

MAYORAL EXECUTIVE ORDER  
OPENING OF NON-ESSENTIAL BUSINESSES  
POOLS, RESTAURANTS, YOUTH CAMPS, AUTHORIZING CERTAIN  
GATHERINGS

WHEREAS, a state of emergency and catastrophic health emergency was proclaimed by the Governor of Maryland on March 5, 2020 to control and prevent the spread of COVID-19 within the state, and the state of emergency and the catastrophic health emergency still exist;

WHEREAS, the Mayor of Baltimore City has declared a State of Emergency for Baltimore City due to the spread of COVID-19, which is still in place;

WHEREAS, COVID-19 is an infectious and contagious respiratory disease that continues to pose serious health risks for the citizens of Baltimore City, particularly elderly residents and those who are immunosuppressed or otherwise have high-risk medical conditions;

WHEREAS, the effects of COVID-19 require that local officials be vigilant in advising the citizens of measures they can take to protect health, safety and welfare;

WHEREAS, the Centers for Disease Control (CDC) advises that social distancing is the most effective way of slowing the spread of COVID-19;

WHEREAS, to protect lives and reduce transmission of the novel coronavirus in Baltimore City, it is necessary for individuals to maintain safe distances from each other;

WHEREAS, the latest scientific research and expert guidance support limitations on large gatherings and the use of social distancing practices as a successful method to prevent exposures and transmissions and reduce the threat of COVID-19 to all citizens but are especially important to protect vulnerable populations;

WHEREAS, it is vital to reduce the threat of this illness in the community and it is, therefore, necessary and reasonable to set strict limits on congregating;

WHEREAS, the State has implemented measures to reduce community transmission rates of COVID-19, while strategically activating the Maryland Strong: Roadmap to Recovery plan;

WHEREAS, the City is expanding COVID-19 testing, implementing contact tracing, and monitoring hospitalizations; and procuring additional protective equipment;

WHEREAS, there are now measures in place such as personal protective equipment and sanitation protocols to reduce community transmission;

WHEREAS, on May 13, 2020 Governor Hogan issued Executive Order 20-05-13-01 (the “Governor’s Order”), authorizing Maryland counties to lift their stay at home orders as they see fit based on the conditions in their jurisdictions provided that restrictions of Local Orders are no less strict than the Governor’s Order;

WHEREAS, Governor’s Order 20-05-27-01 authorized local governments to relax certain restrictions on activities and businesses in the State;

WHEREAS, the Mayor of Baltimore City has concluded that the City can safely lift certain restrictions subject to criteria set by public health experts.

NOW THEREFORE, I, Bernard “Jack” Young, Mayor of the City of Baltimore, in consultation with the Commissioner of Health for Baltimore City and by virtue of the authority vested in me by the Governor’s Order, do hereby issue the following Executive Order:

BE IT ORDERED THAT

**I. Administrative Provisions**

- a. This Mayoral Order continues the Order of June 8, rescinding the Stay at Home provisions in prior Mayoral Orders. Residents, however, should continue to stay home when possible. Older and more vulnerable residents, and those who live with them, are strongly advised to stay home whenever possible.

Residents and visitors should practice safe physical distancing and wear masks public and frequently wash their hands and sanitize high-touch areas.

b. This Order also amends or augments previous orders of the Mayor of Baltimore City regarding operations of businesses, establishments, facilities covered by this Mayoral Executive Order.

c. The Baltimore City Health Commissioner may issue orders not inconsistent this Order that are necessary to monitor, prevent, and reduce the spread of and suppress, COVID-19 in relation to any activity permitted by this Order or any business permitted to open under the Order.

