

Approved by the Cape Elizabeth Town Council April 28, 2020

**AMENDMENT TO EMERGENCY REGULATION OF THE  
CAPE ELIZABETH TOWN COUNCIL DATED MARCH 25, 2020**

**ORDERED, that the Emergency Regulation: Prohibition on  
Businesses, approved by the Cape Elizabeth Town Council on  
March 25, 2020, amended April 1, 2020, is hereby amended as  
follows; and**

WHEREAS, the Town of Cape Elizabeth hereby declares that a public health emergency necessitating swift action exists in response to the COVID-19 outbreak;

WHEREAS, at this time, guidance from the President of the United States, the Governor of State of Maine, and the Center for Disease Control, urge the public to practice social distancing and not attend events where ten or more people will be gathered;

WHEREAS, said outbreak continues to emerge and spread, so that the number of cases of COVID-19 in Maine as of April 28, 2020 is 1,040;

WHEREAS, health officials have now confirmed 466 cases of COVID-19 in Cumberland County with 67 hospitalizations and 24 deaths; and

WHEREAS, the risk of community spread throughout Cumberland County and Cape Elizabeth impacts the life, health and safety of the public and public health is imperiled by the person-to-person spread of COVID-19;

The Town Council of Cape Elizabeth, pursuant to its authority in Article II, Section 12 of the Cape Elizabeth Council-Manager Charter, hereby declare a state of emergency and issue the following regulations, effective April 29, 2020 at 12:01 a.m. with an expiration date of June 30, 2020 at 6:00 PM, unless otherwise extended by Council Order:

1. A civil state of emergency continues to exist within the Town of Cape Elizabeth.

2. Short term rentals, inclusive of homestays operated by private individuals shall not operate while this Order remains in effect.

3. Effective May 11, 2020 Fort Williams Park shall be closed to vehicular traffic and open to foot and bicycle traffic. Limited parking shall be provided for those individuals in need of accommodation due to disability. The council confers authority on the town manager and the chief of police the authority to designate parking and take measures consistent with this order conforming to the Americans with Disabilities Act. This shall not apply to individuals engaged in services needed to ensure the continuing operation of the government and provide for the public health, safety and welfare, including but not limited to police, fire, EMS, code enforcement, and public works operations, as well as construction. This provision shall also not apply to businesses designated as essential that are operating in the park nor to clientele of those businesses and non-essential businesses within the park consistent with the Governor's Order. Dogs within Fort Williams will be restrained by leash at all times.

4. Violation of or failure to comply with the Order is punishable by a fine of \$500.00.

WHEREAS, the Governor has issued new guidance on restarting Maine's economy, the council finds the following measures to be consistent with phase one of that plan. It is hereby encouraged, but not specifically regulated, that all citizens or visitors of the Town of Cape Elizabeth take all necessary steps to care for themselves and prevent the spread of COVID-19. Such steps will only benefit the health and welfare of the citizens of the Town of Cape Elizabeth and help protect us all. Thank you for all the sacrifices that you have made so far. We look forward to getting through this together.

Dated at Cape Elizabeth, ME this 28th day of April 2020.

