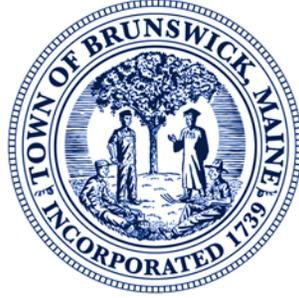


Town of Brunswick, Maine



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 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, on April 21st, 2020, the Town Council ordered, and the Town Manager issued, an Emergency Proclamation and Order, pursuant to Section 2-121 of the Code of Ordinances, to respond to the public health concerns outlined above, and that order expires at 12:01 AM on April 28, 2020; 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 May 4, 2020; and

WHEREAS, on April 27, 2020, the Town Council ordered the Town Manager to issue another Emergency Proclamation and Order, extending through May 4, 2020, the Town Manager's April 21, 2020 Order;

NOW THEREFORE, pursuant to the powers vested in me through the statutes of the State of Maine, the Code of Ordinances, and all other authority to protect the public's health, safety, and welfare in the event of an emergency, I, John 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, that *in addition to any and all orders issued by the Governor of the State of Maine*, I, John Eldridge, Town Manager of Brunswick, Maine, in consultation with John Perreault, chairperson of the Town Council, hereby **ORDER** as follows:

1. Consistent with the Governor's orders and determinations by the Governor or her designees, establishments shall be categorized as Essential Businesses and Operations or Non-Essential Businesses and Operations.

2. Essential Businesses and Operations that remain open shall institute social distancing, cleaning, disinfecting practices to protect employees and the public from the spread of disease through airborne transmission or direct contact with exposed surfaces. Surfaces shall be cleaned upon the completion of business transactions. Additional measures including physical separation and screening shall be employed where practicable.
3. Childcare facilities providing services that enable employees of Essential Businesses and Operations to work are Essential Businesses. To the extent possible, childcare facilities shall 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.
4. Real Estate Brokers and Real Estate Agents are Essential Businesses and Operations and may operate provided they follow the Guidelines for Real Estate as an Essential Business established by the State of Maine.
5. Non-Essential Businesses and Operations must close, and remain closed, while this **ORDER** remains in effect, unless that business or operation can meet the requirements for an exception under this **ORDER**.
6. Dining facilities, including but not limited to restaurants, take-outs, and bars, are deemed Non-Essential Businesses and Operations, and must be closed or remain closed unless they can meet the exceptions listed below.
 - a. Notwithstanding the prohibitions cited above, a dining facility may operate in a delivery, take-out, or drive-thru 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.
7. Any retail establishment, categorized as a Non-Essential Business and Operation, may operate in a delivery or pick-up fashion. Pick-up shall be operated in such a manner that the products will be transferred outside of the establishment with minimal person-to-person contact. Retailers shall take

appropriate measures to ensure that customers do not congregate at the entrance to the establishment, such as by calling customers ahead of pick-up, appointments, or equally effective measures.

8. All other Non-Essential Businesses and Operations required to close and remain closed under this **ORDER** may allow up to five (5) employees or agents to be in an establishment 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 five (5) employees or agents may be in the establishment at once.
9. 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**.
10. 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.
11. In order to reduce the potential transmission of disease, the Town of Brunswick strongly recommends that all members of the public wear facial coverings when entering indoor public spaces unless doing so would be contrary to a person's health or safety, or because of a medical condition.

This Emergency Proclamation and Order of the Town Manager supersedes the one issued on April 21, 2020. It shall terminate on 12:01 AM on May 5, 2020, unless sooner revoked.

Issued at Brunswick, Maine this 27th day of April 2020.

/s/

John Eldridge, Town Manager

/s/

John Perreault, Council Chair

EXHIBIT A

Essential Businesses and Operations

To the extent these are not inconsistent with the definitions set forth by the Governor or her designee, the following are deemed Essential Businesses and Operations.

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 Operations 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 Operations;
10. Businesses and Operations 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 Operations 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 Operations 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 Operations.