



Town of York
Officer's Return

Order rescinding certain limitations on use of town properties and facilities during COVID-19 Pandemic until June 15, 2020.

County of York, ss.

I certify that I have notified the residents of York of the above referenced Order rescinding certain limitations on use of town properties and facilities during COVID-10 pandemic 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 May 13, 2020:

Dated at York this 13th day of May, two thousand twenty.

Charles J. Szepiawski, Police Chief
Emergency Management Director



ORDER RESCINDING CERTAIN LIMITATIONS ON
USE OF TOWN PROPERTIES AND FACILITIES
DURING COVID-19 PANDEMIC UNTIL JUNE 15, 2020

WHEREAS on April 3, 2020, the Town of York Board of Selectmen issued a "Proclamation of the Town of York Declaring an Emergency on COVID-19 Pandemic" (hereinafter, the "Proclamation") pursuant to its authority granted to the Emergency Management Director in Section 6, Emergency Powers and Duties, for the Town of York's Emergency Management Ordinance, I hereby enact the following emergency order; and

WHEREAS the Emergency Management Ordinance, Section 5, and Section 6 grant the Town Manager and Emergency Management Director the authority to protect the public's health, safety, and welfare in the event of an emergency and after consultation with the Board of Selectmen, we declare an emergency exists in the Town of York, Maine; and

WHEREAS since the enactment of the Proclamation, the number of cases of COVID-19 and related deaths have increased exponentially globally, in the United States, and in Maine (particularly, in York and Cumberland counties); and

WHEREAS the occupancy of seasonal accommodations in the Town has grown notably in the past weeks as individuals seek to flee the implications of COVID-19 in their home communities; and

WHEREAS the Town's year-round population is most recently estimated at approximately 13,000, which is starkly lower than the approaching peak tourist season, which is estimated to be 40,000; and

WHEREAS there are more than 3,000 units of temporary and seasonal accommodation available in the Town; and

WHEREAS the limited number of local grocery stores, infrastructure, and resources during the off-season are only sufficient to provide for the Town's year-round residents; and

WHEREAS despite the potential influx of seasonal employees and increased resources that arrive during the peak season, these will nevertheless be insufficient to handle an emergency of the nature and scale presented by the COVID-19 pandemic; and

WHEREAS the Town lacks the resources to adequately protect the public health, safety, and welfare if there is a large unanticipated spike in population because such a surge will overwhelm the Town's capacity to provide essential municipal services such as water, sewer, fire and rescue, police, and will also deplete the supply chain of food and other resources to the Town; and

WHEREAS restrictions have been put in place all over the world in an effort to protect public health, safety, and welfare and to "flatten the curve" to protect first responders and all members of the healthcare profession who are on the frontline of the pandemic, as well as those workers who are deemed essential and who are providing the public with the necessities of life; and

WHEREAS public health experts have vigorously recommended that in order to contain and slow the spread of COVID-19, citizens should remain at home as much as possible, maintain social distancing,

and avoid non-essential travel; and

WHEREAS, the actions contemplated in this Order are not taken lightly, given the importance of private property and other rights of local owners and visitors, who the Town consider 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; and

WHEREAS as of April 13, 2020, there are ever increasing cases of COVID-19 in the United States and in Maine, and, public health entities report that the apex of the number of COVID-19 cases has not yet hit Maine.

NOW THEREFORE in accordance with aforesaid laws and recitals, which are incorporated herein by reference, it is hereby promulgated and declared that until further Order of the Emergency Management Director:

A. Use of Town Properties and Facilities

1. All Town and School athletic fields are open subject to the condition these are only for use by individual households and families, and not by groups or organizations.
2. The Town will stage the re-opening of its beaches, parks and recreation facilities in a three-step process: an initial soft opening; an intermediate step; and a “2020-normal” opening for the remainder of the season.

(a) **May 18th Soft Opening:**

[1] Sohier Park – reopen the road and parking area, allowing vehicle and pedestrian access to the Park but not opening the gift shop or public bathrooms, and having no staff or volunteer ambassadors present.

[2] Harbor Beach Road – reopen the road and parking spaces, allowing vehicle and pedestrian access.

[3] Cliff Walk, Fisherman’s Walk, Wiggley Bridge and causeway, and kayak launch under the Route 103 bridge – reopen. The parking along Route 103 associated with these uses shall be re-opened.

[4] Request the Trustees reopen Ellis Short Sands Park, but not opening the public restroom or the basketball courts.

[5] Request the Trustees reopen the Hartley Mason Reservation but not opening the public restroom.

