OFFICE OF THE GOVERNOR
COMMONWEALTH OF MASSACHUSETTS
STATE HOUSE • BOSTON, MA 02133
(617) 725-4000

CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

ORDER LIMITING ACCESS TO AND USE OF STATE BEACHES

COVID-19 Order No. 22

WHEREAS, on March 10, 2020, I, 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 number of presumptive positive and confirmed cases of COVID-19 continues to rise exponentially in the Commonwealth. As of April 1, 2020, the Department of Public Health had reported 7,738 confirmed cases of COVID-19, including 122 deaths, with counties across the Commonwealth affected;

WHEREAS, the Department of Public Health is urging all residents of the Commonwealth to limit activities outside of the home and to practice social distancing at all times to limit the spread of this highly contagious and potentially deadly virus; and

WHEREAS, sections 7, 8, and 8A of Chapter 639 of the Acts of 1950 authorize the Governor, during the effective period of a declared emergency, to exercise any and all authority over persons and property necessary or expedient for meeting a state of emergency, including but not limited to authority over the policing of public and private property, transportation or travel by any means or mode, and assemblages and pedestrian travel in order to protect the safety of persons;

NOW, THEREFORE, I hereby order the following:

All public parking facilities and spaces at State beaches shall be closed to the public as of 12:00 noon on April 3, 2020 and shall remain closed until the state of emergency is terminated, except as expressly permitted in accordance with Guidance issued by the Department of

PRINTED ON RECYCLED PAPER

Conservation and Recreation ("DCR"). All DCR coastal parkways and other roads that provide direct access to State beaches shall also be closed to parking and dropping of passengers and otherwise restricted as far as is practicable, provided that such closure or restriction does not create a public safety risk, or prohibit through traffic, or prevent access to residences or other property where there is no other means of access available to a public way.

For the purposes of this Order, the term "State beaches" shall include all coastal beaches and coastal reservations maintained by DCR and associated parking facilities and spaces.

State beaches shall otherwise remain open to the public, but only for passive recreational activities and enjoyment that involve transitory movement and for solitary beach fishing. Sitting, sunbathing, and other stationary recreational activities are prohibited on State beaches. Additionally, athletic and recreational activities that bring participants into close, physical contact are prohibited on State beaches as they are throughout the Commonwealth pursuant to COVID-19 Order No. 13.

The Commissioner of the Department of Conservation and Recreation is directed to issue guidance ("DCR Guidance"), subject to my approval, to implement the terms of this Order.

The Massachusetts Environmental Police, State Police, and Department of Conservation and Recreation shall enforce this Order and if necessary may do so with the assistance of municipal police. Violation of the terms of this Order or the DCR Guidance may result in a criminal penalty pursuant to Section 8 of Chapter 639 of the Acts of 1950 or pursuant to G. L. c. 266, § 123, or a civil fine pursuant to G. L. c. 92, § 37 or c. 132A, § 7. A criminal complaint for violation of this Order or the DCR Guidance shall be filed in the district court with jurisdiction for the municipality in which the violation has been charged.

This Order is effective immediately and shall remain in effect until rescinded or until the state of emergency is terminated, whichever happens first.

Given in Boston at 10:20AM this 2nd day of April, two thousand and twenty

CHARLES D. BAKER
GOVERNOR
Commonwealth of Massachusetts