



ORDER
OF THE
MAYOR OF THE CITY OF SALISBURY

- WHEREAS, COVID-19, a respiratory illness caused by a virus that spreads rapidly from person to person and may result in serious illness or death, constitutes a clear and present threat to the lives, health, welfare and safety of the people of the City of Salisbury; and,
- WHEREAS, to reduce the spread of COVID-19, the United States Centers for Disease Control and Prevention (CDC) and the Maryland State Department of Health (MDH) recommend implementation of community mitigation strategies to increase containment of the virus, including cancellation of large gatherings and social distancing of at least six (6) feet between persons in small gatherings; and,
- WHEREAS, A state of emergency and catastrophic health emergency was proclaimed by Governor Lawrence J. Hogan, Jr. for the entire State of Maryland on March 5, 2020, to control and prevent the spread of COVID-19, and the state of emergency and catastrophic health emergency continue to exist; and,
- WHEREAS, A state of emergency was proclaimed by Wicomico County Executive Bob Culver for Wicomico County on March 16, 2020; and,
- WHEREAS, The conditions for a state of emergency within the City of Salisbury have been met and steps beyond those ordered in State or County emergency orders are deemed necessary by me; and,
- WHEREAS, A state of emergency within the City of Salisbury was declared on March 22, 2020 by myself and having not been rescinded, additional orders and clarifications are deemed necessary given additional orders declared by Governor Hogan; and,
- WHEREAS, Governor Hogan announced on April 13, 2020 that at 5:00pm April 15, 2020 Phase I of the Maryland Strong Roadmap to Recovery would be in effect; and,
- WHEREAS, An Order of the Mayor was signed on April 4, 2020 by myself with respect to all open essential commercial/retail facilities, farmer's markets, food trucks and the enforcement of orders and is hereby rescinded and reissued given additional orders declared by Governor Hogan;

NOW THEREFORE, I, Jacob R. Day, Mayor of the City of Salisbury, by virtue of the authority vested in me by the Charter and Code of the City of Salisbury, including but not limited to SC17-4, 2.08.020 and 9.08.220, do hereby order:

- I. All Open Essential Commercial/Retail Facilities
 - a. Temporary Maximum Customer Occupancy Loads

- i. All temporary maximum customer loads (TMCOL) are in effect for mercantile occupancies: 50% of their usual rated capacity. The only exception is stores within the Centre at Salisbury who have an exterior and interior exit door. Those stores must confer with the City Fire Marshal who will work with them to issue a TMCOL.
 - b. Sanitation and social distancing
 - i. Discontinue all self-serve foods and product sampling
 - ii. Designate employee(s) to ensure the cleaning guidelines set by the CDC and MDH are followed.
 - iii. Establish controls to require a minimum of six feet of distance between patrons in lines queuing outside and inside stores. Controls may include, but are not limited to, requiring each person to take a shopping cart or placing markers on the floor.
 - iv. Maximize space between customers and employees at checkout.
 - v. Minimize the number of employees working within six (6) feet of one another.
 - c. Recommendations
 - i. RECOMMEND the establishment of 1-2 exclusive hours per day for high-risk populations, including seniors.
 - ii. RECOMMEND all grocery stores and retailers who do not currently offer pickup and/or delivery options, establish those services now. Stores that have online ordering with outside pick-up or delivery options should encourage use of these when possible in lieu of indoor shopping.
 - iii. RECOMMEND clearly marking 6' spacing in lines and other high-traffic areas inside the store.
 - iv. RECOMMEND posting signage or using ropes to direct customers and to limit bottlenecks/ encourage flow in high-density areas of stores.
 - v. RECOMMEND roping off, prohibiting or blocking access to and sale of all non-essential items.
 - vi. RECOMMEND designating employees to monitor social distancing and assist customers.

II. Farmer's Markets

- a. Sanitation and social distancing
 - i. Suspend all sampling activities.
 - ii. Offer at least one (1) hand washing or sanitizing station(s) in the venue.
 - iii. Booths must be spaced accordingly to increase social distancing among patrons in line and walking about the market.

