



Todd M. Turner
Chair
District 4

May 21, 2020

Ms. Elizabeth M. Hewlett, Chair
Prince George's County Planning Board
County Administration Building
Upper Marlboro, Maryland 20772

Dear Chair Hewlett:

The Prince George's County Council understands and shares your concern about the impacts of the current COVID-19 health emergency on the public safety, health, and welfare of the citizens and residents of the County, including the need to perform certain official public duties in spite of the ongoing pandemic health crisis.

We further understand that, in an effort to balance the need to protect the public health with the duties to transact public business, the Prince George's County Planning Board has been conducting hearings and rendering decisions via alternate means, including virtual hearings, in order to continue its State-conferred duties to review and render decisions on applications for local development in the County.

As you know, the County Council has also conducted virtual public meetings for essential government business via virtual meetings and tolled all time deadlines, requirements, or expirations for land use proposals since the March 13, 2020, issuance of a local State of Emergency by the County Executive and adoption of Council Resolution CR-010-2020 on March 17, 2020. In addition, on May 11, 2020, the County governing body extended its emergency status operations and local state of emergency via adoption of Council Resolution CR-031-2020, given the ongoing State and local state of emergency status. Today, the Council considered and approved Council Resolution CR-35-2020, extending and amending certain provisions contained in CR-10-2020 (copy enclosed).

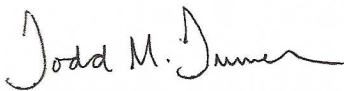
Moreover, the Council is required by law to permit public access to and inspection of the full application file for District Council matters. This cannot occur while County buildings remain closed. Consequently, and because the Council is bound by certain specified procedures for conducting hearings on land use applications, namely through State and local zoning laws and local administrative Rules of Procedure, the County Council will not be scheduling District Council hearings for a period of the lesser of sixty (60) days or until such time as the County emergency is lifted.

Hon. Elizabeth M. Hewlett
May 18, 2020
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During this time of emergency, and in the interest of transparency and continuity of process, we request that you include specific written notice to all parties in each of your land use decisions that states, "Due to the current health pandemic and County building closure, the District Council is not scheduling hearings on administrative land use applications and has tolled the period within which any appeal or other relief must be filed with the Council."

Thank you for your immediate attention and cooperation.

Sincerely,



Hon. Todd M. Turner
Council Chair

Enc.

cc: Hon. Angela D. Alsobrooks, Prince George's County Executive
Mr. Major F. Riddick, Jr., Chief Administrative Officer

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

2020 Legislative Session

Resolution No. CR-35-2020

Proposed by Council Chair Turner

Introduced by Council Members Turner, Davis, Dernoga, Franklin, Glaros, Harrison,
Hawkins, Ivey, Streeter and Taveras

Date of Introduction May 18, 2020

EMERGENCY RESOLUTION

1 AN EMERGENCY RESOLUTION concerning

2 Emergency Operations—Public Meetings, Sessions, and Hearings

3 For the purpose of postponement of County Council actions, providing for alternative public
4 participation for meetings that are required to be held, and operations necessitated by the
5 Coronavirus (“COVID-19”) public health emergency.

6 WHEREAS, the World Health Organization (“WHO”) and the Centers for Disease Control
7 and Prevention (“CDC”) have declared the COVID-19 outbreak a “public health emergency of
8 international concern”; and

9 WHEREAS, the CDC and other public health authorities have advised taking precautions to
10 reduce the possibility of exposure to the virus and slow the spread of the disease; 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, Governor Lawrence Hogan issued a “Proclamation and Declaration of State of
14 Emergency and Existence of Catastrophic Health Emergency – COVID-19”; and

15 WHEREAS, on May 13, 2020, Governor Lawrence Hogan amended and restated the Order
16 of May 6, 2020 allowing the reopening of certain businesses and facilities, subject to local
17 regulation; and

18 WHEREAS, the Prince George’s County Health Department elevated its recommendations
19 to be consistent with those of the CDC and is recommending social distancing within Prince
20 George’s County, including limiting access to public buildings, recreational facilities and the
21 courthouses located in the County until April 6, 2020; and

22 WHEREAS, the Chief Administrative Officer of Prince George’s County issued a

1 memorandum on March 13, 2020, directing all County Boards and Commissions to suspend in-
2 person meetings and/or hearings and restricting access to County buildings to only County
3 Employees beginning March 16, 2020; and

4 WHEREAS, on March 16, 2020, Prince George's County Executive Angela Alsobrooks
5 declared that a Local State of Emergency exists in Prince George's County; and

6 WHEREAS, the Governing Body of Prince George's County extended the Local State of
7 Emergency by adopting CR-31-2020 on May 11, 2020; and

