



Angela D. Alsobrooks  
County Executive

# PRINCE GEORGE'S COUNTY GOVERNMENT

## OFFICE OF THE COUNTY EXECUTIVE

### EXECUTIVE ORDER

No. 3- 2021

January 26, 2021

### JANUARY 26, 2021 CONTINUED DECLARATION OF A LOCAL STATE OF EMERGENCY FOR PRINCE GEORGE'S COUNTY, MARYLAND

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

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

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

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

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

WHEREAS, Prince George's County, Maryland previously issued the following emergency declarations: Executive Order Number 6-2020 dated March 16, 2020; Executive Order Number 7-2020 dated April 13, 2020; CR-31-2020 adopted May 11, 2020; Executive Order Number 8-2020 dated May 14, 2020; Executive Order Number 10-2020 dated May 28, 2020; CR-51-2020 adopted June 9, 2020; Executive Order Number 13-2020 dated June 12, 2020; Executive Order Number 15-2020 dated June 25, 2020; CR-64-2020 adopted July 7, 2020; Executive Order Number 20-2020 dated September 3, 2020; CR-90-101 adopted September 15, 2020; CR-101-2020 adopted October 13, 2020; CR-125-2020 adopted November 17, 2020; Executive Order Number 27-2020 dated December 15, 2020 and CR-002-2021 adopted on January 12, 2021; and

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

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

WHEREAS, based upon data analysis as of January 24, 2021, the County had 65,628 confirmed positive cases of COVID-19; the County's infection rate is 0.93; its positivity rate is 9.2%; hospital capacity is 46.6%; there have been 1,175 deaths and 6,705 hospitalizations; and

WHEREAS, the average daily case rate last week was 46.8 new cases per 100,000 residents, which places the County in the “critical risk” category; and

WHEREAS, as referenced above, Prince George’s County has begun to show a slight decrease in several COVID-19 metrics that support a modification in operations for restaurants and other similar establishments that sell food or beverages for consumption inside the establishment in Prince George’s County, Maryland; and

WHEREAS, despite the recent decreases in aforementioned metrics, Prince George’s County continues to be in the high-risk category of disease transmission, health experts have confirmed that that the country is in a second wave of COVID-19 transmission exacerbated by behaviors from the recent Holidays, upcoming winter months will lead to increased indoor activities, the influenza season, and of community spread of new COVID-19 variants, it is necessary that the County remain in a Phase 1/Phase 2 (modified) stage of re-opening; and

WHEREAS, the County’s health care system continues to need resources to effectively combat this emergency as vaccination distribution moves rapidly through Phase 1 of the plan; and

WHEREAS, CR-002-2021 authorizes the County Executive to amend the County’s emergency declaration; now, therefore

**IT IS HEREBY ORDERED**, on this 26th day of January, 2021, that I, Angela D. Alsobrooks, County Executive for Prince George's County, Maryland, hereby proclaim that a Local State of Emergency continues to exist in Prince George's County, Maryland. It is necessary and reasonable to save lives and to protect the public safety and welfare of all Prince Georgians during this pandemic, by controlling and preventing the further spread of COVID- 19, to issue the following orders, which shall take effect Friday, January 29, 2021 at 12:00 p.m.:

- A. Restaurants. Restaurants and other similar establishments that sell food or beverages for consumption in Prince George’s County, Maryland ("Restaurants") may open to the general public, subject to the following conditions:
1. Food or beverages are promptly taken from the premises, i.e., on a carry-out or drive-through basis; or
  2. Delivered to customers off the premises; or
  3. Outdoor dining at Restaurants will be permitted if there is adherence the following rules:
    - a. Establishment has current approval for outdoor dining or receives a Restaurant Temporary Outdoor Seating Area permit;
    - b. Adherence to Sections II and III of CR-002-2021;
    - c. Ensure tables are seated at least six feet away from each other, except for households seated together;
    - d. Do not allow groups larger than six persons to be seated together, except members of the same household;
    - e. Number of patrons should not exceed 50% capacity for outdoor dining space as approved by the County;
    - f. Must maintain a daily record of all patrons for at least 30 days to assist with contact tracing;
    - g. Signage must be posted at each entrance advising customers and visitors:
      - i. Compliance with face coverings rules are mandatory at all times when not eating or drinking;
      - ii. Must maintain social distancing of at least 6 feet apart when waiting to be seated or while seated at the bar;

