

**County Executive
of
Howard County, Maryland**

Executive Order: 2020-09

Dated: May 26, 2020

**Subject: Exercise of Emergency Powers –
Restrictions applicable to State Executive
Order 20-05-13-01 related to barber shops
and hair salons, religious institutions and
retail establishments,**

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 & 6.104, I declared a state of emergency in Howard County and ordered the closure of specified businesses and places of public assembly, 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, 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

WHEREAS, on May 13, 2020, Governor Hogan issued State Executive Order Number 20-05-13-01 that continues to restrict gatherings of more than ten people for social, community, recreational, leisure, and sporting activities and events, requires the continued closure of certain non-essential businesses, and allows for the limited re-opening of certain businesses and activities under certain conditions; and

WHEREAS, State Executive Order Number 20-05-13-01 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 20-05-13-01, if the political subdivision determines that it is necessary and reasonable to do so in order 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, On May 15, 2020, I issued Executive Order No. 2008-08 that set forth restrictions applicable to religious services, retail, manufacturing, barber shops/ hair salons, archery/shooting ranges, campgrounds, marinas/watercraft rental, horse boarding/riding facilities, and malls; and

WHEREAS, the County has continued to monitor criteria for re-opening, including the number of new cases of COVID-19, the number of new hospitalizations, the number of patients admitted to the ICU, the number of tests conducted, the amount of available PPE, and the surge capacity at Howard County General Hospital and continued to follow the Governor's guidance on the building blocks for re-opening; and

WHEREAS, in the two-week period beginning on May 10, 2020:

- After a spike of 78.8 percent on May 15, the Howard County General Hospital utilization rate has either stayed the same or fallen on seven of the last 14 days, and, as of May 23, was its lowest level since April 1, 2020;
- The Howard County General Hospital's ventilator utilization rate is 18.6 percent;
- The daily average number of COVID-19 cases in Howard County, which was expected to rise as more testing became available, has fallen to a rate of 27 cases per day;
- The County currently has PPE available for the next 30 days;
- The number of contact tracers working in Howard County has increased from 11 to 29; and
- Howard County has conducted over 8,000 tests for COVID-19; and

WHEREAS, in consideration of the data points set forth above, Executive Order 2020-08, it is reasonable and appropriate to allow increased operation of specified personal service businesses, retail businesses, and religious institutions, subject to certain conditions necessary to minimize the spread of COVID-19.

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 20-05-13-01, Executive Order 2020-08 is amended as to the following personal service businesses, retail

businesses, and religious institutions, **effective 7:00 am on Friday, May 29, 2020**, as follows:

- I. Barber shops and hair salons.** Barber shops and hair salons may open at 50% of maximum occupancy, subject to the following conditions:
 1. For hair salons and barber shops, maximum occupancy means:
 - a. The total number of persons (including staff) allowed to occupy a building or portion of a building at any one time.
 - b. Maximum occupancy is calculated in the following way:
 - i. For street level floor space divide the square footage by 30.
 - ii. For floor space above the street level divide the square footage by 60.
 - iii. Each floor shall be calculated separately.
 2. In hair salons consisting of private suites owned and operated separately, where each suite has its own entrance, equipped with single shampoo bowls and chairs for each individual, then one client is allowed at a time.
 3. Customers are by appointment only – no walk ins. Only the person with an appointment may enter the facility.
 4. Clients are not permitted to wait in waiting areas, but must be let into the facility by staff at the time of their appointments. Hair salons and barber shops must establish a system to allow patrons to wait for their appointment without congregating in groups outside the business.
 5. Owners, employees, and other staff members must wear masks or facial coverings. Clients are required to wear masks or facial coverings except to the extent such mask or facial covering would interfere with the services being provided.
 6. Hair salons and barber shops should institute screening procedures for employees and clients.
 7. Physical distancing of at least 6 feet must be maintained between clients. Chairs or other fixtures should be taped over or removed to ensure they are the requisite distance apart.
 8. All combs, scissors, and other tools, chairs, and work surfaces must be sanitized between clients. Clients must be provided with freshly washed capes and towels. Employees and staff members must wash hands thoroughly between clients.
 9. Barber shops and hair salons should follow best practices as outlined by Governor Hogan and the guidelines issued by the State Boards of Barbers and Cosmetologists.

