



# FREDERICK COUNTY GOVERNMENT

## OFFICE OF THE COUNTY EXECUTIVE

Jan H. Gardner  
County Executive

*Rick Harcum, Chief Administrative Officer*

EXECUTIVE ORDER NO.: 04-2021

EFFECTIVE DATE: December 30, 2021, 5:00 P.M.

### STATE OF EMERGENCY DECLARATION

WHEREAS, I, Jan H. Gardner, the duly elected County Executive for Frederick County, Maryland have been advised by the Director of Emergency Management in Frederick County and the local Health Officer for Frederick County that COVID-19, a respiratory disease that spreads easily from person to person and may result in serious illness or death, is a public health catastrophe and a public safety emergency; and

WHEREAS, A Declaration of State of Emergency and Existence of a Catastrophic Health Emergency was declared by the Governor of the State of Maryland on March 5, 2020 and then later rescinded; and

WHEREAS, The World Health Organization ("WHO") and the Centers for Disease Control ("CDC") have declared the COVID-19 outbreak to be a "public health emergency of international concern" that poses an immediate danger to public safety; and

WHEREAS, A public health crisis remains within the jurisdiction of Frederick County, and there continues to be significant community transmission of the COVID-19 virus (and its variants); and

WHEREAS, Community transmission of the COVID-19 virus and its variants within Frederick County has significantly increased since November 3, 2021 and continues to threaten the lives, health and safety of the citizens of Frederick County; and

WHEREAS, based on information currently available, on December 29, 2021, Frederick County's 7-day positivity rate was 23.58%, more than a 200% increase over the last month period; and

WHEREAS, The number of daily hospitalized COVID-19 patients in Frederick County increased 47% over the last month; and

WHEREAS, As of December 28, 2021, ICU beds are filled at 100% of staffed capacity; and

WHEREAS, As of December 28, 2021, the total number of staffed available ICU-beds in all of Frederick County is 0 (zero); and

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WHEREAS, The 7-Day average case rate per 100,000 population Frederick County increased 500% over the last month; and

WHEREAS, based on information currently available, on December 29, 2021, the current statewide 7-day COVID-19 positivity average was 20.63%; and

WHEREAS, The statewide percent positive (7-day average) COVID-19 increased by 300% over last month; and

WHEREAS, As of December 27, 2021, hospital occupancy statewide is above 85% staffed capacity; and

WHEREAS, The COVID-19 public health catastrophe and public safety emergency continues, threatening lives, health and property in Frederick County and requiring Frederick County to call all of its resources into limited or long term activation; and


WHEREAS, State assistance may be needed to protect public peace, health and safety pursuant to Title 14 of the Public Safety Article of the Annotated Code of Maryland; and


WHEREAS, Resources are requested under applicable state and local emergency plans and may consist of personnel, equipment and use of facility space, as needed for this emergency to protect the public health, peace and safety of Frederick County.

WHEREAS, an Executive Order of the Principal Executive Officer of Frederick County is appropriate and necessary.

NOW, THEREFORE, I, JAN H. GARDNER, COUNTY EXECUTIVE OF FREDERICK COUNTY, MARYLAND, PURSUANT TO THE AUTHORITY VESTED IN ME BY THE CHARTER AND LAWS OF FREDERICK COUNTY, MARYLAND, AND THE LAWS OF MARYLAND, HEREBY DECLARE THAT A LOCAL STATE OF EMERGENCY EXISTS IN FREDERICK COUNTY BEGINNING AT 5:00 P.M. ON DECEMBER 30, 2021, AND AUTHORIZE COUNTY AGENCIES TO ACTIVATE EMERGENCY PLANS AND TAKE SUCH ACTIONS AS ARE NECESSARY OR APPROPRIATE TO PROTECT LIVES DURING THE DURATION OF THIS EMERGENCY.

This Executive Order is issued as of this 30th day of December, 2021, and shall remain in effect for 30 days unless extended.

  
Rick Harcum  
Chief Administrative Officer

  
Jan H. Gardner  
Frederick County Executive