## **II. Outdoor Spaces**

a. After consultation with the Baltimore City Health Commissioner, outdoor public spaces (such as parks, sports fields and courts, beaches, dog parks, and playgrounds) may be open to the general public, subject to the following:

- i. The Baltimore City Health Commissioner may issue such directives or orders as may be necessary to monitor, prevent, reduce the spread of, and suppress COVID-19 with respect to the use of the outdoor public space (“Health Officer Directives”).
- ii. Persons using the outdoor public space must comply with applicable Secretary’s Directives, applicable Health Officer Directives, and applicable social distancing guidance published by the U.S. Centers for Disease Control and Prevention (“CDC”) and the Maryland Department of Health (“MDH”).

## **III. Other Non-Essential Businesses.**

a. This Order controls the occupancy and use of all 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 (currently described at <https://www.cisa.gov/identifying-critical-infrastructure-during-covid-19>) (collectively, “Non-Essential Businesses”).

b. Non-Essential Businesses/offices may open.

- i. Staff and owners and clients may be on the premises but at 50% of maximum capacity (defined below).  
Employers should continue to encourage telework for their employees when

possible. Individuals who can work from home should continue to do so.

#### **IV. Social Distancing.**

a. It is strongly recommended that all Marylanders continue following the most current guidance from the CDC and MDH regarding social distancing, including, without limitation, avoidance of large gatherings and crowded places. The Baltimore City Health Commissioner may issue Health Officer Directives requiring individuals to remain indoors or to refrain from congregating, as the Commissioner deems necessary to monitor, treat, prevent, reduce the spread of, and suppress COVID-19.

#### **V. Businesses, Facilities, Organizations and Establishments That May Open**

a. **Religious Facilities** - Subject to applicable Local Orders, churches, synagogues, mosques, temples, and other similar religious facilities of any faith in the State of Maryland (“Religious Facilities”) may open to the general public, provided, however, that the total number of persons permitted in the Religious Facility at any one time shall not exceed 50% of the Religious Facility’s maximum capacity (defined below).

Religious Facilities shall make every effort to clean the facility between each use, shall require facial covering except when removal is necessary to participate in the religious service and shall encourage social distancing.

b. **Retail Establishments and Malls**. Subject to applicable Local Orders and Secretary’s Directives:

i. retail businesses, organizations, establishments, and facilities in the State of Maryland (“Retail Establishments”) may open to the general public, provided, however, that the total number of persons permitted in a Retail Establishment at any one time shall not exceed 50% of that Retail Establishment’s Maximum Occupancy (defined below); and

ii. effective as of 5:00 p.m. on June 19, 2020, shopping centers in the State of Maryland that have one or more enclosed pedestrian concourses may open to the general public not to exceed 50% capacity at any one time.

c. **Manufacturing**. Subject to applicable Local Orders and Secretary's Directives, all manufacturing businesses and facilities in Maryland may open.

d. **Personal Services**

i. Subject to applicable Local Orders, applicable Secretary's Directives and paragraph III.d.ii below, the following establishments in Baltimore City ("Personal Services Establishments") may open to the general public:

1. beauty salons;
2. barber shops;
3. tattoo parlors;
4. tanning salons;
5. massage parlors; and
6. establishments that provide esthetic services or provide nail technician services (as described in Title 5 of the Business Occupations Article of the Maryland Code);

ii. All customers over the age of two are required to wear Face Coverings (as defined in the Face Coverings Order (defined below)) while inside any Personal Services Establishment, except to the extent wearing a Face Covering would make it impossible for services to be performed. All Personal Services Establishments shall:

1. require staff to wear Face Coverings while in areas open to the general public and areas in which interaction with other staff is likely;
2. provide services on an appointment basis only and keep a log of each customer's name and that of anyone who accompanied them to the appointment and the name of the person who provided their services;
3. not allow the number of persons in the Personal Service Establishment to exceed 50% of the Personal Service Establishment's Maximum Occupancy (defined below); and
4. after providing services to each customer, clean and disinfect the area in which services were performed in accordance with applicable guidelines from the CDC, MDH, and the Baltimore City Health Department.

