



**ROBERT F. SULLIVAN**

*Mayor*

*City of Brockton*

*Office of the Mayor*

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EXECUTIVE ORDER FROM THE MAYOR LIFTING AND RESCINDING THE  
CITY OF BROCKTON'S PUBLIC HEALTH CURFEW

DATE OF ORDER: January 22, 2021

WHEREAS, on March 10, 2020, Charles D. Baker, Governor of the Commonwealth of Massachusetts, acting pursuant to the powers provided by Chapter 639 of the Acts of 1950 and Section 2A of Chapter 17 of the General Laws, declared that there now exists in the Commonwealth of Massachusetts a state of emergency due to the outbreak of the 2019 novel Coronavirus ("COVID-19");

WHEREAS, on March 11, 2020, the COVID-19 outbreak was characterized as a pandemic by the World Health Organization;

WHEREAS, the Federal Centers for Disease Control and Prevention ("CDC") have advised that COVID-19 is spread mainly by person-to-person contact and that the best means of slowing the spread of the virus is through practicing social distancing and by minimizing personal contact with large groups and with environments where this potentially deadly virus may be transmitted including, in particular, spaces that present enhanced risks because of large number of persons present or passing through who may spread the virus through respiratory activity or surface contacts;

WHEREAS, on March 23, 2020, in order to restrict all non-essential person-to-person contact and movement outside the home and reduce opportunities for spreading the COVID-19 virus within the Commonwealth, Governor Baker issued COVID-19 Order No. 13, which temporarily closed the brick-and-mortar premises of businesses and organizations that do not provide COVID-19 Essential Services;

*"City of Champions"*

WHEREAS, in response to gradual improvements in the public health data, commencing with COVID-19 Order No. 33 issued on May 18, 2020 and continuing through COVID-19 Order No. 51 issued on September 29, 2020, Governor Baker issued a series of executive orders that designated certain businesses and other organizations as Phase I, II, III, or IV enterprises and initiated a progressive, phased plan for re-opening workplaces and other facilities across the Commonwealth;

WHEREAS, the CDC, the Department of Public Health, and other public health authorities continue to improve their understanding of how COVID-19 is spread, where the risk of spread is greatest, and how best to mitigate the risk of transmission, all of which permits periodic adjustments to safety measures;

WHEREAS, the City of Brockton has seen an increase in cases since its lowest point and there has been a steep increase in cases during the months of October and November. On December 3, 2020, average daily cases per 100,000 population was 39.2 and the positive test rate was 6.97% as based on the most recent 14-day data (November 15 - November 28);

WHEREAS, the current COVID-19 case growth poses a risk to the City's healthcare system, and intervention is warranted to moderate case growth and preserve hospital capacity;

WHEREAS, I, Mayor Sullivan, issued Executive Orders on August 21 and 24, 2020 that required all persons in the City of Brockton to remain at home between the hours of 11:00 PM and 5:00 AM and closed Harold D. Bent aka Ash Street Park, James Edgar Playground and Nelson Playground from 4:00 PM to 6:00 AM, in order to slow the spread of the virus, preserve hospital capacity, and save lives;

WHEREAS, on November 2, 2020, the Massachusetts Department of Public Health issued a Stay At Home Advisory that urged all persons to remain at home between the hours of 10:00 PM and 5:00 AM in order to slow the spread of the virus and save lives;

WHEREAS, on November 2, 2020, Governor Baker issued Executive Order no. 55 requiring all persons over the age of 5 to wear a face covering over their mouth and nose when in a public location whether indoors or outdoors; and

WHEREAS, on December 21, 2020, Governor Baker issued COVID-19 Order No. 62, which previously extended the operation of COVID-19 Order No. 59, and lifted the mandatory nightly closing imposed by Order 53.

WHEREAS, I, Mayor Sullivan, have determined as a result of the Governor's Executive Orders and a sustained trend of improvement in public health data, it is now advisable to lift and rescind the present Public Health Curfew in the City of Brockton.

NOW, THEREFORE, I hereby Order the following:

Repeal of Mandatory Night-Time Closing Period for Certain Businesses and Activities

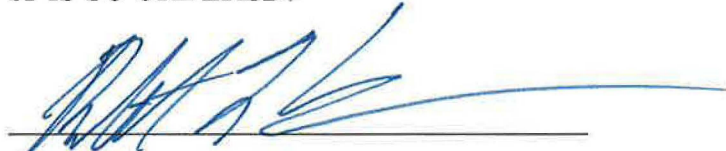
Effective at 5:00 AM on January 25, 2021, the August 21, 2020 Order is rescinded and shall no longer be in effect.

All other provisions of the Executive Orders of August 21 and 24, 2020, remain in full force and effect, including but not limited to, penalty and enforcement.

In addition to fines, continued non-compliance may result in the City seeking a criminal complaint or other court remedy. Non-compliance with this order shall also be a basis for suspension and/or revocation of any and all City of Brockton licences and permits.

NOTICE: The City of Brockton will promptly provide copies of this Order as follows: (1) by posting on the City of Brockton website (<https://brockton.ma.us>) and (2) by providing to any member of the public requesting a copy.

IT IS SO ORDERED:



ROBERT F. SULLIVAN

Mayor

1-22-21

DATE