

COUNTY COUNCIL OF WICOMICO COUNTY, MARYLAND

2020 Legislative Session

Legislative Day No. 07

RESOLUTION NO. 18 - 2020

Introduced by: The President of the Council at the request of the County Executive

A RESOLUTION TO AUTHORIZE AN EXTENSION OF THE DECLARATION OF EMERGENCY UNTIL NO LATER THAN ~~MAY 6, 2020~~ APRIL 8, 2020, TO ADDRESS ISSUES RELATED TO THE PUBLIC HEALTH EMERGENCY CREATED BY COVID-19.

WHEREAS, the County Executive authorized a Declaration of Emergency on March 16, 2020, which is attached hereto; and

WHEREAS, the Declaration of Emergency remains in effect until 8:00 a.m. March 24, 2020, pursuant to the provisions of Chapter 15 of the *Wicomico County Code*; and

WHEREAS, the County Council has the authority to extend such Declaration for the duration of the Emergency pursuant to Chapter 15-8 of the *Wicomico County Code*; and

WHEREAS, the County Council has determined that the public health emergency caused by COVID 19 warrants the extension of the Emergency Declaration until no later than ~~May 6, 2020~~ APRIL 8, 2020.

NOW, THEREFORE, BE IT RESOLVED, by the County Council of Wicomico County, Maryland, that the Declaration of Emergency ordered by the County Executive on March 16, 2020, shall remain in effect until no later than ~~May 6, 2020~~ APRIL 8, 2020, at 8:00 a.m. Eastern Time:

1. The County Executive shall consult frequently with the Director of Emergency Services and the Wicomico County Health Officer to determine if the Declaration of Emergency can be withdrawn.
2. The County Executive shall advise the County Council of the public health emergency status.

DONE at Salisbury, Maryland this 23rd day of March, 2020.

ATTEST:

Laura Hurley
Laura Hurley, Council Administrator

COUNTY COUNCIL OF WICOMICO
COUNTY, MARYLAND
Larry W. Dodd (SEAL)
Larry Dodd, Council President

CERTIFICATION

THIS RESOLUTION was Adopted _____, Adopted with Amendments , Failed _____, Withdrawn _____ by the County Council on _____, 2020.

Certified
By Laura Hurley
Laura Hurley, Council Administrator

**WICOMICO COUNTY, MARYLAND
OFFICE OF THE COUNTY EXECUTIVE**

**BOB CULVER
COUNTY EXECUTIVE**

DECLARATION OF EMERGENCY

WHEREAS, beginning on March 17, 2020, 8:00 local time, the County has or may experience imminently a COVID-19 public health catastrophe and public emergency as cited in the Governor of Maryland's Declaration of State of Emergency and Existence of Catastrophic Health Emergency – COVID-19 dated March 5, 2020; and,

WHEREAS, the aforesaid conditions constitute an epidemic emergency as defined in Chapter 15 of the Wicomico County Code which threatens and presently endangers the health, safety and resources of the residents of the county and which may become too large in scope to be handled by the normal county operating services; and,

WHEREAS, Chapter 15 of the Wicomico County Code confers upon the County Executive authority to deal with emergencies which threaten the public peace, health, and safety of the citizens of Wicomico County;

WHEREAS, after consultation with the local emergency and/or public health personnel, the County Executive has determined that an emergency has occurred, or the threat thereof is imminent, and a declaration of emergency is necessary to protect the public and to allow emergency agencies and first responders to thoroughly prepare for any eventuality related to public peace, health, and safety and protection of property.

