



FREDERICK COUNTY GOVERNMENT

OFFICE OF THE COUNTY EXECUTIVE

Jan H. Gardner
County Executive

Rick Harcum, Chief Administrative Officer

EXECUTIVE ORDER NO.: 01-2020

EFFECTIVE DATE: May 14, 2020

Limited Reopening
Extended Stay at Home Order

WHEREAS, an outbreak of disease ("COVID-19") caused by the novel coronavirus occurred in Hubei province, China, in late 2019, and has currently been detected in all but two countries worldwide, and in every State within the United States; and

WHEREAS, COVID-19 is a severe respiratory disease, resulting in illness or death, caused by the person-to-person spread of the novel coronavirus, which was not previously found in humans; and

WHEREAS, the novel coronavirus, as a viral agent capable of causing extensive loss of life or serious disability, is a deadly agent; and

WHEREAS, the World Health Organization ("WHO") and the Centers for Disease Control and Prevention ("CDC") have declared the COVID-19 outbreak a "public health emergency of international concern"; and

WHEREAS, the Secretary of the U.S. Department of Health and Human Services has declared that COVID-19 creates a public health emergency; and

WHEREAS, the CDC has issued guidance to all state and local governments, and all citizens, recommending preparedness to prevent community spread and guard against the potential of a COVID-19 pandemic; and

WHEREAS, as of May 13, 2020, the CDC found that COVID-19 has infected individuals in all 50 states, and resulted in a total of 1,342,594 confirmed and presumed positive cases in the United States and 80,820 deaths; and

WHEREAS, Maryland's State Public Health Laboratory confirmed 34,812 positive cases of COVID-19 in Maryland, with 1,302 being in Frederick County; and

WHEREAS, the transmission of the novel coronavirus in the County is a threat to human health in all of Frederick County; and

Frederick County: Rich History, Bright Future

WHEREAS, the person-to-person spread modeled by the CDC and WHO indicates that extensive loss of life or serious disability is threatened imminently in all of Frederick County because of the transmission in the County of novel coronavirus; and

WHEREAS, COVID-19 is a public health catastrophe and public emergency; and

WHEREAS, COVID-19 poses an immediate danger to public safety; and

WHEREAS, the impending threat to Maryland by COVID-19 is a catastrophic health emergency requiring the State and the County to deploy resources and implement the County's emergency powers to protect the health and safety of all those in Frederick County; and

WHEREAS, on March 5, 2020, Governor Lawrence J. Hogan, Jr. issued a Proclamation declaring a State of Emergency for the entire State of Maryland, extending the State of Emergency on April 10, 2020 and May 6, 2020; and

WHEREAS, on May 13, 2020, Governor Lawrence J. Hogan, Jr. issued Executive Order number 20-05-13-01, Amending and restating his Order of May 6, 2020, Allowing Reopening of Certain Businesses and Facilities Subject to Local Regulation, permitting the expanded opening of certain businesses and activities, reserving the right of political subdivisions to issue orders that are more restrictive than that order if it determines that doing so is necessary and reasonable to save lives or prevent exposure to COVID-19; and

WHEREAS, the Governor's decision was based on achieving, expanded testing, increased hospital surge capacity, ramped up PPE supply, and robust contact tracing on a State-wide basis; and

WHEREAS, Frederick County has not adequately achieved these goals at this time; and

WHEREAS, in order to implement the above, an Executive Order of the Principal Executive Officer of Frederick County is appropriate; and

WHEREAS, other political subdivisions will be or have issued orders that are more restrictive than the Governor's Order 20-05-13-01 thus continuing to keep certain businesses and facilities closed to the general public in those political subdivisions; and

WHEREAS, if the actions of other political subdivisions cause their certain businesses and facilities to remain closed, the public may flock to the open establishments in other jurisdictions thereby exasperating the current COVID-19 impacts in those jurisdictions; and

WHEREAS, Frederick County has determined that issuing this Order that is more restrictive than the Governor's Order 20-05-13-01 is necessary and reasonable to save lives or prevent exposure to COVID-19.

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, HEREBY DECLARE THAT:

1. THE GOVERNOR'S EXECUTIVE ORDER NUMBER 20-05-13-01, SHALL NOT BECOME EFFECTIVE IN FREDERICK COUNTY, EXCEPT THAT EFFECTIVE AS OF 5:00 P.M. ON MAY 15, 2020, AND SUBJECT TO ALL LIMITATIONS IN THE GOVERNOR'S ORDER 20-05-13-01:
 - a. ALL RETAIL BUSINESSES, ORGANIZATIONS, ESTABLISHMENTS AND FACILITIES IN FREDERICK COUNTY MAY BE OPEN ONLY FOR CURBSIDE PICKUP AND DELIVERY;
 - b. RETAIL BUSINESSES, ORGANIZATIONS, ESTABLISHMENTS AND FACILITIES IN FREDERICK COUNTY WITH A RETAIL SQUARE FOOTAGE AREA OF LESS THAN 10,000 SQUARE FEET MAY OPEN SO LONG AS
 - i. ALL CUSTOMERS AND STAFF WEAR FACE COVERINGS
 - ii. SOCIAL DISTANCING OF 6 FEET IS MAINTAINED
 - iii. OCCUPANCY MAY NOT EXCEED 50% OF THE RETAIL ESTABLISHMENT'S MAXIMUM OCCUPANCY (AS DEFINED IN GOVERNOR'S ORDER 20-05-13-01)
 - iv. HANDLING OF CASH MUST BE LIMITED
 - v. NO MALL RETAIL ESTABLISHMENT WITHOUT AN EXTERIOR ENTRANCE MAY OPEN
 - c. ANIMAL ADOPTION FACILITIES, CAR WASHES AND PET GROOMING FACILITIES MAY OPEN.
 - d. EFFECTIVE AS OF 5:00PM ON MAY 29, 2020, CERTAIN PERSONAL SERVICE ESTABLISHMENTS MAY OPEN TO THE PUBLIC INCLUDING
 - i. BEAUTY SALONS—BUT ONLY TO PROVIDE HAIR SERVICES AND HAIR SERVICES—BLOW DRYING AS DESCRIBED IN TITLE 5 OF THE BUSINESS OCCUPATIONS ARTICLE OF THE MARYLAND CODE; AND
 - ii. BARBER SHOPS.
 - e. A PERSONAL SERVICES ESTABLISHMENT MUST
 - i. REQUIRE ALL CUSTOMERS AND STAFF TO WEAR FACE COVERINGS EXCEPT TO THE EXTENT WEARING A FACE

