



COUNTY COUNCIL OF TALBOT COUNTY

COURT HOUSE
11 N. WASHINGTON STREET
EASTON, MARYLAND 21601-3178
PHONE: 410-770-8001
FAX: 410-770-8007
TTY: 410-822-8735
www.talbotcountymd.gov

CHUCK F. CALLAHAN, President
PETE LESHER, Vice President

KEASHA N. HAYTHE
LYNN L. MIELKE
DAVE STEPP

ADMINISTRATIVE RESOLUTION REPEALING ENFORCEMENT RESOLUTION – COVID-19 – ADOPTED AUGUST 25, 2020

WHEREAS, on August 25, 2020, the County Council of Talbot County, Maryland (the “County Council”) adopted an Administrative Resolution entitled “Enforcement Resolution COVID-19” (the “August 25th Administrative Resolution”) adopting appropriate enforcement rules and regulations to prevent the spread of COVID-19 in Talbot County (the “County”) in accordance with guidance from the Talbot County Health Officer and the authority granted pursuant to the Governor of Maryland’s Executive Order No. 20-08-03-01 and the Constitution and Laws of the State of Maryland; and

WHEREAS, the August 25th Administrative Resolution requires compliance with the Executive Order No. 20-08-03-01 and sets forth penalties for noncompliance therewith; and

WHEREAS, Executive Order No. 20-08-03-01 was last amended on May 14, 2021 pursuant to Executive Order No. 21-05-14-01; and

WHEREAS, Executive Order No. 21-05-14-01 was rescinded and of no further force and effect as of 12:01 a.m. on July 1, 2021 pursuant to Executive Order No. 21-06-15-01; and

WHEREAS, the County is no longer enforcing the August 25th Administrative Resolution, as Executive Order No. 21-05-14-01 is no longer in effect; and

WHEREAS, the County Council is desirous of repealing the August 25th Administrative Resolution.

NOW, THEREFORE, BE IT RESOLVED, by the County Council of Talbot County, Maryland, that the Administrative Resolution entitled “Enforcement Resolution COVID-19” adopted by the County Council on August 25, 2020 is hereby repealed in its entirety and of no further force and effect.

BE IT FURTHER RESOLVED, that this Administrative Resolution shall take effect immediately upon adoption.

INTRODUCED by the County Council of Talbot County, Maryland at a Regular Meeting on February 14, 2023, at which meeting copies were available to the public for inspection.

ADOPTED by the County Council of Talbot County, Maryland at a Regular Meeting on February 14, 2023, at which meeting copies were available to the public for inspection.

GIVEN UNDER OUR HANDS AND THE GREAT SEAL OF TALBOT COUNTY, THIS 14th DAY OF FEBRUARY IN THE YEAR OF OUR LORD TWO THOUSAND AND TWENTY-THREE.

ADOPTED:

By the Council February 14, 2023

Certified Susan W. Moran
Susan Moran, Secretary


Chuck F. Callahan, President


Pete Leshner, Vice President


Keasha N. Haythe


Lynn L. Mielke


Dave Stepp



COUNTY COUNCIL OF TALBOT COUNTY

COURTHOUSE

11 NORTH WASHINGTON STREET

EASTON, MARYLAND 21601

PHONE: 410-770-8001

FAX: 410-770-8007

www.talbotcountymd.gov

COREY W. PACK, President
CHUCK F. CALLAHAN, Vice President

FRANK DIVILIO
PETE LESHER
LAURA E. PRICE

ENFORCEMENT RESOLUTION

COVID-19

RECITALS

WHEREAS, the State of Maryland and Talbot County are seeing a dramatic decrease in the positivity number of COVID-19 cases, our negative rate has consistently been above 95% and few individuals have been hospitalized; and,

WHEREAS, Talbot County's 7-day positivity rate has dropped from 7.68% on July 13 to a range of 2% to 2.5% on average, a decrease of approximately 70%, which is below the statewide average of approximately 3.3% as of August 20th; and,

WHEREAS, Talbot County's active rate is only 0.17% of the entire 37,000 population of Talbot County; and,

WHEREAS, at the Governor's request, and based on the recommendation of the Talbot County Health Officer, Dr. Fredia Wadley, who explained the need for greater enforcement efforts at the Council's July 21st meeting, the County Council desires to adopt appropriate enforcement rules and regulations related to enforcement as set forth herein in order to help prevent the spread of COVID-19.

