



FREDERICK COUNTY GOVERNMENT

OFFICE OF THE COUNTY EXECUTIVE

Jan H. Gardner
County Executive

Rick Harcum, Chief Administrative Officer

EXECUTIVE ORDER NO.: 03-2020

EFFECTIVE DATE: June 5, 2020 @ 5:00 P.M.

Revised Limited Reopening Extended Stay at Home

WHEREAS, on March 5, 2020, Maryland 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 June 3, 2020, Maryland Governor Lawrence J. Hogan, Jr. issued Executive Order number 20-06-03-01, Amending and restating his Order of May 6, 2020, and May 13, 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, 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 20-06-03-01 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, such as Frederick County, thereby exasperating the current COVID-19 impacts in these jurisdictions; and

WHEREAS, Frederick County has determined that issuing this Order that is more restrictive than the Governor's Order 20-06-03-01 is necessary and reasonable to save lives or prevent exposure to COVID-19; and

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WHEREAS, the “WHEREAS” paragraphs of Executive Order 01-2020 and 02-2020 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, THE LAWS OF MARYLAND, AND SPECIFICALLY GOVERNOR’S ORDER 20-06-03-01, HEREBY DECLARE THAT:

1. IN FREDERICK COUNTY, THE MORE RESTRICTIVE REQUIREMENTS OF THIS EXECUTIVE ORDER APPLY AND PREVAIL OVER ANY LESS RESTRICTIVE REQUIREMENTS OF THE GOVERNOR’S ORDERS 20-05-13-01, 20-05-27-01, AND 20-06-03-01. IN ALL OTHER RESPECTS, THE GOVERNOR’S ORDERS APPLY WITHIN FREDERICK COUNTY.
 - A. RETAIL ESTABLISHMENTS. EFFECTIVE AS OF 5:00 P.M. ON MAY 29, 2020, RETAIL BUSINESSES, ORGANIZATIONS, ESTABLISHMENTS, AND FACILITIES IN FREDERICK COUNTY THAT PRINCIPALLY SELL GOODS (“RETAIL ESTABLISHMENTS”) MAY OPEN TO THE GENERAL PUBLIC, *PROVIDED, HOWEVER*, THAT THE TOTAL NUMBER OF PERSONS PERMITTED IN A RETAIL ESTABLISHMENT AT ANY ONE TIME SHALL NOT EXCEED 50% OF THAT RETAIL ESTABLISHMENT’S MAXIMUM OCCUPANCY (AS DEFINED IN GOVERNOR’S ORDER 20-06-03-01).
 - B. OTHER BUSINESSES. EFFECTIVE AS OF 5:00 P.M. ON JUNE 5, 2020, EXCEPT AS OTHERWISE CLOSED BY ANY ORDER OF THE GOVERNOR, BUSINESSES, ORGANIZATIONS, ESTABLISHMENTS, AND FACILITIES THAT ARE NOT PART OF THE CRITICAL INFRASTRUCTURE SECTORS IDENTIFIED BY THE U.S. DEPARTMENT OF HOMELAND SECURITY’S CYBERSECURITY AND INFRASTRUCTURE SECURITY AGENCY (DESCRIBED AT <https://www.cisa.gov/identifying-critical-infrastructure-during-covid-19>) MAY OPEN TO THE GENERAL PUBLIC WITH THE FOLLOWING CONDITIONS AS IMPOSED BY ANY ORDER OF THE GOVERNOR:
 - i. REQUIRE STAFF TO WEAR FACE COVERINGS WHILE WORKING IN AREAS OPEN TO THE GENERAL PUBLIC AND AREAS IN WHICH INTERACTIONS WITH OTHER STAFF ARE LIKELY; AND
 - ii. ALL CUSTOMERS OVER THE AGE OF NINE ARE REQUIRED TO WEAR FACE COVERINGS WHILE INSIDE THE ENCLOSED AREA OF ANY BUSINESS; AND

iii. NOT ALLOW THE NUMBER OF PERSONS IN THE BUSINESS TO EXCEED 50% OF THE BUSINESS'S MAXIMUM OCCUPANCY.

