

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2020 Legislative Session

Resolution No. CR-51-2020
Proposed by The Council Chair (by request – County Executive)
Introduced by Council Members Turner, Streeter, Dernoga, Hawkins, Glaros, Taveras,
Anderson-Walker, Ivey, Harrison, and Davis
Date of Introduction June 9, 2020

RESOLUTION

1 A RESOLUTION concerning

2 Prince George's County, Maryland's Second Continued Declaration Of Emergency—
3 Coronavirus ("Covid-19")

4 For the purpose of continuing the emergency declarations adopted by the governing body on
5 May 11, 2020, CR-31-2020, and continued by the County Executive as set forth in Executive
6 Orders 8-2020 and 10-2020, and as may be further amended.

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

9 **WHEREAS**, Section 6-134, et seq., of the Prince George's County Code provides for the
10 declaration of a Local State of Emergency; and

11 **WHEREAS**, the President of the United States proclaimed that the COVID- 19 outbreak in
12 the United States constituted a national emergency beginning March 1, 2020; and

13 **WHEREAS**, on March 5, 2020, the Governor of the State of Maryland declared
14 a state of emergency and a catastrophic health emergency for the State of Maryland
15 to control and prevent the spread of COVID-19; and

16 **WHEREAS**, the World Health Organization, on March 11, 2020, announced that the
17 COVID-19 outbreak can be characterized as a pandemic; and

18 **WHEREAS**, the County Executive for Prince George's County, Maryland has issued
19 several local declarations of emergency because of the COVID-19 pandemic: Executive Order
20 Number 6-2020 on March 16, 2020; Executive Order Number 7-2020 on April 13, 2020;
21 Executive Order Number 8-2020 on May 14, 2020; and Executive Order Number 10-2020 on
22 May 28, 2020; and

1 **WHEREAS**, the number of COVID-19 positive cases in the County has exceeded 16,400,
2 with more than 2600 hospitalizations and approximately 540 deaths; and

3 **WHEREAS**, the County's health care system continues to be stressed and in need of
4 resources to effectively combat this emergency; and

5 **WHEREAS**, unemployment in Prince George's County, Maryland is currently at
6 approximately fifteen percent and many of the jobs created in the County over the last five years
7 have been lost due to economic downturn caused by the current health crisis; and

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

11 **WHEREAS**, the Order of the Governor of the State of Maryland Number 20-06-03-01,
12 issued June 3, 2020, specifically authorized political subdivisions to issue more restrictive orders
13 than issued by the Governor including requiring any businesses, organizations, establishments, or
14 facilities to close or modify their operations; and/or requiring individuals to remain indoors or to
15 refrain from congregating; and

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

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

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

23 **IT IS FURTHER ORDERED** that it is necessary and reasonable to save lives and to
24 protect the public safety and welfare of all Prince Georgians during this pandemic, by controlling
25 and preventing the further spread of COVID- 19, to issue the following orders that will take
26 effect June 10, 2020 at 5:00 p.m.:

- 27 I. Except as otherwise provided in this Resolution, non-essential businesses shall
28 remain closed to the general public. Non-essential businesses are defined as
29 businesses, establishments, organizations and facilities that are not part of the
30 critical infrastructure sectors identified by the U.S. Department of Homeland
31 Security's Cybersecurity and Infrastructure Security Agency (currently

1 described at:

2 <https://www.cisa.gov/identifying-critical-infrastructure-during-covid-19>).

3 II. Face Covering. “Face Covering” means a covering that fully covers a person’s
4 nose and mouth. The term “Face Covering” includes, without limitation, scarves
5 and bandanas. Face Coverings are required to be worn as follows:

6 A. All riders and operators on “The Bus”, Prince George’s County’s bus
7 transit system, are required to wear Face Coverings;

8 B. All customers in a retail or restaurant establishment over the age of nine
9 are required to wear Face Coverings while inside the enclosed area of any retail
10 or restaurant establishment;

11 C. Adult customers accompanying children age two through nine shall use
12 reasonable efforts to cause those children to wear Face Coverings while
13 inside the enclosed area of any retail or restaurant;

14 D. All retail establishments shall require staff to wear, and those staff shall
15 wear, Face Coverings while working in areas open to the general public
16 and areas in which interactions with other staff are likely; and

17 E. All restaurants shall require staff who interact with customers (including,
18 without limitation, delivery personnel) to wear, and those staff shall wear,
19 Face Coverings while working.

20 F. Single-use Face Coverings shall be properly discarded in trash receptacles.
21 It is recommended that all reusable Face Coverings be cleaned frequently
22 (at least once per day).