NOW THEREFORE, BE IT RESOLVED, PROCLAIMED, AND ORDERED, by the County Council of Talbot County, Maryland that, in accordance with the authority granted by the Charter and Laws of Talbot County, Maryland, and pursuant to any and all authority vested to the Council by the Maryland Constitution and the Laws of Maryland, including but not limited to, Governor Hogan's Executive Order No. 20-08-03-01; § 3-202 of the Health-General Article; §§ 10-202 and 10-328 of the Local Government Article; and, § 14-113 of the Public Safety Article:

1. **Recitals.** The above recitals are hereby incorporated as if fully set forth herein.
2. **Second Emergency Resolution Repealed.** The Second Emergency Resolution on COVID-19 Enforcement adopted by the Talbot County Council on August 11, 2020 is hereby repealed in its entirety and is no longer effective.

3. **Compliance with Governor's Order Required.** All persons in Talbot County shall comply with the executive order issued by Governor Hogan on August 3, 2020, Executive Order No. 20-08-03-01, Amending and Restating the Order of July 29, 2020, Allowing Reopening of Certain Businesses and Facilities, Subject to Local Regulation, and Generally Requiring Use of Face Coverings, as such Executive Order may be amended from time to time.

4. **Abatement Orders and Civil Monetary Fines.** Violations of this Enforcement Resolution by establishments, businesses, entities, or organizations subject to Governor Hogan's Executive Order No. 20-08-03-01, are subject to the issuance of abatement orders and appropriate civil monetary fines based on the severity of the violation, in no event to exceed \$500 per violation. Such fines may only be assessed against the establishment, business, entity, or organization in violation and not against an individual. Such remedies are in addition to, and not in lieu of, any other remedies available under applicable laws, rules, regulations, and orders.

5. **Enforcement Officers.** In addition to any other agencies or officials authorized by law to enforce this Resolution or the Governor's Executive Orders, the Talbot County Health Department and the Talbot County Office of Code Compliance, and their officials and employees, shall be and are hereby authorized to enforce the terms of this Resolution, including, without limitation, through the issuance of abatement orders and civil monetary fines.

6. **Recommended Procedure for Enforcement.** Violations of this Resolution should be handled as follows:

- a. First Offense – Warning.
- b. Second Offense – Civil fine based on the severity of the violation in no event to exceed \$500 per violation.
- c. Third Offense – If the violator holds a liquor license issued by the Talbot County Liquor Board, proceeding before the Liquor Board seeking suspension of the license and/or imposition of a civil fine.

7. **Prosecutable as Municipal Infraction.** In addition to other remedies, violations of this Resolution may be prosecuted as municipal infractions. In that event, all penalties, procedures for enforcement and other provisions concerning enforcement, violations and penalties shall be as specified by Local Government Article § 6-103 *et seq.*, Maryland Annotated Code, as amended from time to time.

8. **Gatherings.** The County Council encourages anyone organizing or hosting a gathering in Talbot County to consult with the Talbot County Health Department on best practices for preventing the spread of COVID-19.

9. **Further Amendments.** This Resolution may be amended from time to time in the discretion of the Talbot County Council.

10. **Supersedes Inconsistent Local Law.** This Resolution shall supersede any conflicting local laws, rules, regulations, or orders.


11. **Severability**. 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 the Resolution shall remain in effect to the extent possible without the invalid provision or application. To achieve this purpose, the provisions of this Resolution are severable.

THIS RESOLUTION IS HEREBY EFFECTIVE IMMEDIATELY this 25th day of August in 2020.

GIVEN UNDER OUR HANDS AND THE GREAT SEAL OF TALBOT COUNTY, THIS 25TH DAY OF AUGUST IN THE YEAR 2020.

