



EXECUTIVE ORDER
No. 2021-016

**INCORPORATING GOVERNOR LAWRENCE J. HOGAN, JR.'S EXECUTIVE ORDER
NO. 21-05-14-01 DATED MAY 14, 2021 AMENDING AND RESTATING EXECUTIVE
ORDER NO. 21-05-12-01 DATED MAY 12, 2021 REQUIRING USE OF FACE
COVERINGS IN CERTAIN CIRCUMSTANCES**

- 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, January 21, 2021, February 19, 2021, March 18, 2021, April 16, 2021 and May 12, 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, On February 23, 2021, the Governor of the State of Maryland issued Order No. 21-02-23-01 amending Order No. 21-01-28-01 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, On March 9, 2021, the Governor of the State of Maryland issued Order No. 21-03-09-01 amending Order No. 21-02-23-01 which amended certain restrictions and lifted certain restrictions related to gatherings, business organizations, establishments, facilities, indoor theaters and outdoor entertainment venues as well as requiring the use of face coverings; and

WHEREAS, On April 21, 2021 the Governor of the State of Maryland issued Order No. 21-04-21-01 amending Order No. 21-03-09-01 which amended certain restrictions and lifted certain restrictions related to gatherings, business organizations, establishments and facilities as well as requiring the use of face coverings; and

WHEREAS, On April 28, 2021, the Governor of the State of Maryland issued Order No. 21-04-28-01 amending Order No. 21-04-21-01 which further amended certain restrictions and lifted certain restrictions related to gatherings, business organizations, establishments and facilities as well as requiring the use of face coverings; and

- WHEREAS, On May 12, 2021, the Governor of the State of Maryland issued Order No. 21-05-12-01 amending Order No. 21-04-28-01 which further amended certain restrictions and lifted certain restrictions related to gatherings, business organizations, establishments and facilities as well as requiring the use of face coverings; and
- WHEREAS, On May 12, 2021, the Maryland Department of Health issued a COVID-19 advisory concerning the lifting of certain restrictions related to Food Service, Retail and Personal Establishments; and
- WHEREAS, On May 14, 2021, the Governor of the State of Maryland issued Order No. 21-05-14-01 amending Order No. 21-05-12-01 which further amended certain restrictions and lifted certain restrictions related to the use of face coverings; and
- WHEREAS, Baltimore County is constantly reviewing the health care metrics, case trends, hospital capacity, positivity rate, and other factors to control and prevent the spread of COVID-19; and
- WHEREAS, Nothing herein shall be construed to limit or conflict with any order or authority of the local Health Officer.

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:

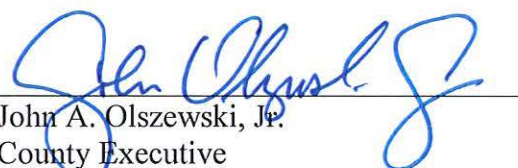
- I. Except as herein otherwise provided, all provisions of Governor Larry Hogan's Executive Order No. 21-05-14-01 are hereby adopted and incorporated as if restated herein, and Baltimore County Executive Order 2021-014, which incorporated Governor Larry Hogan's May 12, 2021 Executive Order No. 21-05-12-01 and rescinded Baltimore County Executive Order No. 2021-013 dated April 30, 2021, which incorporated Governor Larry Hogan's April 28, 2021 Executive Order No. 21-04-28-01 amending and restating the Order of April 21, 2021 regulating certain businesses and facilities and generally requiring the use of face coverings and rescinded Baltimore County Executive Order 2021-010 dated March 12, 2020, which incorporated Governor Hogan's March 9, 2021 Executive Order No. 21-03-09-01 and rescinded Executive Order No. 2021-007 dated March 5, 2021, which amended Executive Order 2021-006 dated February 3, 2021, is hereby rescinded.
- II. This Executive Order shall continue until the local proclamation of emergency expires or is terminated.
- III. Residents and visitors should continue to practice safe physical distancing, and frequently wash their hands and sanitize high-touch areas.

- IV. 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. 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 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 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.
- V. A copy of this Executive Order shall be made available on-line at www.baltimorecountymd.gov for the public.
- VI. Each law enforcement officer and local Health Officer of the County shall execute and enforce this Executive Order.
- VII. 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.
- VIII. This Order remains effective until rescinded, superseded, amended, or revised by additional orders.
- IX. 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 14th day of May, 2021, EFFECTIVE IMMEDIATELY.

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