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March 24, 2020 3:00 PM

City Announces Stay at Home Emergency Order Effective Wednesday, March 25 at 5:00 PM

City Announces Stay at Home Emergency Order Effective Wednesday, March 25 at 5:00 PM;
Restricts all non-essential personal and business services

Mayor Kate Snyder and Portland City Manager Jon Jennings announced at a 3:00 PM press conference on March 24 that the City Manager has signed an emergency stay at home order for all non-essential businesses and services in Portland. The order goes into effect at 5:00 PM on Wednesday, March 25 and has measures that apply to both residents and businesses. The order is good for five days, and any extensions will have to be approved by the City Council, which is expected to host a remote meeting on Monday, March 30. The stay at home order is in response to the need to lessen the community spread of the global pandemic, COVID-19.

"I was propelled to take this action based on the data we have related to the number of positive COVID-19 cases in Southern Maine," said City Manager Jon Jennings. "This was not an easy decision to make given the impacts it will further have on our economy, but my hope in doing this stay at home order now is that if we restrict as many activities as possible for a short time, then we can re-emerge from this crisis sooner. It is essential for anyone living in Cumberland or York counties to take this very seriously. We can flatten the curve in Southern Maine if we act now."

"With 90 of 118 confirmed cases in Southern Maine, we are obligated to take additional measures to protect public health," said Mayor Kate Snyder. "We know this is a person to person virus that requires vigilant social distancing in order to stem the spread. Portland's early actions laid the base for today's additional, aggressively cautious measures. The City Council is in support of the Manager's action, and appreciative of this expansion of efforts that seeks to safeguard people, and alleviate the inevitable strain on our health care system."

Portland's City Code (Chapter 2, section 2-406) authorizes the City Manager to issue an emergency proclamation when a civil emergency exists. It further allows for the City Manager and the Council to exercise emergency powers to protect life and property, restrict the movement of persons within the city, and other regulations necessary to preserve the public peace, health, and safety (Chapter 2, section 2-408).

About the Emergency Order

The order is issued in accordance with, and incorporates by reference, the March 15, 2020 Executive Order issued by Governor Janet T. Mills.

More specifically, the following provisions should still be complied with within the City of Portland:

A. Gatherings of more than ten (10) people are prohibited throughout the State. Gatherings subject to the Governor's Executive Order are those that are primarily social, personal, and discretionary events other than employment. Such gatherings include, without limitation, community, civic, public, leisure, and faith-based events; social clubs; sporting events with spectators; concerts, conventions, fundraisers, parades, fairs, and festivals; and any similar event or activity in a venue such as an auditorium, stadium, arena, large conference room, meeting hall, theatre, gymnasium, fitness center or private club; and

B. All restaurants and bars shall close their dine-in facilities. Such businesses that offer carry-out, delivery, and drive-through food and beverage service may continue to do so but eating and drinking inside restaurants and bars is still temporarily prohibited.

3. The business, production and service sectors that qualify as “COVID-19 Essential Services” are outlined at the link below. The City Manager shall amend and publish updates to the document as is determined necessary in response to conditions as they develop.

4. All individuals currently living within the City of Portland are ordered to stay at their place of residence. To the extent individuals are using shared or outdoor spaces, they must at all times as reasonably possible maintain social distancing of at least six (6) feet from any other person with whom they don’t share a household when they are outside their residence. All persons may leave their residences only to access COVID-19 Essential Services or as otherwise expressly provided herein. Individuals experiencing homelessness are exempt from this requirement, but are strongly urged to obtain shelter, and be at least six (6) feet from any other person, to the maximum extent practicable and possible.

5. All travel including, but not limited to, travel on foot, bicycle, scooter, motorcycle, golf carts, automobile, or public transit, for COVID-19 Essential Services is permitted. Outdoor exercise and/or dog walking is also specifically permitted. All individuals are encouraged to not use or congregate on City playgrounds, and it is recommend that all individuals should seek, to the maximum extent possible, to be at least six (6) feet from any other person with whom they do not share a household with when engaged in any travel or exercise activities on City streets, trails, grounds, fields, tennis or basketball courts or other outdoor areas.

6. The requirements in Paragraphs 4 and 5, above, shall not apply to police officers, peace officers, firefighters, EMS, or other emergency personnel or civilians engaged in police or emergency work, persons performing essential governmental functions, nor shall it apply to health-care providers or workers traveling to or coming from work assignments in hospitals or other health-care facilities whether in or outside of the City of Portland. Those requirements shall also not apply to authorized representatives of any news service, newspaper or radio or television station or network.

7. All businesses with a facility in the City of Portland that do not provide COVID-19 Essential Services, shall close their physical workspaces and facilities (“brick-and-mortar premises”) to workers, customers, and the public as of the effective date and time of this proclamation. Businesses that do not provide COVID-19 Essential Services are encouraged to continue operations through remote means that do not require workers, customers, or the public to enter or appear at the brick-and-mortar premises closed pursuant to this proclamation. With that said, such non-essential businesses may continue to access their brick-and-mortar premises in order to conduct essential business functions including, but not limited to, processing mail, depositing checks, completing payroll and paying vendors; as long as social distancing requirements are being implemented, and the fewest number of employees possible are on premises when conducting such services. Churches, temples, mosques, and other places of worship shall not be required to close their brick-and-mortar premises to employees or to the public; provided, however, that such institutions shall be required to comply with all limitations on gatherings established by Governor Janet T. Mills’ March 15, 2020 executive order outlined in paragraph 2 above.

9. All businesses providing COVID-19 Essential Services are strongly encouraged to remain open. To the greatest extent feasible, COVID-19 Essential Services shall comply with social distancing protocols by maintaining at least six (6) feet of physical distance from other people, including other employees and members of the public, including, but not limited to, when any customers are standing in line, and allow and encourage remote working where practical.

10. This proclamation shall be effective as of March 25, 2020 5:00 p.m.

11. As per Chapter 2, section 2-407, this order shall remain in effect for five (5) days unless and until it is renewed by the Portland City Council.

12. Violation of or failure to comply with this Order is punishable by a fine of \$500.00 per occurrence plus the costs of prosecution.

Anyone wishing to report violations related to this order can call the Portland Police Department at 207-874-8479.

The public is encouraged to stay up to date on the latest information from the Maine CDC. The City is posting information related to COVID-19 resources on a dedicated page at <https://www.portlandmaine.gov/COVID19>.

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