

AGENDA
COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND
Virtual County Council Meeting
Legislative Session 2021, Legislative Day No. 2
January 19, 2021 - 6:00 P.M.

- A. Invocation (Haire)
- B. Pledge of Allegiance
- C. Open Meetings Statement
- D. Ethics Statement
- E. Invitation to Audience
- F. Announcement of Items not Appearing on Agenda
- G. Preliminary Motion
- H. Approval of Minutes

January 4, 2021 – Legislative Day No. 1

- I. Introduction of Bills

BILL NO. 5-21 – AN ORDINANCE concerning: Current Expense Budget – Board of Education –Supplementary Appropriation and Transfer of Funds – FOR the purpose of transferring appropriations of funds between major categories in the Local Education Fund for the current fiscal year; making supplementary appropriations from unanticipated revenues to the Local Education Fund for the current fiscal year; and generally relating to transferring appropriations of funds and making supplementary appropriations to the current expense budget for the fiscal year ending June 30, 2021.
by Ms. Lacey, Chair
(by request of the County Executive)

BILL NO. 6-21 – AN ORDINANCE concerning: Mil-Bur Special Community Benefit District – Approval of Loan and Assignment Agreement – FOR the purpose of obligating the County to levy the special tax known as the special community benefit assessment on the Mil-Bur Special Community Benefit District in an amount sufficient to repay a loan from Sandy Spring Bank to the Mil-Bur Club, Inc., in each of five (5) fiscal years during the term of the loan.
by Ms. Lacey, Chair
(by request of the County Executive)

BILL NO. 7-21 – AN ORDINANCE concerning: Zoning – Housing for the Elderly of Moderate Means – Live-in Caretakers – FOR the purpose of allowing housing for the elderly of moderate means to include a live-in caretaker who is under the age of 62 for a resident with a disability; and generally relating to zoning.
by Ms. Pickard and Mr. Pruski

BILL NO. 8-21 – AN ORDINANCE concerning: Construction and Property Maintenance Codes Supplement – Permits – Residential Piers and Riparian Rights – FOR the purpose of requiring an application for construction of a residential pier to include a certain certification of ownership of riparian rights; and generally relating to construction and property maintenance codes.
by Ms. Fiedler

BILL NO. 9-21 – AN ORDINANCE concerning: Civil Emergencies – Duration – FOR the purpose of authorizing extensions the seven-day duration of a proclamation of a civil emergency or an executive order by up to 45 days; providing that any additional extensions may not exceed a duration of 45 days; and generally relating to civil emergencies.
by Ms. Fiedler

J. Introduction of Resolution

RESOLUTION NO. 5-21 – RESOLUTION condemning the insurrection at the U.S. Capitol Building on January 6, 2021, and urging the peaceful transition of power on Inauguration Day
by Ms. Lacey, Mr. Pruski, Ms. Rodvien, and Ms. Pickard

RESOLUTION NO. 6-21 – RESOLUTION urging the Anne Arundel County Executive to increase capacity in Religious Facilities
by Mr. Volke

RESOLUTION NO. 7-21 – RESOLUTION urging the Anne Arundel County Executive to permit alternative facial coverings while inside Fitness Centers
by Mr. Volke

RESOLUTION NO. 8-21 – RESOLUTION urging the Anne Arundel County Executive to increase capacity for Fitness Centers to 50%
by Mr. Volke

RESOLUTION NO. 9-21 – RESOLUTION urging the Anne Arundel County Executive to increase capacity for Gaming Facilities to 50%
by Mr. Volke

RESOLUTION NO. 10-21 – RESOLUTION urging the Anne Arundel County Executive to reopen Indoor Theaters
by Mr. Volke

RESOLUTION NO. 11-21 – RESOLUTION urging the Anne Arundel County Executive to increase Personal Services Establishment capacity to 50%
by Mr. Volke

RESOLUTION NO. 12-21 – RESOLUTION urging the Anne Arundel County Executive to increase indoor restaurant capacity to 50%
by Mr. Volke

RESOLUTION NO. 13-21 – RESOLUTION urging the Anne Arundel County Executive to increase Retail Establishment capacity to 50%
by Mr. Volke

RESOLUTION NO. 14-21 – RESOLUTION urging the Anne Arundel County Executive to increase Indoor Recreation Establishments capacity to 50%
by Mr. Volke

RESOLUTION NO. 15-21 – RESOLUTION urging the Anne Arundel County Executive to permit Youth Sports
by Mr. Volke

K. Public Hearings and Call of Bills for Final Reading and/or Vote

BILL NO. 109-20 – AN EMERGENCY ORDINANCE concerning: Licenses and Registration – Fees for the Registration or Renewal of Short-term Residential Rentals – FOR the purpose of reducing the fee for the registration or renewal of a short-term residential rental; providing for the termination of this Ordinance; making this Ordinance an emergency measure; and generally relating to licenses and registrations.
by Ms. Rodvien and Mr. Pruski

RESOLUTION NO. 1-21 – RESOLUTION approving the continued service of Anne Budowski as Acting Personnel Officer
by Ms. Lacey, Chair
(by request of the County Executive)

RESOLUTION NO. 2-21 – RESOLUTION appointing a member to the Anne Arundel County Ethics Commission
by Ms. Lacey, Chair
(by request of the County Executive)

RESOLUTION NO. 3-21 – RESOLUTION approving the appointment of a Severn River Commission member
by Ms. Lacey, Chair
(by request of the County Executive)

L. Other Business

M. Adjourn

WATCH OR LISTEN TO THE COUNTY COUNCIL MEETING

The County Council Meeting can be watched on local cable channels or via Arundel TV Live! To find a list of channels or to access Arundel TV Live, visit www.aacounty.org/services-and-programs/government-television.

You may listen only to the January 19, 2021 meeting by dialing any one of the following telephone numbers and entering the appropriate ID and passcode when prompted:

Dial any one of the following telephone numbers:

+1 301 715 8592
+1 470 381 2552
+1 470 250 9358
+1 669 900 6833
+1 669 219 2599
888 475 4499 (Toll Free)
833 548 0276 (Toll Free)

ID and passcode for the meeting:

ID: 896 8204 9317
Passcode: 52155078



**ANNE ARUNDEL COUNTY
OFFICE OF THE COUNTY AUDITOR**

To: Members of the County Council

From: Susan L. Smith, County Auditor

Date: January 12, 2021

Subject: Legislation to be heard on January 19, 2021: Bill No. 109-20; and Resolutions Nos. 1-21, 2-21, and 3-21.

Bill No. 109-20: Emergency Ordinance – Licenses and Registration – Fees for the Registration or Renewal of Short-term Residential Rentals

This bill reduces the fee to register or renew a short-term residential rental for a two-year term from \$400 to \$100 until all State and County proclamations of an emergency are terminated, repealed, or otherwise revoked. This bill also requires the County to refund \$300 to those hosts who paid the \$400 registration fee on or after April 9, 2020.

Bill No. 89-19, effective April 9, 2020, established registration requirements for the owners of short-term residential rentals and imposed a registration fee of \$400 every two years. At that time, Visit Annapolis and Anne Arundel County had hired a market and economic research firm with expertise in the travel and tourism sector to prepare an analysis of the short-term vacation rental market in Anne Arundel County. According to the consultant report, in calendar year 2018, there were 295 short-term residential rentals in Anne Arundel County that were located outside of the City of Annapolis.

According to the Department of Inspections and Permits (I&P), there have been 79 short-term residential rentals that registered on or after April 9, 2020 for a registration fee revenue of \$31,600. Refunds to these registered hosts would total \$23,700. Future revenue reductions resulting from charging \$100 instead of \$400 would depend on the number of additional registrations, the extent that lowering the registration fee would result in more hosts deciding to register, and the date the State and County proclamations of an emergency are terminated, repealed, or otherwise revoked.

I&P stated that its Licensing Division currently has two full-time vacant positions; therefore, the refund process would be handled by an employee in I&P's Administration and Support Division.

Resolution No. 1-21: Continued Service of Acting Personnel Officer

This resolution approves the continued service of Anne Budowski as Acting Personnel Officer from January 22, 2021 through July 22, 2021. This resolution has no fiscal impact to the County.

Resolution No. 2-21: Appointment of Members to the Anne Arundel County Ethics Commission

This resolution approves the appointment of Robert J. Mansfield to the Anne Arundel County Ethics Commission for a four-year term expiring on April 30, 2024. This resolution has no fiscal impact.

Resolution No. 3-21: Appointment of Members to the Severn River Commission

This resolution approves the appointment of Matthew Liptak, a resident of the Severn River Watershed, to the Severn River Commission for a three-year term. Resolution No. 47-89 provides that at least five of the seven voting members of the Severn River Commission must be residents of the Severn River Watershed. This resolution has no fiscal impact.

A handwritten signature in cursive script, reading "Susan L. Smith".

Susan L. Smith, CPA, CFE
County Auditor

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Minutes of

Virtual Legislative Session 2021, Legislative Day No. 1

January 4, 2021 – 6:00 P.M.

The meeting was called to order by Chairman Sarah Lacey at 6:00 P.M. Ms. Rodvien gave the invocation and led the Pledge of Allegiance. The meeting was held remotely via Zoom Webinar, beginning with roll call of all present. The Auditor's Office was represented by the County Auditor, Susan Smith.

The following members of the County Council were present:

Sarah F. Lacey	First District
Allison Pickard	Second District
Nathan Volke	Third District
Andrew C. Pruski	Fourth District
Amanda Fiedler	Fifth District
Lisa D.B. Rodvien	Sixth District
Jessica Haire	Seventh District

OPEN MEETINGS ACT

JoAnne Gray, Administrative Officer, read a statement from the County Attorney regarding the Open Meetings Act. She stated the Md. Open Meetings Act, a state law, requires public meetings to be open to the public and to be "held in places reasonably accessible to individuals who would like to attend these meetings." In addition, provisions of the County Charter and the rules of the County Council require meetings to be open to the public and held at the County seat, meaning Annapolis.

