

**THE CITY OF FREDERICK
EXECUTIVE ORDER NO. 21-03**

BACKGROUND

As a result of the ongoing COVID-19 pandemic, Governor Hogan has issued numerous orders relating to, among other things, the closing, reopening, and operation of various types of businesses and the required use of face coverings within the State of Maryland. The Governor has issued Order 21-01-28-01, which became effective on January 28, 2021. That order stated that the provision established under previous orders prohibiting foodservice establishments from being open between the hours of 10:00 p.m. and 6:00 a.m. would cease to be effective at 12:01 a.m. on February 1, 2021.

The Governor's Order 21-01-28-01, as with previous orders, authorized political subdivisions to issue orders more restrictive than such order if the political subdivision determined that doing so was necessary and reasonable to save lives or prevent exposure to COVID-19. Such a local order may require businesses, organizations, establishments, or facilities (except schools) to close or modify their operations.

Pursuant to the aforesaid authority granted by the Governor to political subdivisions, Mayor O'Connor has issued several executive orders, most recently Executive Order No. 21-02, allowing foodservice establishments to reopen to the public between 10:00 p.m. and 6:00 a.m. but prohibiting entertainment as well as on-premises alcohol sales and consumption after 10:00 p.m.

Executive Order No. 21-02 provided that the Governor's Order 21-01-28-01 would not become effective in the City of Frederick until 12:01 a.m. on February 22, 2021, subject to reevaluation at that time. Upon such reevaluation, the Mayor has now determined it is in the best interest of city residents and businesses to allow the Governor's Order to become fully effective. The purpose of this order is to clarify the current applicability of the Governor's Order within the City of Frederick.

NOW, THEREFORE, BE IT DECLARED BY THE MAYOR OF THE CITY OF FREDERICK, MARYLAND, that:

1. The Governor's Order 21-01-28-01, as it may be amended, is in full force and effect in the City of Frederick. For avoidance of doubt, the additional restrictions listed in Executive Order No. 21-02 are no longer in effect.
2. This order takes effect on February 23, 2021 at 5:00 p.m. and supersedes Executive Order 21-02. This order shall remain in effect until it is superseded by an additional executive order of the Mayor or the Governor.

Dated at FREDERICK, MARYLAND, this 23rd day of February, in the year of 2021.



Michael C. O'Connor
Mayor, The City of Frederick

Approved for Legal Sufficiency:

Saundra Nichols

City Attorney