

**TOWN OF LAYTONSVILLE  
ORDINANCE NO. #04-20  
DRAFT**

**AN EMERGENCY ORDINANCE TO CANCEL THE  
MAY 4, 2020 ELECTION AND RESCHEDULE IT TO  
AUGUST 31, 2020**

- WHEREAS, The Town of Laytonsville, Maryland, pursuant to its Charter, is scheduled to hold a Municipal Election on the 4<sup>th</sup> day of May 2020; and
- WHEREAS, A state of emergency and catastrophic health emergency was proclaimed by Maryland's Governor 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; 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 COVID-19 virus; and
- 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; and
- 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; and
- 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; and
- WHEREAS, The State of Maryland has canceled and rescheduled the Presidential Primary until July of 2020.
- 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; and
- WHEREAS, To reduce the threat to human health caused by transmission of COVID-19, and to protect and save lives, it is necessary and reasonable that individuals refrain from congregating; and
- 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 COVID-19 virus, and pose risks to public health, welfare, and safety; and

WHEREAS, Holding the Town’s municipal election during the state of emergency and catastrophic health emergency would potentially expose government buildings, voters, and municipal officers, employees, and volunteers to the COVID-19 virus; and

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

WHEREAS, The Governor issued an Order on March 30, 2020 enabling municipalities to postpone elections; and

WHEREAS, The Town’s Charter, Section 412(f) provides that an emergency ordinance may be enacted when it is necessary for the immediate preservation of the public peace, health, safety or welfare; and

WHEREAS, The Town’s Charter, Section 412(f) further provides that in the case of an emergency, the requirement that an ordinance may not be passed at the meeting at which it is introduced may be suspended by the affirmative votes of all elected officers present; and

**NOW, THEREFORE, BE IT RESOLVED, ENACTED AND ORDAINED** that the Town declares by the affirmative votes of all elected officers present that an emergency exists; and be it further

**RESOLVED, ENACTED AND ORDAINED** that the Town Election scheduled for the 4<sup>th</sup> day of May 2020 be and is hereby **CANCELLED**; and be it further

**RESOLVED, ENACTED AND ORDAINED** that said election is hereby **RESCHEDULED** for the 31<sup>st</sup> day of August 2020; and be it further

**RESOLVED, ENACTED AND ORDAINED** that all current elected Town officials shall continue to serve until their successors are duly elected and installed; and be it further

**RESOLVED, ENACTED AND ORDAINED** that the Mayor and Town Clerk 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; and be it further

**RESOLVED, ENACTED AND ORDAINED** that if any part or provision of this Ordinance is declared by a court of competent jurisdiction to be invalid, the part or provision held to be invalid shall not affect the validity of the Ordinance as a whole or any remaining part thereof.

ATTEST: TOWN OF LAYTONSVILLE

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By: James A. Ruspi, Mayor

INTRODUCED: April 14, 2020  
PASSED: April 14, 2020  
EFFECTIVE DATE: April 14, 2020