



**EXECUTIVE ORDER  
No. 2021-003**

**AMENDING AND RESTATING EXECUTIVE ORDER NO. 2021-001, WHICH AMENDED AND RESTATED EXECUTIVE ORDER NO. 2020-023 CONCERNING THE REOPENING OF CERTAIN BUSINESSES AND FACILITIES AND GENERALLY REQUIRED THE USE OF FACE COVERINGS**

WHEREAS, A state of emergency and catastrophic health emergency was proclaimed on March 5, 2020 and renewed on March 17, 2020, April 10, 2020, May 6, 2020, June 3, 2020, July 1, 2020, July 30, 2020, August 10, 2020, September 8, 2020, October 6, 2020, October 29, 2020, November 25, 2020, December 23, 2020 and January 21, 2021 by Governor Larry Hogan of the State of Maryland;

WHEREAS, On March 13, 2020, a local state of emergency was declared by County Executive John A. Olszewski, Jr., to control and prevent the spread of COVID-19 within Baltimore County, Maryland (the “County”), and the state of emergency still exists;

WHEREAS, COVID-19, an infectious and contagious respiratory disease that spreads easily from person to person and may result in serious illness or death, is a public health catastrophe and has been confirmed in the County, therefore the County may take such action as is necessary to maintain health and control and prevent the spread of any contagious or infectious diseases within the jurisdiction;

WHEREAS, To reduce the spread of COVID-19, the U.S. Centers for Disease Control and Prevention and the Maryland Department of Health recommend canceling large gatherings and social distancing in smaller gatherings;

WHEREAS, The currently known and available scientific evidence and best practices support limitations on large gatherings and the use of social distancing to prevent exposure and transmissions, and reduce the transmission to especially vulnerable populations, including older individuals and those with chronic health conditions;

WHEREAS, Pursuant to Baltimore County Code, §3-1-504, the County Executive hereby has all authority necessary to protect the health, safety, and welfare

of persons within the County to control the spread of COVID-19 including, but not limited to, the right to control traffic, including public and private transportation, designate zones in which the occupancy and use of buildings and vehicles may be controlled; establish requirements to shelter in place, control the sale, transportation, and use of alcoholic beverages, control individuals on public streets, and control places of amusement and places of assembly;

WHEREAS, To reduce the threat to human health caused by the transmission of COVID-19 in the County, and to protect and save lives, it is necessary and reasonable that individuals in the County refrain from congregating in a manner that may exacerbate the spread of COVID-19, such as, but not limited to, a physical environment in which large numbers of people are in close proximity and have multiple opportunities for close contact with one another that facilitates the spread of COVID-19;

WHEREAS, The County is continuously expanding COVID-19 laboratory testing capacity and locations throughout the County, and the State of Maryland has increased its disease-investigation capabilities by implementing operations to trace the contacts of up to 1,000 new cases per day;

WHEREAS, The State has implemented measures to reduce community transmission rates of COVID-19, while strategically activating the Maryland Strong: Roadmap to Recovery plan (the “Plan”);

WHEREAS, On June 3, 2020, the Governor of the State of Maryland issued Order No. 20-06-03-01 further lifting certain restrictions related to gatherings, business organizations, establishments and facilities in accordance with Phase 2 of the Plan, while continuing to permit local jurisdictions and local health officers to extend restrictions based upon the need to contain the spread of COVID-19;

WHEREAS, On June 10, 2020, the Governor of the State of Maryland issued Order No. 20-06-10-01 further lifting certain restrictions related to gatherings, business organizations, establishments and facilities in accordance with Phase 2 of the Plan, while continuing to permit local jurisdictions and local health officers to extend restrictions based upon the need to contain the spread of COVID-19; and

WHEREAS, On July 29, 2020, the Governor of the State of Maryland issued Order No. 20-07-29-01 reiterating certain restrictions related to gatherings, business organizations, establishments and facilities as well as requiring the use of face coverings, while continuing to permit local jurisdictions and local health officers to extend restrictions based upon the need to contain the spread of COVID-19; and

WHEREAS, On August 3, 2020, the Governor of the State of Maryland issued Order No. 20-08-03-01 amending Order No. 20-07-29-01 which reiterated certain restrictions related to gatherings, business organizations, establishments and facilities as well as requiring the use of face coverings, while continuing to permit local jurisdictions and local health officers to extend restrictions based upon the need to contain the spread of COVID-19;