COUNTY COUNCIL OF TALBOT COUNTY, MARYLAND

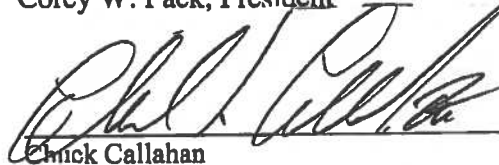
ATTEST:



Name: Susan Moran
Title: Clerk

Nay

Corey W. Pack, President



Chick Callahan



Frank Divilio

Nay

Pete Leshner



Laura Price



The State of Maryland

Executive Department

ORDER OF THE GOVERNOR OF THE STATE OF MARYLAND

NUMBER 21-06-15-01

TERMINATING VARIOUS EMERGENCY ORDERS

WHEREAS, A state of emergency and catastrophic health emergency was proclaimed on March 5, 2020, and renewed on March 17, April 10, May 6, June 3, July 1, July 31, August 10, September 8, October 6, October 29, November 25, and December 23, 2020, and January 21, February 19, March 18, April 16, May 12 and June 12, 2021, to control and prevent the spread of COVID-19 within the state, and the state of emergency and catastrophic health emergency still exists;

NOW, THEREFORE, I, LAWRENCE J. HOGAN, JR., GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, INCLUDING BUT NOT LIMITED TO TITLE 14 OF THE PUBLIC SAFETY ARTICLE, AND IN AN EFFORT TO CONTROL AND PREVENT THE SPREAD OF COVID-19 WITHIN THE STATE, DO HEREBY ORDER:

- I. Termination of Certain Orders, Effective July 1, 2021. Each of the orders listed below in this section I shall be rescinded and of no further effect as of 12:01 a.m. on July 1, 2021:
 - a. the Order of the Governor of the State of Maryland number 21-05-14-01, entitled "Amending and Restating the Order of May 12, 2021, Requiring Use of Face Coverings in Certain Circumstances";
 - b. the Order of the Governor of the State of Maryland, dated March 12, 2020, entitled "For the Implementation of Elevated Level II of Pandemic Flu and Other Infectious Diseases Attendance and Leave Policy for Executive Branch State Employees";
 - c. the Order of the Governor of the State of Maryland number 20-12-17-01, entitled "Authorizing Quarantine and/or Testing of Travelers";
 - d. the Order of the Governor of the State of Maryland number 21-05-12-02, entitled "Amending and Restating Order No. 20-05-29-01, Enabling Alternative Alcohol Services";

- e. the Order of the Governor of the State of Maryland number 20-06-11-01, entitled “Authorizing Suspension of Alcoholic Beverage License Fees”;
- f. the Order of the Governor of the State of Maryland number 20-04-01-01, entitled “Amending and Restating Order No. 20-03-20-01 to Further Authorize Additional Telehealth Services”;
- g. the Order of the Governor of the State of Maryland number 20-04-14-01, entitled “Preserving the Supply of Necessary Drugs”;
- h. the Order of the Governor of the State of Maryland number 20-11-17-03, entitled “Implementing Alternative Correctional Detention and Supervision”;
- i. the Order of the Governor of the State of Maryland number 20-04-29-03, entitled “Prohibiting Garnishment of CARES Act Recovery Rebates”;
- j. the Order of the Governor of the State of Maryland number 21-03-15-01, entitled “Prohibiting Garnishment of American Rescue Plan Act of 2021 Rebates”;
- k. the Order of the Governor of the State of Maryland number 20-03-23-02, entitled “Initiating a Process for Authorization of Laboratories in Maryland to Develop and Perform COVID-19 Testing”;
- l. the Order of the Governor of the State of Maryland number 20-03-31-01, entitled “Adjusting the Timing of Certain Tax Deadlines and Oaths of Office”;
- m. the Order of the Governor of the State of Maryland number 20-03-31-02, entitled “Determining that Disability Services Personnel are Health Care Providers Necessary for Maryland’s Response to COVID-19”;
- n. the Order of the Governor of the State of Maryland number 2020-05-13-02, entitled “Enabling Alternative Processes for Marriage Applications and Ceremonies”;
- o. the Order of the Governor of the State of Maryland number 20-03-25-01, entitled “Amending and Restating the Order of March 13, 2020, Controlling Child Care Access”;
- p. the Order of the Governor of the State of Maryland number 21-01-28-02, entitled “Facilitating Meetings of Stockholders of Maryland Corporations and Meetings of Shareholders of Maryland Real Estate Investment Trusts by Remote Communication”;
- q. the Order of the Governor of the State of Maryland number 20-03-30-03, entitled “Enabling Municipalities to Postpone Elections”; and
- r. the Order of the Governor of the State of Maryland number 20-12-17-03, entitled “Exempting Santa Claus and His Affiliated Elves and Reindeer from Traveler Testing and Quarantine Requirements”.

