

**CITY OF DOVER EMERGENCY ORDINANCE #2020-06**

**BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:**

WHEREAS, the Governor of the State of Delaware, The Honorable John C. Carney, declared a State of Emergency effective Friday, March 13, 2020, at 8:00 a.m. EST pursuant to provisions of Title 20, Ch. 31 of the Delaware Code because of the public health threat from the COVID-19 virus restricting public gatherings and, in particular, directing that public meetings of public bodies may be conducted electronically rather than conducting open meetings to be attended by the public; and

WHEREAS, Sec. 9 of the Charter of the City of Dover provides that Council shall meet not less frequently than once per month and it appears that regular meetings of Council cannot currently be held electronically due to the many issues involved and the status of electronic means to allow participation by members of the public; and

WHEREAS, it is the decision of Council to cancel all public regular meetings of Council in the future until the State of Emergency is withdrawn and the declaration of the Governor no longer needs to be enforced.

THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Dover:

1. After the regular meeting of Council to be held on March 23, 2020, which will be held to cover essential issues that must be considered at the meeting, no further regular meetings of Council shall be held until the threat to public health created by the COVID-19 virus has been resolved.
2. The authority for canceling future Council Meetings in violation of the Charter requirement is provided in Title 20 of the Delaware Code, Sec. 3127(b ), which states that during a State of Emergency, whenever the restrictions imposed pursuant to this chapter are inconsistent and in conflict with those required by any other statute, local ordinance or regulation, the provisions of the emergency order imposed pursuant to this chapter shall govern.
3. Therefore, the directive above referred to by Governor Carney does prevail and supersede Sec. 9 of the Charter requiring at least one meeting per month.
4. If the emergency provisions issued by Governor Carney are withdrawn, then regular Council meetings will proceed as required by the Charter.
5. Passage of this ordinance canceling future regular meetings of Council impacts all of the actions of departments and agencies of the City so that passage of this ordinance shall also apply to all meetings, code requirements and deadlines of all departments and agencies of the City pending resolution of the State of Emergency. Furthermore, the passage of this ordinance provides Council authority to the City Manager to waive policies and procedures for business continuity.

**ADOPTED AND EFFECTIVE: MARCH 23, 2020**

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ROBIN R. CHRISTIANSEN  
MAYOR



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WILLIAM F. HARE  
COUNCIL PRESIDENT

**SYNOPSIS**

The Ordinance waives certain Charter, Code, policy and procedure requirements during the COVID-19 virus State of Emergency.

Actions History

03/23/2020 - Introduction - City Council