

1 Introduced by: Councilmember Kovar

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3 **CITY OF TAKOMA PARK, MARYLAND**

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5 **RESOLUTION 2020-12**

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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**

12  
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

16  
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

22  
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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2 **Section 1.** All quasi-judicial proceedings before the City’s Boards, Commissions, and  
3 Committees, are hereby suspended and the underlying matters stayed until thirty  
4 (30) days after Maryland’s Covid – 19 state of emergency has been terminated. The  
5 City Manager shall take all reasonable and appropriate steps necessary to  
6 implement this Resolution.  
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8 **Section 2.** During the effective period of this Resolution a City Board, Commission, or  
9 Committee, may proceed with a quasi-judicial proceeding only if it is determined  
10 by the City Manager to be an emergency relating to the public’s health, safety, or  
11 welfare.  
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13 **Section 3.** The City Manager is directed to ensure any and all necessary communications are  
14 made with any party to a matter pending before any City Board, Commission, or  
15 Committee, and with the Governor’s Office and any other State Agency regarding  
16 this Resolution.  
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18 **Section 4.** Nothing herein shall be construed as limiting the City Manager’s authority to act  
19 pursuant to Uncodified Emergency Ordinance 2020-04, which was enacted on  
20 March 11, 2020.  
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22 **Section 5.** The Mayor and Council may rescind, modify, or extend this Resolution by a  
23 majority vote of those present.  
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25 **THIS RESOLUTION, WHICH IS EFFECTIVE IMMEDIATELY, IS ADOPTED BY THE**  
26 **COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND, THIS 15TH DAY OF**  
27 **APRIL, 2020, BY ROLL-CALL VOTE AS FOLLOWS:**  
28

29 **AYE:** Stewart, Kovar, Dyballa, Kostiuik, Seamens, Smith, Searcy  
30 **NAY:** None  
31 **ABSTAIN:** None  
32 **ABSENT:** None  
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34

35 **Attest:**

36  
37 **Jessie Carpenter, CMC**  
38 **City Clerk**