

COUNTY COUNCIL OF WICOMICO COUNTY, MARYLAND

2020 Legislative Session

Legislative Day No. 08

RESOLUTION NO. 19 - 2020

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

A RESOLUTION TO AUTHORIZE AN EXTENSION OF THE AMENDED AND RESTATED WICOMICO COUNTY DECLARATION OF EMERGENCY UNTIL NO LATER THAN THE DATE OF WITHDRAWAL BY THE GOVERNOR OF MARYLAND OF THE DECLARATION OF STATE OF EMERGENCY, ADDRESSING ISSUES RELATED TO THE PUBLIC HEALTH EMERGENCY CREATED BY COVID-19.

WHEREAS, the County Executive authorized a Declaration of Emergency on March 16, 2020, until March 24, 2020, which is attached hereto; 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 Declaration of Emergency was extended by the County Council and remains in effect until 8:00 a.m. April 8, 2020, pursuant to the provisions of Chapter 15 of the *Wicomico County Code*; and

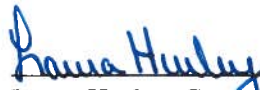
WHEREAS, the County Executive and County Council have determined that the public health emergency caused by COVID 19 warrants the extension of the Amended and Restated Emergency Declaration until no later than the date of withdrawal by the Governor of Maryland of the Declaration of State of Emergency.

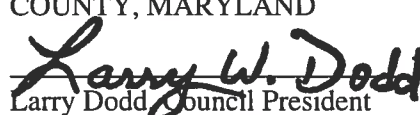
NOW, THEREFORE, BE IT RESOLVED, by the County Council of Wicomico County, Maryland, that the Amended and Restated Declaration of Emergency ordered by the County Executive on March 16, 2020, and extended by the County Council on March 23, 2020, shall remain in effect until no later than the date of withdrawal by the Governor of Maryland of the Declaration of State of Emergency:

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of Emergency Services and the Wicomico County Health Officer to determine if the Declaration of Emergency can be withdrawn.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 7th day of April, 2020.

ATTEST:


Laura Hurley, Council Administrator

COUNTY COUNCIL OF WICOMICO
COUNTY, MARYLAND
 (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, Council Administrator

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

**BOB CULVER
COUNTY EXECUTIVE**

**AMENDED AND RESTATED
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; as amended March 19, 2020, March 23, 2020, and March 30, 2020; and

WHEREAS, the aforesaid conditions constitute a disaster 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; and

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; and

WHEREAS, it is in the best interest of Wicomico County to extend the expiration date of licenses, permits, and registrations issued by Wicomico County that have expired or will expire on or after March 17, 2020, and should be extended until the thirty (30) days after the termination of the Governor of Maryland's Declaration of State of Emergency; and

WHEREAS, it is in the best interest of Wicomico County to suspend legal and procedural deadlines, due dates, times of default, and time expiration periods until thirty (30) days after the termination of the Governor of Maryland's Declaration of State of Emergency.

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 due to Covid-19; and I hereby **ORDER AND DIRECT**, pursuant to Section 15-7.1, 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, and the Maryland Governor's Declaration of State of Emergency, as amended, referred to above, 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. Any license, permit, or registration of professional license issued by Wicomico County that has expired or expires on or after March 17, 2020, shall be extended and remain in effect until thirty (30) days after the termination of the Governor of Maryland's Declaration of State of Emergency.
13. Upon finding that suspension of a deadline will not endanger the public health, welfare or safety, and after notification to the County Council, the County Executive may suspend the effect on or after March 17, 2020, of any legal or procedural deadline, due date, time of default, time expiration, period of time or other required time for occurrence of an act or event described within any County statute, administrative rule or regulation. Such suspension may continue until thirty (30) days after the termination of the Governor of Maryland's Declaration of State of Emergency.

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 the Governor of Maryland withdraws the Declaration of State of Emergency, unless otherwise 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 8th day of April, 2020.



Bob Culver
County Executive