

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2021 Legislative Session

Resolution No. CR-080-2021

Proposed by The Chair (by request - County Executive)

Introduced by Council Members Hawkins, Ivey, Turner, Davis, Harrison, Dernoga,
Taveras, Anderson-Walker, Glaros, Franklin

Co-Sponsors _____

Date of Introduction September 8, 2021

RESOLUTION

1 A RESOLUTION concerning

2 PRINCE GEORGE'S COUNTY, MARYLAND'S THIRTEENTH CONTINUED
3 DECLARATION OF EMERGENCY—CORONAVIRUS ("COVID-19")

4 For the purpose of continuing the emergency declarations most recently adopted by the
5 governing body on July 6, 2021, CR-77-2021, and as may be further amended.

6 **WHEREAS**, Section 14-111 of the Public Safety Article of the Annotated Code of
7 Maryland provides for the declaration of a Local State of Emergency; and

8 **WHEREAS**, Section 10-328(b) of the Local Government Article of the Annotated Code of
9 Maryland states that a county may provide for the prevention of contagious diseases in the
10 county; and

11 **WHEREAS**, Subtitle 6 of the Prince George's County Code provides for the declaration of
12 a Local State of Emergency by the County Executive and provides authority to issue rules and
13 regulations as deemed necessary to control the situation; and

14 **WHEREAS**, the outbreak of the highly infectious and contagious 2019 Novel Coronavirus
15 (SARS-CoV-2), its variants, and the respiratory disease that it causes – Coronavirus Disease 2019
16 (COVID-19) – has been experienced by both Prince George's County ("the County") and across
17 the world; and

18 **WHEREAS**, the President of the United States proclaimed that the COVID-19 pandemic in
19 the United States constituted a national emergency beginning March 1, 2020 and a continuation of
20 that declaration was issued on February 24, 2021; and

21 **WHEREAS**, the World Health Organization, on March 11, 2020, announced that the

1 COVID-19 outbreak can be characterized as a pandemic; and

2 **WHEREAS**, Prince George’s County, Maryland has previously issued the following
3 emergency declarations: Executive Order Number 6-2020 dated March 16, 2020; Executive
4 Order Number 7-2020 dated April 13, 2020; CR-31-2020 adopted May 11, 2020; Executive
5 Order Number 8-2020 dated May 14, 2020; Executive Order Number 10-2020 dated May 28,
6 2020; CR-51-2020 adopted June 9, 2020; Executive Order Number 13-2020 dated June 12,
7 2020; Executive Order Number 15-2020 dated June 25, 2020; CR-64-2020 adopted July 7,
8 2020; Executive Order Number 20-2020 dated September 3, 2020; CR-90-101 adopted
9 September 15, 2020 ; CR-101-2020 adopted October 13, 2020; CR-125-2020 adopted November
10 17, 2020; and Executive Order 27-2020 dated December 15, 2020; CR-02-2021 adopted January
11 12, 2021; Executive Order 3-2021 dated January 26, 2021; CR-13-2021 adopted February 16,
12 2021; Executive Order 8-2021 dated March 11, 2021; CR-33-2021 adopted March 30, 2021; CR
13 48-2021 adopted May 11, 2021; Executive Order 11-2021 dated May 14, 2021; Executive Order
14 14-2021 dated May 26, 2021; Executive Order 17-2021 dated June 28, 2021 (amended Executive
15 Order 14-2021); CR-77-2021 adopted July 6, 2021; and Executive Order 18-2021 dated August
16 5, 2021; and

17 **WHEREAS**, Prince George's County, Maryland has been and continues to be severely
18 impacted by the COVID-19 outbreak; and

19 **WHEREAS**, as of August 31, 2021, the number of confirmed COVID-19 positive cases in
20 the County was 91,789 cases, with approximately 9,209 hospitalizations and approximately
21 1,582 deaths; and

22 **WHEREAS**, as of August 31, 2021, the average daily case rate is 18.8 per 100,000
23 residents. The County has remained over 10.0 for four straight weeks; and

24 **WHEREAS**, based upon analysis of reported data as of August 23, 2021, the County’s
25 infection rate is 1.05. An infection rate over 1.0 indicates that cases continued to grow; and