8 WHEREAS, on May 14, 2020, Prince George's County Executive Angela Alsobrooks
9 extended the Local State of Emergency and the Stay-At-Home Order, as amended, for Prince
10 George's County by Executive Order 8-2020; and

11 WHEREAS, all of the above referenced States of Emergency continue in effect; and

12 WHEREAS, most public institutions in Prince George's County, including the Judicial
13 Branch, have limited public access in recognition of the global pandemic posed by COVID-19;
14 and

15 WHEREAS, the global pandemic COVID-19 poses an imminent risk to the health, safety,
16 and welfare of Prince George's County residents; and

17 WHEREAS, pursuant to the Prince George's County Charter a resolution has the force and
18 effect of law but of a temporary or administrative character.

19 NOW, THEREFORE, BE IT RESOLVED by the County Council of Prince George's
20 County, Maryland, that all public/evidentiary hearings, including notice thereof, of the Zoning
21 Hearing Examiner and Board of Appeals are stayed for a period that is the lesser of sixty (60)
22 days or until such time as the county-wide emergency is lifted; and

23 BE IT FURTHER RESOLVED that the time within which any individual, agency or
24 official must submit a recommendation and/or response to the Zoning Hearing Examiner or
25 Board of Appeals for their consideration at said public/evidentiary hearings, is stayed for a
26 period that is the lesser of sixty (60) days or until such time as the county-wide emergency is
27 lifted.

28 BE IT FURTHER RESOLVED that this Resolution shall suspend, toll, extend or otherwise
29 grant relief from time deadlines, requirements, or expirations in the Prince George's County
30 Code, including Subtitle 27, except the County Council sitting in any capacity may meet to
31 consider legislative or non-zoning related administrative matters.

1 BE IT FURTHER RESOLVED that all time deadlines, including notice thereof, for oral
2 arguments or evidentiary hearings to be considered by the County Council sitting as the District
3 Council on pending zoning applications are suspended or tolled for a period that is the lesser of
4 sixty (60) days or until such time as the county-wide emergency is lifted.


5 BE IT FURTHER RESOLVED that this Resolution shall take effect on the day it is
6 adopted and supersedes CR-10-2020 which no longer has any force or effect.

7 BE IT FURTHER RESOLVED that pursuant to Section 317 of the Prince George's County
8 Charter, in the event of an emergency declared by the Governor pursuant to provisions of State
9 law, which emergency affects any part or all of Prince George's County, and there is an emergent
10 issue which precludes a Council meeting, the Council Chair or Vice Chair, in the Chair's
11 absence, is authorized, upon advice and consent of a majority of the full Council, to modify the
12 voting, quorum, and publication requirements consistent with State law, as necessary to respond
13 to the emergency.

14 BE IT FURTHER RESOLVED that in order to address the public emergency and in light
15 of the County Charter, in the event a public meeting, session, or hearing is mandated by law and
16 cannot be continued, or is necessary for the continuity of government operations, the Council
17 may provide for alternative public participation to include remote teleconferencing to address the
18 emergency.


Adopted this 18th day of May, 2020.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: 

Todd M. Turner
Council Chair

ATTEST:



Donna J. Brown
Clerk of the Council



Prince George's County Council

Agenda Item Summary

Meeting Date: 5/18/2020 **Effective Date:**

Reference No.: CR-035-2020 **Chapter Number:**

Draft No.: 2 **Public Hearing Date:**

Proposer(s): Turner

Sponsor(s): Turner, Davis, Dernoga, Franklin, Glaros, Harrison, Hawkins, Ivey, Streeter and Taveras

Item Title: AN EMERGENCY RESOLUTION CONCERNING EMERGENCY OPERATIONS - PUBLIC MEETINGS, SESSIONS AND HEARINGS for the purpose of postponement of County Council actions, providing for alternative public participation for meetings that are required to be held, and operations necessitated by the Coronavirus ("COVID-19") public health emergency.

Drafter: Dinora A. Hernandez, Legislative Officer

Resource Personnel: Maurene E. McNeil, Chief Zoning Hearing Examiner
 Joyce B. Nichols, Zoning Hearing Examiner
 Rajesh A. Kumar, Principal Counsel to the District Council

LEGISLATIVE HISTORY:

Date:	Acting Body:	Action:	Sent To:
05/18/2020	County Council	introduced and referred	COW
	Action Text: This Resolution was introduced and referred to the Sitting as the Committee of the Whole		
05/18/2020	COW	Favorably recommended with amendments	County Council
	Action Text: A motion was made by Council Member Dernoga, seconded by Council Member Streeter, that this Resolution be Favorably recommended with amendments. The motion carried by the following vote: Aye: 9 Turner, Anderson-Walker, Davis, Dernoga, Franklin, Harrison, Hawkins, Ivey and Streeter Nay: 1 Glaros Absent: 1 Taveras		
05/18/2020	County Council	new draft substituted	

