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**HEALTH DEPARTMENT**

**DRAFT**

**EMERGENCY REGULATION REQUIRING FACE COVERINGS IN ALL INDOOR PRIVATE COMMON SPACES IN THE WORKPLACE AND INDOOR PRIVATE SPACES OPEN TO THE PUBLIC IN THE TOWN OF GRAFTON**

WHEREAS, the Town of Grafton has had 2,135 positive cases of COVID-19 as of January 3, 2022; and

WHEREAS, the Omicron variant is more contagious than the original COVID-19 virus, and has been proven to infect fully vaccinated individuals, predominantly asymptotically, which results in vaccinated individuals being “silent spreaders,” greatly contributing to the increase in COVID-19 cases; and

WHEREAS; in November, Grafton positive cases were twice the number of positive cases in October, and in December, Grafton positive cases more than doubled the number of positive cases in November; and

WHEREAS, as of December 28, 2021 Grafton has an average daily infection rate of 77.4 per 100,000; and

WHEREAS; local hospitals are at maximum capacity, there are currently no regional medical hospital beds available and the one pediatric ICU in the City of Worcester is full; and

WHEREAS, indoor settings create an environment for the highly transmissible Omicron variant to be spread; and

WHEREAS, wearing a face covering reduces the emission of virus-laden droplets (“source control”) and reduces the inhalation of virus-laden droplets (“filtration for wearer protection”), which has proven to be highly effective to prevent the spread of the COVID-19 virus and provide protection for vaccinated individuals as well as unvaccinated individuals; and

WHEREAS; The Centers for Disease Control (CDC) and Massachusetts Department of Public Health (MDPH) strongly recommend wearing masks indoors;

**NOW THEREFORE**, pursuant to Massachusetts General Laws, Chapter 111, §§ 31, 104, 122, and all other authorizing statutes and regulations, the Board of Health of the Town of Grafton adopts the following as an emergency public health regulation, effective January 5, 2022:

A. Effective January 5, 2022, all individuals aged five years and older shall wear a face covering in all indoor private common spaces in the workplace and indoor private spaces open to the public, including but not limited to the premises of a business, club, place of assembly or other place that is open to members of the public, including but not limited to retail establishments, restaurants, bars, performance venues, social clubs, houses of worship, personal care and fitness establishments and event spaces, except when an individual is alone in a workspace or alone in a room at a workplace with a closed door or socially distanced from other individuals.

B. A face covering, for the purpose of this regulation may include, but is not limited to, cloth masks, scarves, bandanas, or other coverings so long as the person’s nose and mouth are covered.

C. The following individuals are exempt from this face covering requirement:

- Individuals for whom a face covering creates a health risk or is not safe because of any of the following conditions or circumstances:

- the face covering affects the individual’s ability to breathe safely;
- the individual has a mental health or other medical diagnosis and produces a written note from a physician that advises against the individual wearing a face covering;
- the individual depends on supplemental oxygen to breathe.

D. Face coverings may be removed indoors when an individual is actively eating or drinking.

E. The face covering requirement shall not apply to performers, while performing, provided that they are at least six feet away from any customers.

F. All entry doors of businesses open to the public must post notice advising customers that face masks must be worn upon entering the establishment. If a customer refuses to wear a face covering, absent a qualifying exemption in Section C, a business may refuse admittance.

G. Supplemental guidance may be issued by the medical director or the director of public health, as necessary, to clarify and implement this regulation.

H. This regulation shall remain in effect until rescinded by the Grafton Board of Health.

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Karen Gauvin, Chairman  
Grafton Board of Health

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Daniel J. Finn, Vice Chairman  
Grafton Board of Health

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William G. Muller, MD, FACP  
Grafton Board of Health

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Austin Magnant, Clerk  
Grafton Board of Health

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Jennifer Maynard  
Grafton Board of Health

Rescinded by vote of the Grafton Board of Health on \_\_\_\_\_.