

EMREGENCY ORDINANCE
OF THE COUNCIL OF THE CITY OF BOWIE, MARYLAND
IMPOSING CERTAIN RESTRICTIONS ON THE MOVEMENTS OF
PERSONS IN THE CITY AND ON THE OPERATION OF BUSINESSES
IN THE CITY DURING THE PRESENT STATE OF EMERGENCY
ARISING FROM THE WIDESPREAD PRESENCE AND SPREAD OF
THE INFECTIOUS DISEASE KNOWN AS COVID-19

WHEREAS, pursuant to Md. Code Ann., Local Gov't. Article, § 5-202, the City of Bowie, Maryland (the "City") has the authority to pass such ordinances as it deems necessary to preserve peace and good order, to secure persons from danger and destruction and to protect the health, comfort and convenience of the citizens of the municipality; and

WHEREAS, § 5-209(b) of the Local Gov't Article permits the City to appoint a board of health and establish its powers and duties.

WHEREAS, § 5-209(c) of the Local Gov't Article permits the City to establish quarantine regulations; authorize the removal or confinement of individuals having infectious or contagious diseases; prevent and remove nuisances; prevent the introduction of contagious diseases into the municipality; and regulate any place where noxious things are manufactured, offensive trades are conducted, or that may cause unsanitary conditions or conditions detrimental to health.

WHEREAS, Section 18A(27) of the City Charter implements the authority of Local Gov't Art., § 5-209; and

WHEREAS, pursuant to this authority, the City Council has enacted certain regulations pertaining to health and sanitation, which are codified in Chapter 11, "Health and Sanitation", of the City Code; and

WHEREAS, the world is undergoing a public health crisis caused by the spread of a virus that causes the illness known as COVID-19, which has killed tens of thousands of people and sickened millions in the United States alone and which continues to infect, injure and kill at an unacceptable rate in many places, including the City of Bowie; and

WHEREAS, the COVID-19 emergency has required the closure of most businesses, the implementation of severe restrictions on the movements of ordinary citizens, and the establishment of public health protocols and precautionary measures in order to control the spread of the disease; and

WHEREAS, the Governor of the State of Maryland, in order to alleviate severe hardship and mitigate dire economic consequences in the State has developed a plan to reopen business and restore public activities gradually, as part of which plan the Governor has relaxed certain previously prevailing restrictions imposed by an Executive Order known as the “Stay At Home Order” on residents and businesses in the State in favor of a less restrictive paradigm; and

WHEREAS, while the City Council supports the Governor’s actions as a matter of State policy and believes his actions during the pandemic have been necessary and appropriate, it believes that public health conditions in the City are not yet sufficiently improved to warrant a relaxation in the Stay At Home Order rules; and

WHEREAS, the City Council finds that there exists an urgent necessity for the adoption of this ordinance given the relaxation of the statewide Stay At Home Order by the Governor as of May 15, 2020 at 5:00 p.m. and declares, by unanimous vote, this Ordinance to be an emergency sufficient to waive the requirements of Section 12 of the Charter that would

prevent it from being adopted at the same meeting at which it is introduced and taking effect immediately upon enactment.

Section 1. NOW THEREFORE, BE IT ORDAINED AND ENACTED by the Council of the City of Bowie, Maryland that the terms of the Stay At Home Order as embodied in Sections II-VI of the Executive Order No. 20-03-30-01, issued on March 30, 2020, remain in effect in the City of Bowie.

Section 2. BE IT FURTHER ORDAINED AND ENACTED by the Council of the City of Bowie, Maryland that the law enforcement officers of the City of Bowie, together with the City Public Health Officer, if any, shall execute and enforce this Order.

Section 3. BE IT FURTHER ORDAINED AND ENACTED by the Council of the City of Bowie, Maryland that a person who knowingly and willfully violates this Ordinance is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding one year or a fine not exceeding \$5,000 or both.

Section 4. BE IT FURTHER ORDAINED that this Ordinance shall become effective immediately upon its enactment by the Council of the City of Bowie, Maryland provided that a fair summary of this Ordinance is published at least once within ten (10) days after the date of passage in a newspaper having general circulation in the City, and that it shall remain in effect until after termination of the City's state of emergency or until rescinded, superseded, amended, or revised by additional ordinances.

INTRODUCED by the Council of the City of Bowie, Maryland at a regular meeting on the ____ day of _____, 2020.

PASSED by the Council of the City of Bowie, Maryland at a regular meeting on the _____ day of _____, 2020.

Awilda Hernandez
City Clerk

By: _____
Timothy J. Adams, Mayor

APPROVED AS TO FORM AND SUFFICIENCY:

Elissa D. Levan, City Attorney