

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

Resolution No. CR-137-2021

Proposed by The Chair (by request - County Executive)

Introduced by _____

Co-Sponsors _____

Date of Introduction November 29, 2021

RESOLUTION

1 A RESOLUTION concerning

2 PRINCE GEORGE'S COUNTY, MARYLAND'S FIFTEENTH 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 October 19, 2021, CR-122-2021, 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, including but necessarily
12 limited to Division 5 of this Subtitle, provides for the declaration of a Local State of Emergency
13 by the County Executive and the authority to issue rules and regulations as deemed necessary to
14 control the situation; and

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

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

19 **WHEREAS**, the Prince George's County, Maryland has previously issued the following
20 emergency declarations: Executive Order Number 6-2020 dated March 16, 2020; Executive
21 Order Number 7-2020 dated April 13, 2020; CR-31-2020 adopted May 11, 2020; Executive
22 Order Number 8-2020 dated May 14, 2020; Executive Order Number 10-2020 dated May 28,

1 2020; CR-51-2020 adopted June 9, 2020; Executive Order Number 13-2020 dated June 12,
2 2020; Executive Order Number 15-2020 dated June 25, 2020; CR-64-2020 adopted July 7,
3 2020; Executive Order Number 20-2020 dated September 3, 2020; CR-90-101 adopted
4 September 15, 2020 ; CR-101-2020 adopted October 13, 2020; CR-125-2020 adopted November
5 17, 2020; and Executive Order 27-2020 dated December 15, 2020; CR-02-2021 adopted January
6 12, 2021; Executive Order 3-2021 dated January 26, 2021; CR-13-2021 adopted February 16,
7 2021; Executive Order 8-2021 dated March 11, 2021; CR-33-2021 adopted March 30, 2021; CR
8 48-2021 adopted May 11, 2021; Executive Order 11-2021 dated May 14, 2021; Executive Order
9 14-2021 dated May 26, 2021; Executive Order 17-2021 dated June 28, 2021 (amended Executive
10 Order 14-2021); CR-77-2021 adopted July 6, 2021; Executive Order 18-2021 dated August 5,
11 2021; Executive Order 19-2021 dated August 18, 2021; Council Resolution 80-2021 adopted
12 September 8, 2021; Executive Order 21-2021 dated September 30, 2021; Executive Order 22-
13 2021 dated October 4, 2021(superseded Executive Order 19-2021); CR-122-2021 adopted
14 October 19, 2021; and

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

17 **WHEREAS**, as of data available through November 19, 2021, the number of COVID-19
18 positive cases in the County was 101,151 cases, with approximately 9951 hospitalizations and
19 approximately 1689 deaths; and

20 **WHEREAS**, based upon reported data analysis as of November 15, 2021, the County's
21 infection rate is .99, its positivity rate is 2.4%, the average daily case rate is 7.9 per 100,000
22 residents; and

23 **WHEREAS**, available hospital capacity as of November 8, 2021 is 49.4%, with 6% of
24 hospitals beds in use for patients with COVID-19; and

25 **WHEREAS**, the available hospital capacity does not take into account the shortage of
26 health workers being reported by hospitals in the County, which places further strain on hospital
27 resources; and

28 **WHEREAS**, as of about November 18, 2021, the Centers for Disease Control and
29 Prevention is reporting that 87.2% of adult County residents ages 18 and over have received at
30 least one vaccination and 76.8% are fully vaccinated; and

31 **WHEREAS**, as of November 18, 2021, the Centers for Disease Control and Prevention is

1 reporting that 87% of County residents ages 12 and over have received at least one vaccine and
2 76.3% are fully vaccinated; and

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

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

8 **WHEREAS**, CR-122-2021 remains in effect through December 9, 2021 at 5:00 p.m.,
9 unless amended or terminated sooner; and

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

12 **WHEREAS**, several relevant metrics are now in the low or medium level of disease
13 transmission for the key metrics, and there is continued concern over community spread of new
14 COVID-19 variants, it is necessary that the County remain vigilant and cautious with its re-
15 opening planning:

16 **WHEREAS**, as of November 22, 2021, the U.S. Centers for Disease Control (CDC) has
17 indicated that the County is an area of “substantial” transmission; and

18 **WHEREAS**, available data shows that the predominant variant in the County is the highly
19 transmissible Delta variant (also known as B.1.617.2), which continues to spread and affect a
20 wider portion of the population and to create an increased risk of cases, hospitalizations, and
21 death, particularly among unvaccinated individuals.

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

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

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

28 A. “Face Covering” means a covering that fully covers a person’s nose and mouth.

29 The term “Face Covering” includes, without limitation, scarves and bandanas.

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

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

4 C. Requiring children ages two through five to wear a Face Covering for extended periods
5 of time may be challenging. In these circumstances, wearing a mask could be prioritized for
6 times where social distancing of six feet is more difficult.

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

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

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

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

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

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

23 d. wearing a Face Covering would make it impossible to receive medical
24 or personal services requiring access to the face, mouth, or head,
25 including without limitation, dental or medical care;

26 e. while at an establishment and consuming food or
27 beverages; and/or

28 f. while in the water at a swimming pool.

29 **IT IS FURTHER ORDERED** requests for consideration of an alternative to the face
30 coverings requirements of this Resolution or questions as to compliance with this Resolution, be
31 submitted to Covidplans@co.pg.md.us with detailed information. Inquiries will be reviewed by

1 the Health Department and Office of Emergency Management staff members. Every effort will
2 be made to provide a response within 10 business days of receipt of the request.

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

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

10 **IT IS FURTHER ORDERED** that this Resolution will go into **effect on**
11 **December 9, 2021 at 5:01 p.m.**; and

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

16 **IT IS FURTHER ORDERED** the County may continue to conduct scheduled and
17 unscheduled inspections of retail, restaurant and business establishments as needed to help
18 prevent increase in virus spread; and

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

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

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

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

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IT IS FURTHER ORDERED that this declaration of emergency shall stay in effect through January 23, 2022 at 5:00 p.m., 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.

Adopted this _____ day of November, 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