WHEREAS, On September 1, 2020, the Governor of the State of Maryland issued Order No. 20-09-01-01 amending Order No. 20-08-03-01 which further reiterated certain restrictions related to gatherings, business organizations, establishments, facilities, indoor theaters and outdoor entertainment venues as well as requiring the use of face coverings, while continuing to permit local jurisdictions and local health officers to extend restrictions based upon the need to contain the spread of COVID-19; and

WHEREAS, On September 18, 2020, the Governor of the State of Maryland issued Order No. 20-09-18-01 amending Order No. 20-09-01-01 which even further reiterated certain restrictions related to gatherings, business organizations, establishments, facilities, indoor theaters and outdoor entertainment venues as well as requiring the use of face coverings, while continuing to permit local jurisdictions and local health officers to extend restrictions based upon the need to contain the spread of COVID-19; and

WHEREAS, On September 28, 2020, the Governor of the State of Maryland issued Order No. 20-09-28-01 amending Order No. 20-09-18-01 which further reiterated certain restrictions related to gatherings, business organizations, establishments, facilities, indoor theaters and outdoor entertainment venues as well as requiring the use of face coverings, while continuing to permit local jurisdictions and local health officers to extend restrictions based upon the need to contain the spread of COVID-19; and

WHEREAS, On October 16, 2020, the Governor of the State of Maryland issued Order No. 20-10-16-02 amending Order No. 20-09-28-01 which further reiterated certain restrictions related to gatherings, business organizations, establishments, facilities, indoor theaters and outdoor entertainment venues as well as requiring the use of face coverings, while continuing to permit local jurisdictions and local health officers to extend restrictions based upon the need to contain the spread of COVID-19; and

WHEREAS, On November 10, 2020, the Governor of the State of Maryland issued Order No. 20-11-10-01 amending Order No. 20-10-16-02 which further reiterated certain restrictions related to gatherings, business organizations, establishments, facilities, indoor theaters and outdoor entertainment venues as well as requiring the use of face coverings, while continuing to permit local jurisdictions and local health officers to extend restrictions based upon the need to contain the spread of COVID-19; and

WHEREAS, On November 17, 2020, the Governor of the State of Maryland issued Order No. 20-11-17-01 amending Order No. 20-11-10-01 which further reiterated certain restrictions related to gatherings, business organizations, establishments, facilities, indoor theaters and outdoor entertainment venues as well as requiring the use of face coverings, while continuing to permit local jurisdictions and local health officers to extend restrictions based upon the need to contain the spread of COVID-19; and

WHEREAS, On January 28, 2021, the Governor of the State of Maryland issued Order No. 21-01-28-01 amending Order No. 20-11-17-01 which reiterated and amended certain restrictions related to gatherings, business organizations, establishments, facilities, indoor theaters and outdoor entertainment venues as well as requiring the use of face coverings, while continuing to permit local jurisdictions and local health officers to extend restrictions based upon the need to contain the spread of COVID-19; and

WHEREAS, Order No. 21-01-28-01 authorizes political subdivisions such as Baltimore County to issue local orders that are more restrictive than Order No. 21-01-28-01, and

WHEREAS, Baltimore County is constantly reviewing the health care metrics, case trends, hospital capacity, positivity rate, and other factors to ensure that the restrictions imposed are fairly applied, effective, and reasonable and necessary to save lives or prevent the spread of COVID-19; and

WHEREAS, The metrics in regard to COVID-19 have appeared to trend in a manner allowing for the easing of restrictive measures as it relates to organized amateur sports.

NOW, THEREFORE, I, JOHN A. OLSZEWSKI, JR., COUNTY EXECUTIVE OF BALTIMORE COUNTY, MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY SECTION 3-1-504 OF THE BALTIMORE COUNTY CODE, AND IN AN EFFORT TO CONTINUE TO CONTROL AND PREVENT THE SPREAD OF COVID-19 WITHIN BALTIMORE COUNTY DO HEREBY ORDER THAT:

I. Executive Order 2021-001 dated January 7, 2021, entitled “Amending and Restating Executive Order No. 2020-023, which Amended and Restated Executive Order No. 2020-022 That Concerned the Reopening of Certain Businesses and Facilities and Generally Required The Use of Face Coverings,” is amended and restated in its entirety as set forth herein.

