

**ORDINANCE No. 506**  
**AN EMERGENCY ORDINANCE TO DECLARE A STATE OF**  
**EMERGENCY IN THE TOWN OF ST. MICHAELS AS A RESULT OF**  
**COVID-19**

**WHEREAS**, pursuant to Md. Code Ann., Public Safety § 14-111, the principal executive officer of a political subdivision may declare a local state of emergency; and

**WHEREAS**, pursuant to Md. Code Ann., Local Gov't § 5-202 and § C-19(A) of the Charter of the Town of St. Michaels (the "Charter"), The Commissioners of St. Michaels (the "Town Commissioners") are authorized and empowered to pass ordinances which are not contrary to the Constitution or laws of the State of Maryland or to the provisions of the Charter for the preservation of peace and order, for securing persons and property from violence, danger, or destruction, and for the protection and promotion of the health, safety, comfort, convenience, welfare, and happiness of the residents of and visitors in the Town of St. Michaels (the "Town"); and

**WHEREAS**, pursuant to Md. Code Ann., Local Gov't § 5-209(c) and §§ C-19(B)(27) and (46) of the Charter, the Town Commissioners are authorized and empowered to pass ordinances to protect and preserve the health of the Town and its inhabitants, to prevent the introduction of contagious diseases into the Town, to establish quarantine regulations, and to authorize the removal and confinement of persons having contagious or infectious diseases, subject to the powers and duties of the State Department of Health and Mental Hygiene, the County Board of Health, or any public general or local law relating to the subject of health, and to establish quarantine regulations in the interests of public health; and

**WHEREAS**, the Town Commissioners have been advised by the Director of Emergency Management for Talbot County and the local Health Officer that 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 a public safety emergency; and

**WHEREAS**, a Declaration of State of Emergency and Existence of a Catastrophic Health Emergency was declared by the Governor of the State of Maryland on March 5, 2020; and

**WHEREAS**, a Proclamation on Declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak was issued by the President of the United States on March 13, 2020; and

**WHEREAS**, the first confirmed case of COVID-19 in Talbot County was reported on March 15, 2020; and

**WHEREAS**, the World Health Organization ("WHO") and the Centers for Disease Control ("CDC") have declared the COVID-19 outbreak a public health emergency of international concern that poses an immediate danger to public safety; and

**WHEREAS**, as the COVID-19 public health catastrophe and public safety emergency continues, it threatens lives, health, and property in the Town, requiring the Town Commissioners to call all of the Town's resources into limited or long-term activation; and

**WHEREAS**, State assistance may be needed to protect public peace, health, and safety in the Town as well as the lives, health, and property of the citizens of the Town pursuant to Title 14 (Emergency Management) of the Public Safety Article of the Annotated Code of Maryland; and

**WHEREAS**, resources are requested under applicable State and local emergency plans and

may consist of personnel, equipment, and use of facility space as needed for this emergency to protect the public peace and safety of the citizens of the Town; and

**WHEREAS**, on March 12, 2020, the State of Maryland issued an Order extending certain licenses, permits, and registrations and authorizing suspension of legal time requirements for all licenses issued by any political subdivision of the State of Maryland, which includes the Town; and

**WHEREAS**, the Town Commissioners believe that certain rules and regulations related to Town government operations are necessary to mitigate the COVID-19 disease and to protect the public health, safety, and welfare; and

**WHEREAS**, the Town Commissioners believe that this Emergency Ordinance is prudent, due to the possibility of increased government employee absence and alternative working arrangements and to reduce the need for the public to interact with government employees in person.

**NOW THEREFORE, BE IT ORDERED, PROCLAIMED, AND DECLARED**, by The Commissioners of St. Michaels that, in accordance with the authority granted by the laws of the State of Maryland and the Charter of the Town of St. Michaels, and pursuant to any and all authority vested to The Commissioners of St. Michaels, including but not limited to § 14-111 of the Public Safety Article of the Annotated Code of Maryland, **THAT A STATE OF EMERGENCY AND CATASTROPHIC HEALTH EMERGENCY EXISTS IN THE TOWN OF ST. MICHAELS; AND**

**IT IS FURTHER ORDERED THAT:**

**1. Publication and Duration:**

- a. This Emergency Declaration shall be promptly publicized.
- b. A copy of this Emergency Declaration be filed with the chief local records-keeping agency.
- c. This Emergency Declaration is effective for a period of 30 days. It is possible, however, that the state of emergency will continue for more than 30 days. In the event that an extension of this Declaration is necessary, the Town Commissioners, sitting as the governing body of the Town, may consent to and extend such Declaration for additional periods of time as they deem necessary in accordance with § 14-111 of the Public Safety Article of the Annotated Code of Maryland.