26 **WHEREAS**, as of September 1, 2021, the County’s positivity rate is 5.8%; and

27 **WHEREAS**, the County’s available hospital capacity as of August 31, 2021 is 50.6%, with
28 12% of hospitals beds in use for patients with COVID-19. There are now 120 patients with
29 COVID in County hospitals, the highest number in four months; and

30 **WHEREAS**, the available hospital capacity does not take into account the shortage of
31 health workers being reported by hospitals in the County, which places further strain on hospital

1 resources; and

2 **WHEREAS**, the County’s health care system continues to need resources to effectively
3 combat this emergency; and

4 **WHEREAS**, as of August 31, 2021 and per the U.S. Centers for Disease Control (CDC),
5 77.6% of adults (ages 18+) in the County have at least one vaccine, and 68.6% are fully
6 vaccinated; 76.9% of residents ages 12+ have at least one vaccine, and 67.2% are fully
7 vaccinated. In summary, 65.2% of the overall population has at least one vaccination, and 57.0%
8 are fully vaccinated; and

9 **WHEREAS**, as of the date of this Resolution, the U.S. Centers for Disease Control (CDC)
10 has indicated that all jurisdictions within the State of Maryland are areas of “substantial” or
11 “high” community transmission, and that the County, along with 21 other jurisdictions, is an area
12 of “high” transmission; and

13 **WHEREAS**, variants of COVID-19 have developed and the risk of new variants increases
14 as the disease is spread from person to person; and

15 **WHEREAS**, available data shows that the predominant variant in the County is the highly
16 transmissible Delta variant (also known as B.1.617.2), which continues to spread and affect a
17 wider portion of the population and to create an increased risk of cases, hospitalizations, and
18 death; and

19 **WHEREAS**, given that many of the relevant metrics are now in the medium or high level
20 of disease transmission, and that there is continued concern over community spread of new
21 COVID-19 variants, it is necessary that the County remain vigilant and cautious with its re-
22 opening planning; and

23 **WHEREAS**, COVID-19 continues to pose an imminent threat to the health, safety and
24 welfare of County residents; and

25 **WHEREAS**, Section 14-111 (b) (1) of the Public Safety Article of the Annotated Code of
26 Maryland states that the consent of the governing body is needed if a local declaration is
27 continued or renewed for more than 30 days; and

28 **WHEREAS**, CR-77-2021 remained in effect through September 10, 2021 at 5:00 p.m.,
29 unless amended or terminated sooner; and

30 **WHEREAS**, Executive Order 18-2021, which amended portions of CR-77-2021, will
31 terminate September 10, 2021 at 5:00 p.m.

1 **NOW, THEREFORE, BE IT RESOLVED** by the County Council of Prince George's
2 County, Maryland, that Prince George's County, Maryland continue under a declaration of
3 emergency due to the COVID-19 outbreak; and

4 **IT IS FURTHER ORDERED** that the Prince George's County Emergency Operations
5 Plan remain in full force and effect until terminated by the County Executive; and

6 **IT IS FURTHER ORDERED** that the following rules apply to Face Coverings:

7 A. "Face Covering" means a covering that fully covers a person's nose and mouth.

8 The term "Face Covering" includes, without limitation, scarves and bandanas.

9 It is recommended that all reusable Face Coverings be cleaned frequently (at
10 least once per day).

11 B. All persons over the age of five are required to wear a Face Covering *indoors*
12 *in ALL public places, regardless of vaccination status and even where a*
13 *person is able to maintain six feet of distance from other persons.*

14 C. Adults accompanying children between the ages of two through four shall use
15 reasonable efforts to cause those children to wear Face Coverings.

16 D. Retail, restaurant, and business establishments must take all steps necessary to
17 ensure that customers and employees comply with this Resolution including signs on entrance
18 doors requiring Face Coverings to be worn and frequent announcements that persons must wear
19 a Face Covering.