II. ***Social Gatherings***

Indoor social gatherings of more than ten (10) people are prohibited. Outdoor social gatherings of more than twenty-five (25) people are prohibited.

For purposes of this Executive Order 2021-004, social gatherings do not include gatherings at Retail Establishments, Religious Facilities, Personal Services Establishments, Foodservice Establishments, Fitness Centers, Gaming Facilities, Racing Facilities, Indoor Theaters and Outdoor Entertainment Venues as those terms are defined herein. Social gatherings also do not include gatherings at professional and collegiate sports events and at organized amateur sports as those terms are referenced herein.

Social gatherings, for purposes of this Executive Order 2021-004, include, but are not limited to, family gatherings, parties, cookouts, parades, festivals, conventions, fundraisers, and other gatherings not associated with operating or patronizing a business.

Residents of one household do not constitute a social gathering. If more than one household is present at a gathering, however, that would constitute a social gathering, with each individual present at the gathering being counted, for purposes of determining compliance, towards the applicable gathering limit.

### III. ***Religious Facilities***

Subject to Order No. 21-01-28-01 and Maryland Department of Health (MDH) Secretary Directives, churches, synagogues, mosques, temples, and other similar religious facilities of any faith (“Religious Facilities”) may open to the general public, provided, however, that the total number of persons permitted in a Religious Facility at any one time shall not exceed 50% of that Religious Facility’s Maximum Occupancy (defined below).

### IV. ***Retail Establishments***

- i. Subject to Order No. 21-01-28-01 and applicable MDH Secretary Directives:
  1. retail businesses, organizations, establishments, and facilities (“Retail Establishments”) may open to the general public, provided, however, that the total number of persons permitted in a Retail Establishment at any one time shall not exceed 50% of that Retail Establishment’s Maximum Occupancy (defined below); and
  2. shopping centers that have one or more enclosed pedestrian concourses may open to the general public.
- ii. All Retail Establishments shall, in good faith and to the extent possible:
  1. where any queue is expected to form, designate with signage, tape, or by other means at least six-foot spacing for persons in line; and
  2. sanitize, or provide customers with a means to sanitize, handles of carts and baskets that are available to customers;

3. provide staff and customers with clean restrooms stocked with soap or sanitizer, and allow staff to wash their hands at least once every 30 minutes; and
4. post signage at each entrance advising customers about the requirement to wear Face Coverings as that term is defined below.

V. ***Personal Services Establishments***

- i. Subject to Order No. 21-01-28-01 and applicable MDH Secretary Directives, the following establishments (“Personal Services Establishments”) may open to the general public:
  1. beauty salons;
  2. barber shops;
  3. tattoo parlors;
  4. tanning salons;
  5. massage parlors; and
  6. establishments that provide esthetic services or provide nail technician services (as described in Title 5 of the Business Occupations Article of the Maryland Code);
- ii. All Personal Services Establishments shall:
  1. provide services on an appointment basis only;
  2. not allow the number of persons in the Personal Services Establishment to exceed 50% of the Personal Services Establishment’s Maximum Occupancy (defined below); and
  3. after providing services to each customer, clean and disinfect the area in which services were performed in accordance with applicable guidance from the CDC, MDH and Baltimore County Health Department.

VI. ***Manufacturing Businesses and Facilities***

Subject to Order No. 21-01-28-01 and applicable MDH Secretary Directives, all manufacturing businesses and facilities may open.

VII. *Recreational Establishments*

- i. Subject to Order No. 21-01-28-01 and MDH Secretary Directives, the following establishments (“Outdoor Recreation Establishments”) may open to the general public:
  1. golf courses and driving ranges;
  2. outdoor archery and shooting ranges;
  3. marinas and watercraft rental businesses;
  4. campgrounds;
  5. horse boarding and riding facilities;
  6. drive-in movie theaters;
  7. outdoor day camps;
  8. tour boats;
  9. amusement parks;
  10. miniature golf establishments;
  11. go-kart tracks; and
  12. the outdoor areas of any other establishments that are subject to the admission and amusement tax under Title 4 of the Tax-General Article of the Maryland Code.
  