The virtual format of this meeting of the County Council is due to the COVID-19 emergency and is necessary in light of the serious health risks associated with public gatherings, as well as the various Executive Orders from the Governor and the County Executive limiting public gatherings. While a virtual meeting of this type was not envisioned by the Open Meetings Act, steps have been taken to ensure that this virtual meeting includes alternate accessibility features that the Open Meetings Act Compliance Board and the Courts have reviewed and approved, such as having a call-in phone number that allows anyone with a telephone to call and listen to the meeting, broadcasting the meeting with video and audio on cable TV and on the Web, allowing written public comments to the legislation be filed with the Clerk and considered by the Council, and now allowing the public to call in or appear via zoom and testify live. The County Office of Law has opined that the public access provided by this technology makes this virtual meeting reasonably accessible to the public, as required by the OMA.

The Office of Law has also reviewed whether, with these technological features in place, it is still necessary to suspend Council Rules 3-105 and 3-106 that require public participation and reasonable seating for the public and the media. The conclusion is that it is not necessary to suspend these rules, for the same reason they have concluded that the measures implemented by the Council for virtual meetings satisfy the reasonable accessibility requirement under the OMA. The virtual format of the meetings allows public participation and media access, as required by the

Rules, and also allows unlimited participation that is not subject to seat capacity limits in the chambers or in the building. For these reasons, they have concluded that the requirements of Rules 3-105 and 3-106 are being satisfied and therefore it is not necessary to waive these rules.

Council has also asked whether it is necessary to suspend Rule 3-102 and 3-103, which require the meeting to be held at the County seat. In 2013, at the request of the Council, the OOL opined that a councilmember who was appearing at a meeting via a live video monitor would satisfy the venue requirement through virtual presence. It is noted that the Administrative Officer to the Council controls the hearing and is present in the Arundel Center during meetings, and the virtual meeting is hosted by the Assistant Admin Officer from a location in Annapolis. Those factors support the OOL's conclusion that the meetings are being held at the County seat and therefore it is not necessary to suspend Rules 3-102 and 3-103.

ETHICS STATEMENT

JoAnne Gray, Administrative Officer, stated that under certain circumstances, members of the public may qualify as lobbyists when they testify before the County Council. If so, the law requires that certain information be filed with the Ethics Commission. The Chairman of the Ethics Commission has asked that those who wish to testify in any form review the General Information on Lobbying sheet located on the Ethics Web Site under Forms and Publications. If there are any questions about lobbying requirements, please contact the Ethics Commission at 410-222-4413.

INVITATION TO AUDIENCE

The Administrative Officer stated there no submissions of written public testimony received for Invitation to Audience.

The following person spoke:

John Jasen, Pasadena, thanked the County staff for their operation during the pandemic and spoke of a Resolution supporting the actions of the County Executive during the pandemic.

There was no one else present who wished to speak.

ITEMS NOT ON THE AGENDA

There were no items not on the agenda.

PRELIMINARY MOTION

On motion of Mr. Pruski, seconded by Ms. Pickard, the Council voted that the partial reading of any bill, resolution, minutes, or amendment constitutes the reading of the whole.

APPROVAL OF MINUTES

On motion of Ms. Pickard, seconded by Mr. Pruski, the minutes of December 21, 2020, were approved as presented.

INTRODUCTION OF BILLS

BILL NO. 1-21 – AN ORDINANCE concerning: Purchasing – Value of Purchases Requiring Full Competitive Procurement Process – FOR the purpose of increasing the value of capital and non-capital purchases and contracts requiring a full competitive procurement process from \$50,000 to \$100,000; increasing the minimum value of an expedited procurement from \$50,000 to \$100,000; and generally relating to purchasing.
by Ms. Lacey, Chair
(by request of the County Executive)

BILL NO. 2-21 – AN ORDINANCE concerning: Zoning – Bird Sanctuaries – FOR the purpose of defining “bird sanctuary”; allowing bird sanctuaries as a conditional use in RA and RLD residential zoning districts; adding the conditional use requirements for bird sanctuaries; and generally relating to zoning.
by Ms. Haire

BILL NO. 3-21 – AN ORDINANCE concerning: General Provisions – Civil Emergencies – FOR the purpose of prohibiting the County from enforcing conditions imposed in connection with the proclamation of an emergency that are more restrictive than conditions imposed by the State in connection with a proclamation of emergency unless authorized by ordinance adopted by the affirmative vote of five members of the County Council; and generally relating to civil emergencies.
by Ms. Fiedler

BILL NO. 4-21 – AN EMERGENCY ORDINANCE concerning: Proclamation of Civil Emergency in Anne Arundel County – Termination – FOR the purpose of terminating the extension of the proclamation of a civil emergency established by Bill No. 24-20; and making this Ordinance an emergency measure.
by Mr. Volke

INTRODUCTION OF RESOLUTIONS

RESOLUTION NO. 1-21 – RESOLUTION approving the continued service of Anne Budowski as Acting Personnel Officer
by Ms. Lacey, Chair
(by request of the County Executive)

RESOLUTION NO. 2-21 – RESOLUTION appointing a member to the Anne Arundel County Ethics Commission
by Ms. Lacey, Chair
(by request of the County Executive)

RESOLUTION NO. 3-21 – RESOLUTION approving the appointment of a Severn River Commission member
by Ms. Lacey, Chair
(by request of the County Executive)

RESOLUTION NO. 4-21 – RESOLUTION approving Anne Arundel County's 2021 Financial Assurance Plan for compliance with the National Pollutant Discharge Elimination Phase I Municipal Separate Storm Sewer System Permit
by Ms. Lacey, Chair
(by request of the County Executive)

PUBLIC HEARINGS AND CALL OF BILLS FOR FINAL READING AND VOTE

BILL NO. 105-20

The Chairman called for the public hearing on Bill No. 105-20, An Ordinance concerning: Finance, Taxation, and Budget – Real Property Taxes – Tax Credits – Disabled Veterans and Their Surviving Spouses – For the purpose of defining certain terms; establishing a real property tax credit for disabled veterans and their surviving spouses; establishing eligibility criteria for the credit; providing for the calculation and duration of the credit; establishing a deadline for filing for the credit and the form of application for the credit; providing for the termination of the credit; and generally relating to finance, taxation, and budget; and the Administrative Officer read the title.

Ms. Haire, Co-Sponsor, stated this legislation had been brought to her by a constituent who was following enabling legislation at the State level. There is not currently an exemption for a Veteran who is less than 100 percent disabled. During the last State of Maryland legislative session there was bipartisan support of bills which allows the counties to allow property tax credits for disabled Veterans who were at least 50 percent disabled up to the 100 percent disability. This bill tracks the State legislation and uses much of the same language. There are some limitations including that the disability must be a service-related disability, there is a cap on their income, they have to own the property they are living in, and different levels for the amount of the credit based on the percentage of the disability. Ms. Haire stated she thought this was a way to recognize the efforts of Veterans on our behalf.

Pete Baron, Director of Government Affairs, was accompanied by Hujia Hasim, Budget Office, Karin McQuade, Controller, and Kelly Kenney, Office of Law, stated the Administration is comfortable with the bill. He stated it is a policy decision to implement this in Anne Arundel County. The burden of this tax credit will be spread evenly over the tax base. It is not a major fiscal hit. He stated they are not sure how many people will apply for this credit. He noted that the Auditor had stated it could be as high as 3,000 individuals. He stated these individuals will have to go through a significant verification process. This process will increase the workload of the County's Finance Department staff.

Mr. Baron stated that this is a positive step for the County's veterans and they should expect a timely response to their application for this credit and for it to be processed accurately. However, this will require added Finance Department staff. He stated that as noted in the Auditor's blue note the Council should expect as many as two new positions to handle the increased workload in the next budget.

Mr. Baron stated that the bill provides that the surviving spouse of a veteran would be eligible for the credit for an additional five years beyond the original five year credit period if the veteran passes away while receiving the credit. The credit then can be received for nine plus years. To be qualified for the continuing credit the veteran must be receiving the credit when they pass

away. If the original five years has passed, the surviving spouse would not be eligible for the continuing credit.

Ms. Lacey asked if the County Executive would be putting two new positions in the budget.

Mr. Baron stated they would be looking at it holistically and would probably be adding the positions.

Ms. Pickard asked about the surviving spouse benefit and if the Sponsors want the bill to read like that.

Ms. Kenney stated that this is how the Code will handle the process.

Linda Schuett, Legislative Counsel, stated this is how these credits work. This was the intention of the drafting process.

Ms. Haire stated they wanted to be sure that if the credit was being received and the veteran passed away, their spouse would not have the additional burden of an immediate increase in the property tax, and would have the additional time.

The Administrative Officer stated there were no submissions of written testimony on Bill No. 105-20.

There was no one present who wished to speak, and the hearing was concluded.

Ms. Haire stated though there were no submissions of written testimony the Councilmembers had all received an email from a post commander in South County in support of the bill.

Ms. Lacey stated she thought they should consider holding the bill until the next Council meeting to be sure there were no amendments needed to clarify any questions.

On motion of Ms. Lacey, seconded by Ms. Haire, the motion to hold the bill until January 19, 2021, was defeated by the following roll call vote:

Aye – Ms. Lacey

Nay – Ms. Rodvien, Ms. Haire, Ms. Pickard, Mr. Volke, Mr. Pruski, Ms. Fiedler

The Chairman called Bill No. 105-20, An Ordinance concerning: Finance, Taxation, and Budget – Real Property Taxes – Tax Credits – Disabled Veterans and Their Surviving Spouses; and the Administrative Officer read a portion of the title.

Bill No. 105-20 was passed by the following roll call vote:

Aye – Ms. Rodvien, Ms. Haire, Ms. Pickard, Mr. Volke, Mr. Pruski, Ms. Fiedler

Nay – Ms. Lacey

BILL NO. 106-20

The Chairman called for the public hearing on Bill No. 106-20, An Ordinance concerning: Purchasing – Procurement – Transitioning the County’s Vehicle Fleet to Hybrid and Zero-emission Vehicles – For the purpose of transitioning to County vehicles that are hybrid or zero-emission vehicles in certain circumstances; defining “hybrid vehicle” and “zero-emission vehicle”; establishing certain deadlines to complete the transition; establishing a reporting requirement; requiring a long-term plan by a certain date; and generally relating to purchasing; and the Administrative Officer read the title.