**e. Other Recreational Establishments.**

- i. Subject to applicable Local Orders and Secretary's Directives, the following establishments in Baltimore City may open to the general public. Any indoor areas limited to 50% of maximum capacity.
1. golf courses and driving ranges;
  2. outdoor archery and shooting ranges;
  3. marinas and watercraft rental businesses;
  4. campgrounds;
  5. horse boarding and riding facilities;
  6. drive-in movie theaters;
  7. outdoor swimming pools – Subject to MDH Order 20-06-10-03
    - a. Maximum capacity for persons in the pool to be determined by dividing the pool surface square footage by 36
    - b. signs shall be posted stating the capacity limit for the pool;
    - c. person occupying the outdoor space around the should practice social distancing and wear facial coverings.
    - d. All pool Operators shall post signs
      - Telling patrons not to enter if sick
      - Post handwashing reminders
      - Cover cough reminders
      - Post reminders to shower before entering the pool.
  8. indoor pools – Subject to MDH Order 20-06-10-03 and e.i.7.(b.-d.)
    - a. The total number of persons permitted in an indoor facility (indoor pools, fitness centers or aquatic centers) at any one time shall not exceed 50% of that facility's maximum occupancy as defined in the Executive Order No. 20-06-10-01.
  9. outdoor day camps;
  10. tour boats; and
  11. effective as of 5:00 p.m. on June 19, 2020:
    - a. amusement parks;
    - b. miniature golf establishments;
    - c. go-kart tracks;
    - d. the outdoor areas of any other establishments that are subject to the admission and amusement
  12. sports gatherings with no spectators and requiring face covering and social distancing.
  13. youth Sports gatherings with no spectators (except parents) and requiring face covering and social distancing

- ii. Subject to applicable Local Orders and Secretary's Directives, the following establishments in Maryland ("Indoor Recreation Establishments") may open to the general public, effective as of 5:00 p.m. on June 19, 2020 at 50% of maximum capacity:
  - 1. bingo halls;
  - 2. bowling alleys;
  - 3. pool halls;
  - 4. roller and ice skating rinks;
  - 5. social and fraternal clubs (including without limitation, American Legion posts, VFW posts, and Elks Clubs) ("Social Clubs"); and
  - 6. the indoor areas of any other establishments that are subject to the Admission and amusement tax under Title 4 of the Tax-General Article of the Maryland Code;

*provided, however,* that the total number of persons permitted in an Indoor Recreation Establishment at any one time shall not exceed 50% of that Indoor Recreation Establishment's Maximum Occupancy (defined below).

- iii. As used in this paragraph III.e:
  - 1. the term "indoor area" has the meaning provided in COMAR 10.19.04.02.B(9); and
  - 2. the term "outdoor area" means an area that is not an indoor area.

**f. Foodservice Establishments.**

- i. Subject to applicable Local Orders, applicable Secretary's Directives, and paragraph III.f.ii below, (a) restaurants, bars, nightclubs, and other similar establishments that sell food or beverages for consumption on-premises in Maryland, and (b) Social Clubs or facilities of any kind with dining facilities (collectively, "Foodservice Establishments") may, to the extent permitted by applicable law:
  - 1. serve food and beverages to customers for consumption in outdoor seating areas;
  - 2. sell food and beverages that are promptly taken from the premises, i.e., on a carry-out or drive-through basis;
  - 3. deliver food and beverages to customers off the premises; and
  - 4. effective as of 5:00 p.m. on June 19, 2020, serve food and beverages to customers for consumption in indoor seating areas.

ii. Foodservice Establishments shall:

1. require all staff to wear Face Coverings, in accordance with the Face Coverings Order (defined below);
2. not allow the number of persons in the Foodservice Establishment to exceed 50% of the Foodservice Establishment's Maximum Occupancy (defined below);
3. not serve food in a buffet format;
4. not serve customers who are not seated; and
5. clean and disinfect each table between each seating in accordance CDC and MDH guidelines, using cleaning products that meet the criteria of the U.S. Environmental Protection Agency for use against COVID-19.