- ii. Subject to Order No. 21-01-28-01 and MDH Secretary Directives, the following establishments (“Indoor Recreation Establishments”) may open to the general public:
  1. bingo halls;
  2. bowling alleys;
  3. pool halls;
  4. roller and ice skating rinks;
  5. social and fraternal clubs (including without limitation, American Legion posts, VFW posts, and Elks Clubs) (“Social Clubs”); and

6. the indoor areas of any other establishments that are subject to the admission and amusement tax under Title 4 of the Tax-General Article of the Maryland Code;

*provided, however,* that the total number of persons permitted in an Indoor Recreation Establishment at any one time shall not exceed 50% of that Indoor Recreation Establishment's Maximum Occupancy (defined below).

### VIII. *Foodservice Establishments*

- i. Subject to Order 21-01-28-01 and applicable MDH Secretary Directives, including but not limited to No. MDH 2020-11-17-03, restaurants, bars, nightclubs, and other similar establishments that sell food or beverages for consumption on-premises, and Social Clubs with dining facilities (collectively, "Foodservice Establishments"), may, to the extent permitted by applicable law:
  1. serve food and beverages to customers for consumption in outdoor seating areas;
  2. sell food and beverages that are promptly taken from the premises, i.e., on a carry-out or drive-through basis;
  3. deliver food and beverages to customers off the premises; and
  4. serve food and beverages to customers for consumption in indoor seating areas.
- iii. Foodservice Establishments shall:
  1. not allow the number of persons in the Foodservice Establishment to exceed 50% of the Foodservice Establishment's Maximum Occupancy (defined below);
  2. not serve food in a buffet format;
  3. not serve customers who are not seated;
  4. clean and disinfect each table between each seating in accordance with CDC and MDH guidelines, using cleaning products that meet the criteria of the U.S. Environmental Protection Agency for use against COVID-19; and
- iv. As used in this paragraph:
  1. the term "indoor seating area" means a portion of a Foodservice Establishment that is an indoor area, as defined in COMAR 10.19.04.02.B(9); and
  2. the term "outdoor seating area" means a portion of a Foodservice Establishment that is not an indoor seating area.



- v. Maximum Occupancy Load for outdoor table service for Restaurants and Bars and Social Clubs and other approved establishments shall be as set forth in:
  - (a) The Occupant Load Capacity Certificate issued for the facility by the Baltimore County Fire Department; or
  - (b) If no such certificate has been issued for the facility by the Baltimore County Fire Department, the maximum occupancy of the facility pursuant to applicable laws, regulations, and permits.
- vi. To facilitate an expedited approval process for outdoor table service:
  - (a) Any permit or licensing fees normally required for the issuance of permits, including but not limited to, Temporary Use Permits for Outdoor Table Service, Tent Permits, Temporary Road Closure Permits, and (Sidewalk Dining) Use Permits, are hereby temporarily waived.
  - (b) Any zoning conditions, restrictions and requirements in the Baltimore County Code, 2015, as amended, and Baltimore County Zoning Regulations, 2018, as amended, regarding conforming and permitted uses associated with outdoor table service are hereby temporarily relaxed as they may relate, but not limited to, expansion into sidewalks, public right-of-way, parking lots, building frontage, or other approved locations. Notwithstanding the relaxation of zoning requirements, a permit is still required for such outdoor table service.
  - (c) For any Restaurant and Bar, Social Club or other approved establishment with an existing sidewalk dining use permit which has been extended, the newer permit shall supersede the existing one.
  - (d) As it relates to certain License Agreements for Restaurants and Bars, Social Clubs and other approved establishments to locate on County-owned property (not including sidewalks or right of way), authority is hereby temporarily delegated to the Director of Permits, Approvals and Inspections solely for the purpose of executing the aforementioned License Agreements for outdoor table service. Any fees for License Agreements are hereby temporarily waived.
- vii. Nothing in this Order shall be interpreted to mean that any applicable food service and alcohol beverage laws and regulations have been relaxed, superseded or voided by this Order.

IX. ***Fitness Centers***

Subject to Order 21-01-28-01 and applicable MDH Secretary Directives, fitness centers, health clubs, health spas, gyms, aquatic centers, and self-defense schools (“Fitness Centers”) may open to the general public; ***provided, however***, that the total number of persons

permitted in a Fitness Center at any one time shall not exceed 50% of that Fitness Center's Maximum Occupancy (defined below).

