



OFFICE OF LEGAL COUNSEL

INTERPRETIVE GUIDANCE

Number: COVID19-01
Date: March 17, 2020
Re: Order of the Governor of the State of Maryland, dated March 16, 2020, Amending and Restating the Order of March 12, 2020 Prohibiting Large Gatherings and Events and Closing Senior Centers, and Additional Closing Bars, Restaurants, Fitness Centers, and Theaters

At this time, the Office of Legal Counsel recommends that the Administration interpret the above-referenced Order as follows:

1. **Shopping Malls.** The Order does not require closure of shopping malls, but any establishment in a shopping mall that is specifically addressed by this (or any other) Order must comply with the Order. This includes, without limitation, restaurants, bars, fitness centers, and theaters.
2. **Food Courts.** The Order does not require closure of food courts located inside larger facilities (e.g., shopping malls), provided that the food service establishments offer carry-out service only. The owner/operator of the food court should prevent on-premises food consumption by restricting access to seating areas or removing tables and chairs.
3. **Food Trucks.** The Order does not require closure of food trucks. Food truck operators should be careful, however, to avoid clustering multiple food trucks together, if doing so could cause crowds of customers to congregate together.
4. **Private Clubs.** The provisions of the Order requiring bars and restaurants to close do apply to dining and bar areas at private clubs, including, without limitation, American Legion posts, VFW posts, Elks clubs, yacht clubs, and country clubs, i.e., these clubs should close their dining and bar areas. In addition, these clubs should cancel any events at which the number of attendees is expected to exceed the required maximum gathering size (currently 50).
5. **Funerals.** The Order does not prohibit funerals or viewings, but funeral directors should use reasonable efforts to keep the size of gatherings at funerals below the required maximum gathering size (currently 50). Funeral directors should monitor and follow all applicable guidance from the U.S. Centers for Disease Control and Prevention (“CDC”) and the Maryland Department of Health (“MDH”), and the Occupational Safety & Health Administration (“OSHA”) regarding (i) social-distancing and (ii) environmental cleaning and disinfection of rooms and equipment.
6. **Barber Shops, Hair Salons and Certain Spas.** The Order does not require closure of spas providing one-on-one services in a private setting (e.g., massages), barber shops, or hair salons. These establishments should monitor and follow all applicable guidance from the CDC, MDH, and OSHA regarding environmental cleaning and disinfection of rooms and equipment.

This Interpretive Guidance maybe revised or rescinded at any time. Citizens are urged to consult with their own legal counsel for advice about the application of the Order and this Interpretive Guidance to their particular facts and circumstances.