- iv. Ensure that social distancing of six feet per person for non-family members is maintained and make clear that family members can participate in activities together, stand in line together, etc.

b. Recommendations

- i. RECOMMEND limiting the number of customers at any given time as necessary to reduce outdoor/indoor crowding and lines to meet social distancing guidance.
- ii. RECOMMEND activities such as pre-bagging to expedite purchasing.
- iii. RECOMMEND increasing frequency of cleaning of tables, payment devices, and other surfaces.
- iv. RECOMMEND at the end of the market, continue to utilize local food recovery systems to feed/donate extra products to populations in need.

III. Food Trucks

a. Recommendations

- i. RECOMMEND increasing frequency of cleaning of menus, cash registers, receipt trays, condiment holders, writing instruments and other non-food contact surfaces frequently touched by patrons and employees.
- ii. RECOMMEND ensuring that social distancing of six feet per person for non-family members is maintained and make clear that family members can participate together, stand in line together, etc.

IV. Enforcement

- a. Require staff to count the number of customers entering, exiting and queuing in front of the store, market or business and to enforce limits.
- b. The owner, operator, or manager shall be responsible for compliance with this Order. Any person found guilty of violating this Order shall be guilty of a misdemeanor, and upon conviction thereof; shall be subject to a fine of not less than one thousand dollars (\$1,000.00) nor more than five thousand dollars (\$5,000.00) for each offense, or imprisonment for not more than ninety (90) days, or both. The City Fire Marshal is authorized and designated by the Mayor to authorize the persons within his department to act as enforcement officers for the purpose of preparing and carrying out the requirements for issuing and serving infractions.

V. Additional Clarifications Regarding Enforcement of Orders

- a. The Salisbury Police Chief shall have Officers strictly enforce Governor Hogan's Executive Order regarding gatherings. Flagrant violations will be subject to a misdemeanor conviction and penalties upon conviction of up to \$5,000 and a year in jail.

VI. Vulnerable Populations Task Force

- a. A Vulnerable Populations Task Force is hereby established to ensure that all persons have equal access to resource, information, testing and treatment for the duration of the State of Emergency and during recovery. Tri-Community Mediation will facilitate this group. The City Administrator will identify City of Salisbury staff who will support the Task Force. The Task

Force will sunset no earlier than 30 days after the lifting of the State of Emergency.

VII. Workers Protection Policy Task Force

- a. A Workers Protection Policy Task Force is hereby established to ensure that the health needs, economic considerations and perspectives of workers are considered in the reopening decision-making process. Recommendations of the Task Force will be made to the City Administrator at least monthly for the duration of the State of Emergency and during recovery. The City Administrator will identify City of Salisbury staff who will support the Task Force. The Task Force will sunset no earlier than 30 days after the lifting of the State of Emergency.

VIII. Water/Sewer Payment Plans

- a. Recognizing the financial stressors on many families and businesses, the following options for deferring FY2021 utility bill (UB) (or water/sewer) payments are hereby authorized for the City of Salisbury Finance Department.
- b. For the quarterly utility bills that were sent out on February 1, and due on March 15, delinquent fees were not assessed as delinquent fees would have been assessed during the State of Emergency (after Mar 15), and according to Governor's order, this was prohibited. The City of Salisbury has not been shutting utilities off during the State of Emergency. Fewer than 5% of bills have a balance due.
- c. 6 (six) month payment plans are hereby authorized for all bills with a due date of March 15th and later, at the discretion of the Director of Finance, to assist with payment of utility bill balance. Customers may request a payment plan for utility bills until 30 days after the expiration of the State of Emergency.
- d. No late fees or water cut offs may occur during the repayment period and is prohibited until 30 days after the expiration of the State of Emergency.
- e. All customers will be responsible for paying any utility bills that are not included in the payment plan by their due date.