II. Termination of Certain Orders, Effective August 15, 2021. Each of the orders listed below in this section II shall be rescinded and of no further effect as of 11:59 p.m. on August 15, 2021:

- a. the Order of the Governor of the State of Maryland number 21-05-12-03, entitled “Delaying Expiration of Certain Motor Vehicle Administration Licenses, Permits, and Identification Cards”;
- b. the Order of the Governor of the State of Maryland number 20-12-17-02, entitled “Amending and Restating the Order Dated October 16, 2020, Temporarily Prohibiting Evictions of Tenants Suffering Substantial Loss of Income Due to COVID-19, and Additionally Prohibiting Certain Repossessions, Restricting Initiation of Residential Mortgage Foreclosures, and Prohibiting Commercial Evictions”;
- c. the Order of the Governor of the State of Maryland dated March 12, 2020, entitled “Calling the Maryland National Guard into State Active Duty”;
- d. the Order of the Governor of the State of Maryland number 20-04-29-01, entitled “Amending and Restating the Order Dated April 5, 2020 Authorizing Various Actions Related to Nursing Homes and Other Health Care Facilities”;
- e. the Order of the Governor of the State of Maryland number 20-05-19-01, entitled “Authorizing COVID-19 Testing by Licensed Pharmacists”;
- f. the Order of the Governor of the State of Maryland number 20-11-17-02, entitled “Establishing Alternate Care Sites and Authorizing Regulation of Patient Care Space in Health Care Facilities”;
- g. the Order of the Governor of the State of Maryland number 21-01-05-01, entitled “Requiring Reporting of COVID-19 Vaccine Administration”;
- h. the Order of the Governor of the State of Maryland number 21-03-09-02, entitled “Amending and Restating the Order of March 16, 2020 Relating to Various Health Care Matters”;
- i. the Order of the Governor of the State of Maryland number 20-03-30-02, entitled “Waiving Family Contributions for the Maryland Children’s Health Program”;
- j. the Order of the Governor of the State of Maryland number 20-03-19-03, entitled “Augmenting the Emergency Medical Services Workforce”;
- k. the Order of the Governor of the State of Maryland number 20-09-29-02, entitled “Permitting Video and Electronic Maryland Insurance Administration Hearings”;
- l. the Order of the Governor of the State of Maryland number 20-09-29-01, entitled “Amending the Order of March 30, 2020, Authorizing Remote Notarizations”;
- m. the Order of the Governor of the State of Maryland number 20-04-10-01, entitled

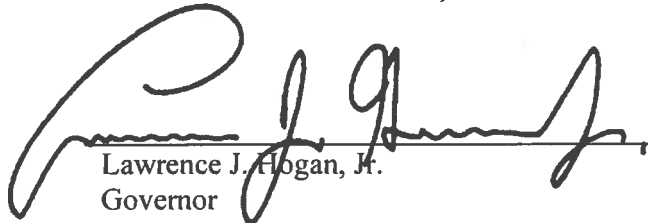
“Authorizing Remote Witnessing and Electronic Signing of Certain Documents”;
and

- n. the Order of the Governor of the State of Maryland number 21-03-09-03, entitled “Amending and Restating the Order of June 19, 2020, Extending Certain Licenses, Permits, Registrations, and Other Governmental Authorizations, and Authorizing Suspension of Legal Time Requirements”.

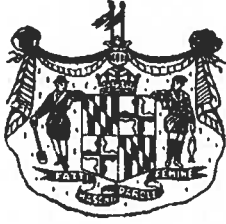
III. General Provisions.

- a. This Order remains effective until after termination of the state of emergency and the proclamation of the catastrophic health emergency has been rescinded, or until rescinded, superseded, amended, or revised by additional orders.
- b. The effect of any statute, rule, or regulation of an agency of the State or a political subdivision inconsistent with this Order is hereby suspended to the extent of the inconsistency.
- c. The underlined section headings in this Order are for convenience of reference only and shall not affect the interpretation of this Order.
- d. If any provision of this Order or its application to any person, entity, or circumstance is held invalid by any court of competent jurisdiction, all other provisions or applications of the Order shall remain in effect to the extent possible without the invalid provision or application. To achieve this purpose, the provisions of this Order are severable.

ISSUED UNDER MY HAND THIS 15TH DAY OF JUNE, 2021.



