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## INTERPRETIVE GUIDANCE

**Number:** BCo-COVID19-002

**Date:** May 27, 2020

**Re:** Executive Order 2020-006 - AMENDING AND RESTATING EXECUTIVE ORDER NO. 2020-005 DATED MAY 15, 2020 WHICH AMENDED EXECUTIVE ORDER NO. 2020-003 PROHIBITING LARGE GATHERINGS AND EVENTS, CLOSING PLACES OF ASSEMBLY AND SOCIAL DISTANCING RULES

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Baltimore County issued Executive Order 2020-006 on May 21, 2020; it went into effect at 9:00 a.m. May 22, 2020. Baltimore County's Office of Law ("OOL") has received requests for guidance from local businesses and organizations about how to interpret this Order. OOL will publish its responses to requests for guidance which could apply to multiple businesses and organizations. OOL will update this document as it issues additional responses to requests for guidance.

Information about the State of Maryland's Executive Orders and Interpretative Guidance is available [here](#). The State's Executive Orders and Interpretive Guidance control. For example, if the State says a specific business must remain closed, the County cannot supersede the State's order.

CDC guidelines for resuming operations are available [here](#). All businesses and organizations resuming operations should implement appropriate social distancing measures.

At this time, OOL recommends that Executive Order 2020-006 be interpreted as follows:

**A. Retail businesses, organizations, establishments, and facilities ("Retail Stores")**

1. Retail businesses, organizations, establishments, and facilities ("Retail Stores") in Baltimore County that principally sell goods and services that were allowed to reopen at 5:00 p.m. May 15, 2020 may be open to members of the general public but must adhere to the existing large gathering restrictions and have no more than ten (10) people, including staff and customers, at any one time inside.
2. Enclosed shopping malls shall remain closed, in accordance with Order No. 20-05-13-01. However, Retail Stores attached to an enclosed shopping mall that is directly accessible from the outside may be open but must adhere to the existing large gathering restrictions

and have no more than ten (10) people, including staff and customers, at any one time inside.

3. All Retail Stores that open for business pursuant to this Executive Order must enforce at least six (6) foot social distancing practices. These Retail Stores shall require staff to wear, and those staff shall wear, face coverings while working with the customers and in instances which interactions with other staff are likely. All individuals who are over 2 years of age who are customers at a Retail Store are required to wear face coverings while at the Retail Store.

**B. Beauty Salons and Barbershops**

1. Beauty salons and barbershops only may open to the general public. Beauty salons may only provide hair services and provide hair services – blow drying, as described in Title 5 of the Business Occupations Article of the Maryland Code. Beauty salons and barbershops must adhere to the existing large gathering restrictions and have no more than ten (10) people, including staff and customers, at any one time.
2. All customers over the age of two are required to wear face coverings while inside a beauty salon or barbershop, except to the extent wearing a face covering would make it impossible for services to be performed. All staff are to wear face coverings while in areas open to the general public and areas in which interaction with other staff is likely.
3. Services are to be provided on an appointment basis only. After providing services to each customer, beauty salons and barbershops are to clean and disinfect the area in which services were performed in accordance with applicable guidance from the CDC and the Maryland Department of Health.

**C. Churches, synagogues, mosques, temples, and other similar religious facilities (“Religious Facilities”)**

1. Churches, synagogues, mosques, temples, and other similar religious facilities (“Religious Facilities”) of any faith may hold services or ceremonies indoors, but must adhere to the existing large gathering restrictions and have no more than ten (10) people. This includes church officials and staff as well as parishioners. All church officials and staff participating in services and/or ceremonies indoors shall practice social distancing and wear face coverings to the greatest extent possible. All parishioners attending services and/or ceremonies indoors shall practice social distancing and wear face coverings.
2. Religious facilities may choose to live stream or record services and/or ceremonies indoors with authorized persons. Religious facilities who elect to live stream or record services and/or ceremonies indoors must adhere to the existing large gathering restrictions and have no more than ten (10) people. All authorized persons participating in services and/or ceremonies indoors shall practice social distancing and wear face coverings to the greatest extent possible.

