

MAYORAL EXECUTIVE ORDER
UPDATING AND CLARIFYING PERMITTED 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 restates and continues any previous Mayoral Order, 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 facial coverings in public and in certain establishments as required by the Governor’s Orders and Mayoral Orders 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. This Order replaces any previous order to the contrary on matters covered by this Mayoral 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 Maryland Department of Health (“MDH”).

III. Gatherings.

a. The prohibition on gatherings of more than 10 people is hereby rescinded and is replaced as follows: Subject to the provisions below, gatherings and events are hereby permitted at all indoor and outdoor locations and venues:

i. To the extent that gatherings and events are held indoors, the maximum of persons permitted is 50% of maximum capacity (“Maximum Capacity”) as that term is defined by and provided for in the applicable provisions of previous Executive Orders. Proper social distancing and facial coverings shall be required.

- ii. To the extent that gatherings and events are held outdoors the outdoor area shall be large enough for all individuals to maintain proper social distancing. Facial covering shall also be strongly encouraged.
- iii. Large scale community and City sponsored events remain prohibited.
- iv. In accordance with the Directive and Order No. MDH 2020-06 12-01, Convention events are prohibited until further notice.
- v. In accordance with the Directive and Order No. MDH 2020-06 12-02, audience restrictions and limitations for community recreational, leisure, cultural and sporting gatherings and events remain in full effect.

IV. Stay at Home Order.

- a. The Stay at Home order in preceding Mayoral Executive Orders is rescinded by this Order. It is strongly recommended that all City residents continue following the most current guidance from CDC and MDH regarding social distancing, including, without limitation, avoidance of large gatherings and crowded places. City residents should also wear facial covering when required as well as when out in the community. 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. 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”), “Occupancy” means:

- a. 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
- b. 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.

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 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.

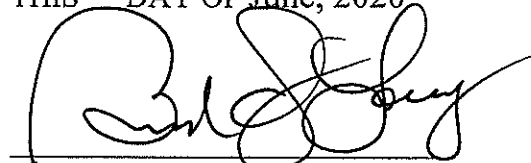
h. The bold paragraph headings in this Order are for convenience of reference only and shall not affect the interpretation of this Order.

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 26, 2020 at 5:00 p.m.

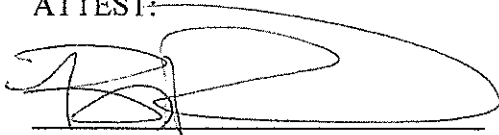
IN WITNESS WHEREOF I HAVE
HEREUNTO PLACED MY HAND AND
THE GREAT SEAL OF THE CITY OF
BALTIMORE

THIS DAY OF June, 2020



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

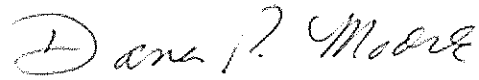
ATTEST:



CUSTODIAN OF THE CITY SEAL

Alternate

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

A handwritten signature in cursive script that reads "Dana P. Moore". The signature is written in black ink and is positioned above a horizontal line.

DANA P. MOORE
ACTING CITY SOLICITOR