IX. Real Property Tax Payment Plans

- a. Recognizing the financial stressors on many families and businesses, the following options for deferring FY2021 real estate (RE) tax payments are hereby authorized for the City of Salisbury Finance Department.
- b. Bills will go out early July 2020 for the year FY2021. First semiannual payment (typically due on September 30) may be deferred until December 31.
- c. During the deferral period (October 1 through December 31) interest, penalty or admin fees will be waived.
- d. In order to qualify for a deferment, the homeowner must send the Department of Finance a letter explaining the financial hardship, providing evidence of such hardship and requesting a deferment of real estate tax payment; · Such letters must be sent via mail or email (finance@salisbury.md). Customers may also call the Department of Finance at 410-548-3110 to get details of the relief program.
- e. The Real Estate tax bill will include the following paragraph: "If you experience a financial hardship due to COVID-19 pandemic, City of Salisbury offers a deferment of real estate tax

payments. To qualify, homeowner should send (by mail or email finance@salisbury.md) a letter explaining the financial hardship, providing evidence of such hardship and requesting a deferment of real estate tax payment.”

- f. The relief would not apply to any real estate tax payments due in connection with deed transfers.

X. Personal Property Tax Payment Plans

- a. Recognizing the financial stressors on many families and businesses, the following options for deferring FY2021 personal property tax payments are hereby authorized for the City of Salisbury Finance Department.
- b. Bills for personal property taxes will go out on a continuous basis each month throughout FY2020 and any subsequent years including FY2021.
- c. Payment for personal property tax bills billed during the State of Emergency declared by the Governor of Maryland for any tax payer impacted by the COVID-19 pandemic can be deferred 6 (six) months from the bill due date without interest or penalty during the deferral period if paid by the end of the deferral period.
- d. Installment plans are available for balance billed prior to the State of Emergency
 - i. An installment agreement must be signed calling for the balance (principal and interest) to be paid over 12 months).
 - ii. Interest and penalty during the installment period will be abated if all monthly payments are paid according to the agreement.
 - iii. In order to qualify for a deferment, business representative should send the Department of Finance a letter explaining the financial hardship, providing evidence of such hardship and requesting a deferment of PP tax payment; Such letters could be sent via mail or email (finance@salisbury.md). Customers may also call finance office 410-548-3110 to get details of the relief program.
 - iv. In accordance with the Executive Order signed by governor Hogan on March 12th, “Expiration and renewal date of any license, permits, registrations and other authorizations issued by the State of Maryland to be extended to the 30th day after the date by which the State of Emergency is terminated.” This order applies to business/trader’s license that the City of Salisbury signs off on. Prior to approval of such license, the City confirms that all debts (including PP tax) are paid in full. In the case when a business applies for a business license’s renewal and PP tax is due, the business would have the same extension on PP tax payment as business license (30 days from the time when the State of Emergency is lifted). During this time, interest and penalty would be waived. However, no additional extension on PP tax payments would be allowed in this circumstance.

XI. Restaurant Outdoor Dining

- a. While outdoor dining is not yet permitted under Governor Hogan’s orders, these orders prepare City of Salisbury restaurant business owners for that eventual opening.
- b. Restaurants, once open, should adhere to the recommended guidelines in the Salisbury-Wicomico Roadmap to Recovery, found here: <https://salisbury.md/wp-content/uploads/2020/05/SBY-Wicomico-Roadmap-to-Recovery.pdf>.

- c. Expanded Temporary Outdoor Dining Areas
 - i. The City of Salisbury will provide expedited review to proposed outdoor dining areas on private (owned or leased by the restaurant) or City-owned property.
 - ii. Restaurants with existing outdoor dining areas may seek to expand those areas. While there is not an explicit limit on size, sizing should be commensurate with logical service areas, respectful of neighboring restaurants, and accommodating of recommended social distancing.
 - iii. Restaurants will be required to coordinate with the Wicomico County Health Department and Wicomico County Board of License Commissioners for health and alcohol dispensation approvals in the new areas.
 - iv. Permanent structures (including permanent fences) will be required to go through the standard permitting process, in an expedited timeframe.
- d. Restaurant Reopening Review Team
 - i. An internal Restaurant Reopening Review Team is hereby established, comprised of members of the Parking Division of the Field Operations Department, the Business Development Department and the Department of Infrastructure & Development.
 - ii. The purpose of the Team is to rapidly review all applications of existing restaurants within the City of Salisbury to establish new temporary outdoor dining areas.
 - iii. Applications will be submitted via <https://salisbury.md/departments/business-development/restaurant-reopening> or restaurantreopening@salisbury.md.
- e. Restaurants within the Parking District
 - i. City of Salisbury Parking and Business Development staff will identify spaces in front of restaurants within the Parking District as “Carryout and Delivery Drivers Only for _____ Restaurant”. Parking staff will create temporary signage and place it in a clearly visible location at each parking space.
 - ii. Parking Enforcement staff will, for the duration of the State of Emergency, enforce these spaces. Violations of this order will be treated as a Non-Permit Violation.

