

OFFICE OF THE

BOARD OF HEALTH

13 AYER ROAD, HARVARD, MA 01451

978-456-4100, ext. 328

boh@harvard-ma.gov



Notice is hereby given that on January 10, 2022, the Board of Health of the Town of Harvard adopted the following:

EMERGENCY REGULATION: **FACE COVERINGS**

WHEREAS, based upon published reports from the U.S. Centers for Disease Control and Prevention ("CDC") and the Massachusetts Department of Public Health ("DPH"), COVID-19 cases and hospitalizations in Massachusetts and the Town of Harvard have been increasing in recent weeks due primarily to the highly transmissible "Delta variant" and "Omicron variant" of the COVID-19;

WHEREAS, the CDC has determined that the COVID-19 transmission rate in Worcester County is "high";

WHEREAS, despite vaccination rates, COVID-19 poses a significant threat to the health and safety of the residents, workforce and visitors of the Town of Harvard;

WHEREAS, indoor settings are an environment in which there is documented increased spread of the virus that causes COVID-19 to be spread;

WHEREAS, wearing a face covering reduces the emission of virus-laden droplets and reduces the inhalation of virus-laden droplets, which has proven to be highly effective to prevent the spread of the COVID-19 virus and provide protection for vaccinated individuals as well as unvaccinated individuals; and

WHEREAS, effective December 21, 2021, the DPH advises that all Massachusetts residents, regardless of vaccination status, wear a face covering when indoors and not in their own home.

NOW, THEREFORE, pursuant to M.G.L. c. 111, §§ 31, 104, and 122, and all other authorizing statutes and regulations, the Board of Health of the Town of Harvard adopts the following emergency regulation:

1. Effective January 15th, 2022, 12:01 a.m., face coverings that cover the nose and mouth are required for all individuals aged 2 years and older, regardless of vaccination status, in all indoor public spaces and indoor private spaces open to the public, including but not limited to businesses, places of assembly, retail establishments, restaurants, bars, performance venues, clubs, personal care establishments, health and fitness establishments, event spaces, child care facilities and preschools, and places of worship. This requirement shall apply in all indoor spaces in a workplace except where an individual is alone in a workspace and socially distanced from other individuals.

2. Individuals prevented from wearing a face covering by a medical condition or disability shall be exempt from this regulation.
3. All entry doors of establishments open to the public shall post notice advising that face coverings must be worn inside the establishment. If an individual refuses to wear a face covering, absent a qualifying exemption in Section 2, the individual may be declined entry.
4. Face coverings may be removed indoors when an individual is seated and actively eating or drinking.
5. The face covering requirement shall not apply to performers, while performing, provided that they are at least ten feet away from any non-performers.
6. Residents and workers in multi-family dwellings are required to wear face coverings in hallways and other indoor common areas. Notice of this requirement shall be posted at all entry doors to the building and common areas.
7. In indoor health and fitness establishments, face coverings must be worn during all fitness activities including group exercise classes.
8. At personal care establishments, including, but not limited to, adult day care facilities, all individuals are required to wear face coverings, except that a customer may temporarily remove their face covering when seated, and actively eating or drinking, but must immediately put their face covering back on for the remainder of the visit.
9. On public and private transportation vehicles (including rideshares, taxis, vans, and COA-provided transport), individuals are required to wear face coverings at all times.
10. Nothing in this regulation shall affect state and federal requirements already in effect regarding the wearing of face coverings on transportation systems, in healthcare facilities, in congregate care settings, and in schools.
11. The Board of Health and its agents are authorized to enforce this regulation.
12. Violations of this regulation may be subject to a penalty in the amount of \$300 per offense, pursuant to 310 CMR 11.00. Each day or portion thereof shall constitute a separate offense.
13. Supplemental guidance may be issued by the Board of Health and its agents, as necessary, to clarify and implement this regulation.
14. This regulation shall be in place until March 14th, 2022 unless renewed by the Board of Health.

Signed on behalf of the Harvard Board of Health:



Libby Levison, Chair

Date: 1/12/22