

## TOWN OF WELLS

### TEMPORARY STAY AT HOME OR PLACE OF RESIDENCE ORDER

#### **Section 1. Purpose.**

This Order is issued following the Board of Selectmen's issuance of a "Proclamation of the Town of Wells Declaring an Emergency on COVID-19 Pandemic" on March 17, 2020 (the "Proclamation") to reduce the risk of increasing the spread of COVID-19, to preserve the public health and safety, and to ensure that the health care system is capable of serving all persons in need, especially those at high risk and vulnerable to COVID-19.

#### **Section 2. Authority.**

Authority to enact this order is vested in the Town of Wells (the "Town") and the Town Manager under both the Proclamation and Chapter 14 of the Code of the Town of Wells entitled, "Emergency Management." Specifically, section 14-6 of the Code of the Town of Wells authorizes the Town and its Manager to promulgate such regulations as are necessary to protect life and property and to preserve critical resources in circumstances such as presented by the COVID-19 pandemic.

#### **Section 3. Stay at Home or Place of Residence.**

All persons currently living within the Town are required to stay at home or at their place of residence unless performing an essential activity. An activity is essential if the purpose of the activity is one of the following:

- (a) *For health and safety.* To engage in activities or perform tasks essential to their health and safety, or to the health and safety of their family or household members or persons who are unable or should not leave their home (including, but not limited to, pets), such as, by way of example only and without limitation, seeking emergency services, obtaining medical supplies or medication, or visiting a health care professional.
- (b) *For necessary supplies and services.* To obtain necessary services or supplies for themselves and their family or household members or persons who are unable or should not leave their home, or to deliver those services or supplies to

others, such as, by way of example only and without limitation, groceries and food, household consumer products, supplies they need to work from home, automobile repairs and supplies, and products necessary to maintain the safety, sanitation, and essential operation of residences.

- (c) *For certain types of work.* To go to and from a person's workplace to perform a job function necessary to provide goods or services being sought in subsections (a) and (b) above, or as otherwise deemed Essential Businesses and Operations pursuant to the Governor's Executive Order No. 19 FY 19/20 dated March 24, 2020 entitled "An Order Regarding Essential Business and Operations," as may be amended or extended by the Governor and/or interpreted by the Maine Department of Economic and Community Development from time to time (hereinafter "COVID-19 Essential Businesses and Operations").
- (d) *To take care of others.* To care for a family member, friend, or pet in another household, and to transport family members, friends, or pets as allowed by these regulations.
- (e) *For outdoor activity.* To engage in outdoor activity in those places where such activity is not otherwise prohibited by local, state, or federally or executive order, provided that persons maintain, to the maximum extent possible, a distance of at least six (6) feet from any other person with whom they do not share a household and abide by the 10-person gathering limitation established by the Governor's Executive Order No. 14 FY 19/20 dated March 18, 2020 entitled "An Order to Protect Public Health," as may be amended or extended by the Governor from time to time.

Individuals experiencing homelessness are exempt from this Section, but are strongly urged to obtain shelter as soon as possible in a place that uses in its operations COVID-19 risk mitigation practices recommended by the U.S. Centers for Disease Control and Prevention (U.S. CDC) and the Maine Center for Disease Control and Prevention (Maine CDC). Individuals whose residences are unsafe or become unsafe, such as victims of domestic violence, are permitted and urged to leave their home and stay at a safe alternative location.

#### **Section 4. Use of Town Property.**

Use of all outdoor recreation facilities owned and/or maintained by the Town for outdoor activity is permitted; *provided, however*, that use of outdoor fitness equipment (e.g., pull up bars) and playground equipment (e.g., play systems, climbing equipment, swing sets, and slides) is prohibited due to the risk of increasing the spread of COVID-19.

Outdoor recreation facilities owned and/or maintained by the Town include all playgrounds, playground equipment, and recreational playing fields.

#### **Section 5. Restriction on Visitors to Senior Care Facilities.**

All residential care facilities, assisted living facilities, skilled nursing facilities, long-term care facilities, age 55 and over senior living communities, and similar type residential facilities serving seniors shall limit visitors to COVID-19 Essential Businesses and Operations-related activities for the facility or a resident thereof. Said facilities shall use in their operations COVID-19 risk mitigation practices recommended by the U.S. CDC and the Maine CDC. These facilities may only allow visitors other than those for COVID-19 Essential Businesses and Operations if a resident is near death and/or receiving hospice care so long as COVID-19 risk mitigation practices recommended by the U.S. CDC and the Maine CDC are followed in screening such visitors.

#### **Section 6. Prohibition on Use of Reusable Bags at Retail Establishments.**

Customers of retail establishments in the Town are prohibited from using reusable bags at checkout due to the risk of increasing the spread of COVID-19. Retail establishments shall provide carry-out bags, even if a customer brings in a reusable bag or bags. (As of March 17, 2020, the State of Maine is the exclusive regulator of single-use carry out bags at retail establishments.)

#### **Section 7. Violation and Penalties**

Pursuant to section 4-11 of the Town Code, any person violating this Order shall be punished by a civil penalty of a minimum of \$100 to a maximum of \$1,000 per occurrence.

#### **Section 8. Severability.**

If any provision of this Order or its application to any person or circumstance is held invalid by any court of competent jurisdiction, this invalidity does not affect any other provision or application of these regulations, which can be given effect without the

invalid provision or application. To achieve this purpose, the provisions of these regulations are declared to be severable.

**Section 9. Duration.**

This Order shall take effect immediately upon adoption and shall remain in full force and effect until either rescinded or modified the Board of Selectmen or the Town Manager, or, until the Proclamation is terminated, whichever shall first occur.

Given under my hand, as authorized by the Board of Selectmen and Chapter 14 of the Code of the Town of Wells, this 31st day of March, 2020.

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Jonathan L. Carter, Town Manager