

**Officer's Return**  
**TOWN OF YORK**  
**DECLARATION OF CIVIL EMERGENCY AND EMERGENCY ORDER**  
**TOWN OF YORK, MAINE                      APRIL 3, 2020**

County of York, SS.

I certify that I have notified the residents of YORK of the above-referenced Declaration of Civil Emergency and Emergency Order by posting a copy of the same at:

York Town Hall, York, Maine.

York Police Building, York, Maine.

York Harbor Post Office, York Harbor, Maine.


York Beach Post Office, York Beach, Maine.

York Village Post Office, York, Maine.

Cape Neddick Post Office, Cape Neddick, Maine.

A conspicuous public place within York on **April 3, 2020**.

Dated at York this 3<sup>rd</sup> of April, Two Thousand Twenty:

  
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Charles J. Szeniewski, Police Chief  
Emergency Management Director  
April 3, 2020

**Declaration of Civil Emergency**  
**And**  
**Emergency Order**  
**for the**  
**Town of York, Maine**



**Part 1: Emergency Proclamation**

WHEREAS, the World is in the midst of a global pandemic of Novel Coronavirus Disease, known as COVID-19, which is causing serious illnesses and deaths worldwide, and specifically in the United States of America, the State of Maine, and the Town of York, Maine; and

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

WHEREAS, on March 13, 2020, the President of the United States issued a Proclamation Declaring a National Emergency Concerning the Novel Coronavirus Disease; and

WHEREAS, on March 15, 2020, the Governor of the State of Maine issued a Proclamation of State of Civil Emergency to Further Protect Public Health relating to the spread of COVID-19; and

WHEREAS, on March 16, 2020, the County Commissioners of York County, Maine, declared the existence of a local disaster because of COVID-19; and

WHEREAS, on March 18, 2020, the Governor of the State of Maine issued Executive Order 14 FY 19/20, An Order to Protect Public Health, that was in effect until March 31<sup>st</sup>, though now extended to April 30<sup>th</sup>; and

WHEREAS, on March 24, 2020, the Governor of the State of Maine issued Executive Order 19 FY 19/20, An Order Regarding Essential Businesses and Operations, that is in effect until April 8, 2020; and

WHEREAS, on March 30, 2020, the Town Select Board ordered the Town Manager, Police Chief, and Health Officer to draft an Emergency Proclamation and Related Orders for a stay-at-home order to assist with COVID-19 disease prevention, flattening the curve of the virus and allowing our health care system and first responders to deliver services in a staggered, non-critical effort; and

WHEREAS, on March 31, 2020, the Governor of the State of Maine issued Executive Order 28 FY 19/20, An Order Regarding Further Restrictions on Public Contact and Movement, Schools, Vehicle Travel and Retail Business Restrictions, which expanded the State’s response to the public health emergency, including a stay-at-home order for residents and other such measures that remain in effect until April 30, 2020; and

WHEREAS, the actions contemplated in this Emergency Proclamation and the resultant Emergency Orders are not taken lightly, given the importance of the rights and interests of local landowners and visitors, who the Town considers to be integral members of the community, and who have assisted in making the Town what it is today and what it will continue to be going forward;

NOW THEREFORE, pursuant to the powers vested in me in Section 5, Emergency Proclamation, of the Town of York’s Emergency Management Ordinance, enacted by the voters of the Town and most recently amended on May 16, 2015, and other State statutes and common law authority to protect the public’s health, safety, and welfare in the event of an emergency, and after consultation with the Board of Selectmen, I declare an emergency exists in the Town of York, Maine.



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Stephen H. Burns  
Town Manager  
April 2, 2020

## Part 2: Emergency Order

FURTHER, following consultation with the Town Manager and the Board of Selectmen, and pursuant to the authority granted to the Emergency Management Director in Section 6, Emergency Powers and Duties, of the Town of York's Emergency Management Ordinance, I hereby enact the following Emergency Order:

### 1. USE OF TOWN PROPERTIES AND FACILITIES

The following shall remain closed for the duration of this Emergency Order:

- a) Sohier Park;
- b) Mount Agamenticus;
- c) Harbor Beach Road;
- d) York Community Garden;
- e) Cliff Walk;
- f) Fishermen's Walk;
- g) Wiggley Bridge and causeway;
- h) Strawberry Island;
- i) The boat launch ramp on the York River under the Rt. 103 bridge;
- j) The boat launch on the York River as Scotland Bridge; and
- k) All Town and School playgrounds, athletic fields, tennis courts and basketball courts.

NOTE: all public beaches are already closed by Order of the Town Manager.

### 2. OCCUPANCY OF TRANSIENT-OCCUPANCY UNITS

Transient occupancy units in hotels, motels, bed and breakfasts, inns, fractional share developments and short-term rentals (all terms as defined in the York Zoning Ordinance) shall remain vacant for the duration of this Emergency Order, except as follows:

- a. Any transient occupancy unit occupied at the time and date on which this Emergency Order first take effect, as defined below, may remain occupied for not more than an additional five days. By the end of that five-day period, the unit must be vacated for the duration of time of this Emergency Order;
- b. A transient occupancy unit may be occupied by medical/healthcare professionals or first responders utilizing these units while serving York or a neighboring community which borders York.

*Declaration of Civil Emergency and Emergency Orders for the Town of York, Maine*

- c. A transient occupancy unit may be occupied by active duty military and their family, or workers of those essential services as defined in the Governor's Executive Order 19 FY 19/20.
- d. A transient occupancy unit may be occupied by a person or household looking to remove themselves from a household which has a person testing positive for COVID-19, or for the safety of the home.
- e. A transient occupancy unit may be occupied by a person or household as emergency shelter through the Town's General Assistance program, or other such means through the York Community Services Association or Caring Unlimited.

### **3. CAMPGROUNDS**

There shall be no transient or seasonal occupancy at campgrounds for the duration of this Emergency Order.

### **4. SEASONAL HOMES**

The Town recommends, on the strongest possible terms, that owners of seasonal homes and their invitees remain in the location of their primary residence and/or the dwelling unit they currently occupy, from the date of this Emergency Order until April 30, 2020, or when the Governor terminates the current state of emergency, whichever occurs first.

If owners and invitees of a seasonal home move into their unit during the effective period of this Emergency Order, they are strongly encouraged to self-quarantine in that unit for at least 14 days from the date of arrival.

### **5. ENFORCEMENT**

Any person, firm or corporation found to have violated any provisions of Sections One through Three of this Emergency Order in a court with jurisdiction to act on a complaint from the Town shall be subject to a civil penalty of \$100.00 for the first offense, \$150.00 for the second offense, and \$250.00 for the third and subsequent offenses.

**6. EFFECTIVE DATE**

This Emergency Order shall take effect at 12:00 o'clock noon on Friday, April 3<sup>rd</sup> and shall extend until 11:59 PM on April 30, 2020, unless extended or sooner revoked.

  
Charles Szeniewski, Police Chief  
Emergency Management Director  
April 2, 2020