Action Text:

A motion was made by Council Member Harrison, seconded by Council Member Anderson-Walker, that this Resolution be new draft substituted. The motion carried by the following vote:

Aye: 11 Turner, Anderson-Walker, Davis, Dernoga, Franklin, Glaros, Harrison, Hawkins, Ivey, Streeter and Taveras

05/18/2020 County Council adopted

Action Text:

A motion was made by Council Member Streeter, seconded by Council Member Harrison, that this Resolution be adopted. The motion carried by the following vote:

Aye: 11 Turner, Anderson-Walker, Davis, Dernoga, Franklin, Glaros, Harrison, Hawkins, Ivey, Streeter and Taveras

AFFECTED CODE SECTIONS:

BACKGROUND INFORMATION/FISCAL IMPACT:

This Resolution revises CR-10-2020, adopted on March 17, 2020, to update processes for postponement of County Council actions, providing for alternative public participation for meetings that are required to be held, and operations necessitated by the Coronavirus ("COVID-19") public health emergency.

Document(s): CR-035-2020 AIS, CR-035-2020 Report

PRINCE GEORGE'S COUNTY COUNCIL
COMMITTEE REPORT
2020 Legislative Session

Reference No.: CR-035-2020

Draft No.: 2

Committee: COMMITTEE OF THE WHOLE

Date: 5/18/2020

Action: FAV(A)

REPORT:

Committee Vote: Favorable with amendments (9-1) In Favor: Council Members Turner, Anderson-Walker, Davis, Dernoga, Franklin, Harrison, Hawkins, Ivey and Streeter. Opposed: Council Member Glaros. Absent: Council Member Taveras

The County Council convened as the Committee of the Whole on May 18, 2020 to consider CR-035-2020, an emergency resolution concerning Emergency Operations—Public Meetings, Sessions, and Hearings for the purpose of postponement of County Council actions, providing for alternative public participation for meetings that are required to be held, and operations necessitated by the Coronavirus (“COVID-19”) public health emergency. This Resolution will supersede CR-10-2020, adopted by the County Council on March 17, 2020.

The Council Administrator provided a brief overview of the Resolution. After brief discussion of the Resolution with the Chief Zoning Hearing Examiner and the Principle Zoning Counsel, Council Member Dernoga proposed a technical amendment to add “that is the lesser of” to lines 21 and 25 on page 2 and line 2 on page 3. The Committee voted for a Favorable recommendation with a technical amendment as to CB-035-2020 (DR-1). Vote: 9-1; (Absent: Council Member Taveras).

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

2020 Legislative Session

Resolution No. CR-10-2020

Proposed by Council Chair Turner

Introduced by Council Chair Turner

Co-Sponsors Council Members Anderson-Walker, Davis, Dernoga, Franklin, Glaros,
Harrison, Hawkins, Ivey, Streeter and Taveras

Date of Introduction March 17, 2020

EMERGENCY RESOLUTION

1 AN EMERGENCY RESOLUTION concerning

2 Emergency Operations—Public Meetings, Sessions, and Hearings

3 For the purpose of postponement of County Council actions, providing for alternative public
4 participation for meetings that are required to be held, and operations necessitated by the
5 Coronavirus (“COVID-19”) public health emergency.

6 WHEREAS, The World Health Organization (“WHO”) and the Centers for Disease Control
7 and Prevention (“CDC”) have declared the COVID-19 outbreak a “public health emergency of
8 international concern”; and

9 WHEREAS, the CDC and other public health authorities have advised taking precautions to
10 reduce the possibility of exposure to the virus and slow the spread of the disease; 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, Governor Lawrence Hogan has issued a “Proclamation and Declaration of
14 State of Emergency and Existence of Catastrophic Health Emergency – COVID-19”; and

15 WHEREAS, The Prince George’s County Health Department has elevated its
16 recommendations to be consistent with those of the CDC and is recommending social distancing
17 within Prince George’s County, including limiting access to public buildings, recreational
18 facilities and the courthouses located in the County until April 6, 2020; and

19 WHEREAS, the Chief Administrative Officer of Prince George’s County issued a
20 memorandum on March 13, 2020, directing all County Boards and Commissions to suspend in-
21 person meetings and/or hearings and restricting access to County buildings to only County
22 Employees beginning March 16, 2020; and

1 WHEREAS, on March 16, 2020, Prince George's County Executive Angela Alsobrooks
2 declared that a Local State of Emergency exists in Prince George's County; and

3 WHEREAS, most public institutions in Prince George's County, including the Judicial
4 Branch, have limited public access in recognition of the global pandemic posed by COVID-19;
5 and

6 WHEREAS, the global pandemic COVID-19 poses an imminent risk to the health, safety,
7 and welfare of Prince George's County residents; and

8 WHEREAS, pursuant to the Prince George's County Charter a resolution has the force and
9 effect of law but of a temporary or administrative character.