**X. *Gaming and Racing Facilities***

Subject to Order No. 21-01-28-01 and applicable MDH Secretary Directives, Gaming Facilities and Racing Facilities may open to the general public.

- i. The total number of persons permitted in a Gaming Facility at any one time shall not exceed 50% of that Gaming Facility's Maximum Occupancy (defined below).
- ii. The total number of persons permitted in a Racing Facility at any one time shall not exceed 50% of that Racing Facility's Maximum Occupancy (defined below).

**XI. *Other Business***

Subject to Order No. 21-01-28-01 and applicable MDH Secretary Directives, businesses, organizations, establishments, and facilities that are not part of the critical infrastructure sectors identified by the U.S. Department of Homeland Security's Cybersecurity and Infrastructure Security Agency (currently described at <https://www.cisa.gov/identifying-criticalinfrastructure-during-covid-19>) may open to the general public.

**XII. *Theaters and Outdoor Entertainment Venues***

Subject to Order No. 21-01-28-01 and applicable MDH Secretary Directives:

- i. Theatres at which live performances occur or motion pictures are shown indoors ("Indoor Theaters") may open to the general public; provided, however, that the total number of persons permitted in an Indoor Theater at any one time (per individual auditorium or performance stage) shall not exceed the lesser of (i) 50% of that Indoor Theater's Maximum Occupancy (defined below), or (ii) 100 persons;
- ii. Venues at which live performances occur or motion pictures are shown outdoors, and at which entry is limited to ticketed customers ("Outdoor Entertainment Venues"), may open to the general public; provided, however, that the total number of persons permitted in such Outdoor Entertainment Venue at any one time shall not exceed the lesser of (A) 50% of that Outdoor Entertainment Venue's Maximum Occupancy (defined below), or (B) 250 persons.

### XIII. *Professional and Collegiate Sports*

Professional and collegiate sporting events may proceed, so long as they have had a COVID-19 plan approved by the Baltimore County Department of Health.

For indoor venues where professional or collegiate sports occur, the total number of spectators shall not exceed 50% of that indoor venue's Maximum Occupancy, or 100 persons, whichever is less. For outdoor venues where professional or collegiate sports occur, the total number of persons shall not exceed 50% of that outdoor venue's Maximum Occupancy or 250 persons, whichever is less. Tailgating is prohibited.

All individuals attending a professional or collegiate sporting event shall adhere to face covering requirements and operating requirements, including six feet social distancing between individuals and/or groups. All individuals attending a professional or collegiate sporting event shall adhere to face covering requirements unless in the act of consuming food and beverage.

### XIV. *Organized Amateur Sports*

- i. Organized amateur sports events, including high school, youth, and/or recreational games, clinics, skills sessions, scrimmages and practices, may proceed on February 1, 2021. Organized amateur sports events with teams from outside the State of Maryland are prohibited. Tournaments are also prohibited until further notice. Organized amateur sports events, as contemplated in this Executive Order, do not include outdoor equestrian events.
- ii. The County's Department of Recreation and Parks Spring Sports Season will begin on March 1, 2021. Athletic fields are available for use beginning March 1, 2021. Ball diamonds are available for use beginning April 1, 2021.
- iii. Per the CDC, as there may be an increased risk of COVID-19 spread while playing organized amateur sports, it is recommended that higher intensity activities be conducted outdoors whenever possible.
- iv. Attendance at organized amateur sports events held outdoors shall be limited as follows: participants; referees and/or officials; trainers, coaches and staff; and one (1) parent or guardian per participant. No spectators are allowed.
  - a. It is recommended that face coverings be worn by all participants engaged in the field of play. Face coverings must be worn at all times by participants not in the field of play; by referees and/or officials; by trainers, coaches and staff; and by the parent or guardian in attendance. In addition, participants not in the field of play; trainers, coaches and staff; and the parent or guardian in attendance must practice social distancing.
  - b. For organized sports events held outdoors, a log shall be maintained of all persons who are present for the event, including the name and contact

information and time of attendance for all participants; referees and/or officials; trainers, coaches and staff, and the parent or guardian in order to assist with contact tracing.

