



# 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 2021-02)  
AND RESOLUTION (NO. 2021-16 RES) OF THE TOWN BOARD OF COMMISSIONERS OF  
THE TOWN OF UPPER MARLBORO EXTENDING THE LOCAL STATE OF  
EMERGENCY INTIALLY ISSUED ON MARCH 25, 2020 THROUGH SEPTEMBER 30, 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, September 15, December 8, 2020, and March 9<sup>th</sup>, 2021, Regular Board Meetings; and

**WHEREAS**, the Order of the Governor of the State of Maryland Number 20-11-17-01, issued November 17, 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**, 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**, Prince George's County, Maryland previously issued several emergency declarations that are applicable within the Town, unless modified by the Mayor's orders, as follows: Executive Order Number 6-2020 dated March 16, 2020; Executive Order Number 7-2020 dated April 13, 2020; CR-31-2020 adopted May 11, 2020; Executive Order Number 8-2020 dated May 14, 2020; Executive Order Number 10-2020 dated May 28, 2020; CR51-2020 adopted June 9, 2020; Executive Order Number 13-2020 dated June 12, 2020; Executive Order Number 15-2020 dated June 25, 2020; CR-64-2020 adopted July 7, 2020; Executive Order Number 20-2020 dated September 3, 2020; CR-90-101 adopted

September 15, 2020; CR-101- 2020 adopted October 13, 2020; CR-125-2020 adopted November 17, 2020; Executive Order Number 27-2020 dated December 15, 2020 and CR-002-2021 adopted on January 12, 2021; and

**WHEREAS**, on January 26, 2021, Prince George’s County Executive Angela Alsobrooks in Executive Order No. 3- 2021 announced that despite the recent decreases in aforementioned metrics, Prince George’s County continues to be in the high-risk category of disease transmission, health experts have confirmed that that the country is in a second wave of COVID-19 transmission exacerbated by behaviors from the recent Holidays, upcoming winter months will lead to increased indoor activities, the influenza season, and of community spread of new COVID-19 variants, it is necessary that the County remain in a Phase 1/Phase 2 (modified) stage of re-opening; 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.

**NOW THEREFORE**, be it resolved that on this 8th day of June 2021, 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).
2. That the Local (County Health) Order known as a Directive and Order for Enhanced Consumer and Employee Safety issued on November 15, 2020, as amended, issued by the County Health Officer is hereby re-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 September 30, 2021, unless terminated or modified earlier.
4. All Town-owned buildings and facilities are to remain closed to the public until the cancellation of this State of Local Emergency, or the Board of Town Commissioners approving a reopening plan drafted by the Town Administrator. The reopening plan may include authorization for Town Hall meeting room rentals to resume as well.
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 20-11-17-01) and the County Health Officer’s 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. 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 June 2021, 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 September 30th, 2021, for a period of 113 additional days, unless terminated or modified earlier.

ATTEST:

THE TOWN OF UPPER MARLBORO

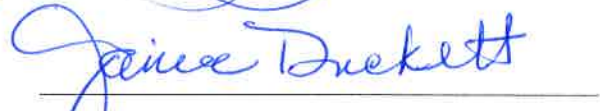
  
Clerk

Date: June 8, 2021



  
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 2021-01) and Resolution (No. 2021-07 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 June, 2021.

  
M. David Williams, Town Clerk