



ESSEX BOARD of selectmen

TOWN HALL • MARTIN STREET • ESSEX, MASSACHUSETTS 01929-1219

Telephone (978) 768-6531

EMERGENCY ORDER TEMPORARY MORATORIUM ON SEASONAL OCCUPANCY AT CONOMO POINT DURING STATE OF EMERGENCY DUE TO COVID-19

In accordance with the authority conferred upon them pursuant to the Massachusetts General Laws, including but not limited to Massachusetts General Laws, Chapter 111, Sections 31 and 122, the Town of Essex Bylaws, Section 2-13.9, and any other applicable law, the Board of Health and Board of Selectmen of the Town of Essex, in their capacities as the Board of Selectmen and Conomo Point Commissioners, hereby issue the following temporary moratorium on seasonal occupancy at Conomo Point, so as to prevent the spread of a 2019 Novel Corona Virus ("COVID-19") and for the protection of public health, safety and welfare.

It is hereby ORDERED that the Board of Public Works be allowed to turn on seasonal water to Conomo Point on April 15, 2020 and that, further, effective immediately, no person shall return to, enter into or occupy any premises within the area known as Conomo Point where occupancy of such premises is limited to seasonal use only by deed restriction or lease until May 4, 2020, or such other date the Governor's state-wide State of Emergency is extended to. Notwithstanding this ORDER, contractors working pursuant to open building or on-site wastewater disposal system permits dated on or before April 8, 2020 may continue and complete the work provided that the minimum number of workers are present and social distancing requirements are met.

As reasons for this Order, the Board of Health and Board of Selectmen hereby make the following findings:

WHEREAS, the disease caused by the 2019 novel Coronavirus ("COVID-19") is a contagious, and at times fatal, respiratory disease. Symptoms of COVID-19 include fever, cough, and shortness of breath, and the disease can spread from person to person via respiratory droplets produced when an infected person coughs or sneezes.

WHEREAS, the worldwide outbreak of COVID-19 and the effects of its extreme risk of person-to-person transmission throughout the United States and the Commonwealth significantly affect the life and health of our people, as well as the economy, and is a disaster that impacts the health, security, and safety of the public. Therefore, it is critical to take additional steps to prepare for,

respond to, and mitigate the spread of COVID-19 to protect the health and welfare of the people of the Commonwealth.

WHEREAS, because there is no known vaccine to immunize individuals from COVID-19, the only effective method from preventing the spread of the disease is to isolate known carriers until they are no longer contagious. It has been determined that a period of at least fourteen days is necessary to protect the public from an infected individual.

WHEREAS, because it is so highly contagious and dangerous, on March 10, 2020, Governor Charles Baker declared a State of Emergency in the Commonwealth of Massachusetts. As a result of this declaration, numerous orders have been issued to limit the spread of the disease, including but not limited to the closure of non-essential businesses, the closure of schools and requirements for social distancing.

WHEREAS, Governor Baker has ordered that all travelers arriving in Massachusetts from out-of-state are instructed to self-quarantine for fourteen days and that visitors are instructed not to travel to Massachusetts if they are displaying symptoms of COVID-19.

WHEREAS, the situation involving the COVID-19 crisis continues to evolve, with additional guidance being issued by the Federal and State governments.

WHEREAS, the Conomo Point area of the Town of Essex is a densely populated area, with approximately one hundred and seventeen residential dwellings, narrow streets and only one access point in and out. Houses at Conomo Point are very close together, with each having little or no outdoor space, making compliance with physical distancing requirements difficult if not impossible.

WHEREAS, over one hundred (100) of the approximately one hundred and twenty (120) dwellings are limited by lease or deed to seasonal use only, which seasonal use typically begins on April 15 when the public water supply for these dwellings is activated. Allowing occupancy of these units at this time, may result in an influx of more than four hundred (400) residents, many of whom come from out-of-state.

WHEREAS, Cape Ann has only one hospital, Addison Gilbert Hospital in Gloucester. While the doctors, nurses and staff have done and continue to perform outstanding work in the face of this crisis, they have limited resources and cannot handle an influx of residents from other communities. In fact, it has been reported that Addison Gilbert is not accepting COVID patients at this time.

WHEREAS, the next closest hospital to serve the Essex area is Beverly Hospital in Beverly. Beverly Hospital, however, is already exceeding its capacity to treat individuals with COVID-19; as of March 30, 2020, it was reported that Beverly Hospital was treating twenty-four patients and twelve employees with confirmed cases of COVID-19. As a result of its dwindling resources, the hospital has put out an "urgent" call for donations of money and supplies.

WHEREAS, given its size and geographic location and limited access to PPE and other emergency equipment, failure to limit exposure will necessarily result in the overburdening of the hospital's resources and lead to a further health crisis emergency.

WHEREAS, during a state of emergency, Essex does not have sufficient resources to provide emergency police, fire and ambulance service above what it is providing to full-time residents during this unusual period. Essex Water Department and Department of Public Works employees are presently working split-shifts in order to limit possible exposure. This limits the number of workers available at any given time and has made the accomplishment of regular tasks more challenging and, therefore, general delayed.

WHEREAS, during a state of emergency, Essex does not have sufficient staffing on its Police and Fire Departments to ensure the safety of its residents. Both departments are already very busy responding to COVID-19 related emergency calls and an increase in the Town's population at this time will only serve to increase those types of calls and will possibly add new, unrelated calls to an already overburdened system.

WHEREAS, it is essential that the population of the Town be limited so that the Town's limited resources do not become overwhelmed and insufficient to protect the health and safety of its residents, first responders and essential workers.

NOW THEREFORE, based on the conditions cited above, and other well-known adverse effects of the COVID-19 crisis, and the need to protect the health of the inhabitants of the Town of Essex, the Board of Health and Board of Selectmen issue the foregoing Emergency Order imposing a temporary moratorium on seasonal occupancy at Conomo Point until such time as the State of Emergency declared due to the outbreak of COVID-19 is lifted.

SO ORDERED THIS 8TH DAY OF APRIL, 2020:

Dr. David Driscoll

Dr. David Driscoll
Chairman, Essex Board of Health,
on behalf of the Board

Ruth Pereen

Ruth Pereen
Chairman, Essex Board of Selectmen,
on behalf of the Board