

**TEMPORARY ORDER RELATIVE TO
SUBSTANCE USE DISORDER, UNSHELTERED HOMELESSNESS, AND RELATED
ISSUES IN THE CITY OF BOSTON**

The Boston Public Health Commission, acting through its duly appointed and authorized agent, Executive Director Dr. Bisola Ojikutu, pursuant to M.G.L. c. 111, § 30, the Boston Public Health Act of 1995, M.G.L. c. 111 App §§ 2-6, M.G.L. c. 111 §§ 6, 7, 31, 95, 104, 122, 310 CMR 11.05, 105 CMR 300.200 and all other authorizing statutes as well as the Boston Public Health Commission's Declaration of a Public Health Emergency Relative to COVID-19 in the City of Boston dated March 15, 2020, as extended, hereby enacts and declares as follows:

Whereas, the City of Boston and the Boston Public Health Commission have a long history of serving the city and region's most vulnerable populations in collaboration with partner agencies and organizations; and,

Whereas, the City continues to work to connect those struggling with substance use disorder and homelessness to services and supportive housing; during the first ten months of the present calendar year, the Office of Recovery Services has conducted over 21,000 interactions with individuals on the street (over 2,300 monthly), making over 7,000 referrals to services (over 700 referrals monthly) and have continued to provide life saving support each and every day; and,

Whereas, encampments of individuals experiencing homelessness present unsheltered individuals, outreach workers, and first responders with significant public health, infectious disease, public safety, sanitation, and fire safety challenges; these temporary structures lack clean water, adequate hygiene facilities, and present a significant risk of weather exposure, particularly in late fall and winter; tents are unfit for human habitation and individuals living in tents are at increased risk for overdose, human trafficking, sex trafficking, and other forms of victimization; and,

Whereas, the opioid epidemic is a regional, state and national problem that has grown significantly worse over the past decade, increasing from 574 opioid-related overdose deaths in 2010 to an estimated 2,104 in 2020; the outbreak of the 2019 novel Coronavirus ("COVID-19") in the City of Boston has greatly exacerbated unsheltered homelessness and increased the number of individuals in need of safe and secure housing; and,

Whereas, the demand for housing, public health, infectious disease, public safety, and quality of life-related resources has reached a crisis state and increased, coordinated, resources and interventions are needed in response;

THEREFORE, IT IS HEREBY DECLARED THAT SUBSTANCE USE DISORDER, UNSHELTERED HOMELESSNESS, AND RELATED ISSUES IN THE CITY OF BOSTON CONSTITUTE A PUBLIC HEALTH CRISIS AND THUS:

1. The Executive Director of the Boston Public Health Commission, acting solely as an agent of the Boston Public Health Commission, shall have the authority to implement any and all measures and interventions as circumstances may require to address the public health issues related to substance use disorder and unsheltered homelessness, particularly in the area in and around Melnea Cass Boulevard and Massachusetts Avenue. The Executive Director shall have access to and the use of all employees, equipment and other resources of the Boston Public Health Commission to support necessary public health interventions.
2. The Executive Director or designees may issue subsequent directives necessary to support interventions necessary to address the substance use disorder, homelessness, infectious disease, and other related public health issues in the City and in the area in and around Melnea Cass Boulevard and Massachusetts Avenue in particular.
3. The Executive Director may seek the assistance of other City of Boston agencies in carrying out the interventions described herein and it is the expectation of the Board of Health that the enhanced resources of all relevant agencies will be put forth to support this effort.
4. The Emergency Declaration shall take effect immediately and remain in full force and effect until rescinded by the Executive Director, in their discretion and in consideration of the circumstances and the continued necessity of measures taken under the Emergency Declaration.

ENFORCEMENT

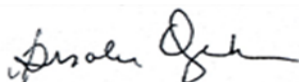
All reasonable efforts will be made to secure voluntary compliance with this Order; however, this Order may be enforced through an order of a court of competent jurisdiction. The Executive Director may also seek the assistance of other City of Boston agencies in ensuring compliance with this order.

NOTICE

The City of Boston must promptly provide copies of this Order by posting on the Boston Public Health Commission website (bphc.org) and providing a copy to any member of the public requesting one.

IT IS SO ORDERED:

Dated: October 19, 2021



Dr. Bisola Ojikutu
EXECUTIVE DIRECTOR
BOSTON PUBLIC HEALTH COMMISSION