Ms. Rodvien, Co-Sponsor, stated that the pandemic has been our primary focus in the last year. She stated there is another opportunity to act locally to improve climate and climate change. She stated there is little they can do to impact the entire world, but they can do so on a local level.

Ms. Rodvien thanked Matt Johnston for his assistance in crafting this legislation and described the bill. She stated the County will be in a position to purchase electric and hybrid vehicles. Time will be needed to make the transition, including infrastructure and mechanics who are familiar with working on these types of vehicles. By the year 2035 the County will only be purchasing electric, hybrid or new technology vehicles that will have zero emissions.

Ms. Rodvien stated this bill will give the County time to make the finances for these purchases work due to the current situation with funding for purchases being limited. In the long run this should be a cost savings because the cost of lithium batteries is coming down. Her research states that by 2024 these cars will be less expensive than combustion engines.

Pete Baron, Director, Government Affairs, accompanied by Matt Johnston, Environmental Policy Officer, Christine Romans, Director, Central Services, Ellie Harris, Purchasing, and Lori Blair Klasmeier, Senior County Legislative Attorney, stated the County Executive has worked hard to get to the end goal of a cleaner fleet. They fully support the bill.

Ms. Haire stated she liked the policy idea but wondered how it would be implemented. She asked if there was any thought given to getting the plan in place first and then to begin the purchases so that infrastructure was in place prior to the first purchase.

Mr. Johnston stated the bill builds off of a memo issued by the County Executive over the summer stating that they should start working on this issue immediately. We have begun working on efforts to purchase pilot vehicles over the next few years, which would not require replacement of fueling stations with charging stations at this point.

Ms. Romans stated they are working on these issues and are looking at hybrid cars. The planning period for hybrid cars is shorter than for electric cars which would require charging stations. The planning period is approximately two years, but will go by quickly. They will be asking for funds in the capital budget to help fund the planning process. She stated that the plan not being fully written first does not mean they can’t take intermediate steps.

Ms. Fiedler asked about the cost savings aspect and where the savings come in.

Susan Smith, County Auditor, stated that the costs in her blue letter include purchase and maintenance. The cost savings is in the maintenance and fuel. At this point they cost more to purchase.

Ms. Rodvien stated the cost savings is difficult to determine because they don't know what the purchase costs will actually be. As technology improves the costs generally goes down. They do not know when the cost savings will kick in. Some savings such as fuel and maintenance costs are immediate.

Mr. Johnston stated that the cost difference will be spread out over time as vehicles are replaced. They expect to reach price parity in 2024. The reason that the County Executive decided to start this process this summer is that there are grants for localities that are doing this switch. The grants look at the costs of purchasing the vehicles versus the costs of replacing with combustion engine cars and offset the difference in that cost.

Mr. Volke asked if there was anything in the County Code that prohibits Central Services from purchasing hybrid vehicles at this point.

Ms. Romans stated there is not.

Mr. Volke asked if the electric or hybrid car is less expensive than a combustion car in 2024, would the County be required to purchase them at that point.

Ms. Romans stated it depends on how the procurement is requested. They currently can do either best value or lowest price. They currently do lowest price for vehicle purchases. If other factors such as training are included, that could change.

Ms. Pickard asked if the County generally pays MSRP for vehicles.

Ms. Romans stated that MSRP is generally reserved for residential purchase. The County purchases fleet vehicles so the costs are generally lower.

Ms. Fiedler stated she likes the policy idea. She noted that the highest amount of vehicles currently in use is in the Police Department. She asked if there is a priority list for who would receive the cars first, and if the Police Chief would be included in any communication for replacement of their fleet. She stated she wants to be sure the cars meet their operational needs.

Ms. Romans stated they are procuring their first hybrid vehicles for the Police Department because the market has put something together for that. They want to be sure they are ready to go and they will test them. Their goal is to ensure officer safety. If they do not work, that will be a mission decision that they will have to be alright with.

Mr. Volke asked about the "shall" clause in the bill and asked if that means that the department, when replacing vehicles, must purchase these cars even if they are more expensive.

Ms. Romans stated the decision on purchases is not made on the department level, but on a macro level taking many things into consideration. This bill will codify policy. They want future

generations of central services officers to follow the policy. There may be reasons why they can't pursue electric or hybrid cars immediately, such as technological or operational concerns.

Ms. Rodvien stated this bill will shift the default from internal combustion to electric or hybrid. If those meet the mission of the department, then the default position would be to purchase one of those. If not, then they will purchase the auto that meets their requirements.

The Administrative Officer stated there was one submissions of written public testimony received on Bill No. 106-20, which was shared with the Council and posted on the County Council website.

The following persons spoke on Bill No. 106-20:

Timothy Grooms, Glen Burnie

There was no one else present who wished to speak, and the hearing was concluded.

The Chairman called Bill No. 106-20, An Ordinance concerning: Purchasing – Procurement – Transitioning the County's Vehicle Fleet to Hybrid and Zero-emission Vehicles; and the Administrative Officer read a portion of the title.

Mr. Volke asked if there was an RFP that clearly stated electric or hybrid car purchase, would an internal combustion engine even be considered.

Ms. Romans stated that the RFP needs to clearly state what type of purchase they are looking for. It must be written clearly in the procurement.

There was continued discussion on RFP processes and procedures.

Mr. Johnston stated that the memo from the summer requires Central Services to provide an annual report outlining costs and cost savings, infrastructure, etc., which makes the plan flexible moving forward.

Ms. Rodvien stated with environmental policy there are benefits that are not necessarily quantifiable with dollar amounts. Cost is important but we are within a few years of cost parity. She stated it is important that the policy achievements are also important. She stated there is flexibility in the policy to achieve technological and operational goals.

Mr. Volke asked what was going to change in passing this bill since the County Executive has already issued an Executive Order.

Ms. Rodvien stated this bill will extend this policy into the future beyond the term of the current County Executive.

Mr. Johnston also stated that the codification will also help when they go out for the grant process, that the policy is not just an Executive Order, but is written into the County Code.

Ms. Pickard stated that is what is done whenever a bill is passed, it is put into the County Code to codify the will of the current County Council.

Mr. Pruski stated it is a policy decision as to if the County wants to change their procurement process to include this as part of it.

Mr. Volke stated he found this bill to be redundant to what the County Executive has already done. He stated he supports the concept, but will not support the bill.

Bill No. 106-20 was passed by the following roll call vote:

Aye – Ms. Rodvien, Ms. Haire, Ms. Lacey, Ms. Pickard, Ms. Pruski, Ms. Fiedler
Nay – Mr. Volke

ADJORNMENT

There being no further business, on motion of Mr. Pruski, seconded by Ms. Pickard, the meeting adjourned at 7:26 P.M.

The Chairman stated that the next Council meeting will be on Tuesday, January 19, 2021.

Respectfully submitted,

by Susan F. Cline

for JoAnne Gray
Administrative Officer

PROPOSED

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2021, Legislative Day No. 2

Bill No. 5-21

Introduced by Ms. Lacey, Chair
(by request of the County Executive)

By the County Council, January 19, 2021

Introduced and first read on January 19, 2021
Public Hearing set for February 16, 2021
Bill Expires April 24, 2021

By Order: JoAnne Gray, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Current Expense Budget – Board of Education –
2 Supplementary Appropriation and Transfer of Funds
3

4 FOR the purpose of transferring appropriations of funds between major categories in the
5 Local Education Fund for the current fiscal year; making supplementary appropriations
6 from unanticipated revenues to the Local Education Fund for the current fiscal year;
7 and generally relating to transferring appropriations of funds and making
8 supplementary appropriations to the current expense budget for the fiscal year ending
9 June 30, 2021.
10

11 BY amending: Current Expense Budget
12

13 WHEREAS, under Section 712 of the Charter, upon the recommendation of the
14 County Executive, the County Council may make supplementary appropriations
15 from revenues received from anticipated sources but in excess of budget estimates
16 and from revenues received from sources not anticipated in the budget for the
17 current fiscal year, provided that the Controller shall first certify in writing that such
18 funds are available for appropriation; and
19

20 WHEREAS, § 5-105(a) of the Education Article of the Annotated Code of
21 Maryland, requires that all revenues received by the Board of Education be spent
22 in accordance with the major categories of its annual budget as provided under § 5-
23 101 of the Education Article, and § 5-105(b) of the Education Article requires that
24 transfers between major categories be approved by the County Council; and
25

26 WHEREAS, the County Executive has recommended the transfer and
27 supplementary appropriation of certain funds, and the Controller has certified in
28 writing that such funds are available for appropriation; now, therefore,

1 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*
2 That the Current Expense Budget for the fiscal year ending June 30, 2021, is hereby
3 amended by making supplementary appropriations of revenues received from sources not
4 anticipated in the budget and from revenues received from anticipated sources in excess of
5 budget estimates in the Local Education Fund as follows:

6
7 Federal, State, and Local Restricted Funds \$ 7,359, 900
8

9 SECTION 2. *And be it further enacted,* That the Current Expense Budget for the fiscal
10 year ending June 30, 2021, is hereby amended by transferring funds from the below-listed
11 account in the Local Education Fund in the amount set forth:

12
13 Special Education \$ 1,277,300
14

15 SECTION 3. *And be it further enacted,* That the Current Expense Budget for the fiscal
16 year ending June 30, 2021, is hereby amended by making supplementary appropriations of
17 such funds and by transferring such funds as enumerated in Sections 1 and 2 of this
18 Ordinance to the below-listed accounts in the Local Education Fund in the respective
19 amounts set forth:

20
21 (1) Administration \$ 102,800
22 (2) Mid-Level Administration \$ 199,200
23 (3) Instructional Salaries and Wages \$ 559,600
24 (4) Textbooks & Classroom Supplies \$ 3,393,900
25 (5) Other Instructional Costs \$ 2,617,700
26 (6) Pupil Transportation \$ 144,500
27 (7) Operation of Plant \$ 1,171,400
28 (8) Fixed Charges \$ 288,100
29 (9) Community Services \$ 160,000
30

31 SECTION 4. *And be it further enacted,* That this Ordinance shall take effect from the
32 date it becomes law.

**ANNE ARUNDEL COUNTY, MARYLAND
OFFICE OF THE BUDGET**

BILL NUMBER: 5-21

INTRO. DATE: January 19, 2021

FISCAL NOTE

**BILL: AN ORDINANCE CONCERNING: CURRENT EXPENSE BUDGET –
BOARD OF EDUCATION – SUPPLEMENTARY APPROPRIATION AND
TRANSFER OF FUNDS**

SUMMARY OF LEGISLATION

The purpose of this legislation is to recognize \$7,359,900 of Federal, State, and Local restricted funds for the Board of Education and increase appropriations by a like amount. This legislation also transfers \$1,277,300 of appropriation between categories within the Local Education Fund.

