



# Town of Simsbury

933 HOPMEADOW STREET ~ SIMSBURY, CONNECTICUT 06070

*Maria E. Capriola - Town Manager*

## **TOWN OF SIMSBURY EMERGENCY ORDER 2021 - 1**

**WHEREAS**, there exists a global pandemic of Coronavirus Disease 2019 (“COVID-19”); and

**WHEREAS**, the pandemic has resulted in the spread of infections throughout the State of Connecticut; and

**WHEREAS**, on March 16, 2020, Town Manager Maria Capriola and First Selectman Eric Wellman jointly issued a local declaration of emergency for the Town of Simsbury and amended that declaration on April 17, 2020; and

**WHEREAS**, on March 10, 2020, Governor Ned Lamont declared a public health emergency and civil preparedness emergency throughout the State pursuant to sections 19a-131a and 28-9 of the Connecticut General Statutes; and

**WHEREAS**, on several occasions since March 10, 2020, acting within his authority pursuant to sections 19a-131 and 28-9 of the Connecticut General Statutes as well as Special Acts 21-2, 21-4 and 21-5 of the General Assembly, Governor Lamont renewed the declarations of public health and civil preparedness emergencies and also issued new declarations of public health and civil preparedness emergencies; and

**WHEREAS**, on August 5, 2021, Governor Lamont issued Executive Order No. 13A, which permits municipalities to issue orders pursuant to section 28-8a of the Connecticut General Statutes requiring masks or face coverings in indoor settings regardless of vaccination status; and

**WHEREAS**, the Delta variant of COVID-19, which is highly contagious and spreads faster than any other variant of COVID-19, is now the dominant variant of COVID-19 in Connecticut; and

**WHEREAS**, based on reporting from the Connecticut Department of Public Health (“CT-DPH”), Hartford County is in the “High Transmission” category of COVID-19 and at 13.2 positive cases per 100,000 residents Simsbury is nearing the “red zone,” defined by CT-DPH as more than 15 positive cases per 100,000 residents; and

**WHEREAS**, the Centers for Disease Control and Prevention recommends that all people, including those who have been vaccinated, wear masks indoors in areas of substantial or high COVID-19 transmission; and

**WHEREAS**, universal indoor masking is necessary to meet the civil preparedness and public health emergencies caused by the spread of COVID-19.

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**NOW, THEREFORE, I, MARIA E. CAPRIOLA**, Town Manager of the Town of Simsbury, by virtue of the authority vested in me by the laws of the State of Connecticut, the Charter and Ordinances of the Town of Simsbury, do hereby **ORDER AND DIRECT**:

**Section 1.** Any person in an indoor public place in Simsbury shall cover their mouth and nose with a mask or cloth face covering, regardless of vaccination status.

**Section 2.** Nothing in this order shall require the use of a mask or cloth face covering by anyone for whom doing so would be contrary to his or her health or safety because of a medical condition, behavioral condition, or disability, or anyone under the age of 2 years. Any person who declines to wear a mask or face covering because of a medical condition, behavioral condition, or disability shall be exempt from this order, but only if such person provides written documentation that the person is qualified for the exemption from a licensed or certified medical provider, psychologist, marriage and family therapist, professional counselor, social worker, or behavior analyst, the Department of Developmental Services or other state agency that provides or supports services for people with emotional, intellectual or physical disabilities, or a person authorized by any such agency. Such documentation shall not be required to name or describe the condition that qualifies the person for the exemption.

**Section 3.** Nothing in this order shall require the use of a mask or cloth face covering by anyone while eating or drinking.

**Section 4.** This order does not apply to persons in an indoor space when they are alone or otherwise separated from others by a partition and at least six feet of distance, such as but not limited to an office setting.

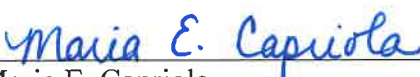
**Section 5.** This order shall not apply to any residential dwelling.

**Section 6.** Any person who fails to wear a mask or cloth-face covering as required herein, other than a person who qualifies for exemption, may be found guilty of a violation and fined up to two hundred and fifty dollars (\$250).

In any case in which a person is charged with a violation pursuant to this Order, the procedures set forth in Section 51-164n through 51-164r of the Connecticut General Statutes shall apply. Nothing in this Section shall be construed to limit, alter, modify or suspend any penalties or remedies that otherwise apply to the violation of order issued pursuant to the civil preparedness and public health emergencies.

This Order shall take effect at 12:01 AM on August 23, 2021.

Dated at Simsbury, this 20<sup>th</sup> day of August in the year 2021.

  
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Maria E. Capriola  
Town Manager