

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, 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 for at least 7 days; and

WHEREAS, the Town Council declared by order on March 23, 2020 that this Proclamation and Order are necessary and reasonable in order to respond to the public health concerns outlined above, and authorized pursuant to Section 2-122 of the Town Code, that this Order remain in place for 7 days from the date of its adoption, subject to revocation by the Town Manager or extension by the Town Council.

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 the 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 subsection 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 or at 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 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 on the list of "Exempt Businesses or Organizations" on the attached EXHIBIT A.
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 "Exempt 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**.

This Emergency Proclamation and Order of the Town Manager supersedes the one issued by the Town Manager on March 17th. It shall remain in effect until it is revoked or expires.

Issued at Brunswick, Maine this 23rd day of March 2020.

/s/ _____
John S. Eldridge, Town Manager

/s/ _____
John M. Perreault, Council Chair

EXHIBIT A

Exempt Businesses and Organizations

The following business are exempted from the Emergency Proclamation and Order of the Town Manager dated March 23, 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, 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 purposes 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 manufacture or supply other essential businesses with the support or supplies necessary to operate;
15. Businesses that ship or deliver groceries, food, goods or services directly to residences;
16. Airlines, taxis, public transportation, and other transportation providers providing transportation services necessary for purposes expressly authorized in this Regulation;
17. Home-based care for seniors, adults, or children;
18. Residential facilities and shelters for seniors, adults, and children;
19. Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities;

20. 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 10 or fewer (“stable” means that the same 10 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.
21. Medical marijuana facilities;
22. Funeral homes, crematoriums and cemeteries;
23. Animal shelters, veterinary clinics, animal feed and pet supply stores;
24. 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;
25. Businesses and organizations providing for the construction and maintenance of essential infrastructure, including utilities such as electricity, water, wastewater, and telecommunications;
26. Industrial manufacturing facilities;
27. Construction businesses;
28. Insurance businesses;
29. 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 March 23, 2020.