



GARRETT COUNTY HEALTH DEPARTMENT

Garrett County Health Department
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Health Office Orders

TO: Garrett County Rental Agencies
Individual Owner Rented
Board of Garrett County Commissioners
Fran Phillips, Deputy Secretary for Public Health

FROM: Robert Stephens, MS Health Officer

DATE: March 26, 2020

The Order of the Governor of the State of Maryland, number 20-03-23-01, dated March 23, 2020 amended and restated the Order of March 19, 2020, "Prohibiting Large Gatherings and Events and Closing Senior Centers, and Additionally, Closing all Non-Essential Businesses and other Establishments" (The Governor's Orders). Since that time, the Office of Legal Counsel to the Governor has issued Interpretive Guidance to assist in determining the scope of the Governor's Orders and the Guidance document.

The Governor's Orders and the Guidance have permitted certain Commercial Facilities Sector businesses in the State of Maryland to remain open, including "Lodging" (Interpretive Guidance, 2.b.i).

However, Garrett County, Maryland is unique in that it is populated with many properties that are used as residential "Transient Vacation Rental Properties"¹ (aka: TVRUs). Generally, these properties are not being offered as traditional "lodging" but rather for rental on multi-day, week, monthly or seasonal basis. This includes individually rented properties such as Airbnb and vacation rental by owner. In that manner they are being used as a business being conducted by the owners and are not considered an essential business.

Because of COVID-19, the rental of these TVRU properties has placed and has the likely potential to place, a significant burden on the health resources of Garrett County, and may unduly lead to the spread of COVID-19.

As the Health Officer for Garrett County I have consulted with the Garrett County Commissioners, as well as other County and State resources, and have determined that it is imperative, and in the interest of public health and safety, that all TVRUs be closed, and not further rented, effective March 27, 2020; tomorrow, at 5:00 p.m. **This means all existing bookings be canceled.** This decision does not apply to

¹ "Transient Vacation Rental Unit" shall mean a building offering complete living facilities under one roof provided that a maximum of 8 bedrooms and a maximum occupancy of two persons per bedroom plus four additional persons will be permitted on the property and that the living facilities are rented on the basis of a 14-day period or less to guests. All living facilities must be incorporated into the principal structure and no living quarters may be installed in accessory buildings, unless such quarters lawfully existed prior to August 5, 2003.



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hotel and motel occupancy but does apply to all Transient Vacation Rental Unit properties until or unless the Governor's Orders are further modified or the Interpretive Guidance of the Office of Legal Counsel directs otherwise. This decision was made in consultation and with the support of the Board of Garrett County Commissioners.

Please be informed that the penalties are spelled out in the attached Governor's Order 20-03-23-01 Section VII.b. Each individual booking and subsequent rental is considered a separate violation.

Thank you for your full cooperation.


Robert Stephens, MS
Garrett County Health Officer

3/26/2020
Date

Attachments



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