XII. Outdoor Religious Services

- a. Recognizing the risk associated with indoor worship services, outdoor worship services are strongly encouraged.
- b. The City of Salisbury hereby makes all City parks and spaces within parks available for reservation for outdoor religious services.
- c. Defined reservable spaces will be determined by the Deputy City Administrator and subject to his approval. Spaces will be rated for accommodation of a set maximum number of appropriately-distanced persons to aid faith leaders in selecting a space.
- d. Spaces may be reserved on a first-come, first-served basis for recurring days through August 31, 2020. This may be extended by the Deputy City Administrator.

- e. These reservations shall not displace or supersede a pre-existing lease, except those canceled by the City during the State of Emergency.
- f. An online application system is hereby established at <https://salisbury.md/park-pavilion-rental-request>.

XIII. Indoor Religious Services

- a. Indoor religious worship services are strongly discouraged as a high risk activity.
- b. All persons who are medically able and over the age of 9 attending any indoor religious worship service in the City of Salisbury must wear a facemask for the entirety of their time inside the building for the duration of the State of Emergency.

XIV. Hazardous Duty Stipend

- a. COVID-19 presents an unanticipated risk to frontline City of Salisbury employees and a secondary unanticipated risk to the staff that frontline staff interacts with and the families of frontline staff.
- b. Recognizing this risk, the Mayor hereby authorizes, subject to appropriation by the City Council, a one-time stipend to demonstrate appreciation
- c. For employees who have been required to directly interact with the public during the State of Emergency, this Order authorizes a payment, the precise amount of which will be determined by appropriation.
- d. For employees who have been required to interact with the aforementioned category of employee during the State of Emergency, this Order authorizes a lesser payment, the precise amount of which will be determined by appropriation.

XV. Tenant's Rights

- a. Landlords are required to notify all tenants of the regulations in place due to COVID-19.
- b. Notice shall include all temporary orders from Governor Hogan, County Executive Culver and Mayor Day with respect to landlords, tenants, rental/lease terms and fees.
- c. Notice shall be in writing.
- d. Notice shall be posted in a central location visible to all tenants in multi-family buildings and shall remain posted, with updates as necessary, until 90 days after the expiration of the State of Emergency.
- e. Notice shall also be hand delivered or mailed via U.S. postal service to each rental unit.

XVI. Termination of Lease prohibited without due Notice.

- a. Landlords shall not use any false or misleading statement or false or misleading pretense to terminate a tenant's lease or to persuade a tenant to vacate the premises.
- b. Any notice from the landlord of the intent to terminate or amend a lease shall include a statement of the Governor's Orders with regard to rental property and clearly explain to the tenant that until the

State of Emergency ends and the courts reopen, the landlord will have no legal means to remove the tenant from the premises.

- c. Any termination or notice of termination of a lease must be pursuant to the terms of any current lease that is in place between the landlord and tenant.
 - d. Changes to the terms of any lease in place during the State of Emergency must be in writing and must be agreed to by both the landlord and the tenant.
- XVII. Violators of this Order are subject to arrest and misdemeanor charge under section 9.08.220 and the fines imposed by sections 15.26.035 and 15.26.14 of the Municipal Code of Salisbury.
- XVIII. This Order will take effect 8:00am EST on June 3rd, 2020.
- XIX. This Order, amendments to this Order and subsequent Orders will be posted to the exterior doors of the Government Office Building and are hereby ordered to be distributed to the news media and through all City web and social media outlets.
- XX. Violators of this Order are subject to arrest and misdemeanor charge under 9.08.220 of the City Code.

IN WITNESS WHEREOF, I hereunto set my hand and the seal of the City of Salisbury this 2nd day of June, 2020.

Jacob R. Day, Mayor