

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

Resolution No. CR-121-2020

Proposed by The Council Chair (by request – County Executive)

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

Date of Introduction November 10, 2020

RESOLUTION

1 A RESOLUTION concerning

2 Prince George's County, Maryland's Sixth 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 October 13, 2020, CR-101-2020, 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 issued
 18 several local declarations of emergency because of the COVID-19 pandemic: Executive Order
 19 Number 6-2020 on March 16, 2020; Executive Order Number 7-2020 on April 13, 2020;
 20 Executive Order Number 8-2020 on May 14, 2020; Executive Order Number 10-2020 on May
 21 28, 2020; Executive Order Number 13-2020 on June 12, 2020; Executive Order Number 15-
 22 2020 on June 25, 2020; and Executive Order Number 20-2020 on September 3, 2020; and

1 WHEREAS, the number of COVID-19 positive cases in the County is over 34,100 positive
2 cases, with more than 4140 hospitalizations and approximately 857 deaths; and

3 WHEREAS, based upon data analysis as of November 5, 2020, the County's infection rate
4 is 1.1, its positivity rate is 5.0%, and, the average daily case rate is 15.3 per 100,000 residents;
5 and

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

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

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

15 WHEREAS, the Order of the Governor of the State of Maryland Number 20-10-16-02,
16 issued October 16, 2020, specifically authorized political subdivisions to issue more restrictive
17 orders than issued by the Governor including requiring any businesses, organizations,
18 establishments, or facilities to close or modify their operations; and/or requiring individuals to
19 remain indoors or to refrain from congregating; and

20 WHEREAS, CR-101-2020 remains in effect through November 12, 2020 at 5:00 p.m.,
21 unless amended or terminated sooner by the County Executive; and

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

24 WHEREAS, because Prince George's County, Maryland had been in the medium risk
25 category but recent increases in relevant metrics have demonstrated movement towards the high
26 risk category, health experts predict a second wave of new COVID-19 cases, upcoming winter
27 months will lead to persons staying inside more, and the approaching influenza season, it is
28 necessary that the County remain at Phase 2 of reopening:

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

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

3 IT IS FURTHER ORDERED that Prince George's County, Maryland continue in
4 Phase 2 of its reopening; and

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

8 IT IS FURTHER ORDERED that the rules set forth in this Resolution and Attachment A
9 will go into **effect on November 12, 2020 at 5:01 p.m.**; and

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

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

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

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

24 IT IS FURTHER ORDERED this declaration supersedes any inconsistent provision of a
25 prior Executive Order; and

26 IT IS FURTHER ORDERED that the provisions of the Resolution are severable such that if
27 any provision of this Resolution or its application to any person, entity, or circumstance is held
28 invalid by any court of competent jurisdiction, all other provisions or applications of this
29 Resolution shall remain in effect to the extent possible without the invalid provision or
30 application; and

31 IT IS FURTHER ORDERED that this declaration of emergency shall stay in effect through

1 November 18, 2020 at 5:00 p.m., unless amended or terminated sooner by the County Executive
2 or as extended by a subsequent resolution of the governing body.

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

Adopted this 10th day of November, 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