3. Services may be held outdoors. Outdoor services or ceremonies, if held, must adhere to the existing large gathering restrictions and have no more than ten (10) people. Additionally, all persons attending such services or ceremonies shall practice social distancing and wear face coverings.
4. The ten (10) person gathering limit does not apply to a gathering conducted in a “drive-in” fashion where participants do not gather outside their cars. Religious Facilities may conduct “drive-in” services outdoors, where participants gather in their vehicles at or near the Religious Facility and participate in the service together by remote means, subject to the following requirements, which are intended to protect public health, safety, and welfare:
  - Participants must remain in their vehicle at all times;
  - No vehicle may contain more than ten (10) persons;
  - Participants may not interact physically with church officials or staff, and may not interact physically with participants in other vehicles. This includes, but is not limited to, collecting donations hand-to-hand including by basket or plate.

**D. The following provides clarifications concerning a business’ ability to operate under Executive Order No. 2020-006:**

1. ***Nurseries.*** Under prior interpretive guidance (COVID19-06) issued by Governor Larry Hogan on March 24, 2020, nurseries were deemed essential businesses and were not required to close.
2. ***Photographers.*** Photographers may be retained for indoor or outdoor photo sessions. Photographers engaged must adhere to the existing large gathering restrictions and have no more than ten (10) people, including themselves (and any staff) and customers, for a particular session, whether indoors or outdoors. Photographers (as well as any staff) and their customers should practice social distancing. Photographers should wear face coverings to the greatest extent possible.
3. ***Electrologists.*** Licensed electrologists may reopen for business pursuant to the May 6, 2020 Amended Directive and Order Regarding Various Healthcare Matters issued by Robert R. Neall, Secretary of the Maryland Department of Health, which is available [here](#).
4. ***Massage Therapists.*** Licensed massage therapists may reopen for business pursuant to the May 6, 2020 Amended Directive and Order Regarding Various Healthcare Matters issued by Robert R. Neall, Secretary of the Maryland Department of Health, which is available [here](#).
5. ***Outdoor Flea Markets.*** Outdoor flea markets remain closed at this time.

6. **Yard sales.** Yard sales are permitted but compliance with State-ordered gathering limits (no more than ten (10) people) and social distancing is required.
7. **Estate sales/indoor yard sales.** Indoor estate sales/yard sales are not permitted.
8. **Food trucks.** Food trucks that comply with existing regulatory requirements are permitted to operate, with social distancing compliance. On-site food or drink consumption is not permitted, consistent with the State order that currently restricts restaurants and bars to carry-out and delivery service.
9. **Swim Clubs.** Swim clubs may reopen in a limited manner that would allow for persons to use lap pools. Such activity would fall within the parameters of outdoor exercise or fitness, which is permitted under Governor Larry Hogan's Executive Order.

Swimming laps in a lap pool as an outdoor exercise or fitness event is allowed, so long as the swim club adheres to the current large gathering restrictions and has no more than ten (10) people, including staff and members, at any one time on the swim club premises and maintains appropriate social distancing. Swim clubs must also maintain social distancing in locker rooms and routinely thoroughly clean the locker rooms as well as commonly touched areas.

On-site food or drink consumption at any swim club is not permitted, consistent with the State order that currently restricts restaurants and bars to carry-out and delivery service.

10. **Yoga classes.** Yoga classes may be held outside as such activity would fall within the parameters of outdoor exercise or fitness, which is permitted under the Governor's Executive Order. Yoga classes as an outdoor exercise or fitness event are allowed, so long as the class adheres to the current large gathering restrictions and has no more than ten (10) people, including the instructor and participants, at any one time on the premises and maintains appropriate social distancing.

## **E. County Recreational Facilities**

The Department of Recreation and Parks canceled all organized recreational activities until further notice. The Department has also advised the County's Recreation Councils to cancel organized activities. This cancellation includes all travel programs out of state. All Department of Recreation and Parks buildings are closed to the public until further notice. Vestibule areas of the free-meal sites for youth 18 and under will be the only exception.

### ***Open to the Public:***

- Boating

- Community gardens (*Note: Some community gardens may not have water or be prepped at this time.*)
- Baltimore County beaches
- County parks
- Disc golf courses
- Golf courses
- Open space
- Pickleball courts
- Recreational fishing
- Tennis courts (*Note: Nets will be installed over the next two weeks.*)
- Trails

***Closed to the Public:***

- Buildings
- Comfort stations
- Dog parks
- Multi-purpose courts including:
  - Basketball
  - Roller hockey
- Picnic groves and areas
- Picnic pavilions and gazebos
- Playgrounds
- Portable toilets
- Skate parks
- Stages

- Turf fields
- Water fountains