23 III. Closure of Certain Specific Businesses, Organizations and Facilities

24 A. Senior Centers. All senior citizen activities centers (as defined in
25 Section 10- 501 (i) of the Human Services Article of the Maryland
26 Code) shall remain closed.

27 B. Retail Establishments shall remain closed with the exception that they may
28 open for curbside service where the customer can order and pay for
29 items online or over the telephone and arrive at the premises of the
30 retail establishment and the items are delivered to the customer’s car.
31 There must be no direct physical contact between the establishment’s

1 employee and customer and the employee and customer must wear
2 appropriate face covering.

3 C. Restaurants and Bars

4 1. Restaurants, bars, and other similar establishments that sell
5 food or beverages for consumption on premises in Prince
6 George's County, Maryland ("Restaurants and Bars") shall
7 remain closed to the general public, except that in accordance
8 with any social- distancing recommendations of the Centers
9 for Disease Control and Prevention ("CDC") and the
10 Maryland Department of Health ("MDH"), food and
11 beverages may be:

- 12 a. Sold if such food or beverages are promptly taken from
13 the premises, i.e., on a carry-out or drive-through basis;
14 or
15 b. Delivered to customers off the premises; and
16 c. Outdoor dining at Restaurants and Bars will be allowed
17 if the Restaurants and Bars adhere to the following rules:
18 i. establishment has current approval for outdoor
19 dining or receives a Restaurant Temporary Outdoor
20 Seating Area permit;
21 ii. require all staff and customers to wear Face
22 Coverings, in accordance with the Section II of this
23 Resolution, *except* that customers, while eating or
24 drinking during outdoor dining, may remove face
25 covering;
26 iii. ensure patrons are seated at least six feet away from
27 each other, except for households seated together;
28 iv. not allow groups larger than six persons to be seated
29 together, except members of the same household;
30 v. maximum of 50 patrons will be allowed at any
31 outdoor dining regardless of space;

- 1 vi. all employees must receive health screenings prior
 2 to their shifts;
 3 vii. customers, while eating or drinking at outdoor
 4 dining, may remove face covering
 5 viii. no food service in a buffet format; and
 6 ix. clean and disinfect each table between each seating
 7 in accordance with CDC and MDH guidelines,
 8 using cleaning products that meet the criteria of the
 9 U.S. Environmental Protection Agency for use
 10 against COVID-19.
 11 x. hand sanitizer and appropriate hand washing
 12 facilities must be available;
 13 xi. Any other applicable laws or regulations.

14 2. This Resolution does not apply to food or beverage
 15 services in health care facilities, which are expressly
 16 excluded from the definition of "Restaurants and Bars."

17 *D. Fitness Centers*

- 18 1. This Executive Resolution controls the occupancy and use
 19 of fitness centers, health clubs, health spas, gyms, aquatic
 20 centers, and self- defense schools in Prince George's County,
 21 Maryland ("Fitness Centers").
 22 2. All Fitness Centers shall remain closed to the general
 23 public, except that the portion of any Fitness Center that is
 24 licensed or otherwise permitted by applicable law,
 25 regulation, or order to provide child care services may remain
 26 open to the general public for the purpose of continuing to
 27 provide such child care services.

28 *E. Theaters*

29 Theatres in Prince George's County, Maryland at which live
 30 performances occur or motion pictures are shown shall remain closed
 31 to the general public, including drive-in theaters.

F. Malls

1. This Resolution controls the occupancy and use of shopping centers in Prince George’s County, Maryland that have one or more enclosed pedestrian concourses ("Enclosed Malls").
2. Except as set forth in paragraphs III.B, III.F.3 and III.F.4, of this Resolution, the following portions of Enclosed Malls shall remain closed to the general public:
 - a. Pedestrian concourses and other interior common areas open to the general public, including without limitation, food courts; and
 - b. Retail establishments only accessible to the general public from enclosed pedestrian concourses or other interior areas.
3. Retail establishments attached to Enclosed Malls that are directly accessible from the outside are not required to close.
4. Access to the general public to the following portions of Enclosed Malls is not prohibited:
 - i. That primarily sell groceries or pharmacy products, or
 - ii. At which licensed professionals provide health care services; and
 - iii. Pedestrian concourses and other interior common areas, but solely to the extent necessary for the general public to access the retail establishments described in this sub-paragraph.

