

**County Executive
of
Howard County, Maryland**

Executive Order: 2020-12

Dated: June 12, 2020

**Subject: Exercise of Emergency Powers –
Rescinding local orders, subject to certain
conditions**

WHEREAS, on March 5, 2020, Governor Lawrence J. Hogan, Jr., declared a state of emergency and catastrophic health emergency to control and prevent the spread of COVID-19, a communicable respiratory disease, and that emergency still exists; and

WHEREAS, on March 15, 2020, by Executive Order No. 2020-02, pursuant to the authority granted by Howard County Code sections 6.103 and 6.104, I declared a state of emergency in Howard County and Council Resolution No. 41-2020 continues the state of emergency while the state of emergency and/or the catastrophic health emergency declared by Governor Hogan remains in effect or until terminated by Executive Order issued by the County Executive, whichever is later; and

WHEREAS, through successive County Executive Orders, and in compliance with State Executive Orders giving discretion to local jurisdictions, I put into place restrictions on the opening or operation of businesses, organizations, establishments, and facilities that took into account data relevant COVID-19 data and its impact in the County and information from public health experts; and

WHEREAS, the U.S. Center for Disease Control and Prevention and the Maryland Department of Health recommend social distancing and limitations on the size of large gatherings to reduce the spread of COVID-19; and

HEREAS, State Executive Order Number 20-06-10-01 provides that political subdivisions may continue to impose limitations on business and personal activities that are more restrictive than those permitted by State Executive Order Number 20-06-10-01, if the political subdivision determines that it is necessary and reasonable to do so to prevent the spread of COVID-19; and

WHEREAS, section 6.104(a) of the Howard County Code authorizes the County Executive to exercise certain emergency functions during a declared state of emergency within the County, including, but not limited to the following:

- (1) Control traffic, including public and private transportation;
- (2) Designate zones in the area of the emergency in which occupancy and use of buildings and vehicles may be controlled;
- (3) Control places of amusement and places of assembly; and

- (4) Control individuals on public streets.

WHEREAS, Howard County has continued to monitor CDC Guidelines for re-opening which call for a downward trajectory of the positivity rate below 15% for 14 days after entering Phase 1; and

WHEREAS, related to the CDC Guidelines, as of June 10, 2020, the County is seeing the following COVID-19 data trends that continue to progress in the right direction to allow further easing of restrictions on opening or operation of businesses, organizations, establishments, and facilities:

- (1) The seven-day rolling average for ventilator utilization has decreased from 23% a week ago to 21% today;
- (2) ICU utilization rate has remained flat at 64%, and acute care utilization has decreased from 92% to 90%;
- (3) The seven-day rolling average positivity rate peaked on April 29th at 28.2%; and, as of June 10th, the seven-day rolling average positivity rate was 6.4%, below the state average of 7.24%;
- (4) Howard County has increased the average tests administered per day from 116 in April to 613 in June; and
- (5) Overall, the County has increased contact tracers from 2 to 43; and

WHEREAS, in consideration of the CDC Guidelines and data points set forth above, it is reasonable and appropriate to lift restrictions on certain institutions, establishments, and businesses, to be consistent with State Executive Orders issued by the Governor.

NOW, THEREFORE, BE IT ORDERED AND PROCLAIMED by the County Executive of Howard County, Maryland, that, in accordance with the authority granted by section 6.104(a) of the Howard County Code and the State Executive Order Number 20-06-10-01, that:

1. Effective June 12, 2020, at 5:00 p.m., all restrictions or prohibitions on openings or operations of businesses, organizations, establishments, or facilities of any kind located in Howard County as required by prior County Executive Orders are rescinded;
2. Any and all restrictions, prohibitions, or conditions on the opening or operation of County businesses, organizations, establishments, or facilities are subject solely to the restrictions, prohibitions, and conditions set out in State Executive Order 20-06-10-01, except as set out herein;
3. Openings and/or lifting of restrictions, prohibitions, or conditions on County businesses, organizations, establishments, or facilities shall follow the same schedule

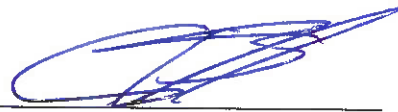
as ordered in State Executive Order 20-06-10-01, on dates June 12, 2020, at 5:00 p.m., and June 19, 2020, at 5:00 p.m.;

4. County businesses, organizations, establishments, or facilities that are required to be closed by State Executive Order 20-06-10-01 shall continue to be closed;
5. Citizens and business owners shall comply with Maryland Department of Health Directive & Order MDH # 20-06-10-01 for Food Service Establishments, as appropriate, as well as other applicable directives for social distancing, wearing masks, best practices for operations of particular industries, CDC guidelines, and recommendations or other directives of the Maryland Department of Health or County Health Officer, as referenced in State Executive Order 20-06-10-01; and
6. For all types of businesses, organizations, establishments, or facilities for which State Executive Order addresses maximum occupancy, the maximum occupancy for Howard County businesses, organizations, establishments, or facilities shall be calculated using guidance for calculation of maximum occupancy issued by the Howard County Department of Fire and Rescue Services, Office of the Fire Marshall;

IT IS FURTHER ORDERED, that:

- (1) This Executive Order shall be promptly publicized; and
- (2) A copy filed with the Administrator to the County Council of Howard County.

IN WITNESS WHEREOF, I, Calvin B. Ball, as County Executive of Howard County, Maryland, have hereunto set my hand and caused the seal of Howard County to be affixed this 12th day of June 2020.



Calvin B. Ball
County Executive

