

Town of Brunswick, Maine



Emergency Proclamation and Order of the Town Manager

The following proclamation and order are issued pursuant to Chapter 2, Division 4 of the Municipal Code of Ordinances of the Town of Brunswick ("Code of Ordinances").

WHEREAS, on March 13th the President of the United States issued a Proclamation Declaring a National Emergency Concerning the Novel Coronavirus Disease; and

WHEREAS, on March 18th the Governor of the State of Maine declared a Civil State of Emergency related to the spread of coronavirus disease 2019 ("COVID-19");

WHEREAS, on March 24, 2020 the Governor of the State of Maine, issued an Executive Order Regarding Essential Businesses and Operations; and

WHEREAS, on April 6th, 2020, the Town Council ordered, and the Town Manager issued, an Emergency Proclamation and Order, pursuant to Section 2-122 of the Code of Ordinances, to respond to the public health concerns outlined above, and that order expired on April 21, 2020; and

WHEREAS, on March 31, 2020, the Governor of the State of Maine issued an Executive Order Regarding Further Restrictions on Public Contact and Movement, Schools, Vehicle Travel and Retail Business Operations; and

WHEREAS, the risk of community spread of COVID-19 seriously impacts the life, health, and safety of the public, and public health is imperiled by the person-to-person spread of COVID-19, and these risks are likely to continue at least through April 27, 2020; and

WHEREAS, on April 21, 2020, the Town Council ordered the Town Manager to issue another Emergency Proclamation and Order, extending through April 27, 2020, the Town Manager's April 6, 2020 Order;

NOW THEREFORE, pursuant to the powers vested in me through the statutes of the State of Maine, the Code of Ordinances, and common law authority to protect the public's health, safety, and welfare in the event of an emergency, I, John S. Eldridge, Town Manager of Brunswick, Maine after consultation with the chairperson of the Brunswick Town Council do hereby find and **PROCLAIM** an emergency exists as defined in section 2-121 of the Code of Ordinances.

FURTHER, I, John S. Eldridge, Town Manager of Brunswick, Maine, in consultation with John M. Perreault, chairperson of the Town Council, do hereby **ORDER** as follows:

1. No auditorium, stadium, arena, large conference room, meeting hall, theater, gymnasium, fitness center, private club, movie theater, museum, dance club, music venue, adult entertainment facility, casino, gymnasium, fitness center, yoga studio, or indoor cycling studio shall be open while this **ORDER**, and the renewal thereof, remains in effect.

2. No dining facilities, including but not limited to restaurants, take-outs, and bars, shall be open, except as allowed under the subsections below, while this **ORDER**, and the renewal thereof, remains in effect.
 - a. Notwithstanding the prohibitions cited above, a dining facility may operate in a delivery, take-out, or drive-through fashion provided that:
 - i. no customer enters any such restaurant and all transfers of food or other product shall occur either outside of the facility, or through an open window or doorway; and
 - ii. the facility takes steps to ensure that no groups of individuals, other than those remaining in motor vehicles, congregate on its premises; and
 - iii. under no condition shall the facility permit the food provided to be eaten at the site where it is provided, or at any other gathering site on that facility's premises.
 - b. Notwithstanding the prohibitions cited above, schools and other entities that typically provide free food services to students or members of the public may continue to do so under this **ORDER** on the condition that the food is provided to students or members of the public on a pick-up and takeaway basis only. Schools and other entities that provide food services under this exemption shall not permit the food to be eaten at the site where it is provided, or at any other gathering site on the premises.
 - c. Notwithstanding the prohibitions cited above, the restrictions shall not apply to any entity that serves meals, and is exempt from these regulations.
3. No other establishment of any kind that sells or otherwise provides goods or services shall be open while said **ORDER**, and the renewal thereof, remains in effect except those listed as Essential Businesses and Organizations on the attached Exhibit A.

A single employee or agent may be in an establishment closed under this **ORDER** in order to perform necessary business functions that do not involve in-person contact with others. No customers or clients may enter the establishment, and no more than one employee or agent may be in the establishment at once.

