

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

Resolution No. CR-2-2021

Proposed by The Chair (by request County Executive)

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

Date of Introduction January 12, 2021

RESOLUTION

1 A RESOLUTION concerning
 2 Prince George's County, Maryland's Eighth Continued Declaration of Emergency—Coronavirus
 3 ("Covid-19")

4 For the purpose of continuing the emergency declarations most recently adopted by the
 5 governing body on November 17, 2020, CR-125-2020, 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 6-134, et seq., of the Prince George's County Code provides for the
 9 declaration of a Local State of Emergency; and

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

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

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

17 WHEREAS, the County Executive for Prince George's County, Maryland has previously
 18 issued the following emergency declarations: Executive Order Number 6-2020 dated March 16,
 19 2020; Executive Order Number 7-2020 dated April 13, 2020; CR-31-2020 adopted May 11,
 20 2020; Executive Order Number 8-2020 dated May 14, 2020; Executive Order Number 10-2020
 21 dated May 28, 2020; CR-51-2020 adopted June 9, 2020; Executive Order Number 13-2020 dated
 22 June 12, 2020; Executive Order Number 15-2020 dated June 25, 2020; CR-64-2020 adopted

1 July 7, 2020; Executive Order Number 20-2020 dated September 3, 2020; CR-90-101 adopted
2 September 15, 2020; CR-101-2020 adopted October 13, 2020; CR-125-2020 adopted November
3 17, 2020; and Executive Order 27-2020 dated December 15, 2020; and

4 WHEREAS, the number of COVID-19 positive cases in the County is over 60,000 cases,
5 with approximately 6300 hospitalizations and approximately 1100 deaths; and

6 WHEREAS, the number of inpatients with COVID-19 has more than quadrupled over the
7 past three months and currently uses 20% or about one-fifth of our total hospital capacity; and

8 WHEREAS, based upon data analysis as of January 12, 2021, the County's infection rate is
9 1.09, its positivity rate is 11%, and, the average daily case rate is 52 per 100,000 residents; and

10 WHEREAS, the County's health care system continues to need resources to effectively
11 combat this emergency; and

12 WHEREAS, as of September 2020, the County's unemployment rate was 9.1% (not
13 seasonally adjusted) compared to the State's rate of 6.9%, resulting in the County having the
14 second highest unemployment rate in the State and the most unemployed persons in the State
15 with approximately 44,800 unemployed residents; and

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

19 WHEREAS, the Order of the Governor of the State of Maryland Number 20-11-17-01,
20 issued November 17, 2020, specifically authorized political subdivisions to issue more restrictive
21 orders than issued by the Governor including requiring any businesses, organizations,
22 establishments, or facilities to close or modify their operations; and/or requiring individuals to
23 remain indoors or to refrain from congregating; and

24 WHEREAS, CR-125-2020 remains effective through January 15, 2020 at 5:00 p.m. and
25 Executive Order Number 27-2020 remains in effect through January 16, 2020, unless amended
26 or terminated sooner; and

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

29 WHEREAS, because recent increases in relevant metrics show Prince George's County has
30 moved into the high-risk or critical category of disease transmission for different metrics, health
31 experts indicate that we are in a second wave of COVID-19 cases, upcoming winter months will

1 lead to persons staying inside more, and in light of the influenza season, it is necessary that the
2 County remain in a hybrid Phase 1/Phase 2 (modified) stage of re-opening:

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

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

8 IT IS FURTHER ORDERED that Prince George's County, Maryland remain in a hybrid
9 Phase 1/Phase 2 (modified) of its reopening; and

10 IT IS FURTHER ORDERED that it is necessary and reasonable to save lives and to prevent
11 the further spread of COVID- 19, the orders set forth in Attachment A of this Resolution are
12 fully incorporated and adopted herein; and

13 IT IS FURTHER ORDERED that these rules set forth in this Resolution and Attachment A
14 will go into effect on January 16, 2021 at 5:01 p.m.; and

15 IT IS FURTHER ORDERED that the directives set forth herein will be enforced by the
16 Prince George's County Health Department, with the assistance of Prince George's County law
17 enforcement and other appropriate County employees as determined by the Acting Chief
18 Administrative Officer, as needed; and

19 IT IS FURTHER ORDERED the County will continue to conduct scheduled and
20 unscheduled inspections of retail, restaurant and business establishments to check for compliance
21 with this Resolution. Non-compliance may subject the owner and/or operator to a fine not
22 exceeding \$1,000 pursuant to the Prince George's County Code and/or the establishments to
23 closure pursuant to the legal authority of the Health Officer and/or other legal authority; and

24 IT IS FURTHER ORDERED that a person who knowingly and willfully violates this
25 Resolution is guilty of a misdemeanor and on conviction is subject to imprisonment not
26 exceeding one year or a fine not exceeding \$5,000 or both.

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

29 IT IS FURTHER ORDERED this declaration supersedes any inconsistent provision of a
30 prior Council Resolution or Executive Order; and

31 IT IS FURTHER ORDERED that the provisions of the Resolution are severable such that if

1 any provision of this Resolution or its application to any person, entity, or circumstance is held
2 invalid by any court of competent jurisdiction, all other provisions or applications of this
3 Resolution shall remain in effect to the extent possible without the invalid provision or
4 application; and

5 IT IS FURTHER ORDERED that this declaration of emergency shall stay in effect through
6 February 18, 2021 at 5:00 p.m., unless amended or terminated sooner by the County Executive
7 or as extended by a subsequent resolution of the governing body.

8 BE IT FURTHER RESOLVED that this Resolution shall take effect on the day it is
9 adopted.

Adopted this 12th day of January, 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