iii. As used in this paragraph III.f:

1. the term "indoor seating area" means a portion of a Foodservice Establishment that is an indoor area, as defined in COMAR 0.19.04.02.B(9); and
2. the term "outdoor seating area" means a portion of a Foodservice Establishment that is not an indoor seating area.

g. **Fitness Centers.** Subject to applicable Local Orders and Secretary's Directives, effective as of 5:00 p.m. on June 19, 2020, fitness centers, health clubs, health spas, gyms, aquatic centers, and self-defense schools in Baltimore City ("Fitness Centers") may open to the general public; provided, however, that the total number of persons permitted in a Fitness Center at any one time shall not exceed 50% of that Fitness Center's Maximum Occupancy (defined below).

1. Staff and patrons shall wear facial covering to the maximum extent possible.
2. Staff shall clean equipment between each use in accordance with CDC and MDH guidance.

h. **Casinos, Racetracks, and Simulcast Betting Facilities.**

i. Effective as of 5:00 p.m. on June 19, 2020:

1. the Order of the Governor of the State of Maryland dated March 15, 2020, entitled "Closing Casinos, Racetracks, and Simulcast Betting Facilities" is rescinded and of no further effect;



2. subject to applicable Local Orders and Secretary's Directives, the following establishments ("Gaming Facilities") may open to the general public:

- a. MGM National Harbor;
- b. Live! Casino & Hotel;
- c. Horseshoe Casino Baltimore;
- d. Hollywood Casino Perryville;
- e. Ocean Downs Casino;
- f. Rocky Gap Casino Resort; and
- g. all simulcast betting facilities in the State, to the extent not otherwise included in the buildings and premises listed above; and

3. subject to applicable Local Orders and Secretary's Directives, the following establishments may open for racing and other customary operations, but not to the general public:

- a. Laurel Park;
- b. Pimlico Race Course;
- c. Timonium Race Course;
- d. Fair Hill Races;
- e. Rosecroft Raceway; and
- f. Ocean Downs.

ii. The total number of persons permitted in a Gaming Facility at any one time shall not exceed 50% of that Gaming Facility's Maximum Occupancy (defined below).

i. **Other Businesses.** Subject to applicable Local Orders and Secretary's Directives and the provisions contained herein, 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 (currently described at <https://www.cisa.gov/identifying-criticalinfrastructure-during-covid-19>) and not otherwise addressed in this Order may open at 50% of maximum capacity to the general public including zoos, aquariums and museums. Indoor performance areas remain closed to the general public and audiences.

j. **Determination of Maximum Occupancy.** With respect to a Religious Facility, Retail Establishment, Foodservice Establishment, Fitness Center, Gaming

Facility, Indoor Recreation Establishment, or Personal Service Establishment (a “Facility”), “Maximum Occupancy” means:

- i. The maximum occupancy load of the Facility under the applicable fire code, as set forth on a certificate issued for the Facility by a local fire code official; or
- ii. If no such certificate has been issued for the Facility by the local fire code official, the maximum occupancy of the Facility pursuant to applicable laws, regulations, and permits.

**k. Youth Camps and Daycares**

- i. Youth Sports Camps and Youth Day Camps may open in accordance with CDC guidelines and State and local requirements including the Maryland Secretary of Health’s Directive and Order Regarding Youth Camp Programs No. 2020-05-27-07.
  1. Provided, however, that a youth day camp or sports camp is limited to 15 people including staff per room for indoor activities, provided there is sufficient space to allow for adequate distancing and up to 50 people including staff for outdoor activities.
- ii. Child Daycare facilities may reopen as provided for in this Mayoral Order and pursuant to CDC Guidelines for operating child daycare facilities and State and local regulations.
  1. No more than 15 children plus staff are allowed per room provided there is sufficient space to maintain adequate distancing.
  2. Facilities shall establish daily health checks for the children such as temperature and symptom screening.
  3. Teachers will teach and reinforce hand washing with children and wash their hands frequently.
  4. Staff will clean, sanitize and disinfect frequently touched surfaces throughout the school day and avoid use of items that cannot be easily sanitized.
  5. When age-appropriate, teach and enforce social distancing strategies.
  6. Parents shall wear facial covering when dropping off and picking up their child.

