



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 37

**RESTRICTING SOCIAL GATHERINGS, INDOOR DINING
AND SUSPENDING PLAY ON COUNTY RECREATIONAL FACILITIES**

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, August 10, 2020, September 8, 2020, October 6, 2020, and October 29, 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 Steuart 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 and imposed operating restrictions on business in the State in an effort to arrest the increase in the number of residents contracting the virus (the "Stay At Home" Order);

WHEREAS, since March 30, 2020, 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 November 10, 2020, the Governor issued Executive Order No. 20-11-10-01, restating and revising portions of the Governor's prior Executive Orders;

WHEREAS, the Governor's Executive Order No. 20-11-10-01 allows local jurisdictions to issue orders more restrictive than Governor's Executive Order No. 20-11-10-01 if the local jurisdiction determines doing so is necessary and reasonable to save lives or prevent exposure to COVID-19;

WHEREAS, the spread of COVID-19 within Anne Arundel County has increased dramatically over the past three weeks, necessitating additional restrictive measures to save lives and prevent further exposure to COVID-19;

NOW, THEREFORE, I, Stuart 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 the Governor's Executive Order No. 20-11-10-01, 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 12th day of November, 2020:

1. This Executive Order No. 37 is a Local Order as described in, contemplated by, and authorized by the Governor's Executive Order No. 20-11-10-01, to impose additional restrictions deemed necessary to save lives and prevent exposure to COVID-19.

2. Paragraph 3 of Local Executive Order No. 33 is hereby rescinded. The total number of persons permitted indoor in Foodservice Establishments (as defined in Governor's Executive Order No. 20-11-10-01) shall not exceed 25% of the establishment's Maximum Occupancy (as defined in Governor's Executive Order No. 20-11-10-01). The total number of persons permitted in outdoor seating areas of Foodservice Establishments shall not exceed 75% of the establishment's Maximum Occupancy for indoor space. All Foodservice Establishments remain subject to the table spacing requirements and other protective requirements as set out in previous Local Executive Orders and Orders for Public Safety. Restaurants, bars, and similar establishments that sell food and alcoholic beverages, or alcoholic beverages only, for consumption on-premises in indoor facilities shall cease alcohol service in indoor facilities at 10:00 p.m. daily, and shall require and ensure that all customers vacate indoor facilities by 11:00 p.m.

3. Paragraph No. 6 of Local Executive Order No. 32 is hereby rescinded. Indoor social gatherings of more than 10 people are hereby prohibited. Outdoor social gatherings of more than 25 people are hereby prohibited. For the purpose of this Executive Order No. 37, "social gatherings" does not include gatherings at retail stores, offices, Foodservice Establishments, Social Clubs, casinos, youth sports, gatherings for religious or spiritual purposes on the premises of a religious or spiritual facility, wedding receptions (subject to the restrictions for Foodservice Establishments in the Governor's Executive Order No. 20-11-10-01 and all local restrictions imposed by previous Local Executive Orders or Orders for Public Safety), Indoor Theaters and Outdoor Entertainment Venues (as defined in the Governor's Executive Order No. 20-11-10-01). "Social gatherings" includes, but is not limited to, family gatherings, parties, cookouts, parades, festivals, conventions, fundraisers, amateur sporting events, and other gatherings that are not associated with operating or patronizing a business that sells merchandise.

4. The use of County fields and facilities for any organized sports is suspended until further notice.

5. All businesses and uses permitted to be open under the Governor's Executive Order No. 20-11-10-01 or any other State or local Executive Order, shall also comply with:

A. All previous Local Executive Orders 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. 37;

B. All State Executive Orders (as amended), as modified by this Local Executive Order No. 37 and previous local Executive Orders;

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.

6. All other provisions of the Governor's Executive Order No. 20-11-10-01 shall apply in Anne Arundel County, unless specifically modified herein.

7. 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. 37 is guilty of a misdemeanor under the Governor's Executive Order No. 20-11-10-01 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.

8. Paragraph 2 of this Executive Order No. 37 shall take effect as of 5:00 p.m. on Friday, November 20, 2020. Paragraph 4 of this Executive Order No. 37 shall take effect as of 8:00 a.m. on Monday November 16, 2020. Otherwise, this Executive Order shall take effect as of 5:00 p.m. on Friday, November 13, 2020, and shall continue until terminated by subsequent Executive Order or until the local proclamation of emergency expires or is terminated.

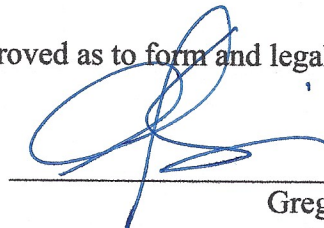
9. The Public Information Officer shall immediately disseminate notice of this Executive Order to the appropriate news media and to the general public.

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



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Approved as to form and legal sufficiency:



Gregory J. Swain

County Attorney

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B. All State Executive Orders (as amended), as included by this Local Executive Order No. 37 and previous local Executive Orders.

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

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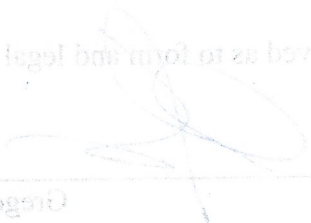
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8. Paragraph 2 of this Executive Order No. 37 shall take effect as of 5:00 p.m. on Friday, November 20, 2020. Paragraph 4 of this Executive Order No. 37 shall take effect as of 8:00 a.m. on Monday, November 16, 2020. Otherwise, this Executive Order shall take effect as of 5:00 p.m. on Friday, November 13, 2020, and shall continue until terminated by subsequent Executive Order or until the local proclamation of emergency expires or is terminated.

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