

**COVID-19—  
VIOLATION OF MASK AND  
GATHERING SIZE REQUIREMENTS**

**TRAINING FOR LOCAL OFFICIALS**

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**OCTOBER 16, 2020**

# AGENDA

- Commissioners' Introduction
- Purpose of Webinar
- Public Health Concern as COVID-19 Case Numbers Rise
- Sector Rules
- Executive Order No. 7PP—Enforcement of Sector Rules
- Executive Order No. 9B—Authority to Issue Fines
- Process for Issuance of Fines
- Next Steps
- Question and Answer Session

# INTRODUCTION

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- James C. Rovella, Commissioner, Department of Emergency Services and Public Protection (DESPP)
- Deidre Gifford, Acting Commissioner, Department of Public Health (DPH)
- Doug Dalena, Esq., Deputy General Counsel, Office of the Governor
- Alexandra Daum, Deputy Commissioner, Department of Economic & Community Development (DECD)
- Brenda M. Bergeron, Esq., Connecticut Division of Emergency Management and Homeland Security, DESPP
- Trooper Matthew Kane, Staff Instructor, Connecticut State Police Training Academy
- Lori J. Mathieu, Chief, Environmental Health and Drinking Water Branch, DPH

# PURPOSE OF WEBINAR

- Local Officials' Authority Under Executive Order Nos. 7PP and 9B
- Process for the Issuance of Fines

# PUBLIC HEALTH CONCERN – COVID-19 CASE RATES

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- Approximately 30 towns currently have an average daily rate of 9 or more COVID-19 cases per day per 100,000 population
- Mask wearing, social distancing and enforcement of Sector Rules key to protecting public health

Industry	Phase 2	Phase 3
<b>Restaurants</b>	Up to 50% capacity indoors with 6 ft spacing and/or non-porous barriers	Up to 75% capacity indoors with 6 ft spacing and/or non-porous barriers
<b>Personal Services</b>	Up to 50% capacity indoors with 6 ft spacing and/or non-porous barriers	Up to 75% capacity indoors with 6 ft spacing and/or non-porous barriers
<b>Libraries</b>	Up to 50% capacity indoors	Up to 75% capacity indoors
<b>Outdoor Event Venues (e.g. Amphitheaters, Race Tracks)</b>	Up to 25% with social distancing and masks required	Up to 50% with social distancing and masks required
<b>Indoor Performing Arts Theaters</b>	Closed	Up to 50% capacity with 6 ft spacing between parties
<b>Private, Social and Recreational Gathering Sizes – Commercial Venue</b>	Indoor – Cap of 25 people Outdoor – Cap of 100 people	Indoor – Up to 50% capacity, capped at 100 people Outdoor – Cap of 150 people
<b>Private, Social and Recreational Gathering Sizes – Private Residences</b>	Maximum of 25 people	Maximum of 25 people
<b>Graduations</b>	Indoor – Not allowed Outdoor – One time exemption capped at 150 people with masks and social distancing required	Indoor - Up to 50% capacity, capped at 200 with masks and social distancing required Outdoor - Up to 50% capacity or 6 ft spacing, no capacity limit with masks and social distancing required
<b>Religious Gatherings</b>	Indoor – Up to 25% capacity capped at 100 people Outdoor – Capped at 150 people	Indoor - Up to 50% capacity, capped at 200 with masks and social distancing required Outdoor - Up to 50% capacity or 6 ft spacing, no capacity limit with masks and social distancing required

# SECTOR RULES

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[www.ct.gov/coronavirus](http://www.ct.gov/coronavirus)

