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Executive Order 2020-005

AMENDING EXECUTIVE ORDER 2020-003 (DATED MARCH 16, 2020) PROHIBITING LARGE GATHERINGS AND EVENTS, CLOSING PLACES OF ASSEMBLY AND SOCIAL DISTANCING RULES

Whereas, A state of emergency and catastrophic health emergency was proclaimed on March 5, 2020 by the Governor Larry Hogan of the State of Maryland;

Whereas, On March 13, 2020, a state of emergency was declared by County Executive John A. Olszewski, Jr., to control and prevent the spread of COVID-19 within Baltimore County, Maryland ("the County"), and the state of emergency still exists;

Whereas, COVID-19, an infectious and contagious respiratory disease that spreads easily from person to person and may result in serious illness or death, is a public health catastrophe and has been confirmed in the County, therefore the County may take such action as is necessary to maintain health and control and prevent the spread of any contagious or infectious diseases within the jurisdiction;

Whereas, To reduce the spread of COVID-19, the U.S. Centers for Disease Control and Prevention and the Maryland Department of Health recommend canceling large gatherings and social distancing in smaller gatherings;

Whereas, The currently known and available scientific evidence and best practices support limitations on large gatherings and the use of social distancing to prevent exposure and transmissions, and reduce the transmission to especially vulnerable populations, including older individuals and those with chronic health conditions;

Whereas, Pursuant to Baltimore County Code, 3-1-504, the County Executive hereby has all authority listed therein to control the spread of COVID-19 including, but not limited to, the right to control traffic, including public and private transportation, designate zones in which the occupancy and use of buildings and vehicles may be controlled; establish requirements to shelter in place, control individuals on public streets, and control places of amusement and places of assembly;

Whereas, Nothing herein shall be construed to limit or conflict with any order or authority of the local Health Officer;

Whereas, To reduce the threat to human health caused by the transmission of COVID-19 in the County, and to protect and save lives, it is necessary and reasonable that individuals in the County refrain from congregating in a manner that may exacerbate the spread of COVID-19, such as, but not limited to, a physical environment in which large numbers of people are in close proximity and have multiple opportunities for close contact with one another that facilitates the spread of COVID-19;

Whereas, In order to protect the public health, welfare, and safety, prevent the transmission of novel coronavirus, control the spread of COVID-19, and save lives it is necessary to control and direct the movement of individuals in the County, including those on the public streets; and

Whereas, It is necessary to control and direct in the County the occupancy and use of buildings and premises, as well as places of amusement and assembly;

Whereas, On March 19, 2020, the local Health Officer, finding it necessary for the prevention and control of COVID-19, issued a Health Department Directive and Order for Social Distancing, Inspection of Premises and Closure of Business, and in so doing, consistent with then issued interim CDC guidelines and Order No. 20-03-19-01 issued by Governor of the State of Maryland, ordered that any mass gatherings and events, including but not limited to all social, community, spiritual, religious, recreational, leisure, and sporting gatherings and events, of more than 10 people are hereby prohibited; and

Whereas, On May 13, 2020, the Governor of the State of Maryland issued Order No. 20-05-13-01 lifting certain restrictions and permitting local jurisdictions and local health officers to extend restrictions based upon the need to contain the spread of COVID-19; and

Whereas, Order No. 20-05-13-01 authorizes political subdivisions such as Baltimore County to issue local orders that are more restrictive than Order No. 20-05-13-01, such as those requiring any businesses, organizations, establishments, or facilities to close or modify their operations and/or requiring individuals to remain indoors or to refrain from congregating, if deemed necessary and reasonable to save lives or prevent exposure to COVID-19; and

Whereas, There continues to be a significant outbreak of COVID-19 throughout Baltimore County, with a considerable amount of positive cases, hospitalizations and deaths; and

Whereas, Public health experts have indicated that relaxing social distancing requirements should be done only when a jurisdiction has sufficient testing capacity, access to personal protective equipment, and contact tracing capacity, as well as when data indicate declining transmission of the virus;