-
- COVERING WOULD MAKE IT IMPOSSIBLE FOR SERVICES TO BE PERFORMED
- ii. PROVIDE SERVICES ON AN APPOINTMENT BASIS ONLY
 - iii. NOT ALLOW THE NUMBER OF PERSONS IN THE PERSONAL SERVICE ESTABLISHMENT TO EXCEED 50% OF THE PERSONAL SERVICE ESTABLISHMENT'S MAXIMUM OCCUPANCY
 - iv. ESTABLISH SPECIAL MORNING HOURS FOR SENIORS AND OTHER VULNERABLE RESIDENTS BEFORE OPENING TO OTHER CUSTOMERS.
 - v. AFTER PROVIDING SERVICES TO EACH CUSTOMER, CLEAN AND DISINFECT THE AREA IN WHICH SERVICES WERE PERFORMED IN ACCORDANCE WITH APPLICABLE GUIDANCE FROM THE CDC AND MDH
- f. EFFECTIVE AS OF 5:00PM ON MAY 29, 2020, CHURCHES, SYNAGOGUES, MOSQUES, TEMPLES, AND OTHER SIMILAR RELIGIOUS FACILITIES OF ANY FAITH MAY OPEN TO THE GENERAL PUBLIC PROVIDED HOWEVER THAT
- i. THE TOTAL NUMBER OF PERSONS PERMITTED IN A RELIGIOUS FACILITY AT ANY ONE TIME SHALL NOT EXCEED 50% OF THAT RELIGIOUS FACILITY'S MAXIMUM OCCUPANCY
 - ii. NO MORE THAN 250 INDIVIDUALS MAY OCCUPY THE RELIGIOUS FACILITY AT ANY TIME
 - iii. FACE COVERINGS ARE REQUIRED
 - iv. 6 FEET SOCIAL DISTANCING SHALL BE MAINTAINED.
 - v. A RELIGIOUS FACILITY MAY APPLY TO THE COUNTY CHIEF ADMINISTRATIVE OFFICER FOR AN EXCEPTION TO ALLOW MORE THAN THE 250 INDIVIDUAL MAXIMUM BY PROVIDING A PLAN THAT DEMONSTRATES THAT ALL RELEVANT PRECAUTIONS HAVE BEEN SATISFIED AND THAT THE RELIGIOUS FACILITY MAY BE SAFELY OCCUPIED BY MORE THAN 250 INDIVIDUALS
 - vi. IN DETERMINING WHETHER TO GRANT THIS EXCEPTION, THE COUNTY ADMINISTRATIVE OFFICER (OR HIS DESSIGNEE) SHALL CONSULT WITH THE HEALTH OFFICER.
- g. ALL MANUFACTURING BUSINESSES AND FACILITIES IN FREDERICK COUNTY MAY BE OPEN .
2. BEFORE MAY 29, 2020, THE COUNTY EXECUTIVE SHALL REVIEW THE TRENDS IN THE APPLICABLE STATISTICS AND MAY DELAY THE

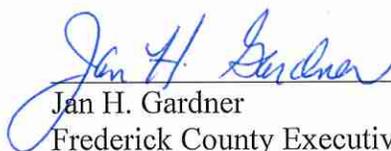
IMPLEMENTATION OF THE OPENINGS FOR RELIGIOUS FACILITIES
AND CERTAIN PERSONAL SERVICES IF

- a. COVID-19 HOSPITALIZATIONS ARE INCREASING
 - b. INTENSIVE CARE UNIT AVAILABILITY IN FREDERICK COUNTY IS DECLINING OR
 - c. THE NUMBER OF COVID-19 CASES IN NURSING HOMES AND OTHER CONGREGATE FACILITIES IS INCREASING,
3. THIS EXECUTIVE ORDER TAKES EFFECT IMMEDIATELY AND SHALL REMAIN IN EFFECT UNTIL THE EARLIEST OF:
- a. THIS EXECUTIVE ORDER IS SUPERCEDED, AMENDED OR REVISED BY ADDITIONAL COUNTY EXECUTIVE ORDER;
 - b. GOVERNOR'S ORDER 20-05-13-01 (AS IT MAY BE AMENDED FROM TIME TO TIME) IS NO LONGER IN EFFECT; OR
 - c. JUNE 13, 2020.

This Executive Order is issued as of this 14th day of May, 2020.



Rick Harcum
Chief Administrative Officer



Jan H. Gardner
Frederick County Executive