



ARUNDEL CENTER
P.O. BOX 2700 -ANNAPOLIS, MARYLAND 21404
Phone: 410-222-1821 -Fax: 410-222-1155
www.aacounty.org

STEUART PITTMAN
County Executive

EXECUTIVE ORDER NUMBER 29

IMPOSING LOCAL RESTRICTIONS ON CERTAIN USES

WHEREAS, a state of emergency and catastrophic health emergency was proclaimed by Lawrence J. Hogan, the Governor of the State of Maryland, on March 5, 2020, and renewed on March 17, 2020, April 10, 2020, May 6, 2020, June 3, 2020, July 1, 2020, and August 10, 2020, to control and prevent the spread of COVID-19 within the State, and the state of emergency and catastrophic health emergency still exists;

WHEREAS, on March 13, 2020, County Executive Stuart Pittman issued Executive Order No. 16 proclaiming a civil emergency in Anne Arundel County due to the rapid onset of the COVID-19 pandemic, which Executive Order was extended by the County Council on March 20, 2020, to continue for the duration of the Governor's state of emergency proclamation;

WHEREAS, on March 30, 2020, the Governor issued Executive Order No. 20-03-30-01 which ordered all nonessential employees in the State to stay at home for an undetermined period of time in an effort to arrest the increase in the number of residents contracting the virus (the "Stay At Home" Order);

WHEREAS, on May 13, 2020 the Governor issued Executive Order No. 20-05-13-01 which gave Maryland counties the discretion to review local data and make independent decisions about when it is appropriate to relax certain restrictions;

WHEREAS, the effects of COVID-19 require that local officials be vigilant in advising the residents of measures they can take to protect health, safety, and welfare;

WHEREAS, the Centers for Disease Control (CDC) advises that social distancing is the most effective way of slowing the spread of COVID-19;

WHEREAS, COVID-19 continues to pose serious health risk for the citizens of Anne Arundel County, particularly elderly residents and those who are immunosuppressed or otherwise have high-risk medical conditions;

WHEREAS, both the Governor and the County Executive have issued various Executive Orders relaxing the provisions of the Governor's Stay At Home Order and allowing certain businesses formerly ordered to be closed to reopen, under certain conditions to ensure public safety;

WHEREAS, on September 1, 2020, the Governor issued Executive Order No. 20-09-01-01, increasing the capacity limits for religious facilities and retail establishments from 50% of capacity to 75% of capacity, and allowing indoor theaters and outdoor entertainment venues to open, provided the capacity for indoor theaters does not exceed 50% of the facility's maximum capacity or 100 persons, whichever is less, and that the capacity for outdoor venues does not exceed 50% of the facilities maximum capacity or 250 persons, whichever is less;

WHEREAS, the Governor's Executive Order No. 20-09-01-01 also allows local jurisdictions to issue orders more restrictive than Executive Order 20-09-01-01 if the local jurisdiction determines doing so is necessary and reasonable to save lives or prevent exposure to COVID-19;

WHEREAS, the County Executive and the County Health Officer have determined that the health metrics and current COVID-19 data require the imposition of further protective measures to slow and stop the transmission of COVID-19.

NOW, THEREFORE, I, Steuart Pittman, County Executive, by virtue of the authority vested in me by the Charter and laws of Anne Arundel County, Maryland, and §§ 1-6-101 *et. seq.* of the Anne Arundel County Code, and pursuant to the authority granted to local jurisdictions in Governor Hogan's Executive Order No. 20-09-01-01, and to save lives and prevent further exposure to the COVID-19 virus within Anne Arundel County and the State of Maryland, do hereby proclaim and order on this 4th day of September, 2020:

1. This Executive Order No. 29 is a Local Order as described in, contemplated by, and authorized by Governor Hogan's Executive Order No. 20-09-01-01, to modify certain provisions of Governor Hogan's Executive Order No. 20-09-01-01 by imposing more restrictive limitations on certain uses.
2. The total number of persons permitted in a Religious Facility (as defined in the Governor's Executive Order 20-09-01-01) at any one time shall not exceed 50% of that Religious Facility's Maximum Occupancy (as defined in the Governor's Executive Order 20-09-01-01).
3. The total number of persons permitted in a Retail Establishment (as defined in the Governor's Executive Order 20-09-01-01) at any one time shall be limited at any one time to no more than one customer or staff per 150 square feet of public area, but not to exceed 50% of that Retail Establishment's Maximum Occupancy (as defined in the Governor's Executive Order 20-09-01-01).

4. Indoor Theaters and Outdoor Entertainment Venues (as defined in the Governor's Executive Order 20-09-01-01) shall remain closed to the general public.

5. Indoor social gatherings of more than 25 people are hereby prohibited. Outdoor social gatherings of more than 50 people are hereby prohibited. For the purposes of this Executive Order No. 29, "social gatherings" does not include gatherings at retail stores, offices, restaurants, casinos, youth sports, gatherings for religious or spiritual purposes on the premises of a religious or spiritual facility, or wedding receptions (subject to the restrictions for Foodservice Establishments in the Governor's Executive Order 20-09-01-01). "Social gatherings" includes, but are not limited to, parties, cookouts, concerts or performances, parades, festivals, conventions, fundraisers, and other gatherings that are not associated with operating or patronizing a business that sells merchandise.

6. All businesses and uses permitted to be open under the Governor's Executive Order 20-09-01-01 or any other State or local Executive Order, shall also comply with:

A. The County Executive's Executive Order Nos. 25 and 27, and all Orders and guidance from the County Health Officer, including any "Order for Public Safety" issued by the County Health Officer, to the extent such Orders are not inconsistent with this Executive Order No. 29;

B. All State Executive Orders (as amended), as modified by this Executive Order No. 29 and local Executive Order Nos. 25 and 27;

C. Any applicable directives from the State Secretary of Health;

D. Applicable social distancing guidance published by the Centers for Disease Control and the Maryland Department of Health; and

E. All applicable Federal, State and local laws.

7. All other provisions of the Governor's Executive Order No. 20-09-01-01 dated September 1, 2020, shall apply in Anne Arundel County.

8. In addition to the authority of the County Health Officer to order the closure of any Religious Facility, Retail Establishment, Indoor Theater or Outdoor Entertainment Venue for a violation of any State or local Executive Order or Order for Public Safety, the owner of a business that violates this Executive Order No. 29 is guilty of a misdemeanor under Governor Hogan's Executive Order 20-06-10-01 and shall be subject to imprisonment not exceeding one year and a fine not to exceed \$5,000, based on the following fine schedule: \$500 for a first offense, \$1,000 for a second offense, and \$5,000 for a third offense.

9. This Executive Order shall take effect as of 5:00 p.m. on Friday, September 4, 2020, and shall continue until terminated by subsequent Executive Order or until the local proclamation of emergency expires or is terminated.

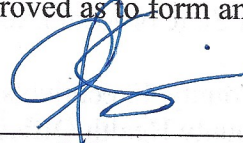
10. The Public Information Officer shall immediately disseminate notice of this Executive Order to the appropriate news media and to the general public.

This Executive Order shall be archived at the Office of Law.



STEUART PITTMAN
County Executive

Approved as to form and legal sufficiency:



Gregory J. Swain
County Attorney