

Proposed by
Mr. Pack



COUNTY COUNCIL OF TALBOT COUNTY

COURTHOUSE

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THIRD AMENDED EMERGENCY DECLARATION

AMENDING AND RESTATING THE SECOND AMENDED EMERGENCY DECLARATION OF APRIL 28, 2020, DECLARING A STATE OF EMERGENCY IN TALBOT COUNTY FOR A PERIOD OF 30 DAYS, ORDERING THE TEMPORARY CLOSURE OF CERTAIN BUILDINGS AND THE SUSPENSION OF CERTAIN MEETINGS, AND ORDERING TEMPORARY CLOSURE OF SHORT-TERM RENTALS AND BED AND BREAKFASTS, SUBJECT TO CERTAIN EXCEPTIONS, IN ORDER TO PREVENT THE SPREAD OF COVID-19

WHEREAS, the County Council of Talbot County, Maryland, has been advised by the Director of Emergency Management for Talbot County and the local Health Officer that COVID-19, a respiratory disease that spreads easily from person to person and may result in serious illness or death, is a public health catastrophe and a public safety emergency; and

WHEREAS, on March 5, 2020, a Declaration of State of Emergency and Existence of a Catastrophic Health Emergency was declared by the Governor of the State of Maryland; and

WHEREAS, on March 13, 2020, a Proclamation on Declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak was issued by the President of the United States; and

WHEREAS, on March 16, 2020, the Talbot County Council adopted an Emergency Declaration declaring a state of emergency in the County for a period of 30 days and ordering the temporary closure of certain buildings and the suspension of certain meetings in order to prevent the spread of COVID-19; and,

WHEREAS, on March 30, 2020, Governor Hogan issued a revised order titled "Order of the Governor of the State of Maryland Number 20-03-30-01 Amending and Restating the Order of March 23, 2020, Prohibiting Large Gatherings and Events and Closing Senior Centers, and All Non-Essential Businesses and Other Establishments, and Additionally Requiring All Persons to Stay at Home", which, among other things, orders all persons living in the State of Maryland, effective as of 8:00 p.m. on March 30, 2020, to stay in their homes or places of residence, with limited exceptions; prohibits gatherings of more than 10 people, with certain exceptions; and, closing all non-essential businesses, organizations, establishments, and facilities that are not part

of the critical infrastructure sectors identified by the U.S. Department of Homeland Security’s Cybersecurity and Infrastructure Security Agency (CISA); and,

WHEREAS, on March 31, 2020, the Talbot County Council adopted an Amended Emergency Declaration declaring a state of emergency in the county for a period of an additional 30 days and ordering the continued temporary closure of certain buildings, the continued suspension of certain meetings, the extension of certain expiring licenses, and a prohibition on occupancies and reservations for short-term rentals and bed and breakfasts during the period of the Declaration in order to prevent the spread of COVID-19; and,

WHEREAS, on May 13, 2020, Governor Hogan issued Executive Order No. 20-05-13-01, which amended and restated Governor Hogan’s order of May 6, 2020, allowing reopening of certain businesses and facilities, subject to local regulation (the “Executive Order”); and,

WHEREAS, acknowledging that “total hospitalizations and usage of hospital beds have been stable or slowly decreasing” with respect to COVID-19 cases, the Executive Order begins the process of implementing Phase 1 of the Governor’s Roadmap for Recovery by lifting the stay-at-home order and allowing certain facilities and businesses, including retail establishments, to re-open subject to certain restrictions; and,

WHEREAS, in light of the Governor’s Phase 1 implementation, the Talbot County Council desires to take certain steps in Talbot County to begin to resume normal operations in a manner that recognizes the continuing threat posed by COVID-19; and,

WHEREAS, the Talbot County Council, in its executive capacity and sitting as the Talbot County Board of Health, finds that this Third Amended Emergency Declaration, and the orders hereunder are necessary to mitigate the COVID-19 disease and to protect the public health, safety, and welfare.

