



Town of Upper Marlboro

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**THE TOWN OF UPPER MARLBORO, MARYLAND JOINT DECLARATION
OF A LOCAL STATE OF EMERGENCY (TOWN EMERGENCY ORDER NO. DOE 2020-05)
AND RESOLUTION (NO. 2020-26 RES) OF THE TOWN BOARD OF COMMISSIONERS OF
THE TOWN OF UPPER MARLBORO EXTENDING THE LOCAL STATE OF
EMERGENCY INITIALLY ISSUED ON MARCH 25, 2020 THROUGH FEBRUARY 28, 2021**

WHEREAS, on March 5, 2020, Maryland Governor Larry Hogan initially declared a state of emergency in response to concerns about the novel Coronavirus (COVID-19); and

WHEREAS, in accordance with the Md. Code Ann., Public Safety Art., Section 14-111, a local State of Emergency may be declared by the principal executive officer of a political subdivision; and

WHEREAS, in accordance with Emergency Ordinance 2020-04 (Emergency Operations), the President of the Town may declare a Local State of Emergency for a 30-day period; and

WHEREAS, an initial Emergency Declaration was declared on March 25, 2020, with extensions approved by the Board of Town Commissioners at the April 28 and September 15, 2020 Regular Board Meetings; and

WHEREAS, the Order of the Governor of the State of Maryland Number 20-09-01-01, issued September 1, 2020, specifically authorized political subdivisions to issue more restrictive orders than issued by the Governor including requiring any businesses, organizations, establishments, or facilities (except schools) to close or modify their operations; and/or requiring individuals to remain indoors or to refrain from congregating; and

WHEREAS, on November 2, 2020, Prince George's County Executive Angela Alsobrooks announced, "[s]imilar to other jurisdictions across our State, we have seen concerning increases in the number of new COVID-19 cases in our community, which requires us to take actions that will limit the spread of this virus and save lives," said Alsobrooks, [and] "I know that we are all growing weary, but we must continue to take all necessary safety precautions like wearing a mask, exercising restraint and avoiding crowds to protect ourselves and others from this virus..."; and

WHEREAS, Ernest L. Carter, MD, PhD, the County Health Officer, has issued a Directive and Order for Enhanced Consumer and Employee Safety on November 15, 2020 providing that starting Sunday, November 15 at 5:00 PM, all indoor public businesses or establishments that are already open under the County's phase 2 of reopening, with the exception of essential businesses and retail stores, must reduce capacity limits to a maximum of 25% capacity, and restaurants will be limited to 25% capacity indoors and 50% capacity outdoors, and essential businesses (grocery stores, specialty food stores, big box stores) and retail stores may operate at 50% capacity but with all safety protocols adhered to; and

WHEREAS, the most recent order further states that in addition, large gatherings indoors are limited to one person/family unit per 200 square feet or a maximum of 10 persons, whichever is lower. Outdoor gatherings are limited to one person/family unit per 200 square feet or a maximum of 25 persons, whichever is lower, unless otherwise specified in the Health Order, and finally, face coverings are now required outdoors in any public location in Prince George's County. Face coverings are still required for all indoor public locations and on public transportation; and

WHEREAS, the President does hereby find that it is in the best interest of public safety and the protection of property that the exercise of certain rights be temporarily limited and that the conditions of this Order is designed to provide the least necessary restriction on those rights; and

NOW THEREFORE, be it resolved that on this 8th day of December 2020, President Linda Pennoyer of the Board of Commissioners for the Town of Upper Marlboro, hereby declares:

1. As of 5:00 p.m. a State of Local Emergency continues to exist within the boundaries of the Town of Upper Marlboro because of ongoing concerns about the possible spread of the Coronavirus (COVID-19) existing on December 8, 2020.
2. That the Local (County Health) Order known as a Directive and Order for Enhanced Consumer and Employee Safety issued on November 15, 2020 by the County Health Officer is hereby adopted by reference herein as if written word for word herein below and shall be applicable and enforced by the Upper Marlboro Police Department within the corporate limits of the Town.
3. The State of Local Emergency shall extend through February 28, 2021, unless terminated or modified earlier.
4. All Town-owned buildings and facilities are closed to the public until the cancellation of this State of Local Emergency. Town General Government staff shall shift to one-person manning Town Hall for each business day to handle telephone calls.
5. The Town shall follow the COVID-19 Response Policy and Directive for Town personnel and visitors to Town facilities, and the Town Response Plan for Courthouse Reopening, each hereby attached hereto and incorporated by reference herein, until the cancellation of this declaration. All prior emergency orders issued remain in effect except as modified by this Order.
6. A copy of Governor's Order (NUMBER 20-09-01-01) and a Directive and Order for Enhanced Consumer and Employee Safety on November 15, 2020 shall be made available to all occupants or attendees at any Town building and facility where public business is permitted.
7. The Town shall covert no more than 4 on-street metered parking spaces in downtown Upper Marlboro to 15-minute "carry-out" spaces to help support our business community.
8. During this State of Local Emergency, the President and Board of Town Commissioners shared responsibilities include but are not limited to taking actions authorized by the Town Charter, Town Ordinances, and State and Local Executive or Health Officer Orders issued to protect the public's health, safety, and welfare.

BE IT FURTHER RESOLVED, by the Board of Commissioners for The Town of Upper Marlboro, sitting in regular session on this 8th day of December 2020, that the Town Board of Commissioners agrees that the COVID-19 pandemic continues to endanger the Town, and hereby approves, ratifies,


and authorizes this Order and the extension of the Local State of Emergency to remain in effect and to extend through February 28, 2021 for a period of 41 additional days, unless terminated or modified earlier.


ATTEST:

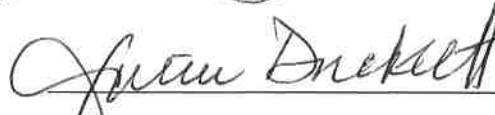
THE TOWN OF UPPER MARLBORO


Clerk

Date: December 8, 2020


Linda Pennoyer, President


Sarah Franklin, Commissioner


Janice Duckett, Commissioner



CERTIFICATION

I, the undersigned, hereby certify that I am the Town Clerk of the Town of Upper Marlboro and that the Board of Town Commissioners of the Town of Upper Marlboro at a public meeting at which a quorum was present adopted this Joint Declaration of a Local State of Emergency (Town Emergency Order No. DOE 2020-05) and Resolution (No. 2020-26 RES), and that said Joint Resolution and Order is in full force and effect and has not been amended or repealed.

In witness whereof, I have hereunto set my hand and seal of the municipal corporation, this 8th day of December, 2020.


M. David Williams, Town Clerk