- h. All employees must receive health screenings prior to their shifts;
  - i. No food service in a buffet format;
  - j. Clean and disinfect each tables and chairs between each seating in accordance with CDC and MDH guidelines, using cleaning products that meet the criteria of the EPA guidelines for use against COVID-19;
  - k. Hand sanitizer and appropriate hand washing facilities must be available;
  - l. Use of single-use disposable paper menus or sanitize reusable menus between each seating;
  - m. Payment via digital platforms should be encouraged;
  - n. In accordance with the Order of the Governor of the State of Maryland Number 20-11-17-01, Restaurants may not be open to the public between the hours of 10:00 p.m. and 6:00 a.m.; however, during such hours carry-out, drive-through or delivery service may continue; and
    - o. Any other applicable laws or regulations.
4. Indoor dining permissible at 1 person/household per 200 square feet, or 25% maximum capacity, whichever is lower. Also, there must be adherence to the regulations that apply to outdoor dining (except for 50% capacity rule).
  5. Social and fraternal clubs, permissible via applicable laws or regulations, may offer indoor and outdoor dining in accordance with this Section A of this Executive Order and all other provisions of CR-002-2021 that are not inconsistent with this Executive Order.
- B. Banquet, Receptions and Meeting Room in Hotels, Conference Centers and Similar Establishments that offer dining (*other than restaurants*) or meeting facilities to the public must adhere to following rules:
1. Maintain physical distancing (greater than 6') between event attendees;
  2. Maintain physical distancing (greater than 6'), whenever possible, between employees and attendees;
  3. Adherence to Sections II and III of this CR-02-2021;
  4. No more than 1 person/household per 200 square feet, or 25% maximum capacity applicable to the specific room where event will be held, EXCEPT that under no circumstance shall any event allow more than 150 attendees;
  5. Ensure tables are seated at least six feet away from each other;
  6. Do not allow groups larger than six persons to be seated together;
  7. All employees must receive health screenings prior to their shifts;
  8. No food service in a buffet format;
  9. Clean and disinfect tables and chairs in between each event and in accordance with CDC and MDH guidelines, using cleaning products that meet the criteria of the EPA guidelines for use against COVID-19;
  10. Hand sanitizer and appropriate hand washing facilities must be available;
  11. If applicable, payment via digital platforms should be encouraged; and
  12. Process for specific questions pertaining to an event scheduled or in process of being scheduled through June 30, 2021:
    - a. If there are questions whether a specific event's plans comply with these rules, an email should be submitted [Covidplans@co.pg.md.us](mailto:Covidplans@co.pg.md.us), with complete plans for the event
    - b. Inquiries will be reviewed by Health Department and Office of Emergency Management staff members

c. A response will be provided within 10 business days of receipt of request

13. Any other applicable laws or regulations pertaining to an establishment must also be followed.

- C. Gaming facilities and casinos such as MGM National Harbor and simulcast betting facilities (outside of horse racing establishments) may provide indoor food or beverage service and may continue to provide outdoor dining subject to the provisions contained in Sections A and B of this Executive Order (as applicable) and all other provisions of CR-002-2021 that are not inconsistent with this Executive Order, including but not limited to, Section II (Face Coverings) and Section III (General Rules for All Establishments Allowed to Open or Operate).
- I. For purposes of this Executive Order, Maximum Capacity means the maximum occupancy load under the applicable fire code, as set forth on the certificate issued for the establishment by a local fire code official. If no such certificate has been issued, the maximum occupancy is as determined by applicable laws, regulations and permits.
  - II. 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 and other appropriate County employees as determined by the Acting Chief Administrative Officer, as needed.
  - III. A person who knowingly and willfully violates this Order is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding one year or a fine not exceeding \$5,000 or both.
  - IV. The County will conduct scheduled and unscheduled inspections of retail, restaurant and business establishments to check for compliance with this Order. Non-compliance with this Order may subject the owner and/or operator to a civil fine not exceeding \$1,000 pursuant to the Prince George's County Code and may subject the establishments to closure pursuant to the legal authority of the Health Officer or other legal authority.
  - V. The Executive Branch will continue to provide weekly updates to the Council Chair or Vice Chair.
  - VI. This Emergency Order supersedes any inconsistent provision of a CR-002-2021. All other provisions of CR-002-2021, not inconsistent with this Executive Order including, but not limited to, Section II (Face Coverings) and Section III (General Rules for All Establishments Allowed to Open or Operate) remain in full force and effect; and
  - VII. This Executive Order shall remain in effect through February 18, 2021 at 5:00 p.m., unless amended or terminated earlier.
  - VIII. If any provision of this Executive Order or its application to any person, entity, or circumstance is held invalid by any court of competent jurisdiction, all other provisions or applications of the Order shall remain in effect to the extent possible without the invalid provision or application. To achieve this purpose, the provisions of this Executive Order are severable.

  
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Angela D. Alsobrooks  
County Executive