# EXECUTIVE ORDER NO. 7PP— ENFORCEMENT OF SECTOR RULES

- Issued by Governor Ned Lamont on May 18, 2020
- Section 2 of [Executive Order No. 7PP](#):
  - Modifies § 19-13-B1 of the Regulations of Connecticut State Agencies to include in the definition of public nuisance a violation of the Sector Rules.
  - Modifies *Conn. Gen. Stat.* § 19a-206 and § 19-13-B2(a) of the Regulations of Connecticut State Agencies to authorize a local or district health director to order the closure of a Public Health Facility until such time as he or she determines that the Public Health Facility has abated the nuisance by coming into compliance with the Sector Rules. “Public Health Facility” is defined in the Executive Order to include hair salons, barbershops, beauty shops, nail salons, spas, tattoo or piercing establishments, restaurants, eating establishments, private clubs, or any locations licensed for on-premise consumption of alcohol, that are allowed to reopen pursuant to the Sector Rules.
  - Modifies *Conn. Gen. Stat.* § 19a-206 and § 19-13-B2(a) of the Regulations of Connecticut State Agencies to authorize a Municipal Designee to order the closure of any business other than a Public Health Facility in violation of the Sector Rules until such time as the Municipal Designee determines that such business has abated the nuisance by coming into compliance with the Sector Rules.

# EXECUTIVE ORDER NO. 9B— **AUTHORITY TO ISSUE FINES**

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- Issued by Governor Ned Lamont on September 15, 2020.
- Section 2 of [Executive Order No. 9B](#) authorizes local health directors, district health directors, and their designees; municipal chief executive officers and their designees; and state and municipal police officers, among others, to issue fines for the following violations:
  - \$100 fine for failing to wear a mask or cloth face covering while in any public place or in any location where and for whom wearing a mask or face covering is required
  - \$100 for a business entity, rather than the employee, for any employee's failure to wear a required mask or cloth-face covering while at work
  - \$250 fine for any person who attends a gathering that violates the gathering size restrictions
  - \$500 fine for any person or business entity who organizes, hosts, or sponsors a gathering that violates the gathering size restrictions



# ISSUING AN INFRACTION

## BUSINESS EXAMPLE

<input checked="" type="checkbox"/> <b>COMPLAINT TICKET</b>		P.D. CASE NO.	
The undersigned officer complains that:			
ON (Mo., Day, Year)	AT (Time)	IN (Offense Town)	TOWN CODE
10/16/2020	6:00 P.M.	Killingly	069
NAME (Last, First, Middle Initial)			
Smith, Cody, P.			
ADDRESS (No., Street and City)			
52 Main Street, Killingly, CT			
STATE	ZIP + 4	DATE OF BIRTH	RACE
06239		02/22/90	W
		HISP.	SEX
		<input type="checkbox"/> Y	M
<b>LICENSE AND MOTOR VEHICLE</b>			
DRIVER'S LICENSE NO.		<input type="checkbox"/> "X" IF BOATING CERTIFICATE NO.	
1 9 0 3 4 3 3 3 7		STATE	
CT			
REG. NO.	<input type="checkbox"/> "X" IF BOAT	STATE	MAKE/MODEL/STYLE
OWNED BY (Last, First, Middle Initial)			
N/A			
ADDRESS (No., Street and City)			STATE
ON (Street or Highway; If intersection, specify)			
Main Street, Killingly, CT (May Add Business Name)			
TRUCK (14-260n)	OVER 16% OVERWEIGHT (Overweight Violation)	SPEED (IF APPLICABLE)	ROAD TRAF.
<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> Y <input type="checkbox"/> N	ACTUAL SPEED	POSTED LIMIT
DOT #	18,000 LBS. OR MORE (Overweight Violation)		VIS. AREA
	<input type="checkbox"/> Y <input type="checkbox"/> N		
COMMERCIAL/HAZARD. MAT.		ANSWER DATE (Month, Day, Year)	
<input type="checkbox"/> CDL <input type="checkbox"/> CV <input type="checkbox"/> HM		10/30/2020	
did commit the following INFRACTION(S)/VIOLATION(S)			
1. EMPLOYEE VIOLATION OF FACE COVER	STAT /ORD. NO.	AMOUNT	
	EO-9B-2a(2)	\$100	
2. REQUIREMENTS - BUSINESS			
3.			
SIGNATURE (Officer)		AMOUNT DUE	
Tpr. Matt Kane		\$100 .00	
SHIELD NO.	POLICE DEPARTMENT		
433	Connecticut State Police		
PHOTO I.D.	SIGNATURE (Person receiving this complaint)		
<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	<input checked="" type="checkbox"/>		
CONNECTICUT SUPERIOR COURT JD-CR-2 Rev. 8-08			