20 E. Single-use Face Coverings shall be properly discarded in trash receptacles.

21 F. **EXCEPTIONS.** A person is not required to wear a Face Covering in an
22 establishment that is operating consistent with all State and County
23 laws/regulations if at least one of the below categories applies:

24 a. due to a bona fide disability or medical condition, it would be unsafe for
25 the person to wear a Face Covering;

26 b. wearing a Face Covering would impede communication by or with
27 persons who have a hearing impairment or other disability, where the
28 ability to see the mouth is essential for communication;

29 c. wearing a Face Covering would subject the person to an unsafe working
30 condition, as determined by federal, state, or local occupational safety
31 regulators or workplace safety guidelines;

- 1 d. wearing a Face Covering would make it impossible to receive medical
2 or personal services requiring access to the face, mouth, or head,
3 including without limitation, dental or medical care;
4 e. while seated at a table at an establishment and consuming food or
5 beverages;
6 f. while in the water at a swimming pool;
7 g. indoor gatherings at private residences;
8 h. alone in an enclosed office that no one else is permitted to enter;
9 i. giving a speech for broadcast or an audience, provided no one is within six feet of the
10 speaker; and/or
11 j. lawfully asked to remove mask for facial recognition purposes.

12 **IT IS FURTHER ORDERED** that requests for consideration of an alternative to these
13 requirements or questions as to compliance with this Resolution, should be submitted
14 Covidplans@co.pg.md.us with detailed information. Inquiries will be reviewed by Health
15 Department and Office of Emergency Management staff members. Every effort will be made to
16 provide a response within 10 business days of receipt of request.

17 **IT IS FURTHER ORDERED** that unvaccinated residents are STRONGLY encouraged to
18 get vaccinated and continue wearing their masks outdoors until they are fully vaccinated. “Fully
19 vaccinated” means the individual has received all required dosages as applicable to the vaccine
20 received, including two weeks post the date of the last dose; and

21 **IT IS FURTHER ORDERED** that additional restrictions will be reinstated if the relevant
22 metrics show a measurable increase in the spread of the COVID virus and that more restrictive
23 measures are needed to save lives and to protect the public safety and welfare; and

24 **IT IS FURTHER ORDERED** that this Resolution will go into **effect on**
25 **September 10, 2021 at 5:01 p.m.**; and

26 **IT IS FURTHER ORDERED** that the directives set forth herein will be enforced by the
27 Prince George’s County Health Department, with the assistance of Prince George’s County law
28 enforcement and other appropriate County employees as determined by the Chief Administrative
29 Officer, as needed; and

30 **IT IS FURTHER ORDERED** the County may continue to conduct scheduled and
31 unscheduled inspections of retail, restaurant and business establishments as needed to help

1 prevent increase in virus spread; and

2 **IT IS FURTHER ORDERED** that non-compliance may subject the owner and/or operator
3 to a fine not exceeding \$1,000 pursuant to the Prince George’s County Code and/or the
4 establishments to closure pursuant to the legal authority of the Health Officer and/or other legal
5 authority; and

6 **IT IS FURTHER ORDERED** that the Executive Branch continue to provide regular
7 updates to the Council Chair or Vice Chair; and

8 **IT IS FURTHER ORDERED** that this declaration supersedes Council Resolution 77-
9 2021 and Executive Order 18-2021; and

10 **IT IS FURTHER ORDERED** that the provisions of the Resolution are severable such
11 that, if any provision of this Resolution or its application to any person, entity, or circumstance is
12 held invalid by any court of competent jurisdiction, all other provisions or applications of this
13 Resolution shall remain in effect to the extent possible without the invalid provision or
14 application; and

15 **IT IS FURTHER ORDERED** that this declaration of emergency shall remain in effect
16 through October 25, 2021 at 5:00 p.m., unless amended or terminated sooner by the County
17 Executive or as extended by a subsequent resolution of the governing body.

18 **BE IT FURTHER RESOLVED** that this Resolution shall take effect on the day it is
19 adopted.

Adopted this 8th day of September, 2021.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Calvin S. Hawkins, II
Chair

ATTEST:

Donna J. Brown
Clerk of the Council

APPROVED:

Date: _____

BY: _____
Angela D. Alsobrooks
County Executive