G. Other Recreational Establishments

1. "Recreational Establishments" includes:
 - a. Bingo halls;
 - b. Bowling alleys;

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- c. Pool halls;
- d. Amusement parks;
- e. Roller- and ice-skating rinks;
- f. Marinas and watercraft rental businesses;
- g. Swimming pools;
- h. Day camps;
- i. Playgrounds;
- j. Youth sports;
- k. Tour boats;
- l. Social and fraternal clubs, including without limitation, American Legion posts, VFW posts, and Elks Clubs;
- m. Campgrounds; and
- n. Any other establishment not listed above that is subject to the admission and amusement tax under Title 4 of the Tax-General Article of the Maryland Code.

2. All Recreational Establishments are hereby closed to the general public (including members, in the case of private clubs).

H. Other Miscellaneous Establishments

The following establishments shall remain closed to the general public:

- 1. Tattoo parlors;
- 2. Tanning salons; and
- 3. Massage parlors. “Massage parlors” does not include licensed massage therapists providing massage therapy in health care settings, as defined in Title 6 of the Health Occupations Article of the Maryland Code.

IV. Businesses, Organizations, Establishment and Facilities That May Open

A. Retail Establishments, except as provided in Paragraph III.F of this Resolution and pursuant to the conditions set forth in III.B of this Resolution.

The following rules must be adhered to:

- 1. Face Coverings requirements listed in Section II of this Resolution.
- 2. Maintain physical distancing (greater than 6'), wherever possible,

1 between employees and customers at curbside and between employees
2 during in-store operations;

- 3 3. Physical distancing markers for staff and customers required;
- 4 4. High contact surfaces (those with hourly or greater contact frequency)
5 will be cleaned with CDC and Environment Protection Agency (“EPA”)
6 approved disinfectant at least every 2 hours;
- 7 5. All employees must receive training on CDC COVID-19 guidance
8 appropriate to their workplace prior to working;
- 9 6. Online shopping and payment via digital platforms should be encouraged
10 as much as possible.

11 B. Manufacturing. The following rules must be adhered to:

- 12 1. Maintain physical distancing (greater than 6'), wherever possible;
- 13 2. Use of appropriate personal protective equipment (“PPE”), including face
14 coverings as set forth in Section II of this Resolution, by all staff;
- 15 3. Physical distancing markers for staff;
- 16 4. High contact surfaces (those with hourly or greater contact frequency)
17 will be cleaned with CDC and EPA- approved disinfectant at least every
18 2 hours;
- 19 5. All employees must receive training on CDC COVID-19 guidance
20 appropriate to their workplace prior to working.

21 C. Farmers Markets will be able to open for carryout only. The following rules
22 must be adhered to:

- 23 1. Maintaining proper social distancing (greater than 6') is required,
24 wherever possible;
- 25 2. Face coverings, as set forth in Section II of this Resolution, are required
26 for vendors and customers;
- 27 3. CDC and EPA guidelines for cleaning high use surfaces must be
28 followed.

29 D. Childcare Facilities can open for dependents of Essential persons (as defined
30 below) and persons returning to work due to the Modified Phase 1 Opening
31 reflected in this Resolution. The following rules must be adhered to:

- 1 1. Maintain physical distancing (greater than 6'), wherever possible;
- 2 2. Use of PPE, including face coverings and gloves, by all employees;
- 3 3. High contact surfaces (those with hourly or greater contact frequency)
- 4 will be cleaned with CDC and EPA- approved disinfectant at least every
- 5 2 hours;
- 6 4. All employees must receive training on CDC COVID-19 guidance
- 7 appropriate to their workplace prior to working;
- 8 5. Daily symptom screenings for employees and children;
- 9 6. Staggered drop-offs and pick-ups;
- 10 7. Temporary exclusion for employees and children, following CDC and
- 11 MDH guidelines, in the event of positive cases;
- 12 8. All applicable State and local regulations for the operation of a childcare
- 13 facility must be followed.
- 14 9. "Essential persons" is defined as:
 - 15 a. Providers of health, long-term, or acute inpatient care, emergency
 - 16 medical, or pharmacy services;
 - 17 b. Public health employees;
 - 18 c. Law enforcement personnel;
 - 19 d. Correctional services employees;
 - 20 e. Firefighters and other first responders;
 - 21 f. Government employees required to work during the state of
 - 22 emergency or catastrophic health emergency;
 - 23 g. Employees and representatives of insurance carriers, and those
 - 24 authorized by the Maryland Insurance Agency to engage in the
 - 25 business of insurance;
 - 26 h. National Guard personnel called to active duty;
 - 27 i. Staff and providers of child care or education services, including
 - 28 custodial staff and food service providers;
 - 29 j. Food distributors and suppliers, including food and supply services
 - 30 or distribution personnel;
 - 31 k. Transportation and delivery services personnel;

- 1 l. Gasoline service station operators and automobile repair mechanics;
- 2 m. Critical infrastructure employees, including emergency support
- 3 personnel for gas and electric utility operations, public works, water
- 4 treatment, and waste management.