- v. Organized amateur sports events held at any indoor facility shall be limited to 50% of that facility's Maximum Occupancy, provided that no more than fifty (50) people are permitted per activity area. This includes, but is not limited to, organized sports events at schools, Religious Facilities, Recreational Establishments, and Fitness Centers. Attendance at organized sports events held indoors are limited to participants; referees and/or officials; trainers, coaches and staff; and one (1) parent or guardian per participant. No spectators are allowed.
  - a. It is strongly recommended that face coverings be worn by all participants engaged in the field of play. Face coverings must be worn at all times by participants not in the field of play; by referees and/or officials; by trainers, coaches and staff; and by the parent or guardian in attendance. In addition, participants not in the field of play; trainers, coaches and staff; and the parent or guardian in attendance must practice social distancing.
  - b. For organized sports events held indoors, a log shall be maintained of all persons who are present for the event, including the name and contact information and time of attendance for all participants; referees and/or officials; trainers, coaches and staff, and the parent or guardian in order to assist with contact tracing.

#### **XV. *Determination of Maximum Occupancy***

“Maximum Occupancy” means:

1. The maximum occupancy load of the facility or establishment under the Baltimore County Fire Code, as set forth on a certificate issued for the facility by a Baltimore County Fire Code official; or
2. If no such certificate has been issued for the facility or establishment by a Baltimore County Fire Code official, the maximum occupancy of the establishment pursuant to applicable laws, regulations, and permits.

#### **XVI. *Face Coverings***

a. Definitions. As used herein:

- i. “Face Covering” means a covering that fully covers a person’s nose and mouth and is secured to the person’s head, but is not a Medical-Grade Mask. The term “Face Covering” includes, without limitation, scarves, bandanas, and plastic full-face shields.

- ii. “Medical-Grade Mask” means an N95, KN95, surgical, or other mask that would be appropriate for a health care setting.
- iii. “Public Transportation” means shared-ride surface transportation services that are open to the general public, including without limitation, taxi services, ride-sharing services, car services, transit services provided by any other unit of the State or any political subdivision, and all related stations and platforms. Examples of Public Transportation include, but are not limited to MTA bus service, MARC train service, Light Rail train service, MTA Metro subway service, and Mobility and Paratransit services.

b. Requirement to Wear Face Coverings.

- i. Except as provided in subparagraph c, all persons over the age of five (5) years old are required to wear a Face Covering when they are:
  - 1. in or on any Public Transportation;
  - 2. indoors at any location where members of the public are generally permitted, including without limitation, Religious Facilities, Retail Establishments, Foodservice Establishments, Fitness Centers, Gaming Facilities, Racing Facilities, Indoor Recreation Establishments, Personal Services Establishments, and Indoor Theaters;
  - 3. at any Outdoor Entertainment Venue;
  - 4. outdoors at any location other than an Outdoor Entertainment Venue and unable to consistently maintain at least six feet of distance from individuals who are not members of their household;
  - 5. obtaining healthcare services, including without limitation, in offices of physicians and dentists, hospitals, pharmacies, and laboratories; and
  - 6. engaged in work in any area where:
    - a. interaction with others is likely, including without limitation, in shared areas of commercial offices; or
    - b. food is prepared or packaged.
- ii. Single-use Face Coverings shall be properly discarded in trash receptacles. It is recommended that all reusable Face Coverings be cleaned frequently (at least once per day).

- iv. Wearing a Medical-Grade Mask satisfies any requirement for wearing a Face Covering, but all are urged to reserve Medical-Grade Masks for use by health care workers and first responders.

c. Exceptions. Persons are not required to wear Face Coverings:

- i. if, due to a bona fide disability or medical condition, it would be unsafe for the person to do so;
- ii. to the extent wearing a Face Covering would impede communication by or with persons who have a hearing impairment or other disability, where the ability to see the mouth is essential for communication;
- iii. if wearing a Face Covering would subject the person to an unsafe working condition, as determined by federal, state, or local occupational safety regulators or workplace safety guidelines;
- iv. to the extent wearing a Face Covering would make it impossible to receive services requiring access to the face, mouth, or head, including without limitation, dental care, shaving, and facial treatments;
- v. while consuming food or beverages;
- vi. while swimming or engaging in other physical activities where the use of a Face Covering is likely to pose a bona fide safety risk; or
- vii. while operating any Public Transportation conveyance, provided that the person is (1) the sole operator of the conveyance, and (2) located in a separate compartment that is off-limits to riders.

