



**TOWN OF WESTPORT**  
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**Matthew J. Armendo**  
Director

**ORDER TO DISALLOW TRAILERS WITHIN THE EAST  
BEACH ROAD AREA UNTIL MAY 18, 2020**

This Order is issued in accordance with Chapter 111, §30, §122, §§ 95 to 105 and 122 to 125 of the Massachusetts General Laws, authorizing the Board of Health in the interest of public health and safety in order to prevent the spread of infectious diseases and to implement safeguards to control the spread of the 2019 Novel Coronavirus Virus (COVID-19), and Governor Baker's and the Town of Westport's Declarations of States of Emergency issued in response to the outbreak of the virus.

This Order applies to the delivery and occupancy of mobile homes, recreational vehicles, or trailer coaches (hereinafter collectively referred to as "trailers") whose owners have been issued trailer permits from the Board of Selectmen in accordance with the Town By-law, Article XV, for their properties within the East Beach area<sup>1</sup> for the 2020 season. No trailer may be located or occupied within the East Beach area except in accordance with a valid 2020 trailer permit.

Findings

1. On March 31, 2020, Governor Baker issued COVID-19 Order 21, which confirmed the public health emergency due to the COVID-19 pandemic. The Order extended until May 4, 2020, the prohibition on gatherings of more than 10 people, the closure of non-essential businesses and services and reauthorized guidance issued by the Massachusetts Department of Public Health (MDPH); including its guidance urging all residents to limit activities outside of their homes and to rigorously practice social distancing.
2. On March 31, 2020, the MDPH issued guidance on Order 21 that prohibited the provision of lodging for non-essential purposes, including occupancy of lodging for leisure, vacation, or similar purposes. In subsequent guidance on seasonal recreation activities, it clarified that while locations that offered recreation vehicles year-round residence were a permitted essential service, locations that only provided seasonal residence use were not allowed.
3. On April 2, 2020, Governor Baker ordered the closure of state beach parking lots, including Horseneck Beach in Westport in order to reduce the potential for virus transmission as a consequence of social crowding. Consistent with the Governor's directive, the Town of Westport Board of Selectmen ordered the closure of the Town's beach parking lots and boat landings, with very limited exceptions.

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<sup>1</sup> The East Beach area shall encompass the area between the Rhode Island Sound to the west, Buzzards Bay to the east, the entrance to Horseneck Beach Reservation and Third Street to the North and Buzzards Bay to the South, and shall include all lots, which are eligible to apply for a 6-month Mobile Home and Recreational Vehicle Permit, including but not limited-to all lots abutting East Beach Road, Farley Lane, Grove Avenue, John Reed Road, Mosher Lane, South Shore Street and West Beach Road.

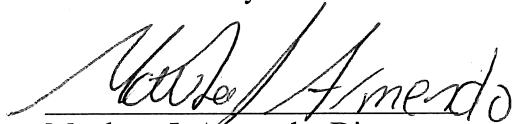
4. On April 28, 2020, the Governor announced that the restrictions imposed under Order 21 would be extended without exception from May 4<sup>th</sup> to May 18<sup>th</sup>. In support of the extension, the Governor reported that the health data on COVID-19 infections and hospitalizations documented that the pandemic surge has not abated. Statewide infections as of April 29, 2020 are 60,265 and 3,405 deaths. The number of infected Westport residents has increased from 21 to 43, more than doubling over the last 10 days with 3 deaths.
5. The Governor maintained that during this period of the surge, only continued vigorous compliance by residents with restrictions on non-essential travel, services and social contacts, practicing social distancing and self-quarantine in conjunction with related virus transmission reduction measures, would slow the rate of infections, hospitalizations and deaths. A key reason given to the role of these measures to contain the virus is that 8-10% of infected people show no symptoms, increasing the likelihood that traditional social interactions will result in exponential transmission of the virus.
6. Although the Governor's orders and MDPH guidance urging residents to stay at home and banning the operation of public or private campgrounds for seasonal recreation vehicles do not directly govern seasonal trailers located on individually owned lots, the Board finds that public health intent of these directives (to reduce the transmission of a highly contagious and deadly virus in the midst of a pandemic surge) are applicable to the potential health risk posed by locating trailers within the East Beach area and are wholly consistent with the intent of this Order. This was confirmed in a direct communication between the Westport Health Director and MDPH.
7. There are 125 East Beach area trailer permitted properties of which only 21 are owned by Westport residents. The balance are owned by persons located in 8 states outside of Massachusetts or residents from surrounding Massachusetts communities. Based on statements made by trailer owners, it is anticipated that in the month of May and June, a significant number of trailers will only be occupied on a part time basis, with their owners repeatedly travelling back and forth from their permanent residences to the trailers.
8. MDPH and Board of Health guidance documents direct travelers visiting Massachusetts from out of state to self-quarantine for a period of 14 days from the date of their arrival in state. The Board of Health finds that the frequency of short-term visitations from out of state residents will make it infeasible for those persons to self-quarantine for the requisite time period particularly within the confines of a trailer on a small lot. Failure to self-quarantine is a critical pathway for transmission of the virus among family members, workers and customers in essential establishments, such as grocery stores, and other social contacts.
9. Public health computer models predict that within even relatively small groups of people just a few individuals who fail to practice social distancing measures can exponentially expand virus transmission contacts. A Massachusetts General Hospital model recently predicted that deaths in Massachusetts could remain below 5,000 if residents continue to stay at home, but could rise to 50,000 if state guidance to stay at home and avoid social gatherings were relaxed.
10. The concentration of trailer properties within the East Beach area, the average size of the occupiable areas of the trailer properties and the number of people occupying the trailers combine to make this area unique in its density and proximity of seasonal residents. An

analysis conducted by the Planning Department documents that East Beach trailer properties have the highest population concentration per square foot of useable area in comparison to properties in the First, Second, Third Street area, Westport Point, Masquesatch Road and the Hillside/Howland Road area.

11. Westport's emergency medical services and treatment capacity is constrained. The influx of large numbers of vacationing non-residents under conditions which make it infeasible to effectively quarantine or consistently practice social distancing significantly increases the likelihood that the Town's medical-response resources will be further constrained to address the increase in persons requiring virus related services.
12. To the extent necessary, this Order shall be enforced by Board of Health officials and Police Officers.
13. Whoever violates any provision of this Order may be penalized by a noncriminal disposition process as provided in Massachusetts General Laws, Chapter 40, Section 21D and the Town's non-criminal disposition by-law.
14. If non-criminal disposition is elected, then any person who violates any provision of this Order shall be subject to: for a first offense, a written warning; for a second offense, a penalty in the amount of one hundred dollars (\$100), for a third offense, a penalty of two hundred dollars (\$200); and for a fourth or subsequent offense, a penalty in the amount of three hundred dollars (\$300.00). Each day or portion thereof shall constitute a separate offense. If more than one, each condition violated shall constitute a separate offense.

**Therefore, the Board of Health orders that no trailers may be located or occupied on properties located within the East Beach area prior to May 18, 2020.**

This Order may be revoked or revised based on new information, including without limitation, future actions by state officials relative to management of the pandemic.



Matthew J. Armendo, Director  
Westport Board of Health

Date: May 01, 2020