

## **CHAPTER 26**

### **EMERGENCY ORDINANCE TO CANCEL AND RESCHEDULE ELECTION**

#### **RECITAL**

The Town of Keedysville, Maryland pursuant to its Charter is scheduled to hold a Municipal Election on the 2nd day of May, 2020. 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. 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. The State of Maryland has canceled and rescheduled the Presidential Primary until July of 2020. In order to avoid unnecessary exposure and spread of said virus, the Mayor and Council have deemed it in the best interests of the citizenry of the Town to cancel the upcoming election and reschedule same to a later date.

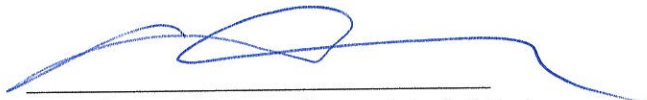
**NOW, THEREFORE, BE IT RESOLVED, ENACTED AND ORDAINED** that the Town Election scheduled for the 2<sup>nd</sup> day of May, 2020 be and is hereby **CANCELED**; and be it further

**RESOLVED, ENACTED AND ORDAINED** that said election is hereby **RESCHEDULED** to a date to be determined based on the lifting of the COVID-19 restrictions; and be it further

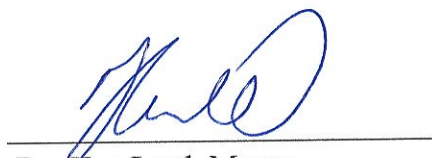
**RESOLVED, ENACTED AND ORDAINED** that all filing deadlines and other relevant dates be and are hereby changed to coincide with the dates mandated in the Town's Charter and/or Ordinances relating to the conduct of elections of Town officials; and be it further

**RESOLVED, ENACTED AND ORDAINED** that the Mayor and Town Manager be and are hereby authorized to take any action necessary to implement this Ordinance; and be it further

**RESOLVED, ENACTED AND ORDAINED** that this Ordinance is hereby introduced and passed as an Emergency Ordinance and shall become effective immediately upon its passage.



By: Richard Bishop, Town Administrator



By: Ken Lord, Mayor

INTRODUCED: April 29, 2020

PASSED: April 29, 2020

EFFECTIVE DATE: April 29, 2020



# *The State of Maryland*

## Executive Department

### ORDER OF THE GOVERNOR OF THE STATE OF MARYLAND

NO. 20-03-30-03

#### ENABLING MUNICIPALITIES TO POSTPONE ELECTIONS

- WHEREAS, A state of emergency and catastrophic health emergency was proclaimed on March 5, 2020, and renewed on March 17, 2020, to control and prevent the spread of COVID-19 within Maryland, and the state of emergency and catastrophic health emergency still exists;
- WHEREAS, COVID-19, a respiratory disease that spreads easily from person to person and may result in serious illness or death, is a public health catastrophe and has been confirmed in nearly all Maryland counties;
- WHEREAS, To reduce the spread of COVID-19, the U.S. Centers for Disease Control and Prevention and the Maryland Department of Health recommend social distancing and avoiding gatherings;
- WHEREAS, The currently known and available scientific evidence and best practices support limitations on gatherings and social distancing to prevent exposures and transmissions, and reduce the threat to especially vulnerable populations, including older individuals and those with chronic health conditions;
- WHEREAS, Many municipal governments in the state have also declared states of emergency, imposed social-distancing measures, and taken other actions to reduce the spread of COVID-19;
- WHEREAS, To reduce the threat to human health caused by transmission of the novel coronavirus in Maryland, and to protect and save lives, it is necessary and reasonable that individuals in the state refrain from congregating;
- WHEREAS, Many municipal elections would ordinarily be conducted at polling locations that, during the state of emergency and catastrophic health emergency, hinder social distancing, enable the transmission of the novel coronavirus, and pose risks to public health, welfare, and safety;
- WHEREAS, Holding municipal elections at polling locations during the state of emergency and catastrophic health emergency would potentially expose

government buildings, voters, and municipal officers, employees, and volunteers to the novel coronavirus;

WHEREAS, Municipal elections must be accessible, secure, and safe; and

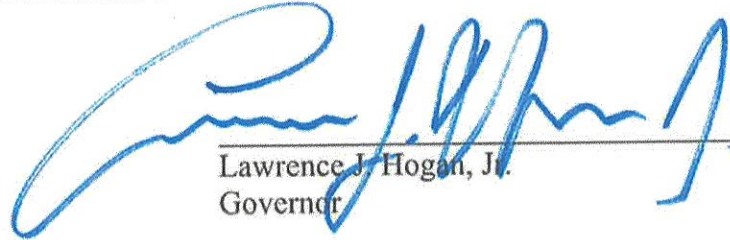
WHEREAS, COVID-19, the state of emergency and the catastrophic health emergency, and the State's emergency actions in response may impair the ability of municipal officials, employees, and volunteers to hold elections on the dates required by their charters or ordinances;

NOW, THEREFORE, I, LAWRENCE J. HOGAN, JR., GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, INCLUDING BUT NOT LIMITED TO TITLE 14 OF THE PUBLIC SAFETY ARTICLE, AND IN AN EFFORT TO CONTROL AND PREVENT THE SPREAD OF COVID-19 WITHIN THE STATE, DO HEREBY ORDER:

- I. A municipality may suspend the effect of a provision of Title 4, Subtitle 3, of the Local Government Article of the Maryland Code if:
  - A. The municipality:
    - i. provides notice to the Governor; and
    - ii. finds that such suspension:
      1. will not endanger the public health, welfare, or safety; and
      2. is necessary to amend:
        - a. the date on which a municipal election will be held; or
        - b. the method, conduct, or voting system of an election in a manner that ensures an accurate vote count and certification of the election results; and
  - B. The provision regards:
    - i. Public hearings to be held on proposed amendments to the municipal charter; or
    - ii. The date the amendments shall take effect as part of the municipal charter after the resolutions are adopted.
- II. This Order remains effective until the state of emergency has been terminated and the proclamation of the catastrophic health emergency has been rescinded, or until rescinded, superseded, amended, or revised by additional orders.
- III. The effect of any statute, rule, or regulation of an agency of the State or a political

subdivision inconsistent with this order is hereby suspended.

ISSUED UNDER MY HAND THIS 30TH DAY OF MARCH, 2020, AND  
EFFECTIVE IMMEDIATELY.



Lawrence J. Hogan, Jr.  
Governor