Find Town Code Here: <https://portal.ct.gov/-/media/DMV/CTDMVTaxTownCodeListpdf.pdf?1a=en>

Location of the Offense

Areas Crossed out are specific to Motor Vehicle Laws

Schedule answer date for second Friday after the date of the violation, even if such Friday is a Holiday

Designates if the violator's identity was confirmed by a photograph ID.

R024544

# ISSUING AN INFRACTION

## INDIVIDUAL EXAMPLE

<b>COMPLAINT TICKET</b>				P.D. CASE NO.	
The undersigned officer complains that:					
ON (Mo., Day, Year)	AT (Time)	IN (Offense Town)		TOWN CODE	
10/16/2020	6:00 P M	Killingly		069	
NAME (Last, First, Middle Initial)					
Smith, Cody, P.					
ADDRESS (No., Street and City)					
52 Main Street, Killingly, CT					
STATE	ZIP + 4	DATE OF BIRTH	RACE	HISP.	SEX
06239		02/22/90	W	<input type="checkbox"/> Y	M
<b>LICENSE AND MOTOR VEHICLE</b>					
DRIVER'S LICENSE NO. <input type="checkbox"/> "X" IF BOATING CERTIFICATE NO.				STATE	
1 9 0 3 4 3 3 3 7				CT	
REG. NO. <input type="checkbox"/> "X" IF BOAT	STATE	MAKE/MODEL/STYLE	YEAR	COLOR	
OWNED BY (Last, First, Middle Initial) N/A					
ADDRESS (No., Street and City)					STATE
ON (Street or Highway; If intersection, specify)					
Main Street, Killingly, CT					
TRUCK (14-260n)		OVER 16% OVERWEIGHT (Overweight Violation)	SPEED (IF APPLICABLE)		ROAD TRAF.
<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> Y <input type="checkbox"/> N	ACTUAL SPEED	POSTED LIMIT	
DOT #	18,000 LBS. OR MORE (Overweight Violation)			VIS.	AREA
<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> Y <input type="checkbox"/> N				
COMMERCIAL/HAZARD. MAT.			ANSWER DATE (Month, Day, Year)		
<input type="checkbox"/> CDL <input type="checkbox"/> CV <input type="checkbox"/> HM	DATE			10/30/2020	
did commit the following INFRACTION(S)/VIOLATION(S)					
1. VIOLATION OF FACE COVER REQUIREMENTS		STAT /ORD. NO.	AMOUNT		
2. - PERSON		EO-9B-2a(1)	\$100		
3.					
SIGNATURE (Officer)		AMOUNT DUE			
Tpr. Matt Kane		\$100 .00			
SHIELD NO.	POLICE DEPARTMENT				
433	Connecticut State Police				
PHOTO I.D.	SIGNATURE (Person receiving this complaint)				
<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	<input checked="" type="checkbox"/>				
CONNECTICUT SUPERIOR COURT JD-CR-2 Rev. 8-08					

Find Town Code Here: <https://portal.ct.gov/-/media/DMV/CTDMVTaxTownCodeListpdf.pdf?1a=en>

Location of the Offense

Areas Crossed out are specific to Motor Vehicle Laws

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Designates if the violator's identity was confirmed by a photograph ID.

R024544

# ISSUING AN INFRACTION

## OFFICER'S REPORT TO PROSECUTING AUTHORITY

Note facts and circumstances in addition to those recorded on face of complaint:

1. Any specific action of violator which increased the hazard of the violation;
2. Where violation observed and where contact made;
3. Total distance traveled during pursuit;
4. Statements by violator and general attitude.