II. Religious Institutions. Religious institutions may resume services subject to the following conditions, which apply to churches, synagogues, temples, mosques, interfaith centers, and any other space, including rented space, where religious or faith gatherings are held:

1. Indoor religious gatherings are limited to no more than ten people.
2. Outdoor religious gatherings of up to 250 people are allowed. Outdoor services may be held on any outdoor space the religious institution owns, rents, or reserves for use.
3. All attendees at either indoor or outdoor services must maintain appropriate social distancing of six feet and wear face masks or facial coverings at all times.
4. There shall be no consumption of food or beverage of any kind before, during, or after religious services, including food or beverage that would typically be consumed as part of a religious service.
5. Collection plates or receptacles may not be passed to or between attendees.
6. There should be no hand shaking or other physical contact between congregants before, during, or after religious services. Attendees shall not congregate with other attendees on the property where religious services are being held before or after services. Family members or those who live in the same household or who attend a service together in the same vehicle may be closer than six feet apart but shall remain at least six feet apart from any other persons or family groups.
7. Singing is permitted, but not recommended. If singing takes place, only the choir or religious leaders may sing. Any person singing without a mask or facial covering must maintain a 12-foot distance from other persons, including religious leaders, other singers, or the congregation.
8. Outdoor or drive-in services may be conducted with attendees remaining in their vehicles. If utilizing parking lots for either holding for religious services or for parking for services held elsewhere on the premises, religious institutions shall ensure there is adequate parking available.
9. All high touch areas, (including benches, chairs, etc.) must be cleaned and decontaminated after every service.
10. Religious institutions are encouraged to follow the guidelines issued by Governor Hogan.

III. Retail Establishments. Retail establishments and businesses in Howard County may open at 50% of maximum occupancy, subject to the following conditions:

1. Retailers are still encouraged to use curbside pick-up whenever possible.
2. With respect to retail businesses, maximum occupancy means:
 - a. The total number of persons that are allowed to occupy a building or portion of a building at any one time.
 - b. Maximum occupancy is calculated in the following way:
 - i. For street level floor space divide the square footage by 30.
 - ii. For floor space above the street level divide the square footage by 60.
 - iii. Each floor shall be calculated separately.
3. Employees and staff are included when determining how many people are allowed based upon square footage.
4. All breakrooms and other common areas should be limited to a maximum occupancy of 10 or fewer people, assuming physical distancing guidelines are met.
5. All staff and customers must wear masks or facial coverings and practice physical distancing of at least six feet apart at all times.
6. High touch areas (i.e. doorknobs, credit card machines, countertops, etc.), restrooms, breakrooms, and other common areas, must be cleaned and decontaminated frequently.
7. Retailers should institute screening procedures for employees before every shift.
8. All retailers must post signage at or near the front door reminding customers to wear masks and maintain physical distancing.
 - a. The County will provide approved signage in an electronic format that is available for download and printing.
 - b. If signs cannot be printed, businesses should use the identical language as that on the sign provided by the County.
9. Retailers located inside a mall or enclosed shopping area that do not have a public entrance to the outside must remain closed except for curb-side pickup. Retailers in malls or enclosed shopping areas that have public entrances to the outside may operate at 50% capacity, as provided for retail establishments in this Order.
10. Retailers should follow best practices as outlined by Governor Hogan and the Maryland Retailers Association.

IT IS FURTHER ORDERED that all other provisions of Executive Order 2020-08 shall remain in full force and effect.

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 26th day of May 2020.



Calvin B. Ball
County Executive