FISCAL IMPACT

Section 1 of this bill recognizes \$7,359,900 of Federal, State, and Local restricted funds, and section 2 of this bill decreases an appropriation by \$1,277,300. Section 3 of this bill appropriates the supplementary and transferred funds from sections 1 and 2 of the bill. **Exhibit 1** summarizes all appropriations and transfers made in this bill.


Chris Trumbauer
Budget Officer

1/13/2021

Date

Exhibit 1		
Supplementary Appropriations and Fund Transfers		
<u>Category</u>	<u>Amount</u>	<u>Total</u>
<i>Section 1: Additional Revenue</i>		
Federal, State, and Local Restricted Funds	\$7,359,900	
Section 1 Total		\$7,359,900
<i>Section 2: Appropriation Decrease</i>		
Special Education	\$1,277,300	
Section 2 Total		\$1,277,300
Total Funds Available		\$8,637,200
<i>Section 3: Appropriation Increases</i>		
Administration	\$102,800	
Mid-Level Administration	\$199,200	
Instructional Salaries and Wages	\$559,600	
Textbooks and Instructional Supplies	\$3,393,900	
Other Instructional Costs	\$2,617,700	
Pupil Transportation	\$144,500	
Operation of Plant	\$1,171,400	
Fixed Charges	\$288,100	
Community Services	\$160,000	
Total Appropriation Increase		\$8,637,200

CERTIFICATION OF FUNDS

In accordance with the Anne Arundel County Charter, Section 712, I certify that such funds are available for appropriation.

	<u>1/13/21</u>
Karin McQuade	Date
Controller	

Prepared by: Steven Theroux
Reviewed by: Hannah Dier

PROPOSED

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2021, Legislative Day No. 2

Bill No. 6-21

Introduced by Ms. Lacey, Chair
(by request of the County Executive)

By the County Council, January 19, 2021

Introduced and first read on January 19, 2021
Public Hearing set for February 16, 2021
Bill Expires April 24, 2021

By Order: JoAnne Gray, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Mil-Bur Special Community Benefit District – Approval
2 of Loan and Assignment Agreement
3

4 FOR the purpose of obligating the County to levy the special tax known as the special
5 community benefit assessment on the Mil-Bur Special Community Benefit District in
6 an amount sufficient to repay a loan from Sandy Spring Bank to the Mil-Bur Club, Inc.,
7 in each of five (5) fiscal years during the term of the loan.
8

9 WHEREAS, the Mil-Bur Special Community Benefit District has been duly
10 formed and created, pursuant to procedures set forth in Anne Arundel County Code,
11 Article 4, Title 7; and
12

13 WHEREAS, pursuant to § 4-7-204(uu)(2) of the Anne Arundel County Code, the
14 purposes of the Mil-Bur Special Community Benefit District include “acquiring,
15 maintaining, operating, and improving all community real and personal property
16 and facilities, and defraying the administrative costs necessary to accomplish this
17 purpose, including the repayment of any loan, interest thereon, and any necessary
18 insurance costs”; and
19

20 WHEREAS, the Mil-Bur Club Inc. (the “Association”) is the civic or community
21 association that meets the requirements of § 4-7-101(d) that administers the
22 District; and
23

24 WHEREAS, the Association is entering into a loan agreement with Sandy Spring
25 Bank in the amount of \$117,000, with a term of five (5) years, to be used for a
26 bulkhead and pier replacement project (the “Loan”); and

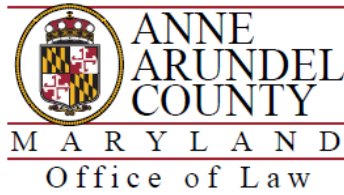
1 WHEREAS, to enable the Association to obtain the Loan from Sandy Spring Bank
2 by providing a source of funds for repayment of the Loan, the County is undertaking
3 the obligation set forth in this Ordinance; now, therefore,
4

5 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*
6 That the County shall be obligated to levy the special tax known as the special community
7 benefit assessment on the Mil-Bur Special Community Benefit District in an amount
8 sufficient to repay the Loan from Sandy Spring Bank to Mil-Bur Club Inc., in each of up
9 to five (5) fiscal years during the term of the Loan.
10

11 SECTION 2. *And be it further enacted,* That the County undertakes no obligation with
12 regard to the Loan except as expressly described in this Ordinance, is neither a co-obligor
13 nor guarantor of the Loan, and does not commit the full faith and credit of the County to
14 repayment of the Loan.
15

16 SECTION 3. *And be it further enacted,* That the County Executive is hereby authorized
17 to enter into such other and further agreements with the Association and Sandy Spring
18 Bank as are necessary to disburse directly to Sandy Spring Bank such amounts of the
19 special community benefit assessment levied on the Mil-Bur Special Community Benefit
20 District as are collected by the County and are necessary to repay the Loan consistent with
21 this Ordinance.
22

23 SECTION 4. *And be it further enacted,* That this Ordinance shall take effect 45 days
24 from the date it becomes law.



Gregory J. Swain, County Attorney

MEMORANDUM

To: Members, Anne Arundel County Council

From: Lori L. Blair Klasmeier, Deputy County Attorney /s/

Via: Gregory J. Swain, County Attorney /s/

Date: January 19, 2021

Subject: Bill No. 6-21 – Mil-Bur Special Community Benefit District – Approval of Loan and Assignment Agreement

Legislative Summary

This summary was prepared by the Anne Arundel County Office of Law for use by members of the Anne Arundel County Council during consideration of the attached bill, which would approve a loan and assignment agreement for the Mil-Bur Special Community Benefit District.

Purpose.

The purpose of the Bill is to approve the levy of the special community benefit district assessment necessary to repay a loan in the amount of \$117,000 from Sandy Spring Bank (the “Bank”) to Mil-Bur Club, Inc. (the “Association”), the community association responsible for administering the Mil-Bur Special Community Benefit District under § 4-7-204(uu) of the County Code, to fund a bulkhead and pier construction project.

Background.

The purposes of the Mil-Bur Special Community Benefit District include “acquiring, maintaining, operating, and improving all community real and personal property and facilities, and defraying the administrative costs necessary to accomplish this purpose, including the repayment of any loan, interest thereon, and any necessary insurance costs”. To fund the reconstruction of a bulkhead and pier, the Association sought and has a commitment for a loan from the Bank in the amount of \$117,000, plus closing costs, for a term of 5 years (the “Loan”). Interest is at the rate of 4.38% per annum.

Note: This Legislative Summary provides a synopsis of the bill as introduced. It does not address subsequent amendments to the bill.

Security for the Loan is, essentially, a lien on the special community benefit district assessments collected within the Mil-Bur Special Community Benefit District. The Bank is requiring a “[a]pproval of the Anne Arundel County Council passing enabling legislation for the project, special assessment and the Mil-Bur Club Inc. budget line item.”

The County is not contracting with the Bank, is not obligated to repay the Loan with general County funds, and is not pledging the full faith and credit of the County for the repayment of the Loan. The County Council must approve all loans taken by the administering entities of special taxing districts that require the pledge of County-collected special tax revenues beyond the immediate fiscal year as collateral for the Loan.

County law requires annual budgeting and tax levies for special taxing districts, including special community benefit districts. The bill authorizes the County to levy the special community benefit district tax in an amount sufficient to repay the Loan in each fiscal year during the term of the Loan in which a payment is due on the Loan. It also requires the Association to budget annually for repayment of the Loan in those fiscal years. Even if the Association fails to submit a budget in any fiscal year during the term of the Loan, the Council will be obligated to assess to make the Loan payment during that fiscal year.

The County is requiring the Association to enter into an Agreement, a draft of which is attached, whereby the Association assigns its rights to receive the special community benefit district assessment collections designated for repayment of the Loan to the Bank. This Agreement obligates the Association to comply with all relevant provisions of the County Code related to special community benefit districts, including the submission and approval of annual budgets. The Agreement makes it clear that the County is not a creditor of the Association, is not a party to the Loan, does not pledge the full faith and credit of the County for the repayment of the Loan, and is otherwise under no contractual or moral obligation to remit any funds to the Bank other than those special community benefit district assessments collected by the County from owners of property within the Mil-Bur Special Community Benefit District that are budgeted, appropriated, and encumbered for repayment of the Loan.

SECTION 1 of the bill provides that the County will levy the special tax known as the waterways improvement assessment in an amount sufficient to repay the Loan in each fiscal year during the entire term of the Loan.

SECTION 2 provides that the County undertakes no obligations with regard to the Loan other than as set forth in Section 1, that the County is not a co-obligor or a guarantor of the Loan, and that the County does not pledge the full faith and credit of the County to repay the Loan.

SECTION 3 authorizes the County Executive to enter into such further agreements necessary to disburse the collected special community benefit district assessments directly to the Bank for repayment of the Loan.

SECTION 4 provides that the Bill takes effect 45 days after it becomes law.