NOW THEREFORE, BE IT ORDERED, PROCLAIMED, AND DECLARED, 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 § 14-111 of the Public Safety Article of the Annotated Code of Maryland and § 3-502 of the Health-General Article, **THAT A STATE OF EMERGENCY AND CATASTROPHIC HEALTH EMERGENCY EXISTS IN TALBOT COUNTY, MARYLAND, AND**

IT IS FURTHER ORDERED THAT:

1. Publication and Duration:

- a. This Third Amended Emergency Declaration shall be promptly publicized.
- b. A copy of this Third Amended Emergency Declaration be filed with the chief local records-keeping agency.
- c. This Third Amended Emergency Declaration is effective for an additional period of 30 days expiring at midnight on June 30, 2020. It is possible, however, that the state of emergency will continue for additional periods of time. In the event that

further extensions of this Declaration are necessary, the County Council, sitting as the governing body of the County, may consent to and extend such Declaration for additional periods of time as the Council deems necessary in accordance with Public Safety Article § 14-111.

2. **Federal and State Aid.** The County hereby requests and authorizes the receipt of all available Federal and State aid, resources, and assistance to protect the public health, safety, and welfare of the citizens of Talbot County pursuant to Title 14 of the Public Safety Article, Md. Code Ann., and in accordance with all applicable State and local emergency plans.
3. **Emergency Powers and Appropriations; Emergency Operations.** All emergency powers of the County Council and the County Manager under the Talbot County Charter and State law are hereby enabled, including but not limited to Section 617 of the Talbot County Charter related to emergency appropriations. As stated in Talbot County's 2014 Emergency Operations Plan, during a declared local state of emergency, the Talbot County Emergency Services Director will oversee all coordination efforts related to the COVID-19 pandemic through the emergency operations center in support of the public health officer and other agencies and organizations. The Emergency Operations Center, with representation from the Talbot County Health Department and other agencies, will facilitate regular coordination efforts with various departments, agencies, organizations, and with the private sector to address existing and emerging public safety threats during the period of declared emergency.
4. **Procurement.** All procurements and purchases needed to respond to the COVID-19 outbreak may be authorized in accordance with § IV of the Talbot County Procurement Policy, titled "Emergency Purchases."
5. **Closure of Public Buildings.** Effective Tuesday, March 17, 2020, all Talbot County government buildings shall be closed to the public while this Declaration is in effect.
6. **Extension of Licenses.** The expiration date of any licenses, permits, registrations and professional licenses issued by Talbot County that would otherwise:
 - a. Expire by the later of (i) April 30, 2020 or (ii) otherwise during the Governor's state of emergency; and
 - b. Be renewable during such period noted in Paragraph 6.a. under applicable laws and regulationsis hereby extended to the later of (i) July 31, 2020, or (ii) within 30 days after the date by which the Governor's state of emergency is terminated and the catastrophic health emergency is rescinded.
7. **Suspension of Deadlines.** The County Manager is hereby authorized, upon a finding that the suspension will not endanger the public health, welfare or safety, and after notification to the County Council, suspend the effect of any legal or procedural deadline, due date, time of default, time expiration, period of time or other time of an act or event described

within any local statute, rule or regulation that Talbot County administers. Such suspension may, at the discretion of the County Manager, continue until no later than the 30th day after the date by which the Governor's state of emergency is terminated and the catastrophic health emergency is rescinded.

8. Board and Commission Meetings. All Talbot County board and commission meetings are hereby suspended, subject to the following:

- a. For any agenda item deemed critical by agreement of the board or commission chair and the County Manager and subject to available technology, the board or commission may hold a meeting to address such critical item, provided that the meeting shall be conducted virtually via teleconference, live streaming, or any other available technology that will allow, in the view of the County Attorney's Office, the necessary parties to participate and the public to observe in real time to the extent required by law.
- b. To the extent a board's or commission's rules of procedure require the presence of a physical quorum of the body to conduct business, such rule may be suspended upon concurrence by the County Attorney's Office and subject to available technology allowing the body to communicate virtually in real time.

9. County Council Meetings. All Talbot County Council meetings are hereby suspended, subject to the following:

- a. For any future agenda item deemed critical by agreement of the Council chair and the County Manager and subject to available technology, the Council may hold a meeting to address such critical item, provided that the meeting shall be conducted virtually via teleconference, live streaming, or any other available technology that will allow, in the view of the County Attorney's Office, the necessary parties to participate and the public to observe in real time to the extent required by law.
- b. In the event that a physical quorum is not possible or advisable for such meeting, the requirement in the County Council Rules of Procedure for the presence of a physical quorum of the body to conduct business may be suspended by a four-fifths vote of the Council at such virtual meeting, upon concurrence by the County Attorney's Office and subject to available technology allowing the body to communicate virtually in real time.

