



City of Methuen, Massachusetts

OFFICE OF THE CITY COUNCIL

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Methuen, Massachusetts 01844
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77-20-8

EMERGENCY PREAMBLE:

WHEREAS: It is in the public interest and to the furtherance of the public welfare of the citizens of the City Methuen that the attached ordinance be passed forthwith;

BE IT ORDERED: That Order #940 and is hereby declared an Emergency Measure, as provided in Article 2, Section 2-9(b) of the Methuen Home Rule Charter

First Read: April 9, 2020
Adopted: April 9, 2020 (as an emergency)
Effective: Immediately

I do hereby certify that at a meeting of which a quorum was present, the foregoing emergency preamble was adopted by an 8 to 1 vote on April 9, 2020.

Council Clerk

James McCarty, Council Chair

Approved under MHRC Sec. 3-6
Date: _____

Approved:

Neil Perry, Mayor

4/5/2020

Order #940

EPA
TD-20-8

AN ORDINANCE REQUIRING SOCIAL DISTANCING AND PROHIBITING GATHERINGS OF MORE THAN 10 PEOPLE IN OPEN PUBLIC SPACES IN RESPONSE TO THE COVID 19 HEALTH EMERGENCY WHILE THE LOCAL STATE OF EMERGENCY REMAINS IN EFFECT

Request of Clr Zeigler, Clr Faretra, and Clr Dizoglio

WHEREAS, on March 16, 2020, President Donald J. Trump and the Centers for Disease Control and Prevention ("CDC") issued the "15 Days to Slow the Spread" guidance advising individuals to adopt far-reaching social distancing measures, such as avoiding gatherings of more than 10 people, and in states with evidence of community spread, recommending restrictions to certain establishments conducive to mass gatherings and congregations; and

WHEREAS, on March 20, 2020 the Mayor of the City of Methuen declared a state of Emergency, as governed by Chapter 22 of the Methuen Municipal Code, to respond to the spread of COVID-19; and

WHEREAS, on March 23, 2020 Governor Charles D. Baker issued an Order entitled "Assuring Continued Operation of Essential Services in the Commonwealth, Closing Certain Workplaces and Prohibiting Gatherings of More than 10 People." ; and

WHEREAS, on March 29, 2020, the President extended such guidance to be in effect until April 30, 2020; and WHEREAS, on March 31, 2020, the President updated the guidance, renaming it "30 Days to Slow the Spread", and along with the White House Coronavirus Task Force urged Americans to continue to adhere to the guidelines and expand community mitigation efforts; and

WHEREAS, the CDC recommends social distancing as an appropriate method to flatten the curve and reduce the spread of COVID-19 pandemic and the threat it presents to public health and/or safety; and

WHEREAS, groups of more than 10 people continue to gather and assemble in public places throughout the City of Methuen in defiance of public health recommendations; and

WHEREAS, individuals in public spaces continue to defy social distancing measures requiring a minimum of six feet distance between unrelated individuals; and

WHEREAS, it is necessary and appropriate to take action to ensure that the spread of COVID-19 is slowed, and that residents; and

WHEREAS, the City of Methuen has public safety enforcement powers to protect public health and welfare pursuant to MGL c. 40 § 21 et seq.; and

WHEREAS, in order to take all steps necessary to mitigate the spread of COVID-19 in order to protect the health and welfare of the people of the City of Methuen, provisions are necessary for the enforcement of the prohibition of gatherings of more than 10 people on all public lands;

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Methuen that the Code of the City of Methuen, Chapter 18, as amended, is hereby further amended by adding the following:

“§18- 22 Prohibition of Gatherings of More than 10 People During a Declared Public Health Emergency

No group of more than 10 people shall gather in violation of social distancing measures in or upon any public way or upon any way to which the public has a right of access, or any place which members of the public have access as invitees or licensees, in any park, playground, or recreation area, or on school grounds owned by the City of Methuen. This prohibition does not prevent 10 or more people from being present at any time on public land, provided they are more than 6 feet in distance from each other at all times while the public health emergency remains in effect.

Emergency personnel, any personnel performing emergency services and/or employees of the City of Methuen in the course of their duties are exempt.

Any group of 10 or more people who shall be ordered to disperse by a police officer and failure to do so immediately shall result an individual violation of the above prohibition, and, shall be punishable by a fine of \$50 for a first offense; \$100 for a second offense; and, \$300 for a third and subsequent offense. At the culmination of the public health emergency the first offense will be waived If the violator has not committed a subsequent offense.


Signage is to be placed at the entrance of all public fields, school grounds and parks insisting on social distancing of a minimum 6ft distance and also prohibiting use of playgrounds, basketball courts, and tennis courts. All signage must be written in both English and Spanish.

All gated parks and city fields are to be locked and no parking shall be allowed. For parks, fields that are not gated a cone barrier will be placed. No trespassing signage must be placed at all means of egress so that it is highly visible. Additionally, all signage must be written in both English and Spanish.

EFFECTIVE IMMEDIATELY until such time as the March 20, 2020 State of Emergency is terminated by the Mayor.

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James McCarty, Council Chair

Approved: _____

Neil Perry, Mayor