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TOWN OF SOUTH HADLEY

BOARD OF HEALTH

MANDATORY WEARING OF FACE COVERINGS IN INDOOR SPACES OPEN TO THE PUBLIC
FOR THE TOWN OF SOUTH HADLEY

1. Purpose

The purpose of this Order is to protect the public health by mitigating the spread of COVID-19.

2. Order

In accordance with the Board of Health's ("Board") authority under G.L. c. 111, §§ 31 and 104, all persons aged two and older are hereby ordered to wear a face covering in indoor spaces open to the public regardless of said persons' COVID-19 vaccination status.

Nothing in this order shall be construed to reduce or eliminate other factors to mitigate the spread of the COVID-19 virus such as vaccination, testing, and general non-pharmaceutical interventions such as social distancing and hand hygiene.

3. Definitions

Indoor Space Open to the Public means all non-residential enclosed structures in the Town of South Hadley into which the public is invited to enter.

Such structures include, without limitation, restaurants, bars, hotels and motels, gyms and fitness clubs, salons and barber shops, places of worship, and performance and event venues.

Face Covering means a piece of durable material that:

- Completely covers a person's mouth and nose
- Fits snugly but comfortably against the side of the face without any gaps;

- Is secured to the face with head straps, ties, or ear loops;
- Does not have any exhalation valves, vents, or other openings;
- Allows for breathing without restriction; and
- Consist of two or more layers of said fabric or is a medical grade mask or a respirator.

4. Exceptions

This Order shall not apply to:

- Persons seated at a table at a restaurant or seated at a bar;
- Persons for whom wearing a face covering is not safe because doing so adversely affects their ability to breathe, or otherwise adversely affects their health, due to a qualifying disability or medical condition;
- Performers who are singing or playing a brass or wind instrument, or who are presenting or speaking at an event, provided that said performers maintain a distance of at least 10 feet from any other person; and
- Persons participating in water-based activities and when swimming. Said participation shall not include instances when said persons are not in the water, including, without limitation, being on indoor pool decks or being in locker rooms, changing rooms, or restrooms.

5. Duration

This Order shall be effective _____ December 23, 2021 _____ and shall remain in effect until the Board, in consultation with the Health Director and Town Administrator, determines that the risk of COVID-19 spread is sufficiently diminished. Said determination shall be based upon the prior two weeks of local and regional COVID-19 metrics and/or whatever other data the Board deems appropriate.

6. Penalties

Any person or entity who is in lawful control of an indoor space open to the public and who permits an individual inside said space to violate any provision of this Order, for which no penalty by way of fine or imprisonment, or both, is provided by law, shall be subject to a penalty in the amount of

fifty dollars (\$50) for their first violation; one hundred dollars (\$100) for their second violation; and two hundred dollars (\$200) for their third violation and all subsequent violations, provided that, the Board, its agents, and/or the Town Administrator may, in their discretion issue a verbal or written warning in place of any of the foregoing penalties.