2. **Federal and State Aid:** The Town Commissioners hereby request and authorize the receipt of all available Federal, State and County aid, resources, and assistance to protect the public health, safety, and welfare of the citizens of the Town pursuant to Title 14 (Emergency Management) of the Public Safety Article of the Annotated Code of Maryland , and in accordance with all applicable State and local emergency plans.

3. **Emergency Powers and Appropriations:** All emergency powers of the Town Commissioners and the Town Manager under the Charter and State law are hereby enabled.

4. **Procurement:** All procurements and purchases needed to respond to the COVID-19 outbreak may be authorized in accordance with Article V of the Charter.

5. **Closure of Public Buildings:** Effective immediately upon passage of this Ordinance, all Town government buildings shall be closed to the public while this Declaration is in effect.
6. **Extension of Licenses:** The expiration date of all licenses and permits issued by the Town that would otherwise:

- a. Expire by the later of (i) April 30, 2020 or (ii) the termination of the Governor's state of emergency; and
- b. Be renewable during such period noted in Paragraph 6.a. under applicable laws and regulations

are hereby extended to the later of (i) May 31, 2020, or (ii) within 30 days after the date by which the Governor's state of emergency is terminated and the catastrophic health emergency is rescinded.

7. **Suspension or Postponement of Deadlines:** The Town Commissioners are hereby authorized, upon a finding that the suspension or postponement will not endanger the public health, welfare, or safety, and upon recommendation of the Town Manager, suspend indefinitely or postpone to a date certain the effect of any legal or procedural deadline, due date, time of default, time expiration, period of time, or other time of an act or event described within any local statute, rule, or regulation that the Town Commissioners administer. At the discretion of the Town Commissioners, any such suspension or postponement hereunder shall not be for a period of more than 30 days after the date by which the Governor's state of emergency is terminated and the catastrophic health emergency is rescinded.

8. **Board and Commission Meetings:** All Town board and commission meetings are hereby suspended, subject to the following:

- a. For any agenda item deemed critical by agreement of the board or commission chair and the Town Manager and subject to available technology, the board or commission may hold a meeting to address such critical item, provided that the meeting shall be conducted virtually via teleconference, live streaming, or any other available technology that will allow, in the view of the Town Attorney's Office, the necessary parties to participate and the public to observe in real time to the extent required by law.
- b. To the extent a board's or commission's rules of procedure require the presence of a physical quorum of the body to conduct business, such rule may be suspended upon concurrence by the Town Attorney's Office and subject to available technology allowing the body to communicate virtually in real time.

9. **Town Commissioner Meetings:** All Town Commissioner meetings are hereby suspended, subject to the following:


- a. For any future agenda item deemed critical by agreement of the President of the Town Commissioners and the Town Manager and subject to available technology, the Commissioners may hold a meeting to address such critical item, provided that the meeting shall be conducted virtually via teleconference, live streaming, or any other available technology that will allow, in the view of the Town Attorney's Office, the necessary parties to participate and the public to observe in real time to the extent required by law.

10. **Supersedes Inconsistent Local Law:** This Emergency Declaration and the orders herein shall supersede any inconsistent or conflicting local law, rule, or regulation.
11. **Further Amendments.** This Emergency Declaration may be revised or amended from time to time as needed in the discretion of the Town Commissioners.

**THIS EMERGENCY ORDINANCE DECLARATION IS HEREBY EFFECTIVE IMMEDIATELY** this 18<sup>th</sup> day of March in 2020.


  
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William E. Boos, President

  
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Michael E. Bibb, Vice President

  
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Joyce D. Harrod, Treasurer

  
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Jaime M. Windon, Commissioner

  
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Dennis F. Glackin, Commissioner

  
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ATTEST: Jean R. Weisman, Town Clerk/ Manager

I HEREBY CERTIFY that an exact copy of this Ordinance No. 506 was posted from the 19<sup>th</sup> day of March, 2020, at 8:30 o'clock A.m. to the 7<sup>th</sup> day of April, 2020 at 4:30 o'clock P.m., on the bulletin board of the Edgar M. Bosley, Jr. Municipal Building (Town Office), 300 Mill Street, St. Michaels, Maryland, and that a summary of the aforesaid Ordinance No. 506, the date of its passage, its effective date and the fact that the entire text of the ordinance may be read on the bulletin board of the Town

Office, St. Michaels, Maryland, for at least twenty (20) days following the passage, has been published at least once each week for two (2) consecutive weeks following the passage of said ordinance in a newspaper having general circulation in the Town of St. Michaels.

Date: 4/23/2020

 (SEAL)  
JEAN R. WEISMAN  
Town Clerk/Manager