C. CERTAIN PERSONAL SERVICES.

- i. EFFECTIVE AS OF 5:00 P.M. ON MAY 29, 2020, CERTAIN PERSONAL SERVICE ESTABLISHMENTS MAY OPEN TO THE GENERAL PUBLIC INCLUDING:
 - a. 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
 - b. BARBER SHOPS.
- ii. EFFECTIVE AS OF 5:00 P.M. ON JUNE 5, 2020, TATTOO PARLORS, TANNING SALONS, MASSAGE PARLORS, AND ESTABLISHMENTS THAT PROVIDED ESTHETIC SERVICES OR PROVIDE NAIL TECHNICIAN SERVICES (AS DESCRIBED IN TITLE 5 OF THE BUSINESS OCCUPATIONS ARTICLE OF THE MARYLAND CODE) MAY OPEN.
- iii. AS PROVIDED IN THE GOVERNOR'S ORDERS, A PERSONAL SERVICES ESTABLISHMENT MUST:
 - a. REQUIRE ALL CUSTOMERS OVER AGE OF TWO AND STAFF TO WEAR FACE COVERINGS EXCEPT TO THE EXTENT WEARING A FACE COVERING WOULD MAKE IT IMPOSSIBLE FOR SERVICES TO BE PERFORMED.
 - b. PROVIDE SERVICES ON AN APPOINTMENT BASIS ONLY.
 - c. NOT ALLOW THE NUMBER OF PERSONS IN THE PERSONAL SERVICE ESTABLISHMENT TO EXCEED 50% OF THE PERSONAL SERVICE ESTABLISHMENT'S MAXIMUM OCCUPANCY.
 - d. 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.
- iv. IN FREDERICK COUNTY, A PERSONAL SERVICES ESTABLISHMENT AS DESCRIBED IN C(1) MUST:

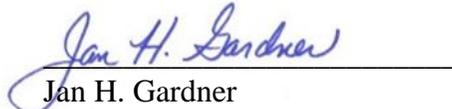
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- a. ESTABLISH SPECIAL MORNING HOURS FOR SENIORS AND OTHER VULNERABLE RESIDENTS BEFORE OPENING TO OTHER CUSTOMERS.
- D. RELIGIOUS FACILITIES. EFFECTIVE AS OF 5:00 P.M. ON MAY 29, 2020, CHURCHES, SYNAGOGUES, MOSQUES, TEMPLES, AND OTHER SIMILAR RELIGIOUS FACILITIES OF ANY FAITH MAY OPEN TO THE GENERAL PUBLIC PROVIDED HOWEVER THAT
- i. THE FOLLOWING STATE REQUIREMENTS ARE COMPLIED WITH:
- a. 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.
- b. FACE COVERINGS ARE REQUIRED.
- c. 6 FEET SOCIAL DISTANCING SHALL BE MAINTAINED.
- ii. IN FREDERICK COUNTY:
- a. NO MORE THAN 250 INDIVIDUALS MAY OCCUPY THE RELIGIOUS FACILITY AT ANY TIME.
- b. 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.
- c. IN DETERMINING WHETHER TO GRANT THIS EXCEPTION, THE COUNTY ADMINISTRATIVE OFFICER (OR HIS DESIGNEE) SHALL CONSULT WITH THE HEALTH OFFICER.
- E. MANUFACTURING. ALL MANUFACTURING BUSINESSES AND FACILITIES IN FREDERICK COUNTY MAY BE OPEN TO THE GENERAL PUBLIC AND ARE EXEMPT FROM THE REQUIREMENTS OF PARAGRAPH 1(B).
- F. CONSTRUCTION. ALL CONSTRUCTION BUSINESSES AND FACILITIES IN FREDERICK COUNTY MAY OPEN AND BE OPEN TO THE PUBLIC AND ARE EXEMPT FROM PARAGRAPH 1(B).

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- G. MISCELLANEOUS. ANIMAL ADOPTION FACILITIES, CAR WASHES AND PET GROOMING FACILITIES MAY OPEN.
2. EXECUTIVE ORDER 2-2020 REMAINS IN EFFECT UNTIL 5:00 P.M. ON JUNE 5, 2020, BUT UPON THIS EXECUTIVE ORDER BECOMING EFFECTIVE AT 5:00 P.M. ON JUNE 5, 2020, EXECUTIVE ORDER 2-2020 IS SUPERSEDED AND IS NO LONGER IN EFFECT EXCEPT AS RESTATED IN THIS EXECUTIVE ORDER.
3. THIS EXECUTIVE ORDER TAKES EFFECT IMMEDIATELY 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 20-06-03-01 (AS IT MAY BE AMENDED FROM TIME TO TIME) IS NO LONGER IN EFFECT.

This Executive Order is issued as of this 4th day of June, 2020.



Rick Harcum
Chief Administrative Officer



Jan H. Gardner
Frederick County Executive