COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

2020 Legislative Session

Resolution No. CR-121-2020

Proposed by The Council Chair (by request – County Executive)

Introduced by Council Members Turner, Anderson-Walker, Davis, Dernoga, Franklin,
Glaros, Harrison, Hawkins, Ivey, Streeter and Taveras

Date of Introduction November 10, 2020

RESOLUTION

A RESOLUTION concerning

Prince George’s County, Maryland’s Sixth Continued Declaration Of Emergency—Coronavirus
(“Covid-19”)

For the purpose of continuing the emergency declarations most recently adopted by the
governing body on October 13, 2020, CR-101-2020, and as may be further amended.

WHEREAS, Section 14-111 of the Public Safety Article of the Annotated Code of
Maryland provides for the declaration of a Local State of Emergency; and

WHEREAS, Section 6-134, et seq., of the Prince George's County Code provides for the
declaration of a Local State of Emergency; and

WHEREAS, the President of the United States proclaimed that the COVID-19 outbreak in
the United States constituted a national emergency beginning March 1, 2020; and

WHEREAS, on March 5, 2020, the Governor of the State of Maryland declared a state of
emergency and a catastrophic health emergency for the State of Maryland to control and prevent
the spread of COVID-19; and

WHEREAS, the World Health Organization, on March 11, 2020, announced that the
COVID-19 outbreak can be characterized as a pandemic; and

WHEREAS, the County Executive for Prince George’s County, Maryland has issued
several local declarations of emergency because of the COVID-19 pandemic: Executive Order
Number 6-2020 on March 16, 2020; Executive Order Number 7-2020 on April 13, 2020;
Executive Order Number 8-2020 on May 14, 2020; Executive Order Number 10-2020 on May
28, 2020; Executive Order Number 13-2020 on June 12, 2020; Executive Order Number 15-
2020 on June 25, 2020; and Executive Order Number 20-2020 on September 3, 2020; and
WHEREAS, the number of COVID-19 positive cases in the County is over 34,100 positive cases, with more than 4140 hospitalizations and approximately 857 deaths; and

WHEREAS, based upon data analysis as of November 5, 2020, the County’s infection rate is 1.1, its positivity rate is 5.0%, and, the average daily case rate is 15.3 per 100,000 residents; and

WHEREAS, the County’s health care system continues to need resources to effectively combat this emergency; and

WHEREAS, as of September 2020, the County’s unemployment rate was 9.1% (not seasonally adjusted) compared to the State’s rate of 6.9%, resulting in the County having the second highest unemployment rate in the State and the most unemployed persons in the State with approximately 44,800 unemployed residents; and

WHEREAS, Section 14-111 (b) (1) of the Public Safety Article of the Annotated Code of Maryland states that the consent of the governing body is needed if a local declaration is continued or renewed for more than 30 days; and

WHEREAS, the Order of the Governor of the State of Maryland Number 20-10-16-02, issued October 16, 2020, specifically authorized political subdivisions to issue more restrictive orders than issued by the Governor including requiring any businesses, organizations, establishments, or facilities to close or modify their operations; and/or requiring individuals to remain indoors or to refrain from congregating; and

WHEREAS, CR-101-2020 remains in effect through November 12, 2020 at 5:00 p.m., unless amended or terminated sooner by the County Executive; and

WHEREAS, COVID-19 continues to pose an imminent threat to the health, safety and welfare of County residents;

WHEREAS, because Prince George’s County, Maryland had been in the medium risk category but recent increases in relevant metrics have demonstrated movement towards the high risk category, health experts predict a second wave of new COVID-19 cases, upcoming winter months will lead to persons staying inside more, and the approaching influenza season, it is necessary that the County remain at Phase 2 of reopening:

NOW, THEREFORE, BE IT RESOLVED by the County Council of Prince George's County, Maryland, that Prince George’s County, Maryland continue under a declaration of emergency due to the COVID-19 outbreak;
IT IS FURTHER ORDERED that the Prince George’s County Emergency Operations Plan remain in full force and effect until terminated by the County Executive; and

IT IS FURTHER ORDERED that Prince George’s County, Maryland continue in Phase 2 of its reopening; and

IT IS FURTHER ORDERED that it is necessary and reasonable to save lives and to prevent the further spread of COVID-19, the orders set forth in Attachment A of this Resolution are fully incorporated and adopted herein; and

IT IS FURTHER ORDERED that the rules set forth in this Resolution and Attachment A will go into effect on November 12, 2020 at 5:01 p.m.; and

IT IS FURTHER ORDERED that the directives set forth herein will be enforced by the Prince George’s County Health Department, with the assistance of Prince George’s County law enforcement and other appropriate County employees as determined by the Chief Administrative Officer, as needed; and

IT IS FURTHER ORDERED the County will continue to conduct scheduled and unscheduled inspections of retail, restaurant and business establishments to check for compliance with this Resolution. Non-compliance may subject the owner and/or operator to a fine not exceeding $1,000 pursuant to the Prince George’s County Code and/or the establishments to closure pursuant to the legal authority of the Health Officer and/or other legal authority; and

IT IS FURTHER ORDERED that a person who knowingly and willfully violates this Resolution is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding one year or a fine not exceeding $5,000 or both.

IT IS FURTHER ORDERED that the Executive Branch continue to provide weekly updates to the Council Chair or Vice Chair; and

IT IS FURTHER ORDERED this declaration supersedes any inconsistent provision of a prior Executive Order; and

IT IS FURTHER ORDERED that the provisions of the Resolution are severable such that if any provision of this Resolution or its application to any person, entity, or circumstance is held invalid by any court of competent jurisdiction, all other provisions or applications of this Resolution shall remain in effect to the extent possible without the invalid provision or application; and

IT IS FURTHER ORDERED that this declaration of emergency shall stay in effect through
November 18, 2020 at 5:00 p.m., unless amended or terminated sooner by the County Executive or as extended by a subsequent resolution of the governing body.

BE IT FURTHER RESOLVED that this Resolution shall take effect on the day it is adopted.

Adopted this 10th day of November, 2020.

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

BY: __________________________________________
    Todd M. Turner
    Council Chair

ATTEST:

Donna J. Brown
Clerk of the Council

APPROVED:

Date: ________________    BY: _______________________________
    Angela D. Alsobrooks
    County Executive