The Office of Law is available to answer any additional questions regarding this bill.
Thank you.

cc: Honorable Steuart Pittman, County Executive
Kai Boggess-deBruin, Chief of Staff
Matthew Power, Chief Administrative Officer
Peter Baron, Legislative Liaison
Chris Trumbauer, Acting Budget Officer

**ANNE ARUNDEL COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE**

BILL NUMBER: 6-21

INTRO. DATE: January 19, 2021

FISCAL NOTE

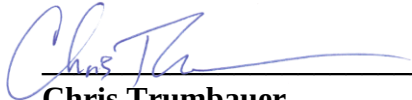
**BILL: AN ORDINANCE CONCERNING – MIL-BUR SPECIAL COMMUNITY
BENEFIT DISTRICT – APPROVAL OF LOAN AND ASSIGNMENT
AGREEMENT**

SUMMARY OF LEGISLATION

The purpose of this legislation is to provide the authority for the County to levy the special tax known as the special community benefit assessment on Mil-Bur Special Community Benefit District in an amount sufficient to repay a loan of \$117,000 from Sandy Spring Bank during the five-year term of the loan.

FISCAL IMPACT

The costs that the County will incur in administering the Mil-Bur Special Community Benefit District multi-year payment of the loan will be offset by the administrative fee charged when taxes are collected.



Chris Trumbauer
Budget Officer

1/13/2021

Date

Prepared by: Janae Moulden
Reviewed by: Hannah Dier

cc: Karin McQuade, Controller

PROPOSED

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2021, Legislative Day No. 2

Bill No. 7-21

Introduced by Ms. Pickard and Mr. Pruski

By the County Council, January 19, 2021

Introduced and first read on January 19, 2021
Public Hearing set for February 16, 2021
Bill Expires April 24, 2021

By Order: JoAnne Gray, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Zoning – Housing for the Elderly of Moderate Means –
2 Live-in Caretakers

3
4 FOR the purpose of allowing housing for the elderly of moderate means to include a live-
5 in caretaker who is under the age of 62 for a resident with a disability; and generally
6 relating to zoning.
7

8 BY repealing and reenacting, with amendments: § 18-10-134(1)(i)
9 Anne Arundel County Code (2005, as amended)

10
11 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*
12 That Section(s) of the Anne Arundel County Code (2005, as amended) read as follows:

13 ARTICLE 18. ZONING

14 TITLE 10. REQUIREMENTS FOR CONDITIONAL USES

15 16 17 18 **18-10-134. Housing for the elderly of moderate means.**

19
20 Housing for the elderly of moderate means shall consist of rental units only and shall
21 comply with all of the following requirements.
22

23 (1) The property shall be encumbered by a recorded deed restriction that:

24
25 (i) requires the units to be occupied by individuals who are 62 years of age or
26 older, EXCEPT THAT A LIVE-IN CAREGIVER WHO IS LESS THAN 62 YEARS OF AGE IS

EXPLANATION: CAPITALS indicate new matter added to existing law.
[[Brackets]] indicate matter repealed from existing law.
Captions and taglines in **bold** in this bill are catchwords and are not law.

1 ALLOWED FOR A RESIDENT WITH A DISABILITY THAT MEETS THE DEFINITION OF A
2 DISABILITY UNDER 42 U.S.C. § 12102;
3

4 SECTION 2. *And be it further enacted*, That this Ordinance shall take effect 45 days
5 from the date it becomes law.



LEGISLATIVE SUMMARY*

To: All Councilmembers of the Anne Arundel County Council

From: Linda M. Schuett, Legislative Counsel

Date: January 19, 2021

Subject: Bill No. 7-21

Existing law requires that a property developed as rental housing for the elderly of moderate means be encumbered by a deed restriction that requires the units to be occupied by individuals who are 62 years of age or older. *See* § 18-10-132(1)(i). The plain language of the law does not allow for a live-in caregiver under the age of 62 for a disabled resident in need of full-time care.

Bill No. 7-21 adds an exception. It allows a live-in caregiver under the age of 62 if the resident has a “disability,” as defined in 42 U.S.C. § 12102. Under 42 U.S.C. § 12102, “disability” means a physical or mental impairment that substantially limits one or more major life activities of the individual or has a record of impairment or is regarded as having an impairment. “Major life activities” include caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working. An individual meets the requirement of “being regarded as having such an impairment” if the individual has been subjected to a prohibited action under the law because of an actual or perceived physical or mental impairment, whether or not the impairment limits or is perceived to limit a major life activity. For additional nuances, *see* 42 U.S.C. § 12102.

* This Legislative Summary provides a synopsis of the bill as introduced. It does not address subsequent amendments to the bill.

PROPOSED

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2021, Legislative Day No. 2

Bill No. 8-21

Introduced by Ms. Fiedler

By the County Council, January 19, 2021

Introduced and first read on January 19, 2021
Public Hearing set for February 16, 2021
Bill Expires April 24, 2021

By Order: JoAnne Gray, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Construction and Property Maintenance Codes
2 Supplement – Permits – Residential Piers and Riparian Rights
3

4 FOR the purpose of requiring an application for construction of a residential pier to include
5 a certain certification of ownership of riparian rights; and generally relating to
6 construction and property maintenance codes.
7

8 BY repealing and reenacting, with amendments: Construction Code, Chapter 1, § 105.3.1
9 Anne Arundel County Construction and Property Maintenance Codes Supplement,
10 October 1, 2005 (as amended)
11

12 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*
13 That the Anne Arundel County Construction and Property Maintenance Codes
14 Supplement, October 1, 2005 (as amended) read as follows:
15

16 ANNE ARUNDEL COUNTY
17 CONSTRUCTION AND PROPERTY MAINTENANCE CODES SUPPLEMENT
18 October 1, 2005
19

20 CONSTRUCTION CODE
21 Chapter 1
22

23 Construction Code Administrative Provisions
24

25 Section 105

EXPLANATION: CAPITALS indicate new matter added to existing law.
[[Brackets]] indicate matter deleted from existing law.
Captions and taglines in **bold** in this bill are catchwords and are not law.

Permits

105.3 Application for permit. To obtain a permit, the applicant shall first file an application in writing on a form furnished by the Department for that purpose.

105.3.1 Such application shall:

105.3.1.1 Identify and describe the work to be covered by the permit for which application is made;

105.3.1.2 Describe the land on which the proposed work is to be done by legal description, street address, or similar description that will readily identify and definitely locate the proposed building or work;

105.3.1.3 Indicate the use and occupancy for which the proposed work is intended;

105.3.1.4 Be accompanied by construction documents and other information as required in Section 106;

105.3.1.5 State the valuation of the proposed work;

105.3.1.6 Be signed by the owner, or the owner's authorized agent; ~~[[and]]~~

105.3.1.7 IF THE APPLICATION IS FOR CONSTRUCTION OF A RESIDENTIAL PIER, INCLUDE A CERTIFICATION THAT THE APPLICANT OWNS RIPARIAN RIGHTS AND THAT THE COMMUNITY IN WHICH THE PROPERTY IS LOCATED DOES NOT OWN RIPARIAN RIGHTS FOR THE SUBJECT LOT, OR ANY LAND, LOTS, OR PARCELS ABUTTING THE SUBJECT LOT, AND SHALL INCLUDE COPIES OF ANY RECORDED INSTRUMENTS SUPPORTING THE CERTIFICATION; AND

~~[[105.3.1.7]]~~ **105.3.1.8** Give such other data and information as required by the Code Official.

SECTION 2. *And be it further enacted,* That this Ordinance shall take effect 45 days from the date it becomes law.

PROPOSED

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2021, Legislative Day No. 2

Bill No. 9-21

Introduced by Ms. Fiedler

By the County Council, January 19, 2021

Introduced and first read on January 19, 2021
Public Hearing set for February 16, 2021
Bill Expires April 24, 2021

By Order: JoAnne Gray, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Civil Emergencies – Duration

2
3 FOR the purpose of authorizing extensions the seven-day duration of a proclamation of a
4 civil emergency or an executive order by up to 45 days; providing that any additional
5 extensions may not exceed a duration of 45 days; and generally relating to civil
6 emergencies.
7

8 BY repealing and reenacting, with amendments: § 1-6-104
9 Anne Arundel County Code (2005, as amended)
10

11 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*
12 That Section(s) of the Anne Arundel County Code (2005, as amended) read as follows:
13

14 ARTICLE 1. GENERAL PROVISIONS

15 TITLE 6. CIVIL EMERGENCIES

16 1-6-104. Duration.

17
18 A proclamation of a civil emergency or an executive order ENTERED PURSUANT TO
19 THE PROCLAMATION may not be effective for more than seven days unless AN EXTENSION
20 OF UP TO 45 DAYS IS authorized by AN EMERGENCY ordinance enacted by the County
21 Council. ANY ADDITIONAL EXTENSIONS AUTHORIZED BY THE COUNTY COUNCIL MAY
22 NOT EXCEED 45 DAYS IN DURATION.
23
24

EXPLANATION: CAPITALS indicate new matter added to existing law.
[[Brackets]] indicate matter repealed from existing law.
Captions and taglines in **bold** in this bill are catchwords and are not law.

- 1 SECTION 2. *And be it further enacted*, That this Ordinance shall take effect 45 days
- 2 from the date it becomes law.

COUNTY COUNCIL OF

ANNE
ARUNDEL
COUNTY

M A R Y L A N D

LEGISLATIVE SUMMARY*

To: All Councilmembers of the Anne Arundel County Council

From: Linda M. Schuett, Legislative Counsel

Date: January 19, 2021

Subject: Bill No. 9-21

Existing § 1-6-104 of the Code provides that a proclamation of a civil emergency or an executive order is not effective for more than seven days unless authorized by ordinance adopted by the County Council. Existing law is silent as to the length of any extension.

Bill No. 9-21 limits the extension of a proclamation of a civil emergency or an executive order to 45 days beyond the seven-day period. The 45-day limitation applies to an initial extension and any subsequent extensions.

The Bill also requires that the ordinance be an emergency ordinance, thereby requiring the affirmative vote of five members of the County Council. Finally, the Bill makes it clear that § 1-6-104 does not apply to all executive orders. Rather, it applies only to those executive orders entered pursuant to the proclamation of a civil emergency.

