



FREDERICK COUNTY GOVERNMENT
OFFICE OF THE COUNTY EXECUTIVE

Jan H. Gardner
County Executive

Rick Harcum, Chief Administrative Officer

EXECUTIVE ORDER NO.: 05-2020

EFFECTIVE DATE: September 21, 2020 @ 5:00 P.M.

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, and September 8, 2020, 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, the State has implemented measures to reduce community transmission rates of COVID-19, while strategically activating the Maryland Strong: Roadmap to Recovery plan; and

WHEREAS, the State is continuously expanding COVID-19 laboratory testing capacity and locations throughout Maryland, and has increased its disease-investigation capabilities by implementing operations to trace the contacts of up to 1,000 new cases per day; and

WHEREAS, the State has carefully monitored hospital capacity, and has worked with hospitals to ensure their surge capacity can accommodate Marylanders who may become ill; and

WHEREAS, the State is procuring necessary protective equipment to safeguard critical facilities and staff; and

WHEREAS, the Coronavirus Recovery Team has advised that widespread use of Face Coverings is likely to help control the spread of COVID-19; and

WHEREAS, on September 18, 2020, Governor Lawrence J. Hogan, Jr. issued Executive Order 20-09-18-01, providing that foodservice establishments may expand the number of persons in the Foodservice Establishment to 75% of the Foodservice Establishment's Maximum Occupancy; and

WHEREAS, as of September 20, 2020, Frederick County has recorded 3,914 residents who have tested positive for, and 122 residents have died from, COVID-19; and

WHEREAS, as of September 20, 2020, Frederick County has a 2.5% 7 day positivity rate and a 9.9 per 100,000 residents average per rolling 7 days; and

WHEREAS, Frederick County is not adequately achieved the goals as set forth by the State and is not preventing a surge of new cases of COVID-19 in the county; 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 Order 20-09-18-01 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 A LOCAL STATE OF EMERGENCY EXISTS IN FREDERICK COUNTY BEGINNING AT 5:00 P.M. ON SEPTEMBER 21, 2020, AND AUTHORIZE COUNTY AGENCIES TO ACTIVATE EMERGENCY PLANS AND TAKE SUCH ACTIONS AS ARE NECESSARY OR APPROPRIATE TO PROTECT LIVES DURING THE DURATION OF THIS EMERGENCY; AND

I FURTHER DIRECT THAT THE GOVERNOR'S EXECUTIVE ORDER 20-09-18-01, SHALL NOT TAKE EFFECT IN FREDERICK COUNTY AT THIS TIME.

This Executive Order is issued as of this 21 day of September, 2020.



Rick Harcum
Chief Administrative Officer



Jan H. Gardner
Frederick County Executive