

COTTAGE CITY COMMISSION

TOWN OF COTTAGE CITY

EMERGENCY ORDINANCE NO. 2020 – 01

**EMERGENCY ORDINANCE TO PROVIDE AUTHORITY TO
POSTPONE AND RESCHEDULE THE MUNICIPAL ELECTION**

WHEREAS, the Town of Cottage City, Maryland pursuant to its Charter is scheduled to hold a Municipal Election on the 4th day of May 2020; and

WHEREAS, as a result of the threat to the health and safety of the citizens of the State of Maryland, the Governor of Maryland has declared a State of Emergency pursuant to the powers afforded by the Constitution of the State of Maryland; and

WHEREAS, the Governor also has issued a series of Executive Orders regulating businesses, government, public gatherings and other related matters all of which are intended and designed to reduce the spread of the Corona/COVID19 virus; and

WHEREAS, the provisions in Local Government Article, §5-202 allows for municipalities to adopt ordinances protecting the health, welfare and safety of residents of the municipality; and

WHEREAS, the Governor's Order dated March 12, 2020 states that "[t]he head of each unit of State or local government may, upon a finding that the suspension [of legal time requirements] will not endanger the public health, welfare, or safety, and after notification to the Governor, suspend the effect of any legal or procedural deadline, due date, time of default, time expiration, period of time, or other time of an act or event described within any State or local statute, rule, or regulation that it administers...[and] that the unit head shall provide reasonable public notice of any such suspension..."; and

WHEREAS, in order to avoid unnecessary exposure and the spread of the Coronavirus, the Cottage City Commission finds that the modification to the Charter, Code and election regulations and the corresponding deadlines and dates will not endanger the public health, welfare, or safety and deems it in the best interests of the citizenry of the Town to postpone the upcoming election and reschedule same to a later date.

NOW, THEREFORE, BE IT RESOLVED, ENACTED AND ORDAINED that the Town Election scheduled for the 4th day of May 2020 be and is hereby POSTPONED; and

BE IT FURTHER RESOLVED, ENACTED AND ORDAINED that said election is hereby RESCHEDULED for the 6th of July, 2020, from 2:00 p.m. till 8:00 p.m., with the proviso that those who wish may mail in their ballots, to be postmarked no later than the date of the election; and

BE IT FURTHER RESOVED, ENACTED AND ORDAINED that residents may obtain such ballots which shall be available by calling the town hall and requesting one, or from the internet, or from a designated place outside of the town hall; and

BE IT FURTHER RESOVED, ENACTED AND ORDAINED that residents can vote in the Town Hall, if it is open, or vote by absentee ballot if they choose, and anyone can also put their ballot in the lockbox outside of the town hall or mail in their ballot, no later than July 6, 2020; and

BE IT FURTHER RESOLVED, ENACTED AND ORDAINED that all filing deadlines and other relevant procedures and requirements be and are hereby changed to coincide with the dates or timelines mandated in the Town's Charter, Ordinances and regulations relating to the conduct of Town elections, and the deadline for submitting nomination petitions shall be June 5, 2020; and

BE IT FURTHER RESOLVED, ENACTED AND ORDAINED that mail-in ballots shall be accepted up to two weeks after the July 6th election, to account for any delays in the mail service; and

BE IT FURTHER RESOLVED, ENACTED AND ORDAINED that the Town Manager with the ratification and consent of the Cottage City Commission is hereby authorized to take any action necessary to implement this Ordinance including but not limited to providing reasonable notice to the Governor and the public as prescribed in said order and Attachment A, below; and

BE IT FURTHER RESOLVED, ENACTED AND ORDAINED that this Ordinance is hereby introduced and passed as an Emergency Ordinance, that it shall become effective immediately upon its passage and shall not be codified, and that it shall continue in effect until no later than the 30th day after the date by which the Governor's state of emergency is terminated and the catastrophic health emergency is rescinded, or until the end of July, whichever comes later; and

BE IT FURTHER RESOLVED, ENACTED AND ORDAINED, that a fair summary of this Emergency Ordinance shall be published at least once within ten days after the date of passage in a newspaper or newspapers having general circulation in the Town.


BE IT FURTHER RESOLVED, ENACTED AND ORDAINED, that the Commissioner-Chairman shall be authorized to sign this Ordinance on behalf of the Cottage City Commission.

HAVING BEEN INTRODUCED AND HAVING BEEN READ as an emergency ordinance and passed by a yea and nay vote of the Cottage City Commission with the affirmative votes of at least four (4) of the whole number of members elected to the legislative body as indicated below at a Public Meeting of the Town of Cottage City held on this 1st day of April 2020.

I HEREBY CERTIFY that the above Emergency Ordinance was passed by the Cottage City Commission on the 1st day of April 2020.

ATTEST:

TOWN OF COTTAGE CITY, MARYLAND


Consuella Barbour, Town Manager

By: 
Ann Marshall Young, Commissioner-Chairman

CERTIFICATION

I, HEREBY CERTIFY, as the duly appointed Town Manager of the Town of Cottage City, Maryland, that on the 1st day of April 2020 with 5 Aye votes and 0 Nay votes, the aforesaid Emergency Ordinance 2020-01 passed.


Consuella Barbour, Town Manager