## VI. General Provisions

- a. All businesses, organizations, establishments, and facilities that are permitted to be open under this Mayoral Order shall comply with:
  - i. applicable Local Orders;
  - ii. applicable Directives issued by the Maryland Secretary of Health;
  - iii. applicable social distancing guidance published by the CDC and the Maryland Department of Health; and
  - iv. orders issued by the applicable Local Health Officer/Mayor pursuant to the Order of the Governor of the State of Maryland Number 20-04-05-02, dated April 5, 2020, entitled “Delegating Authority to Local Officials to Control and Close Unsafe Facilities as it may be amended from time.
  
- b. For avoidance of doubt, Restaurants and Bars shall continue to comply with the Order of the Governor of the State of Maryland Number 20-04-15-01, dated April 15, 2020, entitled “Requiring Use of Face Coverings Under Certain Circumstance and Requiring Implementation of Certain Physical Distancing Measures”, as it may be amended from time to time (the “Face Coverings Order”).
  
- c. Any business, organization, establishment, or facility in the City of Baltimore may require its customers over the age of two, visitors over the age of two, and/or staff to wear Face Coverings (as defined in the Face Coverings Order). A business, organization, establishment, or facility that elects to do so shall post signage at each entrance advising customers.
  
- d. Each law enforcement officer of the State or a political subdivision shall execute and enforce Governor Hogan’s May 27, 2020 Order and this Local Order pursuant to the terms of the Governor’s Order 20-05-27-01 which provides that a person who knowingly and willfully violates this Order or any Local 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.
  
- e. In accordance with the Governor’s Order allowing for local decision making, the Mayor reserves the right to rescind any or all parts of this Order and the Stay at Home Order or issue a new order revising this mayoral order, in the event that this Order is not complied with or if it is in the public health interest of the citizens of Baltimore City to reinstate restrictions.

f. This Order remains effective until after termination of the state of emergency and the proclamation of the catastrophic health emergency has been rescinded, until rescinded, superseded, amended, or revised by additional orders.

g. 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.

h. The bold paragraph headings in this Order are for convenience of reference only and shall not affect the interpretation of this Order.

i. 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.

This Executive Order shall take effect Friday, June 19, 2020 at 5:00 p.m.

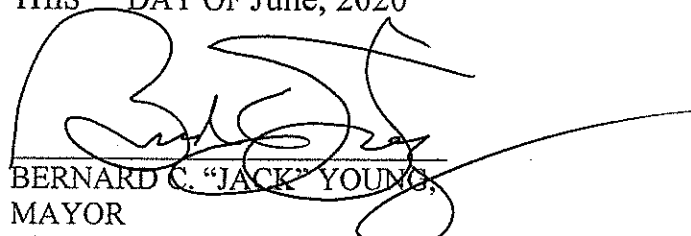
IN WITNESS WHEREOF I HAVE  
HEREUNTO PLACED MY HAND AND  
THE GREAT SEAL OF THE CITY OF  
BALTIMORE

THIS DAY OF June, 2020

ATTEST:

  
CUSTODIAN OF THE CITY SEAL

Alternate

  
BERNARD C. "JACK" YOUNG,  
MAYOR  
CITY OF BALTIMORE

APPROVED AS TO FORM AND LEGAL SUFFICIENCY  
BY THE BALTIMORE CITY LAW DEPARTMENT



\_\_\_\_\_  
DANA P. MOORE  
ACTING CITY SOLICITOR