NOW, THEREFORE, I, Bob Culver, County Executive, by virtue of the authority vested in me by the Charter and laws of Wicomico County, including but not limited to Chapter 15, titled "Emergency Management" of the Code of Wicomico County hereby Declare pursuant to Section 15-7 of Chapter 15 that a local emergency exists throughout the County; and I hereby **ORDER AND DIRECT**, pursuant to Section 15-7, the following:

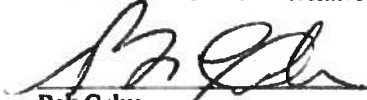
1. Authorize and empower the County Director of Emergency Services to implement the County Emergency Operations Plan and to direct the activation of county and municipal emergency operation plans as necessary.
2. Authorize and empower the County Department of Emergency Services to assist the County Health Officer with all health-related resource requests and needs:
3. In accordance with CDC guidance issued March 15, 2020, for the duration of this State of Emergency, organizers (whether groups or individuals) shall cancel or postpone in-person events that consist of FIFTY people or more in Wicomico County. In addition, cancel or postpone gatherings of TEN or more people for organizations that serve high-risk populations. This does not apply to the day to day operation of organizations or businesses. The guidance related to numbers of gathered personnel are subject to change as recommended by further direction from the CDC, federal, state, or local officials and direction issued by the Department of Emergency Services with coordination from the Local Health Officer.
4. Request the Sheriff of Wicomico County to determine the control and direction of the flow of such vehicular traffic on any County street or road, that, in the County Director of Emergency Service's discretion, is deemed necessary for the protection of the health, safety and welfare of the public, and to remove parked or abandoned vehicles from such roadways as conditions warrant.

5. Authorize and empower the County Director of Emergency Services, after consultation with the County Executive, to order the evacuation of all persons, from any area where their continued presence would present a danger to their health, safety or welfare because of the conditions created by this emergency.
6. Authorize and empower the County Director of Emergency Services to utilize all facilities owned, rented, operated and maintained by the County or under an emergency mutual aid agreement to house and shelter persons who may need to housing during the course of this emergency.
7. Authorize and empower the Director of any Department, or head of any agency or instrumentality of the County government to, for the duration of this Executive Order, subject to my prior approval and in consultation with the County Director of Emergency Services, waive, suspend or modify any existing rule, the enforcement of which would be detrimental to the public welfare during this emergency, notwithstanding any law, excepting mandatory constitutional rights, to the contrary.
8. County Department Directors are authorized to exercise the following powers in light of the of the current emergency response situation without regard to time consuming procedures and formalities prescribed by law, excepting mandatory constitutional rights, which includes without limitation existing budget limitations, competitive bidding or other procurement requirements, rental, purchase, contracting, and expenditure policies:
 - Direct that work be undertaken to protect persons and property.
 - Direct or approve necessary repair work.
 - Provide appropriate emergency assistance to the citizens of Wicomico County.
 - Performance of public work and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community.
 - Entering into contracts and incur obligations necessary to combat such emergency.
 - Employment of contractual and temporary workers.
 - Utilization of volunteer workers.
 - Rental of equipment.
 - Acquisition and distribution, with or without compensation, of supplies, materials, and facilities.
9. All County officials, employees, agents and volunteers who discharge duties under authority of this Executive Order and/or the County's Emergency Operations Plan shall be deemed public servants in the discharge of official powers or duties;
10. As County Executive, I will consult with the County Council as soon as practical and present any necessary or appropriate action items for review and consideration by the County Council at the earliest possible date, anticipated to be on or before March 24, 2020.
11. The cooperation of every person or entity in this County or doing business in this County in all matters concerning this state of emergency is requested.
12. All acts taken prior to the effective date of this Executive Order that are consistent with the intent and purpose of such Order are hereby ratified and confirmed retroactive to the time of the March 17, 2020, 8:00 am local time.

It is further ORDERED AND DECLARED that this Executive Order shall be enforced as provided in Chapter 15 of the Wicomico County Code.

This Declaration and Order shall take effect immediately and shall remain in effect until March 24, 2020 at 8:00 am local time, unless extended by action of the County Council.

IN WITNESS WHEREOF, I, BOB CULVER, as County Executive of Wicomico County, Maryland, have hereunto set my hand and caused the seal of Wicomico County to be affixed this 16th day of March 2020.



Bob Culver
County Executive