10. Short-Term Rentals and Bed and Breakfasts. Effective immediately, short-term rentals and bed and breakfasts licensed by Talbot County pursuant to Chapter 190 of the Talbot County Code may resume normal operations to the extent permitted by and subject to all applicable laws, rules, regulations, approvals, and orders, including, without limitation, Governor Hogan's executive orders. All owners of short-term rentals and bed and breakfasts shall ensure that a copy of the Centers for Disease Control and Prevention's guidance on "Coronavirus and Travel in the United States" (available at <https://www.cdc.gov/coronavirus/2019-ncov/travelers/travel-in-the-us.html> and attached hereto as Exhibit "A") is posted in a prominent location on the premises. The County Council recommends that all short-term rentals and bed and breakfasts follow the

guidelines set forth in Exhibit “B”, attached hereto and incorporated by reference herein. Finally, the County Council recommends that owners and resident agents familiarize travelers with any special COVID-19 restrictions adopted by the County’s five municipalities (Easton, St. Michaels, Oxford, Trappe, and Queen Anne). A non-exhaustive list of such restrictions in place as of the effective date of this Third Amended Emergency Declaration is attached hereto as Exhibit “C” and incorporated by reference herein.

11. **Supersedes Inconsistent Local Law; Severability.** This Third Amended Emergency Declaration and the orders herein shall supersede and replace the Second Amended Emergency Declaration issued by the Talbot County Council on April 28, 2020, and shall supersede any inconsistent or conflicting local law, rule, or regulation. If any provision of this Third Amended Emergency Declaration is held invalid in a court of competent jurisdiction, the invalidity does not affect other provisions or any other application of this Third Amended Emergency Declaration which can be given effect without the invalid provision or application, and for this purpose the provisions of this Third Amended Emergency Declaration are declared severable.
12. **Further Amendments.** This Emergency Declaration may be revised or amended from time to time as needed in the discretion of the County Council.

**THIS THIRD AMENDED EMERGENCY DECLARATION AND THE ORDERS
HEREIN ARE HEREBY EFFECTIVE** the 21st day of May in 2020.

GIVEN UNDER OUR HANDS AND THE GREAT
SEAL OF TALBOT COUNTY, THIS 21st DAY OF
MAY IN THE YEAR 2020.

ADOPTED:

By the Council: _____, 2020

Corey W. Pack, President

Chuck F. Callahan, Vice President

Susan Moran, Clerk of Council

Frank Divilio

Pete Leshner

Laura E. Price



Coronavirus Disease 2019 (COVID-19)

Coronavirus and Travel in the United States

The COVID-19 outbreak in United States is a rapidly evolving situation. The status of the outbreak varies by location and state and local authorities are updating their guidance frequently. The [White House's Opening Up America Again](#) plan means some parts of the country may have different guidance than other areas. Check with the [state or local authorities](#) where you are, along your route, *and* at your planned destination to learn about local circumstances and any restrictions that may be in place.

Travel Recommendations

Cases of coronavirus disease (COVID-19) have been reported in all states, and some areas are experiencing community spread of the disease. Travel increases your chances of getting and spreading COVID-19.

CDC recommends you [stay home](#) as much as possible, especially if your trip is not essential, and [practice social distancing](#) especially if you are at [higher risk of severe illness](#). Don't travel if you are sick or travel with someone who is sick.

Essential Errands (within your local area)

As communities across the United States take steps to slow the spread of COVID-19 by limiting close contact, people are facing new challenges and questions about how to safely run essential errands to meet basic household needs, like:

- Grocery shopping
- Getting delivery or takeout food
- Banking
- Getting gasoline
- Going to the doctor or getting medicine

CDC provides advice about how to meet these [essential household needs](#) in a safe and healthy manner.

Essential Travel (outside your local area)

Some travel may also be essential, like:

- Travel to provide medical or home care to others
- Travel necessary for a job considered an essential service

The following travel recommendations provide advice about how to prevent getting and spreading COVID-19 if you *must* travel. Don't travel if you **are sick** or plan to travel with someone who is sick.