* This Legislative Summary provides a synopsis of the bill as introduced. It does not address subsequent amendments to the bill.

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2021, Legislative Day No. 2

Resolution No. 5-21

Introduced by Ms. Lacey, Mr. Pruski, Ms. Rodvien, and Ms. Pickard

By the County Council, January 19, 2021

1 RESOLUTION condemning the insurrection at the U.S. Capitol Building on January
2 6, 2021, and urging the peaceful transition of power on Inauguration Day

3
4 WHEREAS, incited by President Donald J. Trump, on January 6, 2021, a mob
5 unlawfully breached the U.S. Capitol Building, injured law enforcement personnel,
6 defaced and destroyed public property, and menaced Members of Congress and the
7 Vice President as they sat in a Joint Session to certify the results of the November
8 2020 election; and

9
10 WHEREAS, those responsible for planning, aiding, and carrying out such actions
11 must be held responsible for their criminal acts; and

12
13 WHEREAS, elected officials are sworn to support the U.S. Constitution, to uphold
14 the law, and do their jobs to the best of their ability; now, therefore, be it

15
16 *Resolved by the County Council of Anne Arundel County, Maryland,* That it offers its
17 deepest condolences to the family of Capitol Police Officer Brian Sicknick, who gave his
18 life defending the Capitol, and applauds the other members of the U.S. Capitol Police who
19 faithfully carried out their duty to protect those who were lawfully inside the Capitol
20 Building from the rioters and insurrectionists; and be it further

21
22 *Resolved,* That it acknowledges and affirms the right of the people to peaceful means
23 of protest, as secured by the First Amendment to the U.S. Constitution; and be it further

24
25 *Resolved,* That it denounces the repeated, unchecked dissemination of misinformation,
26 conspiracy theories, and lies by President Donald J. Trump and his accomplices and
27 surrogates, in particular those intended to undermine public confidence in the certified
28 results of the November 2020 election, which he lost; and be it further

29
30 *Resolved,* That it condemns the intimidation, harassment, or threatening of any person
31 who is involved in any aspect of conducting and certifying a free and fair election, in an
32 attempt to change the outcome of that election, as well as the incitement and use of violence
33 to intimidate, harass, or threaten such persons or the public; and be it further

34
35 *Resolved,* That due to the President's egregious misconduct in undermining the election
36 results and inciting a violent insurrection, Donald J. Trump should be permanently
37 disqualified by Congress from holding any office of honor, trust, or profit under the United
38 States or any State; and be it further

1 *Resolved*, That it demands a peaceful transition of power to President-Elect Joseph R.
2 Biden and Vice President-Elect Kamala D. Harris on Inauguration Day, January 20, 2021,
3 to be followed by a thorough investigation and prosecutions of the insurrectionists as
4 advised by the new U.S. Attorney General; and be it further
5

6 *Resolved*, That a copy of this Resolution be sent to U.S. Senators Benjamin L. Cardin
7 and Chris Van Hollen; U.S. Representatives C. A. Dutch Ruppersberger III, John P.
8 Sarbanes, Anthony G. Brown, and Steny H. Hoyer; Senator Sarah K. Elfreth, Chair, Anne
9 Arundel County Senate Delegation to the General Assembly; and Delegate J. Sandy
10 Bartlett, Chair, Anne Arundel County House Delegation to the Maryland General
11 Assembly.

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2021, Legislative Day No. 2

Resolution No. 6-21

Introduced by Mr. Volke

By the County Council, January 19, 2021

1 RESOLUTION urging the Anne Arundel County Executive to increase capacity in
2 Religious Facilities

3
4 WHEREAS, on March 5, 2020, Maryland Governor Lawrence J. Hogan, Jr.
5 proclaimed a state of emergency and a catastrophic health emergency for the entire
6 State of Maryland pursuant to Title 14 of the Public Safety Article of the State
7 Code, due to the impending threat and continuing impact of the contagious disease
8 known as COVID-19; and

9
10 WHEREAS, the Governor's proclamation was has subsequently been renewed at
11 regular monthly intervals, and is still in effect; and

12
13 WHEREAS, by Executive Order No. 16 dated March 13, 2020, the Anne Arundel
14 County Executive proclaimed a civil emergency in Anne Arundel County, pursuant
15 to Article I, Title 6 of the Anne Arundel County Code (2005, as amended); and

16
17 WHEREAS, by Bill No. 24-20, the County Council extended the Proclamation of
18 Civil Emergency by the County Executive through April 4, 2020, or to the date the
19 civil emergency proclamation for the State of Maryland is approved to be renewed,
20 extended, or terminated by the Governor of Maryland or the Maryland General
21 Assembly; and

22
23 WHEREAS, by Executive Order No. 20-11-17-01 dated November 17, 2020
24 Governor Lawrence J. Hogan, Jr. proclaimed that Religious Facilities may open to
25 the general public, provided, however, that the total number of persons permitted
26 in a Religious Facility at any one time shall not exceed 50% of that Religious
27 Facility's Maximum Occupancy; and

28
29 WHEREAS, on January 13, 2021, the County Executive issued Executive Order
30 No. 41 that, among other things, directed that the total number of persons permitted
31 in a Religious Facility (as defined in the Governor's Executive Order No. 20-11-
32 17-01) at any one time shall not exceed 33% of that Religious Facility's Maximum
33 Occupancy and that a Religious Facility may hold outdoor services for recognized
34 religious holidays, with a gathering limit of no more than 250 persons, provided the
35 Facility requires strict adherence to the Mandatory Health and Safety Protocols;
36 and be it hereby

37
38 *Resolved by the County Council of Anne Arundel County, Maryland, That it urges the*
39 *County Executive to immediately rescind the portion of Executive Order No. 41 that limits*

1 Religious Facilities' capacity limits below those set forth in the Governor's Executive
2 Order No. 20-11-17-01, and allow Religious Facilities to operate with the capacity limits
3 set forth in the Governor's Executive Order No. 20-11-17-01; and be it further
4

5 *Resolved*, That a copy of this Resolution be sent to County Executive Steuart Pittman.

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2021, Legislative Day No. 2

Resolution No. 7-21

Introduced by Mr. Volke

By the County Council, January 19, 2021

1 RESOLUTION urging the Anne Arundel County Executive to permit alternative facial
2 coverings while inside Fitness Centers

3
4 WHEREAS, on March 5, 2020, Maryland Governor Lawrence J. Hogan, Jr.
5 proclaimed a state of emergency and a catastrophic health emergency for the entire
6 State of Maryland pursuant to Title 14 of the Public Safety Article of the State
7 Code, due to the impending threat and continuing impact of the contagious disease
8 known as COVID-19; and

9
10 WHEREAS, the Governor's proclamation was has subsequently been renewed at
11 regular monthly intervals, and is still in effect; and

12
13 WHEREAS, by Executive Order No. 16 dated March 13, 2020, the Anne Arundel
14 County Executive proclaimed a civil emergency in Anne Arundel County, pursuant
15 to Article I, Title 6 of the Anne Arundel County Code (2005, as amended); and

16
17 WHEREAS, by Bill No. 24-20, the County Council extended the Proclamation of
18 Civil Emergency by the County Executive through April 4, 2020, or to the date the
19 civil emergency proclamation for the State of Maryland is approved to be renewed,
20 extended, or terminated by the Governor of Maryland or the Maryland General
21 Assembly; and

22
23 WHEREAS, on January 13, 2021, the County Executive issued Executive Order
24 No. 41 that, among other things, requires that all staff and customers in a Fitness
25 Center (as defined in the Governor's Executive Order No. 20-11-17-01) shall wear
26 face coverings at all times and meet the Mandatory Health and Safety Protocols;
27 and be it hereby

28
29 *Resolved by the County Council of Anne Arundel County, Maryland, That it urges the*
30 *County Executive to immediately amend the portion of Executive Order No. 41 that*
31 *requires at all staff and customers shall wear face coverings at all times and allow for*
32 *alternative options for facial coverings, including but not limited facial shields, while inside*
33 *Fitness Centers; and be it further*

34
35 *Resolved, That a copy of this Resolution be sent to County Executive Steuart Pittman.*

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2021, Legislative Day No. 2

Resolution No. 8-21

Introduced by Mr. Volke

By the County Council, January 19, 2021

1 RESOLUTION urging the Anne Arundel County Executive to increase capacity for
2 Fitness Centers to 50%

3
4 WHEREAS, on March 5, 2020, Maryland Governor Lawrence J. Hogan, Jr.
5 proclaimed a state of emergency and a catastrophic health emergency for the entire
6 State of Maryland pursuant to Title 14 of the Public Safety Article of the State
7 Code, due to the impending threat and continuing impact of the contagious disease
8 known as COVID-19; and

9
10 WHEREAS, the Governor's proclamation was has subsequently been renewed at
11 regular monthly intervals, and is still in effect; and

12
13 WHEREAS, by Executive Order No. 16 dated March 13, 2020, the Anne Arundel
14 County Executive proclaimed a civil emergency in Anne Arundel County, pursuant
15 to Article I, Title 6 of the Anne Arundel County Code (2005, as amended); and

16
17 WHEREAS, by Bill No. 24-20, the County Council extended the Proclamation of
18 Civil Emergency by the County Executive through April 4, 2020, or to the date the
19 civil emergency proclamation for the State of Maryland is approved to be renewed,
20 extended, or terminated by the Governor of Maryland or the Maryland General
21 Assembly; and

22
23 WHEREAS, by Executive Order No. 20-11-17-01 dated November 17, 2020
24 Governor Lawrence J. Hogan, Jr. proclaimed that Fitness Centers may open to the
25 general public provided that the total number of persons permitted in a Fitness
26 Center at any one time shall not exceed 50% of that Fitness Center's Maximum
27 Occupancy; and

28
29 WHEREAS, on January 13, 2021, the County Executive issued Executive Order
30 No. 41 that, among other things, requires that Fitness Centers (as defined in the
31 Governor's Executive Order No. 20-11-17-01) may not allow sports or sports
32 practices but may conduct classes or group fitness activities provided said activities
33 are held in a space that provides at least 150 square feet per participant and the total
34 number of persons permitted in a Fitness Center at any one time shall not exceed
35 25% of that Fitness Center's Maximum Occupancy; and

36
37 *Resolved by the County Council of Anne Arundel County, Maryland, That it urges the*
38 *County Executive to immediately rescind the portion of Executive Order No. 41 that limits*
39 *the total number of persons permitted in a Fitness Center (as defined in the Governor's*

1 Executive Order No. 20-11-17-01) at any one time to 25% of that Fitness Center's
2 Maximum Occupancy and allow Fitness Centers to operate with the capacity limits set
3 forth in the Governor's Executive Order No. 20-11-17-01; and be it further
4

5 *Resolved*, That a copy of this Resolution be sent to County Executive Steuart Pittman.