10 NOW, THEREFORE, BE IT RESOLVED by the County Council of Prince George's
11 County, Maryland, that all public meetings, sessions and hearings of the Prince George's County
12 Council sitting as the District Council, Zoning Hearing Examiner, and Board of Appeals are
13 stayed for a period of sixty (60) days or until such time as the statewide emergency is lifted; and

14 BE IT FURTHER RESOLVED that the time within which any individual, agency or
15 official must submit a recommendation and/or response to the Prince George's County Council
16 sitting as the District Council, Zoning Hearing Examiner, or Board of Appeals for their
17 consideration at said public meetings, sessions and hearings, is stayed for a period of sixty (60)
18 days or until such time as the statewide emergency is lifted.

19 BE IT FURTHER RESOLVED that this shall suspend, toll, extend or otherwise grant relief
20 from time deadlines, requirements, or expirations in the Prince George's County Code, including
21 Subtitle 27, where there is no practical ability of a party subject to such deadline, requirement, or
22 expiration, to comply or seek other relief.

23 BE IT FURTHER RESOLVED that pursuant to Section 317 of the Prince George's County
24 Charter, in the event of an emergency declared by the Governor pursuant to provisions of State
25 law, which emergency affects any part or all of Prince George's County, and there is an emergent
26 issue which precludes a Council meeting, the Council Chair or Vice Chair, in the Chair's
27 absence, is authorized, upon advice and consent of a majority of the full Council, to modify the
28 voting, quorum, and publication requirements consistent with State law, as necessary to respond
29 to the emergency.

30 BE IT FURTHER RESOLVED that in order to address the public emergency and in light
31 of the County Charter, in the event a public meeting, session, or hearing is mandated by law and

1 cannot be continued, or is necessary for the continuity of government operations, the Council
2 may provide for alternative public participation to include remote teleconferencing to address the
3 emergency.

Adopted this 17th day of March, 2020.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: Todd M. Turner
Todd M. Turner
Council Chair

ATTEST:

Donna J. Brown
Donna J. Brown
Clerk of the Council



Prince George's County Council

Agenda Item Summary

Meeting Date: 3/17/2020

Effective Date:

Reference No.: CR-010-2020

Chapter Number:

Draft No.: 1

Public Hearing Date:

Proposer(s): Turner

Sponsor(s): Turner, Anderson-Walker, Davis, Dernoga, Franklin, Glaros, Harrison, Hawkins, Ivey, Streeter and Taveras

Item Title: AN EMERGENCY RESOLUTION CONCERNING EMERGENCY OPERATIONS-PUBLIC MEETINGS, SESSIONS, AND HEARINGS for the purpose of postponement of County Council actions, providing for alternative public participation for meetings that are required to be held, and operations necessitated by the Coronavirus ("COVID-19") public health emergency.

Drafter: Dinora Hernandez, Legislative Officer

Resource Personnel: Dinora Hernandez, Legislative Officer

LEGISLATIVE HISTORY:

Date:	Acting Body:	Action:	Sent To:
03/17/2020	County Council	introduced	
	Action Text:		
	This Resolution was introduced by Council Members Turner, Anderson-Walker, Davis, Dernoga, Franklin, Glaros, Harrison, Hawkins, Ivey, Streeter and Taveras		
03/17/2020	County Council	rules suspended	
	Action Text:		
	A motion was made by Council Member Davis, seconded by Vice Chair Hawkins, that the Council Rules of Procedure be suspended to allow for the immediate adoption of this Resolution. The motion carried by the following vote:		
	Aye: 11 Turner, Anderson-Walker, Davis, Dernoga, Franklin, Glaros, Harrison, Hawkins, Ivey, Streeter and Taveras		
03/17/2020	County Council	adopted	
	Action Text:		
	A motion was made by Vice Chair Hawkins, seconded by Council Member Davis, that this Resolution be adopted. The motion carried by the following vote:		
	Aye: 11 Turner, Anderson-Walker, Davis, Dernoga, Franklin, Glaros, Harrison, Hawkins, Ivey, Streeter and Taveras		

AFFECTED CODE SECTIONS:

BACKGROUND INFORMATION/FISCAL IMPACT:

Document(s): CR-010-2020 AIS, R2020010