Lawrence J. Hogan, Jr.
Governor



The State of Maryland

Executive Department

ORDER OF THE GOVERNOR OF THE STATE OF MARYLAND

NUMBER 21-05-14-01

AMENDING AND RESTATING THE ORDER OF MAY 12, 2021, REQUIRING USE OF FACE COVERINGS IN CERTAIN CIRCUMSTANCES

- WHEREAS, A state of emergency and catastrophic health emergency was proclaimed on March 5, 2020, and renewed on March 17, April 10, May 6, June 3, July 1, July 31, August 10, September 8, October 6, October 29, November 25, and December 23, 2020, and January 21, February 19, March 18, April 16, and May 12, 2021, to control and prevent the spread of COVID-19 within the state, and the state of emergency and catastrophic health emergency still exists;
- WHEREAS, COVID-19 is a public health catastrophe and has been confirmed throughout Maryland;
- WHEREAS, to reduce the spread of COVID-19, the U.S. Centers for Disease Control and Prevention ("CDC") and the Maryland Department of Health ("MDH") recommend wearing masks in certain circumstances;
- WHEREAS, current scientific evidence and best practices show that wearing masks reduces the emission of virus-laden droplets, and experimental and epidemiological data support community masking to reduce the spread of SARS-CoV-2;
- WHEREAS, to reduce the threat to human health caused by transmission of SARS-CoV-2 in Maryland, and to protect and save lives, it is necessary and reasonable that individuals wear masks in certain circumstances;
- WHEREAS, the Coronavirus Recovery Team continues to advise on related public health and emergency management decisions; and
- WHEREAS, the State has implemented measures to reduce community transmission of COVID-19;
- NOW, THEREFORE, I, LAWRENCE J. HOGAN, JR., GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, INCLUDING BUT NOT LIMITED TO TITLE 14 OF THE PUBLIC SAFETY ARTICLE, AND IN AN EFFORT TO CONTROL AND PREVENT THE SPREAD OF COVID-19 WITHIN THE STATE, DO HEREBY ORDER:

I. Administrative Provisions.

- a. The Order of the Governor of the State of Maryland, dated March 12, 2020, entitled “Prohibiting Large Gatherings and Events and Closing Senior Centers,” as amended and restated on March 16, 2020, and further amended and restated by Order Number 20-03-19-01, and further amended and restated by Order Number 20-03-23-01, and further amended and restated by Order Number 20-03-30-01, and further amended and restated by Order Number 20-05-06-01, and further amended and restated by Order Number 20-05-13-01, and further amended and restated by Order Number 20-05-27-01, further amended and restated by Order Number 20-06-03-01, further amended and restated by Order Number 20-06-10-01, further amended and restated by Order Number 20-07-29-01, further amended and restated by Order Number 20-08-03-01, further amended and restated by Order Number 20-09-01-01, and further amended and restated by Order Number 20-09-18-01, further amended and restated by Order Number 20-09-28-01, further amended and restated by Order Number 20-10-16-01, and further amended and restated by Order Number 20-11-10-01, and further amended and restated by Order Number 20-11-17-01, and further amended and restated by Order Number 21-01-28-01, and further amended and restated by Order Number 21-02-23-01, and further amended and restated by Order Number 21-03-09-01, and further amended and restated by Order Number 21-04-21-01, and further amended and restated by Order Number 21-04-28-01, and further amended and restated by Order Number 21-05-12-01, is further amended and restated in its entirety as set forth herein.
- b. The Secretary of Health is hereby authorized to issue directives under this Order (“Secretary’s Directives”), as the Secretary of Health deems necessary to monitor, treat, prevent, reduce the spread of, and suppress COVID-19:
 - i. in relation to any activity occurring, or any business, organization, establishment, or facility operating in Maryland, which directives may consist of binding requirements and/or non-binding recommendations, and may include, without limitation, requirements pertaining to physical distancing, cleaning, disinfection, COVID-19 symptom screening, restrooms and other shared facilities, concessions, and/or ingress, egress, and movement of persons; and/or
 - ii. requiring individuals to remain indoors or to refrain from congregating, as necessary and reasonable to save lives or prevent exposure to COVID-19.
- c. All persons in Maryland shall comply with applicable Secretary’s Directives.