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2021, Legislative Day No. 2

Resolution No. 9-21

Introduced by Mr. Volke

By the County Council, January 19, 2021

1 RESOLUTION urging the Anne Arundel County Executive to increase capacity for
2 Gaming Facilities to 50%

3
4 WHEREAS, on March 5, 2020, Maryland Governor Lawrence J. Hogan, Jr.
5 proclaimed a state of emergency and a catastrophic health emergency for the entire
6 State of Maryland pursuant to Title 14 of the Public Safety Article of the State
7 Code, due to the impending threat and continuing impact of the contagious disease
8 known as COVID-19; and

9
10 WHEREAS, the Governor's proclamation was has subsequently been renewed at
11 regular monthly intervals, and is still in effect; and

12
13 WHEREAS, by Executive Order No. 16 dated March 13, 2020, the Anne Arundel
14 County Executive proclaimed a civil emergency in Anne Arundel County, pursuant
15 to Article I, Title 6 of the Anne Arundel County Code (2005, as amended); and

16
17 WHEREAS, by Bill No. 24-20, the County Council extended the Proclamation of
18 Civil Emergency by the County Executive through April 4, 2020, or to the date the
19 civil emergency proclamation for the State of Maryland is approved to be renewed,
20 extended, or terminated by the Governor of Maryland or the Maryland General
21 Assembly; and

22
23 WHEREAS, by Executive Order No. 20-11-17-01 dated November 17, 2020
24 Governor Lawrence J. Hogan, Jr. proclaimed that Gaming Facilities may open to
25 the general public provided that the total number of persons permitted in a Gaming
26 Facility at any one time shall not exceed 50% of that Gaming Facility's Maximum
27 Occupancy; and

28
29 WHEREAS, on January 13, 2021, the County Executive issued Executive Order
30 No. 41 that, among other things, requires that the total number of persons permitted
31 in a Gaming Facility (as defined in the Governor's Executive Order No. 20-11-17-
32 01) at any one time shall not exceed 25% of that Gaming Facility's Maximum
33 Occupancy; and be it hereby

34
35 *Resolved by the County Council of Anne Arundel County, Maryland, That it urges the*
36 *County Executive to immediately rescind the portion of Executive Order No. 41 that limits*
37 *the total number of persons permitted in a Gaming Facility (as defined in the Governor's*
38 *Executive Order No. 20-11-17-01) at any one time to 25% of that Gaming Facility's*

1 Maximum Occupancy and allow Gaming Facilities to operate with the capacity limits set
2 forth in the Governor's Executive Order No. 20-11-17-01; and be it further

3

4 *Resolved*, That a copy of this Resolution be sent to County Executive Steuart Pittman.

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2021, Legislative Day No. 2

Resolution No. 10-21

Introduced by Mr. Volke

By the County Council, January 19, 2021

1 RESOLUTION urging the Anne Arundel County Executive to reopen Indoor Theaters

2
3 WHEREAS, on March 5, 2020, Maryland Governor Lawrence J. Hogan, Jr.
4 proclaimed a state of emergency and a catastrophic health emergency for the entire
5 State of Maryland pursuant to Title 14 of the Public Safety Article of the State
6 Code, due to the impending threat and continuing impact of the contagious disease
7 known as COVID-19; and

8
9 WHEREAS, the Governor's proclamation was has subsequently been renewed at
10 regular monthly intervals, and is still in effect; and

11
12 WHEREAS, by Executive Order No. 16 dated March 13, 2020, the Anne Arundel
13 County Executive proclaimed a civil emergency in Anne Arundel County, pursuant
14 to Article I, Title 6 of the Anne Arundel County Code (2005, as amended); and

15
16 WHEREAS, by Bill No. 24-20, the County Council extended the Proclamation of
17 Civil Emergency by the County Executive through April 4, 2020, or to the date the
18 civil emergency proclamation for the State of Maryland is approved to be renewed,
19 extended, or terminated by the Governor of Maryland or the Maryland General
20 Assembly; and

21
22 WHEREAS, by Executive Order No. 20-11-17-01 dated November 17, 2020
23 Governor Lawrence J. Hogan, Jr. proclaimed that theatres in Maryland at which
24 live performances occur or motion pictures are shown indoors ("Indoor Theaters")
25 may open to the general public; provided, however, that the total number of persons
26 permitted in an Indoor Theater at any one time (per individual auditorium or
27 performance stage) shall not exceed the lesser of (i) 50% of that Indoor Theater's
28 Maximum Occupancy (defined below), or (ii) 100 persons; and

29
30 WHEREAS, on January 13, 2021, the County Executive issued Executive Order
31 No. 41 that, among other things, directed that Indoor Theaters (as defined in the
32 Governor's Executive Order No. 20-11-17-01) shall close; and be it hereby

33
34 *Resolved by the County Council of Anne Arundel County, Maryland, That it urges the*
35 *County Executive to immediately rescind the portion of Executive Order No. 41 that directs*
36 *Indoor Theaters (as defined in the Governor's Executive Order No. 20-11-17-01) shall*
37 *close and allow Indoor Theaters (as defined in the Governor's Executive Order No. 20-11-*
38 *17-01) to reopen and to operate with the capacity limits set forth in the Governor's*
39 *Executive Order No. 20-11-17-01; and be it further*

- 1 *Resolved*, That a copy of this Resolution be sent to County Executive Steuart Pittman.

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2021, Legislative Day No. 2

Resolution No. 11-21

Introduced by Mr. Volke

By the County Council, January 19, 2021

1 RESOLUTION urging the Anne Arundel County Executive to increase Personal
2 Services Establishment capacity to 50%

3
4 WHEREAS, on March 5, 2020, Maryland Governor Lawrence J. Hogan, Jr.
5 proclaimed a state of emergency and a catastrophic health emergency for the entire
6 State of Maryland pursuant to Title 14 of the Public Safety Article of the State
7 Code, due to the impending threat and continuing impact of the contagious disease
8 known as COVID-19; and

9
10 WHEREAS, the Governor's proclamation was has subsequently been renewed at
11 regular monthly intervals, and is still in effect; and

12
13 WHEREAS, by Executive Order No. 16 dated March 13, 2020, the Anne Arundel
14 County Executive proclaimed a civil emergency in Anne Arundel County, pursuant
15 to Article I, Title 6 of the Anne Arundel County Code (2005, as amended); and

16
17 WHEREAS, by Bill No. 24-20, the County Council extended the Proclamation of
18 Civil Emergency by the County Executive through April 4, 2020, or to the date the
19 civil emergency proclamation for the State of Maryland is approved to be renewed,
20 extended, or terminated by the Governor of Maryland or the Maryland General
21 Assembly; and

22
23 WHEREAS, by Executive Order No. 20-11-17-01 dated November 17, 2020
24 Governor Lawrence J. Hogan, Jr. proclaimed that personal services establishments
25 may open to the general public, provided, however, that the total number of persons
26 permitted in a Personal Services Establishment not exceed 50% of that Personal
27 Services Establishment's Maximum Occupancy; and

28
29 WHEREAS, on January 13, 2021, the County Executive issued Executive Order
30 No. 41 that, among other things, requires that all Personal Services Establishments
31 (as defined in the Governor's Executive Order No. 20-11-17-01) shall continue to
32 comply with the "Revised COVID-19 (Coronavirus) Guidance for Personal
33 Services Establishments at Stage 2 Recovery", issued by the Anne Arundel County
34 Department of Health on June 3, 2020, and all applicable Orders for Public Safety
35 issued by the Department and that the total number of persons permitted in a
36 Personal Services Establishment at any one time shall not exceed 25% of that
37 Establishment's Maximum Occupancy; and be it hereby

1 *Resolved by the County Council of Anne Arundel County, Maryland,* That it urges the
2 County Executive to immediately rescind the portion of Executive Order No. 41 that limits
3 the total number of persons permitted in a Personal Services Establishment (as defined in
4 the Governor's Executive Order No. 20-11-17-01) at any one time to 25% of that Personal
5 Services Establishment's Maximum Occupancy and allow Personal Services
6 Establishments to operate with the capacity limits set forth in the Governor's Executive
7 Order No. 20-11-17-01; and be it further

8
9 *Resolved,* That a copy of this Resolution be sent to County Executive Steuart Pittman.

