



CITY OF SALEM, MASSACHUSETTS

BOARD OF HEALTH
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Public Health
Prevent. Promote. Protect.

KIMBERLEY DRISCOLL
MAYOR

DAVID GREENBAUM, RS
HEALTH AGENT

CITY OF SALEM EMERGENCY ORDER ESTABLISHING A MORATORIUM ON EVICTION ENFORCEMENT

MAYOR KIMBERLEY DRISCOLL AND SALEM BOARD OF HEALTH ISSUED: April 15, 2020

WHEREAS, the Governor of the Commonwealth of Massachusetts has declared a State of Emergency due to the virus that caused the Coronavirus 2019 (“COVID-19”) pandemic;

WHEREAS, the Mayor of the City of Salem has determined that the threat of COVID-19 poses a present, real and imminent danger to public health, safety, and general welfare of the people of Salem and as such declared a State of Emergency in the City of Salem on March 20, 2020;

WHEREAS, COVID-19 is easily transmitted, especially in group settings, and it is essential that the spread of the virus be slowed to protect the ability of public and private health care providers to handle the influx of new patients and safeguard public health and safety;

WHEREAS, the Governor of the Commonwealth of Massachusetts and the Mayor of Salem have requested that residents stay home to prevent the spread of COVID-19, and the Governor has requested that the Department of Public Health issue a stay at home advisory;

WHEREAS, evictions would make it impossible for Salem residents to stay at home by rendering them homeless and would therefore further increase the risk to public health and safety posed by COVID-19;

WHEREAS, the eviction of commercial residents could decrease essential services necessary to meet the demands of this pandemic and would further reduce the ability of businesses to generate revenue, further destabilizing the community;

The Mayor and the Board of Health, pursuant to 310 CMR 11.05, 105 CMR 300.200 and all other authorizing statutes and regulations, acting by and through its agent authorized under MGL c. 111, §30, hereby Order:

1. Notwithstanding MGL c. 186, MGL c. 239 or any general or special law to the contrary, no landlord and/or owner shall enforce an eviction upon a resident of Salem, residential or commercial, during this public health crisis.
2. No landlord and/or owner shall access or seek to access a tenant’s dwelling space for purposes such as general inspections, displaying units to potential future tenants and other non-critical activities. A landlord may only access a tenant’s dwelling space to make repairs requested by the tenant, repairs required as a matter of law, or to respond to a life-threatening emergency. A tenant may refuse access or entry for non-critical purposes or when adequate social distancing arrangements (at a minimum of six feet) have not been made.

3. This Emergency Order shall remain in effect until notice is given, pursuant to the Board of Health's judgment that the public health emergency no longer exists.
4. If any provision of this Order or the application thereof to any person or entity or circumstance is determined to be invalid by a court of competent jurisdiction, such judgment shall not affect or impair the validity of the other provisions of this Order or the application thereof to other persons, entities and circumstances.

This emergency order shall be effective Wednesday, April 15, 2020, and remain in effect until notice is given, pursuant to the Board of Health's judgement, that the Public Health Emergency no longer exists.

ORDERED at City Hall this 15th day of April 2020



David Greenbaum
Health Agent
Salem Board of Health

Updated information regarding the City's actions against the spread of COVID-19 may be found on the City website at www.salem.com