II. Definitions. As used herein, the following terms have the following meaning:

- a. “Face Covering” means a covering that fully covers a person’s nose and mouth and is secured to the person’s head, including without limitation, scarves, bandanas, and plastic full-face shields.
- b. “Public Transportation” means shared-ride surface transportation services that are open to the general public, including without limitation, taxi services, ride-sharing services, car services, transit services provided by any other unit of the State or

any political subdivision, and all related stations and platforms. Examples of Public Transportation include, but are not limited to MTA bus service, MARC train service, Light Rail train service, MTA Metro subway service, and Mobility and Paratransit services.

- c. "School" means a public or private elementary or secondary school.
- d. "School Bus" means a conveyance used to transport students to or from a School.

III. Face Coverings.

a. Requirement to Wear Face Coverings.

- i. Except as provided in paragraph III.b, all persons in Maryland over the age of five (5) years old are required to wear a Face Covering when they are:
 - 1. in or on any Public Transportation or School Bus;
 - 2. obtaining healthcare services, including without limitation, in offices of physicians and dentists, hospitals, pharmacies, and laboratories; and
 - 3. indoors in any portion of a School where interaction with others is likely, including without limitation, classrooms, hallways, cafeterias, auditoriums, and gymnasiums.
- ii. Single-use Face Coverings shall be properly discarded in trash receptacles.

b. Exceptions. Paragraph III.a.i does not require persons to wear Face Coverings:

- i. if, due to a bona fide disability or medical condition, it would be unsafe for the person to do so;
- ii. to the extent wearing a Face Covering would impede communication by or with persons who have a hearing impairment or other disability, where the ability to see the mouth is essential for communication;
- iii. if wearing a Face Covering would subject the person to an unsafe working condition, as determined by federal, state, or local occupational safety regulators or workplace safety guidelines;
- iv. to the extent wearing a Face Covering would make it impossible to receive services requiring access to the face, mouth, or head;
- v. while consuming food or beverages;
- vi. while swimming or engaging in other physical activities where the use of a Face Covering is likely to pose a bona fide safety risk;
- vii. while operating any Public Transportation conveyance, provided that the person is (1) the sole operator of the conveyance, and (2) located in a separate compartment that is off-limits to riders; or

- viii. to the extent it is necessary to observe the person's entire face to verify such person's identity for bona fide security purposes.

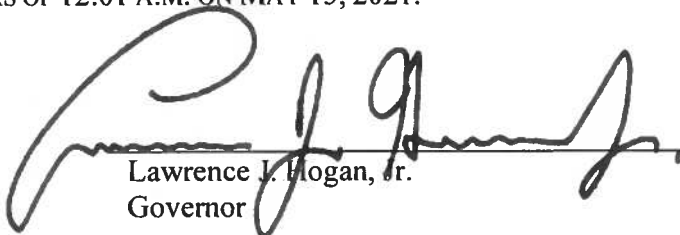
IV. Termination of Certain Orders.

- a. The Order of the Governor of the State of Maryland, dated March 12, 2020, entitled "Prohibiting Movement of Persons to and from Certain Vessels Berthing at Terminals and Port Facilities in the Ports and Harbors of the State" is rescinded and of no further effect.
- b. The Order of the Governor of the State of Maryland number 20-04-05-02, entitled "Delegating Authority to Local Health Officials to Control and Close Unsafe Facilities" is rescinded and of no further effect.

V. General Provisions.

- a. Each law enforcement officer of the State or a political subdivision shall execute and enforce this Order.
- b. A person who knowingly and willfully violates this Order 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.
- c. This Order remains effective until after termination of the state of emergency and the proclamation of the catastrophic health emergency has been rescinded, or until rescinded, superseded, amended, or revised by additional orders.
- d. The effect of any statute, rule, or regulation of an agency of the State or a political subdivision inconsistent with this Order is hereby suspended to the extent of the inconsistency.
- e. The underlined paragraph headings in this Order are for convenience of reference only and shall not affect the interpretation of this Order.
- f. If any provision of this Order or its application to any person, entity, or circumstance is held invalid by any court of competent jurisdiction, all other provisions or applications of the Order shall remain in effect to the extent possible without the invalid provision or application. To achieve this purpose, the provisions of this Order are severable.

ISSUED UNDER MY HAND THIS 14TH DAY OF MAY, 2021, AND
EFFECTIVE AS OF 12:01 A.M. ON MAY 15, 2021.



Lawrence J. Hogan, Jr.
Governor