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2021, Legislative Day No. 2

Resolution No. 12-21

Introduced by Mr. Volke

By the County Council, January 19, 2021

1 RESOLUTION urging the Anne Arundel County Executive to increase indoor
2 restaurant capacity to 50%

3
4 WHEREAS, on March 5, 2020, Maryland Governor Lawrence J. Hogan, Jr.
5 proclaimed a state of emergency and a catastrophic health emergency for the entire
6 State of Maryland pursuant to Title 14 of the Public Safety Article of the State
7 Code, due to the impending threat and continuing impact of the contagious disease
8 known as COVID-19; and

9
10 WHEREAS, the Governor's proclamation was has subsequently been renewed at
11 regular monthly intervals, and is still in effect; and

12
13 WHEREAS, by Executive Order No. 16 dated March 13, 2020, the Anne Arundel
14 County Executive proclaimed a civil emergency in Anne Arundel County, pursuant
15 to Article I, Title 6 of the Anne Arundel County Code (2005, as amended); and

16
17 WHEREAS, by Bill No. 24-20, the County Council extended the Proclamation of
18 Civil Emergency by the County Executive through April 4, 2020, or to the date the
19 civil emergency proclamation for the State of Maryland is approved to be renewed,
20 extended, or terminated by the Governor of Maryland or the Maryland General
21 Assembly; and

22
23 WHEREAS, by Executive Order No. 20-11-17-01 dated November 17, 2020
24 Governor Lawrence J. Hogan, Jr. proclaimed that Foodservice Establishments are
25 permitted to serve food and beverages to customers for consumption in indoor
26 seating areas at 50% capacity during regular business hours, but not in a buffet
27 format or to customers who are not seated; and

28
29 WHEREAS, on January 13, 2021, the County Executive issued Executive Order
30 No. 41 that, among other things, requires restaurants, bars, and other similar
31 Foodservice Establishments to limit the total number of persons permitted indoors
32 to 25% of the establishment's Maximum Occupancy (as defined in Governor's
33 Executive Order No. 20-11-17-01); and be it hereby

34
35 *Resolved by the County Council of Anne Arundel County, Maryland, That it urges the*
36 *County Executive to immediately rescind the portion of Executive Order No. 41 that limits*
37 *the total number of persons permitted indoors to 25% of the Foodservice Establishment's*
38 *Maximum Occupancy (as defined in Governor's Executive Order No. 20-11-17-01) and*

1 allow Foodservice Establishments to operate with the capacity limits set forth in the
2 Governor's Executive Order No. 20-11-17-01; and be it further

3

4 *Resolved*, That a copy of this Resolution be sent to County Executive Steuart Pittman.

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2021, Legislative Day No. 2

Resolution No. 13-21

Introduced by Mr. Volke

By the County Council, January 19, 2021

1 RESOLUTION urging the Anne Arundel County Executive to increase Retail
2 Establishment capacity to 50%

3
4 WHEREAS, on March 5, 2020, Maryland Governor Lawrence J. Hogan, Jr.
5 proclaimed a state of emergency and a catastrophic health emergency for the entire
6 State of Maryland pursuant to Title 14 of the Public Safety Article of the State
7 Code, due to the impending threat and continuing impact of the contagious disease
8 known as COVID-19; and

9
10 WHEREAS, the Governor's proclamation was has subsequently been renewed at
11 regular monthly intervals, and is still in effect; and

12
13 WHEREAS, by Executive Order No. 16 dated March 13, 2020, the Anne Arundel
14 County Executive proclaimed a civil emergency in Anne Arundel County, pursuant
15 to Article I, Title 6 of the Anne Arundel County Code (2005, as amended); and

16
17 WHEREAS, by Bill No. 24-20, the County Council extended the Proclamation of
18 Civil Emergency by the County Executive through April 4, 2020, or to the date the
19 civil emergency proclamation for the State of Maryland is approved to be renewed,
20 extended, or terminated by the Governor of Maryland or the Maryland General
21 Assembly; and

22
23 WHEREAS, by Executive Order No. 20-11-17-01 dated November 17, 2020
24 Governor Lawrence J. Hogan, Jr. proclaimed that retail establishments may open
25 to the general public, provided, however, that the total number of persons permitted
26 in a Retail Establishment at any one time shall not exceed 50% of that Retail
27 Establishment's Maximum Occupancy; and

28
29 WHEREAS, on January 13, 2021, the County Executive issued Executive Order
30 No. 41 that, among other things, requires that the total number of persons permitted
31 in a Retail Establishment (as defined in the Governor's Executive Order No. 20-
32 11-17-01) at any one time shall not exceed 25% of that Retail Establishment's
33 Maximum Occupancy, or for any Retail Establishment without a posted Maximum
34 Occupancy, 150 square feet of public space per person; and be it hereby

35
36 *Resolved by the County Council of Anne Arundel County, Maryland, That it urges the*
37 County Executive to immediately rescind the portion of Executive Order No. 41 that limits
38 the total number of persons permitted in a Retail Establishment (as defined in the
39 Governor's Executive Order No. 20-11-17-01) at any one time to 25% of that Retail

1 Establishment's Maximum Occupancy, or for any Retail Establishment without a posted
2 Maximum Occupancy, 150 square feet of public space per person and allow Retail
3 Establishments to operate with the capacity limits set forth in the Governor's Executive
4 Order No. 20-11-17-01; and be it further

5

6 *Resolved*, That a copy of this Resolution be sent to County Executive Steuart Pittman.

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2021, Legislative Day No. 2

Resolution No. 14-21

Introduced by Mr. Volke

By the County Council, January 19, 2021

1 RESOLUTION urging the Anne Arundel County Executive to increase Indoor
2 Recreation Establishments capacity to 50%

3
4 WHEREAS, on March 5, 2020, Maryland Governor Lawrence J. Hogan, Jr.
5 proclaimed a state of emergency and a catastrophic health emergency for the entire
6 State of Maryland pursuant to Title 14 of the Public Safety Article of the State
7 Code, due to the impending threat and continuing impact of the contagious disease
8 known as COVID-19; and

9
10 WHEREAS, the Governor's proclamation was has subsequently been renewed at
11 regular monthly intervals, and is still in effect; and

12
13 WHEREAS, by Executive Order No. 16 dated March 13, 2020, the Anne Arundel
14 County Executive proclaimed a civil emergency in Anne Arundel County, pursuant
15 to Article I, Title 6 of the Anne Arundel County Code (2005, as amended); and

16
17 WHEREAS, by Bill No. 24-20, the County Council extended the Proclamation of
18 Civil Emergency by the County Executive through April 4, 2020, or to the date the
19 civil emergency proclamation for the State of Maryland is approved to be renewed,
20 extended, or terminated by the Governor of Maryland or the Maryland General
21 Assembly; and

22
23 WHEREAS, by Executive Order No. 20-11-17-01 dated November 17, 2020
24 Governor Lawrence J. Hogan, Jr. proclaimed that Indoor Recreation
25 Establishments may open to the general public provided, however, that the total
26 number of persons permitted in an Indoor Recreation Establishment at any one time
27 shall not exceed 50% of that Indoor Recreation Establishment's Maximum
28 Occupancy (defined below); and

29
30 WHEREAS, on January 13, 2021, the County Executive issued Executive Order
31 No. 41 that, among other things, directed roller rinks and indoor ice rinks may
32 operate, but no more than 10 persons may be on the ice or on the rink at any one
33 time, and no more than 10 additional persons who are non-employees may be in
34 the facility at any one time; Bowling Alleys may continue to operate provided that
35 the total number of persons permitted in a Bowling Alley at any one time shall not
36 exceed 25% of that Bowling Alley's Maximum Occupancy; Electronic bingo (no
37 live call) is permitted, provided it is held in a space that provides at least 150 square
38 feet per occupant, and provided the total number of persons permitted in any such
39 facility at any one time shall not exceed 25% of that facility's Maximum

1 Occupancy; Pool halls and billiard halls shall close; and Live call bingo is not
2 permitted; and be it hereby

3
4 *Resolved by the County Council of Anne Arundel County, Maryland,* That it urges the
5 County Executive to immediately rescind the portion of Executive Order No. 41 that limits
6 Indoor Recreation Establishments including Roller Rinks, Indoor Ice Rinks, Bowling
7 Alleys, Bingo facilities, Pool Halls and Billiard Halls to capacity limits below those set
8 forth in the Governor's Executive Order No. 20-11-17-01, and that directs Live Call Bingo
9 facilities, Pool Halls and Billiard Halls shall be closed, and allow Indoor Recreation
10 Establishments to operate with the capacity limits set forth in the Governor's Executive
11 Order No. 20-11-17-01; and be it further

12
13 *Resolved,* That a copy of this Resolution be sent to County Executive Steuart Pittman.

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2021, Legislative Day No. 2

Resolution No. 15-21

Introduced by Mr. Volke

By the County Council, January 19, 2021

1 RESOLUTION urging the Anne Arundel County Executive to permit Youth Sports

2
3 WHEREAS, on March 5, 2020, Maryland Governor Lawrence J. Hogan, Jr.
4 proclaimed a state of emergency and a catastrophic health emergency for the entire
5 State of Maryland pursuant to Title 14 of the Public Safety Article of the State
6 Code, due to the impending threat and continuing impact of the contagious disease
7 known as COVID-19; and

8
9 WHEREAS, the Governor's proclamation was has subsequently been renewed at
10 regular monthly intervals, and is still in effect; and

11
12 WHEREAS, by Executive Order No. 16 dated March 13, 2020, the Anne Arundel
13 County Executive proclaimed a civil emergency in Anne Arundel County, pursuant
14 to Article I, Title 6 of the Anne Arundel County Code (2005, as amended); and

15
16 WHEREAS, by Bill No. 24-20, the County Council extended the Proclamation of
17 Civil Emergency by the County Executive through April 4, 2020, or to the date the
18 civil emergency proclamation for the State of Maryland is approved to be renewed,
19 extended, or terminated by the Governor of Maryland or the Maryland General
20 Assembly; and

21
22 WHEREAS, by Maryland Department of Health Order No. 2020-11-17-04, dated
23 November 17, 2020 and issued pursuant to the Governor's Executive Order No. 20-
24 11-17-01, youth sports gatherings and events were allowed to resume, subject to
25 certain conditions and guidelines; and

26
27 WHEREAS, on January 13, 2021, the County Executive issued Executive Order
28 No. 41 that, among other things, directed that no game competition is permitted for
29 organized sports and sports practices in Anne Arundel County, including private
30 school sports; and be it hereby

31
32 *Resolved by the County Council of Anne Arundel County, Maryland, That it urges the*
33 *County Executive to immediately rescind the portion of Executive Order No. 41 that*
34 *prohibits all game competition for organized sports and sports practices in Anne Arundel*
35 *County, including private school sports, and allow all organized sports, sports practices,*
36 *and game competition, including private school sports, to operate as permitted under the*
37 *terms set forth in the Maryland Department of Health Order No. 2020-11-17-04 and the*
38 *Governor's Executive Order No. 20-11-17-01; and be it further*

- 1 *Resolved*, That a copy of this Resolution be sent to County Executive Steuart Pittman.