[6] Mount Agamenticus – with York Water District, reopen the parking lot at the base of Mount A Road, and reopen 2/3rds of the parking lots at the summit of Mount A. Not more than 10 parking spaces at the summit may be restricted to vehicles with Town Parking Stickers. Post Mountain Road from 350 Mountain Road, just east of the York Water District access road, west to the end of the pavement – no parking on both sides of the road. No opening of public restrooms at this time. ***York residents and property owners may still purchase parking stickers by contacting the Town Clerk/Tax Collector’s office at 363-1003.***

[7] Parking Kiosks – Charging for public parking to begin on May 18th.

NOTE ABOUT BEACHES: by separate administrative order, the public beaches would have a soft opening on this same date. All the following shall apply:

- Beaches used only for outdoor exercise (active use) only, such as walking, running, fishing, swimming and surfing.
- Social distancing required per Governor’s Executive Orders.

- No tents, awnings, pop-ups, umbrellas, volleyball nets, etc.
- “Zero touch” management of beach trash, meaning carry-in/carry-out only and no public trash cans at or near the beaches or around Town.
- “Zero touch” management of beach amenities, meaning there will be no outdoor shower towers or water bubblers, among other things.
- No lifeguards.
- Dogs, during approved hours, must be leashed.
- Beach cleaning and sanitation as usual.
- Sea wall steps to be considered part of Long Sands Beach (not considered to be part of the sidewalk) and therefore subject to these beach management standards.

(b) **June 1st** intermediate steps:

[1] Sohier Park gift shop opens.

[2] Public Restrooms to open at Ellis Short Sands Park, Long Sands Beach, Harbor Beach, Sohier Park and Mount A.

(c) **June 15th** “2020-Normal” Opening – to be decided at a later date.

B. During the duration of the local emergency or when terminated earlier by amendment of this Emergency Order, the following shall apply:

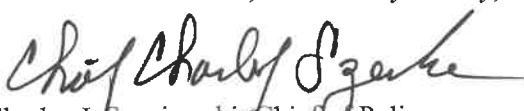
1. Businesses must follow the State’s social distancing guidelines, which may reduce their commercial capacity. Businesses shall be granted local authority to maintain their current capacity, still following the State guidelines, by utilizing the outdoor areas of their property. In cases on multiple tenant properties, the tenants and owners need to work out the details. There can be no removal of vegetation, filling of wetlands or so forth. This Local Order does not alter timeframes for business openings set via the Governor’s Executive Orders.
2. The Police Chief or his designee shall be authorized to administratively allow Town parking spaces to be used for alternative purposes such as curbside pick-up, pedestrian walkways, or expanded non-residential area to accommodate reduced customer densities, provided such temporary arrangement is determined to be safe. This shall also include the authorization to create temporary parking spaces if needed. All such requests and approvals shall be made in writing and reported to the Board of Selectmen at their next meeting. Such accommodations may be pursued by individual businesses, or by groups of businesses, for instance along Railroad Ave in York Beach or along York Street in York Village.

C. Enforcement/Penalties

1. 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.

This Emergency Order shall take effect at 12:00 o’clock Noon on Monday, May 18, 2020 and shall extend to 11:59 PM on June 15th, 2020 unless extended or sooner revoked.

Given under our hands, this 13th day of May, 2020.


 Charles J. Szeniawski, Chief of Police
 Emergency Management Director



YORK BEACHES

LIMITED RE-OPENING

Cape Neddick Beach

Short Sands Beach

Long Sands Beach

Harbor Beach

On March 23, 2020, these beaches were closed to the public because of the Covid-19 public health emergency. They shall remain closed until May 18th.

On May 18, 2020, these beaches will be re-opened for active public use only, subject to the following limits:

- Beaches to be used for active use only, including but not limited to walking, running, fishing, swimming and surfing.
- Social distancing required per Governor's Executive Orders.
- No tents, awnings, pop-ups, umbrellas, volleyball nets, etc.
- Carry-in/carry-out of all trash – no public trash cans to be provided or managed by the Town.
- High-touch beach amenities (shower towers, water fountains, etc.) will not be provided.
- No lifeguards (a traditional mid-June start date is anticipated).
- Dogs, during approved hours, must be leashed.
- Long Sands stepped sea wall –considered to be part of the beach and subject to these requirements.
- Public restrooms to remain closed until June 1, 2020.

Authority for such action is contained in §10-A of the Town's Beach Ordinance, approved by the voters of the Town of York.

The York Police Department is empowered to enforce this order.

A handwritten signature in black ink, appearing to read "Stephen H. Burns", with a long horizontal flourish extending to the right.

Stephen H. Burns

Town Manager

May 13, 2020