Now, therefore, I, John A. Olszewski, Jr., County Executive of Baltimore County, Maryland, by virtue of the authority vested in me by Section 3-1-504 of the Baltimore County Code, and in an effort to continue to control and prevent the spread of COVID-19 within Baltimore County do hereby order that:

1. Executive Order 2020-003 dated March 16, 2020, entitled "Prohibiting Large Gatherings and Events, Closing Places of Assembly and Social Distancing Rules," is amended and restated in its entirety as set forth herein.
2. Retail businesses, organizations, establishments, and facilities ("Retail Stores") in Baltimore County that principally sell goods and services that are being allowed to reopen at 5:00 p.m. May 15, 2020 are restricted to curbside pickup services or delivery services until further notice. No in-store retail is permitted (aside from those establishments that are already considered essential under prior Executive Orders and interpretive guidance issued by Governor Hogan).

Shopping malls shall remain closed. However, Retail Stores attached to shopping malls that are directly accessible from the outside can be open but only for curbside pickup service and delivery service.

All Retail Stores that open for business pursuant to this Executive Order must enforce at least six foot social distancing practices. These Retail Stores shall require staff to wear, and those staff shall wear, face coverings while working with the customers and in instances which interactions with other staff are likely. All individuals who are over two years of age who are customers at a Retail Store are required to wear face coverings while at the Retail Store.

3. All businesses, organizations, establishments and facilities offering personal services, including but not limited to barbershops, beauty salons, nail salons, spas and tanning salons, shall remain closed.

However, essential employees, whose appearance is a condition of employment, may continue to visit personal services facilities pursuant to Governor Hogan's interpretive guidance (COVID 19-11) issued April 20, 2020. Face coverings must be worn by all staff of the personal services facility and by the essential employee (customer) receiving services at the personal service facility except to the extent that a face covering on the essential employee (customer) would make it impossible for services to be performed.

4. Manufacturing businesses and facilities that were not previously designated as an essential business and open may resume operations in a safe manner which protects the health and safety of staff, and must have guidelines in place encouraging multiple and/or staggered shifts and other safety precautions. This includes the practice of social distancing as well as the use of personal protective equipment (PPE) and face coverings.

In addition, there must be on the premises hand sanitizer and/or facilities to provide staff with the capability to wash their hands.

Manufacturing businesses and facilities shall be closed to the general public.

5. Churches, synagogues, mosques, temples, and other similar religious facilities ("Religious Facilities") of any faith may not begin holding services or ceremonies indoors. Religious facilities may live stream or record services and/or ceremonies indoors with authorized persons. Religious facilities who elect to live stream or record services and/or ceremonies indoors must adhere to the existing large gathering restrictions and have no more than 10 people.

Services may be held outdoors. Outdoor services or ceremonies, if held, must adhere to the existing large gathering restrictions and have no more than 10 people.

6. Consistent with Governor Hogan's Safer at Home public health advisory, all residents of Baltimore County, particularly older and more vulnerable residents, are strongly advised to continue staying at home as much as possible.

All residents of and visitors to Baltimore County must wear masks in indoor public areas, retail stores, and on public transportation. All residents of and visitors to Baltimore County should continue practicing social distancing, continue avoiding gatherings of more than 10 people, wash their hands often, and frequently sanitize high-touch areas.

7. The local Health Officer is authorized further to adopt rules and/or regulations, as needed, to prevent the spread of COVID-19 and protect public health and safety.

8. A copy of this Executive Order shall be made available online at www.baltimorecountymd.gov for the public.
9. Each law enforcement officer and local Health Officer of the County shall execute and enforce this Executive Order.
10. This Order remains effective until after the termination of the state of emergency and the proclamation of the catastrophic health emergency has been rescinded, or until rescinded, superseded, amended, or revised by additional orders.
11. The effect of any local statute, rule, or regulation of an agency and/or department of the County inconsistent with this Executive Order is hereby suspended.

Issued under my hand this 15th day of May, 2020, effective at 5:00 p.m. May 15, 2020.

Signed:

John A. Olszewski, Jr., Baltimore County Executive

Attest:

Dawn Kile, Executive Secretary

Reviewed for Form and Legal Sufficiency and approved for Execution:

James R. Benjamin, Jr., County Attorney

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