**[City/Town of \_\_\_\_\_\_\_\_\_\_\_]**

**Board of Health**

**IMMEDIATE CEASE AND DESIST ORDER**

This IMMEDIATE CEASE AND DESIST ORDER is issued to:

Name of Establishment -

Address -

Date -

WHEREAS, on March 11, 2020, the World Health Organization characterized the COVID-19 outbreak as a pandemic; and

WHEREAS, on March 10, 2020, the Governor of the Commonwealth of Massachusetts issued a Declaration of a State of Emergency to Respond to COVID-19; and

WHEREAS, on March 13, 2020, the President of the United States issued a Proclamation on Declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak; and

WHEREAS, on **[date of local emergency order]**, the **[city/town]** of **[name of city/town],** through the **[Mayor, Town Manager, City Manager, Town Administrator, Board of Health, Health Director as agent of the Board of Health] [chose all that apply]**, has determined that COVID-19 poses a significant, immediate threat to the public health, safety, and welfare of people residing both within and outside the **[city/town]** of **[name of city/town]**, and, as such, has declared a **Local State of Emergency**; and

WHEREAS, on March 23, 2020, the Governor of the Commonwealth of Massachusetts issued an Order Assuring Continued Operation of Essential Services in the Commonwealth, Closing Certain Workplaces, and Prohibiting Gatherings of More than 10 People (COVID-19 Order No. 13); and

WHEREAS, on March 23, 2020, the Governor of the Commonwealth of Massachusetts attached Exhibit A to the abovementioned COVID-19 Order No. 13, and Exhibit A specifies which business are considered essential, a copy of which is attached hereto; and

WHEREAS, **[Name of Establishment listed above]** is not a business providing essential services pursuant to Exhibit A of COVID-19 Order No. 13; and

WHEREAS, on **[date]**, **[Name of Establishment listed above]** was observed open for business in violation of COVID-19 Order No. 13.

WHEREBY, you are hereby ordered to immediately cease and desist from operating **[name of Establishment listed above]** until such time as the Governor rescinds COVID-19 Order No. 13.

This order is issued pursuant to the Board of Health’s emergency powers pursuant to Massachusetts General Laws, Chapter 111, Sections 30, 104, and 122; 105 CMR 400.200(B); and 310 CMR 11.05.

If you are aggrieved by this order, you have the right to request a hearing before the Board of Health. This request must be made by either the owner of **[Name of Establishment listed above]** or an authorized agent of **[Name of Establishment listed above]**, in writing, and filed with the Board of Health within seven (7) days after the date this Order was served or actually received. Any affected party has the right to appear at said hearing.

Failure to comply with this order may result in additional penalties as permitted by law, including but not limited to, the filing of a complaint in District or Superior Court and any emergency court order(s) issued pursuant to any such complaint.

Signed by:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name: Date:

As agent of the **[city/town] [Health Department/Board of Health]**