

**AUGUST 6, 2021**



**JUSTIN ELICKER, MAYOR**

**CITY OF NEW HAVEN  
CONNECTICUT 06510**

**EMERGENCY ORDER REGARDING  
MANDATORY USE OF FACE MASKS  
IN THE CITY OF NEW HAVEN**

**WHEREAS**, on March 10, 2020, the Governor of the State of Connecticut declared a public health emergency and a civil preparedness emergency for the State of Connecticut, pursuant to Connecticut General Statutes Sections 19a-131 and 28-9, in response to the global pandemic of COVID-19 disease associated with a novel coronavirus that is currently affecting multiple countries and states; and,

**WHEREAS**, on March 12, 2020 the Governor of the State of Connecticut issued Executive Order Number 7, limiting the number of individuals that may convene, meet or otherwise gather throughout the State, to no more than 250 people or more for social and recreational activities including, but not limited to, community, civic, leisure, or sporting events; parades; concerts; festivals; movie screenings; plays or performances; conventions; and similar activities; and,

**WHEREAS**, on March 13, 2020, the President of the United States declared a national emergency to combat the coronavirus that is currently infecting the population of the United States; and

**WHEREAS**, on March 15, 2020, the Mayor of the City of New Haven, pursuant to Connecticut General Statutes Sections 28-8a(a), 28-1(8), and 28-22, and Chapter 11, Section 11-23 et. seq. of the Code of General Ordinances of the City of New Haven, declared a state of emergency, due to the significant danger to public health posed by the spread of COVID-19 and shortages of supplies and equipment necessary to protect the public health and safety, and the spread of COVID-19 to residents of the City of New Haven as a result of the global pandemic; and

**WHEREAS**, due to the significant adverse impact on public health of COVID-19, and the acceleration of the spread of the disease, the Mayor must take action for the purpose of ensuring civil preparedness and mitigating the adverse effects of this emergency situation upon the residents of New Haven; and

**WHEREAS**, among best practices and prescribed measures of mitigation in light of this public health emergency are social distancing, to mean a maintenance of a safe distance of six (6) feet between individuals, frequent hand washing for at least twenty seconds, frequent cleaning with disinfectant of any and all surfaces, and wearing of masks or cloth face coverings in public places where social distancing is difficult to maintain; and

**WHEREAS**, in an effort to combat the transmission of Coronavirus which poses a substantial threat to the public health of the City of New Haven; and,

**WHEREAS**, on August 6, 2021 the Governor of the State of Connecticut issued Executive Order Number 13A providing municipal leaders with the option of requiring masks in indoor public places within their respective towns and cities for all individuals, regardless of vaccination status; and

**WHEREAS**, the powers granted by Connecticut General Statutes Sections 28-8a(a), 28-1(8), and 28-22, and Chapter 11, Sections 6, 7 and 11-23 et. seq. of the Code of General Ordinances of the City of New

Haven, proclaim said Mayor to have and exercise all executive and administrative powers conferred upon any municipal chief executive; and

**WHEREAS**, the duties assigned by the Code of General Ordinances of the City of New Haven to the Mayor of the City of New Haven require said Mayor to cause the Charter, the Ordinances and laws to be executed and enforced, and to conserve the peace within the City. The Mayor shall be responsible for the good order and efficient government of the City; and

**WHEREAS**, in response to the issuance of declarations of a public health emergency and a civil preparedness emergency, a declaration of national emergency and the spread of COVID-19 to residents of the City of New Haven; and

**WHEREAS**, it is in the best interests of the City and People of New Haven to promote public health and to ensure civil preparedness, to minimize the adverse impact and substantial threat to public health created by the current public health emergency and civil preparedness emergency posed by the spread of COVID-19; and

**WHEREAS**, On May 20, 2021, the Governor of the State of Connecticut issued his Executive Order 12A, stating:

“Effective immediately, any 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.

**WHEREAS**, Executive Order 12A also required the Commissioner of Public Health to develop a comprehensive list of facilities, venues, and other locations where masks and cloth face coverings are required; and

**WHEREAS**, on July 27, 2021, based upon current observations about the highly infectious Delta variant of COVID-19, which now accounts for the majority of infections in the U.S., the Centers for Disease Control (“CDC”) issued new COVID-19 guidance; and

**WHEREAS**, the CDC now states that vaccinated individuals who become infected with the Delta variant may be able to transmit the infection and also may be able to become infected with COVID-19; and

**WHEREAS**, this risk of transmission from vaccinated individuals was thought to be extremely unlikely until the emergence of the Delta variant. The new CDC guidance is designed to lower the risk of such transmission; and

**WHEREAS**, based on latest data, the CDC’s tracking system has classified New Haven County as experiencing a “substantial” rate of transmission due to an increase in the number of infections over the last week; and

**WHEREAS**, the CDC has recognized that vaccination is an important tool to help stop the COVID-19 pandemic; and that COVID-19 vaccination helps protect people from getting sick or severely ill with COVID-19 and might help protect people around them; and

**WHEREAS**, on August 5, 2021, the Governor of the State of Connecticut issue his Executive Order 12E, once again granting municipalities the authority to take necessary steps to halt the spread of COVID-19, particularly its highly infectious “DELTA” variant; and

**WHEREAS**, among those best practices to halt the transmission and spread of COVID-19 is mandatory use of masks and facial cloth coverings over the nose and mouth that are compliant with CDC guidelines; **NOW, THEREFORE, IT IS HEREBY PROCLAIMED AND ORDERED** that, pursuant to the powers and duties granted in the Connecticut General Statutes and the Code of Ordinances of the City of New Haven, in response to the civil preparedness and public health emergency now facing the City of New Haven, and in accordance with the advice from the City’s public health officials, effective on Monday, August 9, 2021 at 12:01 a.m., the wearing of masks or cloth face coverings that are compliant with CDC guidelines is required in any indoor public spaces, meaning spaces to which any member of the public has access; and

**IT IS FURTHER PROCLAIMED AND ORDERED** that also effective on Monday, August 9, 2021 at 12:01 a.m., the wearing of masks or cloth face coverings that are compliant with CDC guidelines is required in any private indoor business, and in any places of employment, where social distancing is impractical, unlikely, or difficult to maintain; and

**IT IS FURTHER PROCLAIMED AND ORDERED** that nothing in this order should be deemed or construed to counteract, reverse, withdraw, revoke or otherwise amend any previously or subsequently issued order, unless expressly stated; and,

**IT IS FURTHER PROCLAIMED AND ORDERED** order shall remain in effect (the “effective period”) until such time as it is amended or earlier terminated; and

**IT IS FURTHER PROCLAIMED AND ORDERED** that this order will be made publicly available for inspection and review in the Office of the Town Clerk of the City of New Haven and shall be posted on the City of New Haven website.

**Dated:** \_\_\_\_ August 6, 2021 \_\_\_\_

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**Justin Elicker**  
**Mayor**