



Emergency Ordinance 20-10
Suspension of the 2020 City of New Carrollton General Election

Effective Date: March 26, 2020

**AN EMERGENCY ORDINANCE OF THE CITY COUNCIL OF NEW
CARROLLTON AUTHORIZING THE SUSPENSION OF THE 2020
CITY OF NEW CARROLLTON GENERAL ELECTION**

WHEREAS, pursuant to the Charter of the City of New Carrollton, the City of New Carrollton is required to conduct an election on the first Monday in May, 2020, which is May 4; and

WHEREAS, the State of Maryland, and the entire United States of America, is currently subject to the COVID-19 pandemic (as declared by the World Health Organization); and

WHEREAS, on the 5th day of March, 2020, Governor Hogan declared a State of Emergency regarding COVID-19, and, since that date, has instituted restrictions as to how many people can congregate in one location and has directed that the Maryland primary election date be changed to June 2, 2020; and

WHEREAS, by Order of the Governor of the State of Maryland Extending Certain Licenses, Permits, Registrations and Other Governmental Authorizations and Authorizing Suspension of Legal Time Requirements dated March 12, 2020, the head of each unit of local government may, upon finding that the suspension will not endanger the public health, welfare or safety, and after notification to the Governor, suspend the effect of any legal or procedural deadline, or other time of an act or event described within any State or local statute, rule or regulation that it administers; and

WHEREAS, any such suspension may continue until no later than the 30th day after the date by which the state of emergency is terminated and the catastrophic health emergency is rescinded; and

WHEREAS, the Governor's Order specifically states that the effect of any statute, rule, or regulation of a political subdivision inconsistent with the Order is suspended; and

WHEREAS, pursuant to City Charter, Sec. C-5 "Board of Elections" the City of New Carrollton Board of Elections is in charge of the conduct of City elections, to the extent not inconsistent with State law, and it has recommended that the City of New Carrollton suspend its election process in light of the Governor's Order; and

WHEREAS, the Mayor of the City of New Carrollton as the head of the City desires to suspend the City election in accordance with the Governor of Maryland's March 12, 2020 Order; and

WHEREAS, City Charter, Sec. C-7 "Elections" authorizes the City Council to adopt by ordinance any procedures and regulations consistent with the provisions of the Charter and with the applicable laws of the State of Maryland necessary to provide for the orderly conduct of municipal elections; and

WHEREAS, Md. Local Government Code Ann., Sec. 5-202 authorizes the City Council to adopt ordinances to, among other things, assure the good government of the municipality; preserve peace and good order; secure persons from danger; and protect the health and comfort of the residents of the municipality; and

WHEREAS, pursuant to City Charter, Sec. C-11, the City Council has all of the powers specified for exercise by municipalities as granted by the laws of the State of Maryland, including, Md. Local Government Code Ann., Sec. 5-202. And, the Council furthermore has the power to pass such ordinances it deems necessary for the protection and promotion of health, safety and welfare of the residents of the City; and

WHEREAS, the City Council of New Carrollton has determined it is in the best interest of the integrity of the electoral process for the City to suspend the 2020 election process and to direct the City Board of Elections to provide a revised 2020 Election schedule once the County BOE is open and capable of providing support to the City in its election and the Governor lifts all restrictions implemented because of the COVID-19 pandemic that prevent the election from going forward at this time; and

WHEREAS, for all of the reasons stated hereinabove and given that nominating petitions are due on March 31, 2020, and that the election is less than six (6) weeks away, the City Council declares this Ordinance to be an emergency Ordinance; and

WHEREAS, pursuant to City Charter, §C-3.B(1) all current elected City officials shall continue to serve until their successors are duly elected and installed.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the City Council of New Carrollton that the City of New Carrollton 2020 Election shall be and hereby is suspended until such date as (1) the County BOE is open and able to provide the necessary support to the City in its election; and (2) all restrictions imposed by the Governor because of the COVID-19 pandemic that prevent the election from going forward at this time, as referenced herein, are lifted.

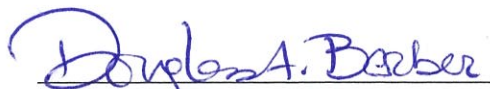
IT IS FURTHER ENACTED AND ORDAINED that the March 31st deadline for filing nominating petitions pursuant to Section C-7.B shall be extended to an appropriate date consistent with the provisions of Section C-7B, which will be determined once the new date for the election is established.

IT IS FURTHER ENACTED AND ORDAINED that this Ordinance is declared an emergency ordinance.

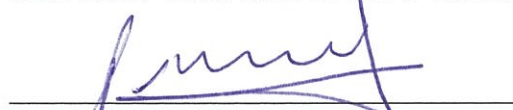
INTRODUCED AND PASSED by the City Council of New Carrollton by at least of four-fifths vote, on the 26th day of March, 2020.

EFFECTIVE DATE: MARCH 26, 2020

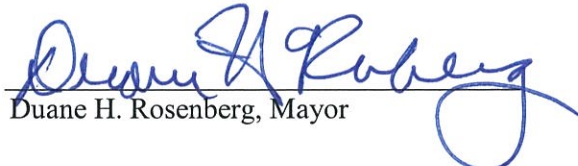
ATTEST:


Douglass A. Barber, MMC
City Clerk

THE CITY COUNCIL OF NEW CARROLLTON


Phelecia E. Nembhard, Chair
City Council

APPROVED:


Duane H. Rosenberg, Mayor

Date: March 26, 2020