TOWN OF BARKHAMSTED
BOARD OF SELECTMEN
AUGUST 11, 2021
SPECIAL MEETING
TOWN HALL
8:30 AM

AGENDA

1. **Call to Order**

2. **Discussion of and potential action on masking and vaccine requirements per Executive Order 13A (extract attached)**

3. **Adjourn**

NOW, THEREFORE, I, NED LAMONT, Governor of the State of Connecticut, by virtue of the authority vested in me by the Constitution and the laws of the State of Connecticut, do hereby **ORDER AND DIRECT:**

1. **Revised Mask Requirements. Executive Order No. 12A is repealed. A person while indoors in a public place who does not maintain a safe social distance of approximately six feet from every other person and who is not fully vaccinated for COVID-19 shall cover their mouth and nose with a mask or cloth face covering. A person shall be considered fully vaccinated 14 days after receiving the final recommended dose of a vaccine approved for use against COVID-19 by U.S. Food and Drug Administration, or as otherwise defined by the Centers for Disease Control.**

a. **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 and any requirement to wear masks or face coverings promulgated in or pursuant to any COVID-19 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.**

b. **The Commissioner of Public Health shall issue a rule setting forth a comprehensive list of facilities, venues, and other locations where masks and cloth face coverings are required, including for people who are vaccinated, and will amend said rule as the Commissioner determines is warranted by public health conditions.**

   i. **Any person who fails to wear a mask or cloth-face covering as required by section (b) above or any order described in subsection (d) of this order, other than a person who qualifies for the exemption set forth in subsection (a) of this order, shall be guilty of a violation and fined one hundred dollars. An employer, rather than the employee, is liable for the fine for any employee's failure to wear a required mask or cloth-face covering while at work.**

   ii. **Section 51-164n(b) of the Connecticut General Statutes is amended to authorize the Commissioner of Public Health, local health directors, district health directors, and their designees; state and municipal police officers and peace officers as defined in Section 53a-3(9) of the Connecticut General Statutes; and public safety departments of institutions of higher education to issue fines for**

the violation of the rule established in section(b) above. All fines collected pursuant to this order shall be distributed to the General Fund. 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 violation of orders issued pursuant to the civil preparedness and public health emergencies.

c. Masks shall not be required while eating or drinking.

d. This order shall supersede and preempt any current or future municipal order whenever such order conflicts with this order, provided that a municipal order issued pursuant to Section 28- 8a of the Connecticut General Statutes requiring masks or face coverings in indoor settings regardless of vaccination status shall not be deemed to conflict with this order. Additional restrictions on social, recreational, or business activity that are not related to masks or face coverings, except for workplace restrictions or employment conditions imposed by municipalities on their employees, shall be deemed to be in conflict with this order.

e. Any business, nonprofit organization, property owner, or state, regional, or municipal government or agency may, subject to the exceptions in subsection (a) of this order and in addition to or in the absence of any municipal order pursuant to Section 28-8a, as described in subsection (d) of this order, require the universal use of masks or face coverings or require staff to wear masks or face coverings in settings under their ownership or control, including, but not limited to, offices, places of public accommodation, public venues, or public meetings.

f. Nothing in this order shall limit the authority of the Commissioner of Education or the Commissioner of Early Childhood to issue operational rules, including but not limited to mask or face covering requirements, pursuant to Executive Order No. 9, Section 1.

g. Any directive, rule, guidance, or order pursuant to this order shall not be included in the definition of a regulation pursuant to Section 4-166(16) of the Connecticut General Statutes.