An entity exclusively of employees, contractors, or other agents performing activities at their own residences or places of rest are not subject to this **ORDER**.

Effective Friday, April 24, 2020 at 7:00 AM, all employees serving the public in indoor public spaces shall wear a facial covering. However, employees shall not be required to wear a facial covering when doing so would be contrary to the health or safety of that employee or because of a medical condition.

This Emergency Proclamation and Order of the Town Manager supersedes the one issued on April 6, 2020. It shall terminate on 12:01 AM on April 28, 2020, unless sooner revoked.

Issued at Brunswick, Maine this 21st day of April 2020.

/s/
John S. Eldridge, Town Manager

/s/
John M. Perreault, Council Chair

EXHIBIT A

Essential Businesses and Organizations

The following businesses are exempted from the Emergency Proclamation and Order of the Town Manager dated April 6, 2020. These entities are deemed to be essential.

1. Health care operations and pharmacies;
2. Grocery stores, certified farmers' markets, farm and produce stands, supermarkets, food banks, convenience stores, and other establishments engaged in the retail sale of canned food, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, and any other household consumer products (such as cleaning and personal care products). This includes stores that sell groceries and also sell other non-grocery products, and products necessary to maintaining the safety, sanitation, and essential operation of residences;
3. Food cultivation and processing, including farming, livestock, and fishing;
4. Businesses and organizations that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals;
5. Newspapers, television, radio, and other media services;
6. Gas stations and auto-supply, auto-repair, and related facilities;
7. Banks and related financial institutions;
8. Hardware and building material stores;
9. Plumbers, electricians, exterminators, building cleaning and maintenance, bottle redemption, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences and Essential Businesses and Organizations;
10. Businesses and organizations providing mailing and shipping services, including post office boxes;
11. Colleges, universities, community colleges, trade schools, and other schools exclusively for the purpose of facilitating distance learning - no in-person instruction is authorized;
12. Laundromats, dry cleaners, and laundry service providers;
13. Businesses that manufacture or supply products needed for people to work from home;
14. Businesses that ship or deliver groceries, food, goods or services directly to residences;
15. Airlines, taxis, public transportation, and other transportation providers providing transportation services necessary for purposes expressly authorized in this Regulation;
16. Home-based care for seniors, adults, or children;
17. Residential facilities and shelters for seniors, adults, and children;
18. Professional services, such as legal, accounting, or title services, that cannot be reasonably accommodated remotely;

19. Childcare facilities providing services that enable employees of essential businesses and organizations as defined herein to work as permitted. To the extent possible, childcare facilities are recommended to operate under the following conditions:
 - A. Childcare should be carried out in stable groups of twelve (12) or fewer (“stable” means that the same twelve (12) or fewer children are in the same group each day).
 - B. Children should not change from one group to another.
 - C. If more than one group of children is cared for at one facility, each group should be in a separate room. Groups should not mix with each other.
 - D. Childcare providers should remain solely with one group of children.
20. Medical marijuana facilities;
21. Funeral homes, crematoriums and cemeteries;
22. Animal shelters, veterinary clinics, animal feed and pet supply stores;
23. Government facilities, agencies, and services needed to ensure the continuing operation of the government and provide for the public health, safety and welfare, including but not limited to police, fire, EMS, code enforcement, and trash collection;
24. Businesses and organizations providing for the construction and maintenance of essential infrastructure, including utilities such as water, wastewater, electricity, telecommunications, and internet service providers;
25. Industrial manufacturing facilities;
26. Construction businesses;
27. Insurance businesses;
28. Hotels and other places of accommodation, except to the extent that said hotels and places of accommodation include bars, restaurants, meeting facilities, and other facilities required to be closed by Town or State emergency declaration, including but not limited to section 2 of the Emergency Proclamation and Order of the Town Manager dated April 6, 2020;
29. Real Estate Brokers and Real Estate Agents provided they follow the Guidelines for Real Estate as an Essential Business established by the State Maine;
30. Businesses that manufacture or supply goods or services, necessary to operate other Essential Businesses and Organizations.