

**CITY OF HYATTSVILLE  
MARYLAND**

**UNCODIFIED EMERGENCY ORDINANCE  
2020- COVID-19**

**An uncodified Ordinance whereby the City of Hyattsville confirms the City Administrator’s authority to take all appropriate and reasonable actions necessary to prevent and/or reduce the impact of the outbreak of disease caused by the coronavirus (“COVID-19”) on the efficient operation of the City’s government in order to protect the health, safety, and welfare of its residents.**

- WHEREAS,** an outbreak of disease caused by the coronavirus (“COVID-19”) occurred in Hubei province, China, in late 2019, and as of this writing it has been detected in more than 89 countries, including the United States; and
- WHEREAS,** COVID-19 is a severe respiratory disease, which may result in illness or death; and
- WHEREAS,** the World Health Organization (“WHO”) and the Centers for Disease Control and Prevention (“CDC”) have declared the COVID-19 outbreak a “public health emergency of international concern;” and
- WHEREAS,** the CDC has issued guidance to all state and local governments, and all citizens, recommending preparedness to prevent community spread and guard against the potential of a COVID-19 pandemic; and
- WHEREAS,** on March 5, 2020, Governor Larry J. Hogan, Jr., declared a state of emergency as a result of COVID-19 which he described as a public health catastrophe, a public emergency, an immediate danger to public safety within the entire State of Maryland; and
- WHEREAS,** as of March 10, 2020, the CDC found that COVID-19 has infected individuals in 36 states, including the State of Maryland and the District of Columbia, and resulted in a total of 647 confirmed and presumed positive cases in the United States, 25 of which resulted in death; and
- WHEREAS,** leading public health entities and officials recommend that individuals who fall ill should telecommute or work remotely during the pendency of their recovery; and
- WHEREAS,** the Council finds that the coronavirus (“COVID-19”) pandemic constitutes an emergency; and

**WHEREAS,** the City encourages individuals to observe all necessary health precautions to prevent and or reduce the potential of spreading COVID-19; and

**WHEREAS,** Maryland Code, Local Government Article, Section 5–202, as amended, authorizes the legislative body of each municipal corporation in the State of Maryland to pass ordinances that such legislative body deems necessary to assure the good government of the municipality, to protect and preserve the municipality’s rights, property and privileges, to preserve peace and good order, to secure persons and property from danger and destruction, and to protect the health, comfort, and convenience of the citizens of the municipality; and

**WHEREAS,** § C3-1 of Article III of the City Charter grants to the City Council the power to pass all such ordinances, resolutions and laws not contrary to the Constitution and laws of the State of Maryland or this Charter as it may deem necessary for the good government of the City in order to promote health, safety, comfort, convenience, welfare and happiness of the residents of the City and visitors thereto and sojourners therein; and

**WHEREAS,** pursuant to §C2-9 of the Charter the Mayor and Council have authority to enact emergency legislation by the affirmative vote of a majority of the members of the Council.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF HYATTSVILLE, MARYLAND, THAT** the Mayor and Council hereby confirm the City Administrator’s authority to act in response to the emergency created by the coronavirus (“COVID-19”) pandemic and enact this uncodified emergency Ordinance as follows:

**Section 1.** Upon the enactment of this uncodified ordinance by the Council, the City Administrator shall take all appropriate and reasonable measures to assure the efficient operation of the City’s government and to protect the public health, safety, and welfare.

**Section 2.** The actions taken by the City Administrator pursuant to this uncodified Ordinance shall be rationally related to the impact of the public health emergency created by the coronavirus on the City’s affairs and any such actions shall be taken within the authority of the City as a municipal corporation in the State of Maryland.

**Section 3.** In the event a conflict arises between this uncodified Ordinance and any existing City Code provision, City Regulation, City Policy, or City Personnel Manual, the City Administrator shall attempt to give effect to both provisions, but in the event that is not possible, this uncodified Ordinance shall control.

**Section 4.** During the pendency of this uncodified Ordinance, the City Administrator shall report to the Mayor and Council in writing every two weeks regarding the actions

taken pursuant to this section and what impact those actions have had on City affairs.

- Section 5.** This uncodified Ordinance shall terminate on the ninetieth (90th) day from the date of its enactment or on the day that the Governor of the State of Maryland declares that the State of Emergency in Maryland has ended, whichever is later.
- Section 6.** A two-week transition period shall follow the termination of this uncodified Ordinance during which time the City Administrator shall retain decision-making authority on matters related to the emergency in order to oversee the City's transition to normal operations.
- Section 7.** If, for whatever reason, the City Administrator shall become incapacitated or otherwise unable to perform these responsibilities, they shall be assumed by the City Administrator's designee as set forth in a writing prepared by the City Administrator and promptly submitted to the Mayor and Council, designee(s), City Clerk, and City Attorney.
- Section 8.** The Mayor and Council may rescind, modify, or extend this uncodified Ordinance by a majority vote of those present.

**AND BE IT FURTHER ORDAINED** that if any provision of this Ordinance or the application thereof to any person or circumstance is held invalid for any reason, such invalidity shall not affect the other provisions or any other applications of the Ordinance which can be given effect without the invalid provision or applications, and to this end, all the provisions of this Ordinance are hereby declared to be severable;

**AND BE IT FURTHER ORDAINED**, that this Ordinance is an Emergency Ordinance and shall be effective immediately upon enactment;

**AND BE IT FURTHER ORDAINED**, that a fair summary of this ordinance shall forthwith be published twice in a newspaper having general circulation in the City and otherwise be made available to the public.

**INTRODUCED** by the City Council of the City of Hyattsville, Maryland, at a regular public meeting on **March 23, 2019**.

**ADOPTED** by the City Council of the City of Hyattsville, Maryland, at a regular public meeting on **March 23, 2019**.

Adopted: \_\_\_\_\_

Attest: \_\_\_\_\_  
Laura Reams, City Clerk

\_\_\_\_\_  
Candace B. Hollingsworth, Mayor

⊖ indicate deletions

Underline indicates additions

Asterisks \* \* \* Indicate matter retained in existing law but omitted herein

**Effective Date: March 16, 2019**