5 E. Fully Automatic Car Washes. Customers must be able to remain in their cars
6 while obtaining service. There should be no physical contact between car
7 wash employees and vehicle occupants. The interior of the vehicle may not
8 be cleaned by car wash employees, but the outside of the vehicle may be
9 wiped down by these employees so long as there is adherence to the no
10 physical contact mandate and the employees wear masks and gloves.

11 F. Barbershops and Beauty Salons (the latter limited to only providing hair
12 services and hair services--blow drying, as described in Title 5 of the
13 Business Occupations Article of the Maryland Code). The following rules
14 must also be adhered to:

- 15 1. Customers must be served via appointment only;
- 16 2. Customers are not allowed to congregate in common sitting area waiting
17 to be served;
- 18 3. Maintain physical distancing (greater than 6'), wherever possible and
19 there must be appropriate floor markings to create adequate social
20 distancing;
- 21 4. Use of PPE, including face coverings as set forth in Section II of this
22 Resolution, by all employees;
- 23 5. Customers over the age of two must abide by the face coverings
24 regulations set forth in Section II of this Resolution unless doing so would
25 make it impossible for services to be performed;
- 26 6. Physical distancing markers for staff;
- 27 7. Service is limited to 1 customer for every 200 square feet of service
28 delivery space;
- 29 8. High contact surfaces (those with hourly or greater contact frequency)
30 will be cleaned with CDC and EPA- approved disinfectant at least every
31 2 hours;

- 1 9. All employees must receive training on CDC COVID-19 guidance
2 appropriate to their workplace prior to working.
- 3 G. Guidance is provided in the following sources: CDC Business and Workplace
4 Toolkit; CDC COVID-19 FAQ for Businesses; CDC Guidance for
5 Manufacturing Workers and Employers; CDC COVID-19 Guidance for
6 Childcare Providers; MSDE COVID-19 FAQ for Child Care Settings.
- 7 V. The following activities are specifically allowed when done in compliance with
8 applicable CDC and MDH guidance, including social distancing and applicable
9 cleaning regulations:
- 10 A. Outdoor exercise activities, such as walking, hiking, running, biking, or
11 individual and small group sports such as golfing and driving ranges (except
12 miniature golf), tennis, and similar activities;
- 13 B. Outdoor fitness instruction;
- 14 C. Recreational fishing, hunting, shooting, and archery;
- 15 D. Recreational boating;
- 16 E. Horseback riding; and
- 17 F. Visiting cemeteries.
- 18 VI. Unless specifically allowed pursuant to this Executive Order, social, community,
19 spiritual, religious, recreational, leisure, and sporting gatherings and events
20 ("large gatherings and events") of more than 10 people are hereby prohibited at
21 all locations and venues, including but not limited to parades, festivals,
22 conventions, and fundraisers. Planned large gatherings and events must be
23 canceled or postponed.
- 24 VII. Grocery stores, pharmacies and large chain retail establishments are required to
25 promote social distancing inside and outside of these establishments while
26 customers wait to enter the premises.
- 27 VIII. For avoidance of doubt, this Resolution does not require the closure of, or prohibit
28 the movement of any staff or volunteer traveling to, from, or in connection with
29 their duties at any:
- 30 A. Federal, State, or local government unit, building, or facility;
- 31 B. Newspaper, television, radio, or other media service; or

C. Non-profit organization or facility providing essential services to low-income persons, including, without limitation, homeless shelters, food banks, and soup kitchens.

IT IS FURTHER ORDERED that the directives set forth herein will be enforced by the Prince George’s County Health Department, with the assistance of Prince George’s County law enforcement as needed.

IT IS FURTHER ORDERED that the Executive Branch continue to provide weekly updates to the Council Chair or Vice Chair; and

IT IS FURTHER ORDERED that this declaration of emergency shall stay in effect for thirty (30) days unless amended or terminated sooner by the County Executive or as extended by a subsequent resolution of the governing body.

BE IT FURTHER RESOLVED that this Resolution shall take effect on the day it is adopted and supersedes Executive Orders 8-2020 and 10-2020.

Adopted this 9th day of June, 2020.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Todd M. Turner
Council Chair

ATTEST:

Donna J. Brown
Clerk of the Council

APPROVED:

Date: _____

BY: _____
Angela D. Alsobrooks
County Executive