limited to;

- restaurants, bars, indoor performance and event venues, hotels and motels, gyms, fitness clubs, salons, places of worship, as well as indoor workplaces, and common areas of multi-unit buildings

Team Sport - Includes any sport, which involves players working together towards a shared objective. A team sport is an activity in which a group of individuals, on the same team, work together to accomplish an ultimate goal.

- Moderate Risk sports and recreational activities are characterized by intermittent close proximity or limited, incidental physical contact between or among participants
- High Risk sports and recreational activities are characterized by a requirement or a substantial likelihood of routine close and/or sustained proximity or deliberate physical contact between or among participants and a high probability that respiratory particles will be transmitted between or among participants

Section 3 Policies and Procedures:

Except as specified in Section 4, masks shall be required, regardless of vaccination status, for those over the age of two years old, as follows.

1. Masks or face coverings shall be worn in all Specified Indoor Spaces in the City of Northampton.
2. Food service establishment employees shall wear a mask or face covering when serving customers, both indoors and outdoors.
3. Masks will also be required in outdoor public events, where physical distancing of six (6) feet cannot be maintained. This includes but is not limited to; events held at fairgrounds, and outdoor performance and event venues.
4. Masks must be worn in the dugouts, benches, and other common seating areas for outdoor moderate and high risk contact team sports including but not limited to;
 - Baseball, softball, track and field, volleyball, soccer, running clubs, team swimming, volleyball, dance class, fencing, field hockey, soccer, football, wrestling, rugby, basketball, lacrosse, ice-hockey, competitive cheer, martial arts, ultimate Frisbee, boxing, pair figure skating
5. All mask or face coverings worn in accordance with this Order shall conform to the following:
 - a. Fit snugly but comfortably against the side of the face; and
 - b. Be secured with ties or ear loops; and
 - c. Include multiple layers of fabric; and
 - d. Allow for breathing without restriction; and
 - e. May be removed for eating, drinking where allowed

- f. Disposable surgical/procedural masks, N-95s, elastomeric masks, cloth masks are permitted
- g. Masks with exhale valves are not permitted

Section 4 Exemptions:

Nothing in this order is intended to encourage residents to act as an enforcement authority for the City of Northampton. Residents should not take it upon themselves to approach people in violation of this order. Residents are urged to focus solely on their personal compliance with this order.

1. Nothing in this order shall be construed to require a mask to be worn by children under age two (2) or children who frequently compromise mask integrity with frequent manipulations or removals, anyone who has trouble breathing, or is unconscious, incapacitated, or otherwise unable to remove the mask without assistance or anyone who cannot wear a mask for other underlying health and safety reasons.
2. Employees in shared office spaces are not required to mask if social distancing of six feet or more can be maintained.
3. Performers who are singing and/or playing brass or wind instruments, who are performance artists or who are presenting or speaking at an event, are not required to wear face coverings but must adhere to social distancing of at least 10 feet from any member of the public when performing indoors and outdoors
4. Face coverings are not required and shall not be worn when actively participating in water-based activities and when swimming. Wearing a mask in these circumstances increases drowning risk. Face coverings shall be worn at all times when not in water, including but not limited to indoor pool decks, locker rooms, changing rooms, and restrooms.

Section 5 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 these policies and procedures.

The person or entity in control of a public indoor space, himself or by his servant or agent, or as the servant or agent of any other person or any firm or corporation, who violates any reasonable health regulation, made under authority of this section, for which no penalty by way of fine or imprisonment, or both, is provided by law, shall be punished by a fine of not more than one thousand (\$1,000) dollars per day.

Section 6 Effective:

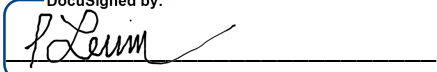
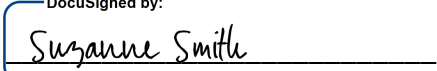
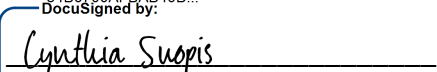
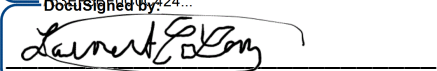
This order is in effect at 12:01 a.m. August 11, 2021.

Amended on August 26, 2021.

Effective Date of 12:01 a.m. August 30, 2021.

Board of Health Members

Date

Joanne Levin, Chair	 DocuSigned by: EE3E053A93014E3...	8/31/2021 6:46 AM PDT
Suzanne Smith	 DocuSigned by: 84B6700AFB49B...	8/27/2021 2:19 PM EDT
Cynthia Suopis	 DocuSigned by: 7835F5BEE66C424...	8/27/2021 8:26 PM EDT
Laurent Levy	 DocuSigned by: A36D17E85FC74E0...	8/27/2021 11:51 AM EDT