**XVII. *Businesses, Organizations, Establishments, and Facilities Required to Close.***

a. Senior Centers. All senior citizen activities centers (as defined in Section 10-501(i) of the Human Services Article of the Maryland Code) shall remain closed.

b. Minimal Operations. Staff and owners may continue to be on-site at any business, organization, establishment, or facility that is required to be closed pursuant to this Order for only the following purposes:

- i. Facilitating remote working (a/k/a/ telework) by other staff;
- ii. Maintaining essential property;
- iii. Preventing loss of, or damage to property, including without limitation, preventing spoilage of perishable inventory;

- iv. Performing essential administrative functions, including without limitation, picking up mail and processing payroll; and
- v. Caring for live animals.

c. Closure by Other Order. All businesses, organizations, establishments, and facilities that are required to close pursuant to any other Order of the Governor of the State of Maryland or any other Order of a political subdivision, shall be and remain closed in accordance with such other Order, as the case may be.

**XVIII. *Government Buildings and Facilities with Large Occupancy or Attendance.***

a. Local government buildings and facilities with an expected occupancy or attendance of more than 10 people shall:

- i. Promptly and conspicuously post in the building or facility a copy of the MDH recommendations for social distancing; and
- ii. Provide all occupants and attendees with the capability to wash their hands.

b. A copy of this Order shall be made available to all occupants or attendees at any local government building and facility with an expected occupancy or attendance of more than 10 people.

XIX. Residents should continue to stay home when possible. Older and more vulnerable residents, and those who live with them, are strongly advised to stay home whenever possible.

Residents and visitors should practice safe physical distancing and frequently wash their hands and sanitize high-touch areas. Employers should continue to encourage telework for their employees when possible. Individuals who can work from home should continue to do so.

XX. This Executive Order shall continue until terminated, amended, revised or superseded by subsequent Executive Order or until the local state of emergency expires or is terminated, whichever occurs first.

XXI. The local Health Officer is authorized further to adopt rules and/or regulations, as needed, to prevent the spread of COVID-19 and protect public health and safety. The local Health Officer may issue orders modifying any business operation or closing any unsafe facility if the Health Officer determines that a specific business operation or facility poses an unreasonable risk of exacerbating the spread of COVID-19, which would include an unreasonable risk deemed to be the result of non-compliance with Social Distancing Guidelines. The local Health Officer is hereby authorized to request the assistance of Baltimore County Code Enforcement in accordance with the penalties set forth therein, in addition to any enforcement measures authorized by the Governor of the State of Maryland.

Any and all businesses, gatherings and activities that open as a result of this Order must abide by:

- a. All State Executive Orders (as amended) and modified by this Local Order; and
- b. Any applicable directives from the State Secretary of Health; and
- c. Any applicable social distancing guidance published by the Center for Disease Control, the Maryland Department of Health and the Baltimore County Health Department; and
- d. Any applicable Federal, State or local laws or Health Directives or Orders by the local Health Officer.

XXII. A copy of this Executive Order shall be made available on-line at [www.baltimorecountymd.gov](http://www.baltimorecountymd.gov) for the public.

XXIII. Each law enforcement officer and local Health Officer of the County shall execute and enforce this Executive Order.

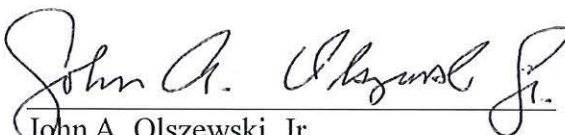
XXIV. The County may assess a civil penalty in an amount not exceeding \$1,000. A civil penalty imposed as part of a citation issued under Title 3, Subtitle 6 of the Baltimore County Code may not exceed \$500 per violation. The County also reserves the right to assess all other civil and criminal fines and penalties as may be applicable, including, but not limited to those set out in the Governor's Executive Order or as may be reserved to the local Health Officer for Baltimore County."

XXV. The effect of any local statute, rule, or regulation of an agency and/or department of the County inconsistent with this Executive Order is hereby suspended.


ISSUED under My Hand this 29<sup>th</sup> day of January, 2021, **effective 9:00 a.m. February 1, 2021.**

ATTEST:

  
Dawn Kile  
Executive Secretary

  
John A. Olszewski, Jr.  
County Executive

Reviewed for Form and Legal Sufficiency and approved for Execution.

  
James R. Benjamin, Jr.  
County Attorney