Considerations if You *Must* Travel

CDC recommends you [stay home](#) as much as possible and avoid close contact, especially if you are at [higher risk of severe illness](#). If you *must* travel, there are several things you should consider before you go.

Protect yourself and others during your trip:

- Clean your hands often.

- **Wash your hands** often with soap and water for at least 20 seconds especially after you have been in a public place, or after blowing your nose, coughing, or sneezing.
- If soap and water are not readily available, **use a hand sanitizer that contains at least 60% alcohol**. Cover all surfaces of your hands and rub your hands together until they feel dry.
- **Avoid touching your eyes, nose, and mouth.**
- Avoid close contact with others.
 - Keep 6 feet of physical distance from others.
 - Avoiding close contact is especially important if you **are at higher risk of getting very sick** from COVID-19.
- **Wear a cloth face covering in public.**
- Cover coughs and sneezes.
- Pick up food at drive-throughs, curbside restaurant service, or stores. Do not dine in restaurants if that is prohibited by state or local guidance.

Types of Travel

Some types of travel (bus, plane, train) may require sitting next to others for a period of time. Travel may also expose you to new parts of the country with differing levels of community transmission. And, if you're infected, your travel may put others at risk—along the way, at your destination, and when you return home.

If you *must* travel, consider the following risks you might face, depending on what type of travel you are planning:

- **Air travel:** Because of how air circulates and is filtered on airplanes, most viruses and other germs do not spread easily on flights. However, there may be a risk of getting COVID-19 on crowded flights if there are other travelers on board with COVID-19.
- **Bus or train travel:** Sitting or standing within 6 feet of others for a prolonged period of time can put you at risk of getting or spreading COVID-19.
- **Car travel:** The stops you need to make along the way could put you and others in the car with you in close contact with others who could be infected.
- **RV travel:** Traveling by RV means you may have to stop less often for food or bathrooms, but RV travelers typically have to stop at RV parks overnight and other public places to get gas and supplies. These stops may put you and those with you in the RV in close contact with others who could be infected.

State and Local Travel Restrictions or Orders

CDC recommends you **stay home** as much as possible and avoid close contact, especially if you are at **higher risk of severe illness**. If you *must* travel, follow any state and local travel restrictions currently in place. It is possible that some state and local governments may put in place travel restrictions, stay-at-home or shelter-in-place orders, mandated quarantines upon arrival, or even state border closures while you are traveling. For more information and travel guidance, check with the **state or local health department** where you are, along your route, *and* at your planned destination. Just because there are no restrictions at the time you plan to leave does not mean there won't be restrictions in place when you arrive.

Lodging

CDC recommends you **stay home** as much as possible and avoid close contact, especially if you are at **higher risk of severe illness**. Staying in temporary accommodations (hotels, motels, and rental properties) may expose you to the virus through person-to-person contact and possibly through contact with contaminated surfaces and objects.

If you *must* stay in a hotel, motel, or rental property:

- Take the same **steps** you would in other public places—for example, avoid close contact with others, wash your hands often, and wear a cloth face covering.

- When you get to your room or rental property, [clean and disinfect](#) all high-touch surfaces. This includes tables, doorknobs, light switches, countertops, handles, desks, phones, remote controls, toilets, and sink faucets.
 - Bring an EPA-registered disinfectant and other personal [cleaning supplies](#), including cloths and disposable gloves.
- Wash any plates, cups, or silverware (other than pre-wrapped plastic) before using.

Road Trips

CDC recommends you [stay home](#) as much as possible and [practice social distancing](#), especially if you are at [higher risk of severe illness](#). However, if you must travel, be aware that many businesses (such as restaurants and hotels) may be closed.

Anticipate your needs before you go:

- Prepare food and water for the road. Pack non-perishables in case restaurants and stores are closed.
- Bring any medicines you may need for the duration of your trip.
- Pack a sufficient amount of alcohol-based hand sanitizer (at least 60% alcohol) and keep it in a place that is readily available.
- Book accommodations in advance if you *must* stay somewhere overnight.
 - Plan to make as few stops as possible, but make sure you rest when you feel drowsy or sleepy.
 - Bring an EPA-registered disinfectant and other personal [cleaning supplies](#).

Don't travel if you are sick or plan to travel with someone who is sick.

Frequently Asked Questions

Is it safe to travel to visit family or friends?

