

1 Introduced by: _____
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3 **CITY OF TAKOMA PARK, MARYLAND**

4
5 **RESOLUTION 2020-___**
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7 **SUSPENDING QUASI-JUDICIAL PROCEEDINGS BY THE CITY’S BOARDS,**
8 **COMMISSIONS, AND COMMITTEES, AND STAYING ALL UNDERLYING**
9 **MATTERS UNTIL THIRTY DAYS AFTER THE EXPIRATION OF THE STATE OF**
10 **EMERGENCY DECLARED BY GOVERNOR LAWRENCE J. HOGAN, JR., DUE TO**
11 **THE COVID-19 PANDEMIC**
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13 **WHEREAS,** on March 5, 2020, Governor Lawrence J. Hogan, Jr. of Maryland proclaimed a state
14 of emergency and a catastrophic health emergency due to the outbreak of disease,
15 hereinafter referred to as “COVID–19,” caused by the novel coronavirus; and
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17 **WHEREAS,** on March 11, 2020, the City Council adopted an uncodified emergency Ordinance
18 authorizing the City Manager to act in response to the emergency created by the
19 novel coronavirus by taking all appropriate and reasonable measures to assure the
20 efficient operation of the City’s government and to protect the public’s health,
21 safety, and welfare; and
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23 **WHEREAS,** on March 17, 2020, the Chief Judge of the Court of Appeals of Maryland issued an
24 Administrative Order restricting all courts in the Maryland Judiciary, court offices,
25 administrative offices, units of the Judiciary, and the Offices of the Clerks of the
26 Circuit Courts and the clerks’ offices of the District Court, to emergency operations
27 and closed with limited exceptions; and
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29 **WHEREAS,** on March 30, 2020, Governor Hogan issued Executive Order, No. 20–03–30–01,
30 directing all persons living in the State of Maryland to stay in their homes or places
31 of residence with certain exceptions for essential businesses and essential activities;
32 and
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34 **WHEREAS,** on April 8, 2020, the Chief Judge of the Court of Appeals of Maryland continued
35 restrictions and closures of Maryland’s Courts through May 1, 2020; and
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37 **WHEREAS,** some of the City’s Boards, Commissions, and Committees, conduct quasi-judicial
38 proceedings, which are subject to judicial review by Maryland’s Courts; and
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40 **WHEREAS,** social distancing protocols activated in response to Covid -19 will adversely impact
41 the ability of the City’s Boards, Commissions, and Committees, to conduct quasi-
42 judicial proceedings.
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44 **NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF**
45 **TAKOMA PARK THAT** the operations of the City’s Boards, Commissions and Committees are
46 hereby suspended due to the novel coronavirus as follows:

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Section 1. All quasi-judicial proceedings before the City’s Boards, Commissions, and Committees, are hereby suspended and the underlying matters stayed until thirty (30) days after Maryland’s Covid – 19 state of emergency has been terminated. The City Manager shall take all reasonable and appropriate steps necessary to implement this Resolution.

Section 2. During the effective period of this Resolution a City Board, Commission, or Committee, may proceed with a quasi-judicial proceeding only if it is determined by the City Manager to be an emergency relating to the public’s health, safety, or welfare.

Section 3. The City Manager is directed to ensure any and all necessary communications are made with any party to a matter pending before any City Board, Commission, or Committee, and with the Governor’s Office and any other State Agency regarding this Resolution.

Section 4. Nothing herein shall be construed as limiting the City Manager’s authority to act pursuant to Uncodified Emergency Ordinance 2020-04, which was enacted on March 11, 2020.

Section 5. The Mayor and Council may rescind, modify, or extend this Resolution by a majority vote of those present.

THIS RESOLUTION, WHICH IS EFFECTIVE IMMEDIATELY, IS ADOPTED BY THE COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND, THIS _____ DAY OF APRIL, 2020, BY ROLL-CALL VOTE AS FOLLOWS: