COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

2021 Legislative Session

Resolution No. CR-33-2021

Proposed by The Chair (by request – County Executive)

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

Date of Introduction March 30, 2021

RESOLUTION

A RESOLUTION concerning

Prince George’s County, Maryland’s Tenth Continued Declaration of Emergency—Coronavirus ("COVID-19")

For the purpose of continuing the emergency declarations most recently adopted by the governing body on February 16, 2021, CR-13-2021, 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 10-328(b) of the Local Government Article of the Annotated Code of Maryland states that a county may provide for the prevention of contagious diseases in the county; and

WHEREAS, Subtitle 6 of the Prince George’s County Code, including but necessarily limited to Division 5 of this Subtitle, provides for the declaration of a Local State of Emergency by the County Executive and the authority to issue rules and regulations as deemed necessary to control the situation; 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 Prince George’s County, Maryland has previously issued the following

WHEREAS, Prince George's County, Maryland has been and continues to be severely impacted by the COVID-19 outbreak; and

WHEREAS, as of January 2021, the County’s unemployment rate was 7.8% (not seasonally adjusted), resulting in the County having the fourth highest unemployment rate in the State with 38,039 unemployed residents; and

WHEREAS, as of March 23, 2021, the number of COVID-19 positive cases in the County is 76,495 cases, with approximately 7720 hospitalizations and approximately 1343 deaths; and

WHEREAS, based upon reported data analysis as of March 22, 2021, the County’s infection rate is .99, its positivity rate is 4.8%, the average daily case rate is 15.6 per 100,000 residents and the number of inpatients with COVID-19 in County hospitals accounts for approximately 11% of total hospital capacity; and

WHEREAS, as of March 23, 2021, approximately 160,968 County residents have received a vaccine dose and 69,457 have completed vaccination; and

WHEREAS, the County’s health care system continues to need resources to effectively combat this emergency; 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, CR-13-2021 remained in effective through April 2, 2021 at 5:00 p.m. and Executive Order Number 8-2021 remained in effect through April 2, 2021 at 5:00 p.m., unless amended or terminated sooner; and
WHEREAS, COVID-19 continues to pose an imminent threat to the health, safety and welfare of County residents; and

WHEREAS, while some relevant metrics have shown a downward trend, Prince George’s County remains in the high-risk category of disease transmission for average daily case rates, public health experts continue to indicate that we may still be at risk for a surge of COVID-19 cases and warn against re-opening too quickly, and concern over community spread of new COVID-19 variants, it is necessary that the County remain vigilant and cautiously remain into Phase 2 re-opening:

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 remain 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 April 2, 2021 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 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 Council Resolution or 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 hall 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 May 17, 2021 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 30th day of March, 2021.

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

BY: __________________________________________
Calvin S. Hawkins, II
Chair

ATTEST:

______________________________
Donna J. Brown
Clerk of the Council

APPROVED:

DATE: _______________________

BY: __________________________
Angela D. Alsobrooks
County Executive