



**EXECUTIVE ORDER  
NO. 2021-028**

**COVID-19 VIRUS AND VARIANTS**

**WHEREAS**, I, John A. Olszewski, Jr., the duly elected County Executive for Baltimore County, Maryland have been advised by the Director of Emergency Management in Baltimore County and the local Health Officer for Baltimore County that COVID-19, a respiratory disease that spreads easily from person to person and may result in serious illness or death, is a public health catastrophe and a public safety emergency; and

**WHEREAS**, A Declaration of State of Emergency and Existence of a Catastrophic Health Emergency was declared by the Governor of the State of Maryland on March 5, 2020 and then later rescinded; and

**WHEREAS**, A Declaration of State of Emergency and Existence of a Catastrophic Health Emergency was declared by the County Executive on March 13, 2020 which expired on July 9, 2021; and

**WHEREAS**, A Declaration of State of Emergency and Existence of a Catastrophic Health Emergency was declared by the County Executive on August 23, 2021 which expired on November 3, 2021; and

**WHEREAS**, The World Health Organization (“WHO”) and the Centers for Disease Control (“CDC”) have declared the COVID-19 outbreak to be a “public health emergency of international concern” that poses an immediate danger to public safety; and

**WHEREAS**, A public health crisis remains within the jurisdiction of Baltimore County, and there continues to be significant community transmission of the COVID-19 virus (and its variants); and

**WHEREAS**, Community transmission of the COVID-19 virus and its variants within Baltimore County has significantly increased since November 3, 2021 and continues to threaten the lives, health and safety of the citizens of Baltimore County; and

**WHEREAS**, based on information currently available, on December 25, 2021, Baltimore County’s 7-day positivity rate was 18.2%, a 268% increase over a one-month period; and

**WHEREAS**, The number of daily hospitalized COVID-19 patients in Baltimore County increased 231% over a one-month period (the number was 62 on November 26, 2021 and 205 on December 26, 2021); and

**WHEREAS**, As of December 26, 2021, ICUs Countywide are at 87.25% capacity; and

**WHEREAS**, As of December 26, 2021, the total number of available ICU-beds in all of Baltimore County is thirteen; and

**WHEREAS**, The 7-Day average of daily hospitalized COVID-19 patients in Baltimore County increased 188.5% over a one-month period (the number was 62 on November 26, 2021 and 178.86 on December 26, 2021); and

**WHEREAS**, based on information currently available, on December 25, 2021, the current statewide 7-day COVID-19 positivity average was 15.85%; and

**WHEREAS**, The statewide COVID-19 positivity average increased by 264% from November 26, 2021 to December 25, 2021 (4.36% to 15.85%); and

**WHEREAS**, As of December 26, 2021, ICUs statewide are at 89% capacity; and

**WHEREAS**, The COVID-19 public health catastrophe and public safety emergency continues, threatening lives, health and property in Baltimore County and requiring Baltimore County to call all of its resources into limited or long term activation; and

**WHEREAS**, State assistance may be needed to protect public peace, health and safety pursuant to Title 14 of the Public Safety Article of the Annotated Code of Maryland; and

**WHEREAS**, Resources are requested under applicable state and local emergency plans and may consist of personnel, equipment and use of facility space, as needed for this emergency to protect the public health, peace and safety of Baltimore County.

**NOW THEREFORE, BE IT ORDERED AND PROCLAIMED**, by the County Executive of Baltimore County, Maryland that, in accordance with the authority granted by the Charter and Laws of Baltimore County, Maryland including, but not limited to Section 3-1-503 of the Baltimore County Code, and pursuant to any and all granted by the Maryland Constitution and the Laws of Maryland, including but not limited to §14-111 of the Public Safety Article of the Annotated Code of Maryland, **THAT A STATE OF EMERGENCY EXISTS IN BALTIMORE COUNTY, MARYLAND, AND**

**IT IS FURTHER ORDERED THAT:**

1. This Declaration of a State of Emergency shall be promptly publicized; and
2. A copy of this Executive Order is to be filed with the chief local records-keeping agency;

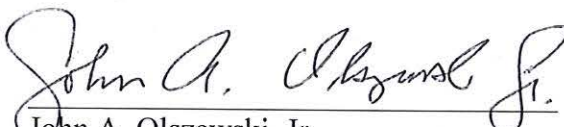


3. Pursuant to Baltimore County Code 3-4-303(b) and the powers afforded to the Local Health Officer and County Executive by law, including, but not limited to the Baltimore County Code and Charter, the Public Safety Article and Health General Article of the Annotated Code, the County Executive shall consult with the Local Health Officer and may adopt appropriate measures in support of the Local Health Officer to arrest the progress of the spread of the COVID-19 virus and its variants.
4. The Local Health Officer is authorized by the County Executive to use the assistance of code enforcement, building inspectors and public safety personnel of Baltimore County for assistance, including enforcement, as needed.
5. An order of the Local Health Officer issued pursuant to Baltimore County Code 3-4-303(b) may be enforced using those measures set forth in the Baltimore County Code, including but not limited to the penalty set forth in Baltimore County Code 1-2-217, for any individual who violates a local Health Officer Order. And that notwithstanding anything to the contrary herein, this does not limit the authority of the Local Health Officer to issue any Order or Directive pursuant to state law.
6. In the event that the state of emergency will continue beyond January 3, 2022, pursuant to the authority granted by Section 208(e) of the Baltimore County Charter, the County Council shall be called into emergency session to consider a resolution consenting to the continuation of the state of emergency, as required by §14-111 of the Public Safety Article of the Annotated Code of Maryland and Section 3-1-503(d) of the Baltimore County Code.


**NOW THEREFORE**, pursuant to the authority vested in me by the State law, the Baltimore County Charter, and laws of Baltimore County, I, John A. Olszewski Jr., Baltimore County Executive, hereby proclaim and declare that a state of emergency exists in Baltimore County this 27<sup>th</sup> day of December, 2021.

ATTEST:

  
\_\_\_\_\_  
Dawn Kile  
Executive Secretary

  
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John A. Olszewski, Jr.  
County Executive

Reviewed for Form and Legal Sufficiency and approved for Execution.

  
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James R. Benjamin, Jr.  
County Attorney