



FREDERICK COUNTY GOVERNMENT

OFFICE OF THE COUNTY EXECUTIVE

Jan H. Gardner
County Executive

Rick Harcum, Chief Administrative Officer

EXECUTIVE ORDER NO.: 06-2020

EFFECTIVE DATE: October 2, 2020, 5:00 P.M.

Revised 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, and September 18, 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, 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

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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; and

WHEREAS, the "WHEREAS" paragraphs of Executive Order 05-2020 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 20-09-28-01, HEREBY DECLARE THAT:

1. THE GOVERNOR'S EXECUTIVE ORDER 20-09-28-01, MAY TAKE EFFECT IN FREDERICK COUNTY AT THIS TIME, EXCEPT THAT:

A. FOODSERVICE ESTABLISHMENTS SHALL NOT ALLOW THE NUMBER OF PERSONS IN THE FOODSERVICE ESTABLISHMENT'S INDOOR SEATING AREA AS DEFINED IN COMAR 10.19.04.02B(9) TO EXCEED 75% OF THE FOODSERVICE ESTABLISHMENT'S MAXIMUM OCCUPANCY.

B. BARS AND THE AREA IMMEDIATELY SURROUNDING A BAR, NIGHTCLUBS, BREWERIES, DISTILLERIES, WINE TASTING ROOMS, AND EVENT VENUES, INCLUDING BUT NOT LIMITED TO, CIVIC SERVICE CLUBS, PRIVATE CLUBS, INDOOR AGRITOURISM ENTERPRISE ACTIVITIES, FAIRGROUNDS, FARM ALCOHOLIC BEVERAGES TASTING ROOMS, FARM BREWERY TASTING ROOMS, FARM DISTILLERY TASTING ROOMS, FARM WINERY TASTING ROOMS, RODEOS, AUCTION HOUSES, AND WEDDING VENUES, MAY NOT ALLOW THE NUMBER OF PERSONS ATTENDING AN EVENT AT THE EVENT VENUE EXCEED 50% OF THE EVENT VENUE'S MAXIMUM OCCUPANCY.

2. EXECUTIVE ORDER 05-2020 IS INCORPORATED AND RESTATED HEREIN UPON THIS EXECUTIVE ORDER BECOMING EFFECTIVE, EXCEPT AS MODIFIED ABOVE.

3. THIS EXECUTIVE ORDER TAKES EFFECT OCTOBER 2, 2020, AT 5:00 P.M., AND SHALL REMAIN IN EFFECT UNTIL THE EARLIEST OF:

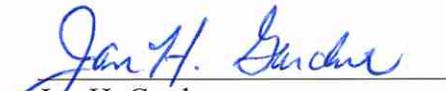
A. THIS EXECUTIVE ORDER IS SUPERSEDED, AMENDED, OR REVISED BY ADDITIONAL COUNTY EXECUTIVE ORDER, OR

B. GOVERNOR'S ORDER 20-05-13-01 (AS IT MAY BE AMENDED FROM TIME TO TIME) IS NO LONGER IN EFFECT.

This Executive Order is issued as of this 2nd day of October, 2020.



Rick Harcum
Chief Administrative Officer



Jan H. Gardner
Frederick County Executive