CDC recommends you [stay home](#) as much as possible and [practice social distancing](#). Traveling to visit friends and family increases your chances of getting and spreading COVID-19. It is possible for someone to have COVID-19 and spread it to others, even if they have no symptoms. Getting infected may be especially dangerous if you or your loved ones are at [higher risk for severe complications from COVID-19](#). People at higher risk for complications need to take [extra precautions](#).

Although it can be hard to remain apart from loved ones during challenging or stressful times, try to connect with them in other ways, using video chats or phone calls.

Is it safe to travel to campgrounds/go camping?

CDC recommends you [stay home](#) as much as possible and avoid close contact, especially if you are at [higher risk of severe illness](#). Going camping at a time when much of the United States is experiencing community spread of COVID-19 can pose a risk to you if you come in close contact with others or share public facilities at campsites or along the trails. This is because it is possible for someone to have COVID-19 and spread it to others, even if they have no symptoms. Exposure may be especially unsafe if you are at [higher risk for severe complications from COVID-19](#) and are planning to be in remote areas, far away from medical care. Also be aware that many local, state, and national public parks have been temporarily closed due to COVID-19.

More Information

- [Cases in the U.S](#)
- [CDC's COVID Data Tracker](#): Maps, charts, and data provided by CDC
- [Running Essential Errands](#)
- [Visiting Parks & Recreational Facilities](#)
- [People Who Need to Take Extra Precautions](#)

EXHIBIT "B"
TO THIRD AMENDED EMERGENCY DECLARATION

Recommended Guidelines for Short-Term Rentals and Bed and Breakfasts

1. Encourage guests to use delivery services for groceries and other goods rather than traveling in person to the store.
2. Encourage guests to take advantage of delivery and curbside pick-up options from local restaurants.
3. Encourage guests to come prepared with required personal protective equipment.
4. Encourage guests to abide by local distancing rules; to confirm that they haven't demonstrated symptoms for 14 days, and if they display symptoms, to shelter-in-place immediately.
5. Modify check-in and check-out hours to allow for extended, Centers for Disease Control and Prevention-recommended cleaning and disinfection of properties.

EXHIBIT “C”
TO THIRD AMENDED EMERGENCY DECLARATION

**Special Restrictions Adopted by Talbot County Municipalities to
Protect Against COVID-19***

Town of Easton

- All businesses, organizations, establishments, and facilities (“Business”) within the Town of Easton whose customers, clients, visitors, employees, and staff are not otherwise required to wear a face covering by Executive Order of the Governor are nonetheless required to enforce the wearing of face coverings for all customers, clients, visitors, employees and staff over the age of 9 in enclosed areas of the Business that are open to the public when the public, clients, customers, or visitors are present in the enclosed area open to the public, and if social distancing measures of 6 feet or a physical barrier cannot be maintained. All Businesses covered by this provision shall post signage at each entrance providing notice of such requirement.
- Idlewild, Memorial, Moton, RTC, and Thompson Parks are open subject to social distancing and the prohibition on gatherings in excess of 10 people or more, among other requirements; however, playgrounds and basketball courts at these parks remain closed.
- Rails to Trails and Easton Skate Park are open subject to social distancing and the prohibition on gatherings in excess of 10 people, among other requirements.
- North Easton Sports Complex remains closed.

Town of St. Michaels

- Masks are required inside all establishments and outdoors within 6’ of others.

Town of Oxford

- Playground equipment and basketball courts in public parks remain closed.
- Town beaches and surrounding park areas remain closed.
- Town Park and Causeway Park are open subject to the 6-foot physical distancing guidelines and the prohibition on gatherings in excess of 10 people. Picnics and gatherings are not permitted in Town Park. All visitors are encouraged to practice proper hygiene and follow recommended social distancing guidelines, along with other posted guidelines in individual parks.

Town of Trappe

- Town playground remains closed.
- Town park is open.

Town of Queen Anne

- Please check with the Town offices.

*The special restrictions listed herein are a summary of the actual restrictions adopted by each municipality. For the full restrictions, please refer to the actual language adopted by the municipality. Further, this is a non-exhaustive list of special restrictions and includes only a selection of those in effect at the time the County's Third Amended Emergency Declaration was adopted. The municipalities may amend these restrictions or adopt new ones. Please monitor municipal proceedings for the latest updates.