COMPANION CASES (Names of defendants)

On 10/16/2020 at approximately 6:00pm  
I was conducting an Inspection of

BUSINESS NAME. Upon Entry I saw  
BUSINESS EMPLOYEE NAME (Date of

Birth) failing to wear a face mask while  
working. I located manager / owner

BUSINESS OWNER NAME (Date of Birth).  
OWNER stated. "We don't wear masks

here". Owner confirmed being aware of  
current executive order 9B.

See report for further details.

WITNESSES (Names and addresses)

Health Inspector Jones

The Narrative of the Incident is the equivalent to a prosecutors report. It can be used in court for or against the charge.

A more in-depth narrative is useful if the case goes forward in court proceedings.

A list if corroborating witnesses

# EXECUTIVE ORDER NO. 9B CITATIONS

<b>Citation</b>	<b>Description of Violation</b>	<b>Fine Amount</b>
EO-9B-2a(1)	Any person who, while in any public place or in any location falls to wear a mask or face covering as required by Executive Order 98, other than a person medically exempt or while outdoors maintains a distance of six feet from any other person	\$100
EO-9B-2a(2)	A business entity that fails to have employees wear a mask or cloth-face covering while at work as required by Executive Order 9B	\$100
EO-9B-2b	Any person or business entity who organizes, hosts, or sponsors a gathering that violates the gathering size restrictions set forth in Executive Order 9B	\$500
EO-9B-2c	Any person who attends a gathering that violates the gathering size restrictions set forth in Executive Order 9B	\$250

# HOW TO SUBMIT COMPLAINT TICKETS TO THE CENTRALIZED INFRACTIONS BUREAU

**Centralized Infractions Bureau  
225 Spring Street  
Wethersfield, CT 06109**

**DAILY TRANSMITTAL LIST  
COMPLAINT TICKETS ONLY**  
JD-CL-3a Rev. 7-2000

SEE INSTRUCTIONS ON REVERSE SIDE

www.jud.state.ct.us

For Judicial Branch use only

DATE RECEIVED	
BATCH NO.	NO. OF TICKETS
AGENCY CODE	

PAGE \_\_\_ OF \_\_\_ PAGES

FROM: [ ] Name and mailing address [ ]

ENTER AGENCY CODE HERE: [ ] AGENCY CODE

NAME OF PREPARER		DATE PREPARED	This report covers the 24 hour period, starting at 12:01 A.M., of the following date →		DATE COVERED	
COMPLAINT TICKET NO.	NAME OF DEFENDANT (Last, first, middle initial)	INFRACTION/VIOLATION (Gen. stat./reg. no.)	SEIZED PROP. INVENTORY		ADDITIONAL OFF. REPORT*	
			Yes	No	Yes	No
1.						
2.						
3.						
4.						
5.						
6.						
7.						
8.						
9.						
10.						
11.						
12.						
13.						
14.						
15.						
16.						
17.						
18.						
19.						
20.						
TOTAL NO. TICKETS ENTERED ABOVE →		RECEIVED BY (Judicial employee)	DATE	ENTER TOTALS →	INVEN.	REPTS.

\* Refers only to reports which are in addition to the officer's report on the reverse side of the Complaint ticket.

# NEXT STEPS

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Use your Unified Command structure and partners to set up a team and create a plan for “battle rhythm” of communications and to spell out the enforcement process. Partners may include:

- CEO
- Local Public Health (ESF 8)
- Local Law Enforcement (ESF 13)
- Emergency Management (ESF 5)
- Public Messaging partner (ESF 15)
- Who else might be an appropriate partner in your municipality?
- Plan may include:
  - Who is responsible for which enforcement actions (for example, local public health has very specific enforcement authority—the CEO designee is responsible for the rest--list out who is responsible for what)
  - How are complaints being transmitted to the right party and how are the enforcement actions in your community being tracked?
  - What is the communications flow between team members? What is the messaging that is being sent to the public?

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# QUESTIONS AND ANSWERS