



FREDERICK COUNTY GOVERNMENT
OFFICE OF THE COUNTY EXECUTIVE

Jan H. Gardner
County Executive

Rick Harcum, Chief Administrative Officer

EXECUTIVE ORDER NO.: 01-2021

EFFECTIVE DATE: January 29, 2021, 5:00 P.M.

Revised Indoor Recreation and Foodservice Establishments

WHEREAS, Maryland Governor Lawrence J. Hogan, Jr. declared that a state of emergency and catastrophic health emergency existed in the State on March 5, 2020, and renewed this finding on March 17, April 10, May 6, June 3, July 1, July 31, August 10, September 8, October 6, October 30, November 25, December 23, 2020, and January 21, 2021, to control and prevent the spread of COVID-19 within the state, and the state of emergency and catastrophic health emergency still exists; and

WHEREAS, COVID-19, a 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 throughout Maryland, including Frederick County; and

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; and

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

WHEREAS, To reduce the threat to human health caused by transmission of the novel coronavirus in Frederick County, and to protect and save lives, it is necessary and reasonable that individuals in the county refrain from congregating; and

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

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

WHEREAS, on November 17, 2020, Governor Lawrence J. Hogan, Jr. issued Executive Order 20-11-17-01, providing that Indoor Recreation Establishments may open to 50% of the Establishment's Maximum Occupancy; and

WHEREAS, on January 28, 2021, Governor Lawrence J. Hogan, Jr. issued Executive Order 21-01-28-01, providing that Foodservice Establishments may reopen between the hours of 10:00 p.m. and 6:00 a.m. beginning February 1, 2021; and

WHEREAS, an Executive Order of the Principal Executive Officer of Frederick County is appropriate and necessary; and

WHEREAS, Frederick County has determined that issuing this Order that is more restrictive than the Governor's Orders 20-11-17-01 and 21-01-28-01 is necessary and reasonable to save lives or prevent exposure to COVID-19; and

WHEREAS, the "WHEREAS" paragraphs of Executive Order 07-2020 even though not fully repeated in this Executive Order are fully incorporated in this Executive Order.

NOW, THEREFORE, I, JAN H. GARDNER, COUNTY EXECUTIVE OF FREDERICK COUNTY, MARYLAND, PURSUANT TO THE AUTHORITY VESTED IN ME BY THE CHARTER AND LAWS OF FREDERICK COUNTY, MARYLAND, AND THE LAWS OF MARYLAND, AND SPECIFICALLY GOVERNOR'S ORDER 21-01-28-01, HEREBY DECLARE THAT:

1. INDOOR RECREATION ESTABLISHMENTS. INDOOR RECREATION ESTABLISHMENTS' OCCUPANCY ARE LIMITED TO 50% OF THE ESTABLISHMENT'S MAXIMUM OCCUPANCY UNLESS THAT OCCUPANCY IS MORE THAN 50 PERSONS, IN WHICH CASE THE OCCUPANCY IS LIMITED TO 25% OF THE ESTABLISHMENT'S MAXIMUM CAPACITY. THIS RESTRICTION APPLIES EVEN IF THE ESTABLISHMENT SERVES FOOD OR BEVERAGE.

2. FOODSERVICE ESTABLISHMENTS. THE PROVISIONS OF THE GOVERNOR'S EXECUTIVE ORDER 21-01-28-01 ALLOWING FOODSERVICE ESTABLISHMENTS TO OPEN BETWEEN THE HOURS OF 10:00 P.M. AND 6:00 A.M. BEGINNING AT 12:01 A.M. ON FEBRUARY 1, 2021, SHALL NOT BECOME EFFECTIVE IN FREDERICK COUNTY, MARYLAND UNTIL 12:01 A.M. ON FEBRUARY 15, 2021, AND MAY BE REEVALUATED AT THAT TIME.


3. EXECUTIVE ORDER 07-2020 IS SUPERSEDED BY THIS EXECUTIVE ORDER BECOMING EFFECTIVE, EXCEPT AS STATED ABOVE.

4. THIS EXECUTIVE ORDER TAKES EFFECT JANUARY 29, 2021, AT 5:00 P.M., AND SHALL REMAIN IN EFFECT UNTIL THE EARLIEST OF:

A. THIS EXECUTIVE ORDER IS SUPERSEDED, AMENDED, OR REVISED BY ADDITIONAL COUNTY EXECUTIVE ORDER, OR

B. GOVERNOR'S ORDER 21-01-28-01 (AS IT MAY BE AMENDED FROM TIME TO TIME) IS NO LONGER IN EFFECT.

This Executive Order is issued as of this 29th day of January, 2021.


Rick Harcum
Chief Administrative Officer


Jan H. Gardner
Frederick County Executive