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**Town of Berwyn Heights**

**5700 Berwyn Road**

**Berwyn Heights, MD 20740**

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**MAYOR**

Stephen D. Isler

**COUNCIL MEMBERS**

Jason W. Papanikolas (Mayor Pro Tem)

Amanda M. Dewey

Jeffrey Jay Osmond

Ethan D. Sweep

**Resolution 05-2020**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF BERWYN HEIGHTS TO POSTPONE THE TOWN ELECTION NOW SET FOR MAY 5, 2020.**

WHEREAS, pursuant to §5-201 *et seq.* of the Local Government Article, Annotated Code of Maryland, the Mayor and Council of Berwyn Heights (hereinafter, the “Town”) has the power to pass such ordinances as it deems necessary to protect the health, safety and welfare of the residents of the Town and to prevent and remove nuisances; and

WHEREAS, a state of emergency and catastrophic health emergency was proclaimed by the Governor of Maryland on March 5, 2020, and renewed on March 17, 2020, to control and prevent the spread of COVID-19 within Maryland, and the state of emergency and catastrophic health emergency still exists;

WHEREAS, 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 has been confirmed in nearly all Maryland counties;

WHEREAS, to reduce the spread of COVID-19, the U.S. Centers for Disease Control and Prevention and the Maryland Department of Health recommend social distancing and avoiding gatherings;

WHEREAS, the currently known and available scientific evidence and best practices support limitations on gatherings and social distancing to prevent exposures and transmissions, and reduce the threat to especially vulnerable populations, including older individuals and those with chronic health conditions;

WHEREAS, the Town has imposed social-distancing measures, and has taken other actions to reduce the spread of COVID-19;

WHEREAS, to reduce the threat to human health caused by transmission of the novel coronavirus in Maryland, and to protect and save lives, it is necessary and reasonable that individuals in the state refrain from congregating;

WHEREAS, the Town’s elections would ordinarily be conducted on May 5, 2020 at polling locations that, during the state of emergency and catastrophic health emergency, hinder social distancing, enable the transmission of the novel coronavirus, and pose risks to public health, welfare, and safety;

WHEREAS, holding Town elections at polling locations during the state of emergency and catastrophic health emergency would potentially expose Town buildings, voters, and Town officers, employees, and volunteers to the novel coronavirus; and

WHEREAS, elections must be accessible, secure, and safe; and

WHEREAS, COVID-19, the state of emergency and the catastrophic health emergency, and the State's and Town’s emergency actions in response impair the ability of Town’s officials, employees, and volunteers to hold elections on the date required by the Town’s charter in safe, orderly and efficient manner; and

WHEREAS, the Mayor and Council have determined that it is in the public interest to postpone the date of the Town election for health and safety reasons, and

WHEREAS, pursuant to Executive Order No. 20-03-30-03 of the Governor of the State of Maryland, the Mayor and Council adopted Charter Resolution 2020-CR-01, which authorizes the Mayor and Council to postpone the date upon which a municipal election will be held and the method, conduct, or voting system of an election in a manner that ensures an accurate vote count and certification of election results during a state of emergency; and

WHEREAS, the Mayor and Council have determined that a state of emergency does exist and that postponement of the date of the election will not endanger the public health, welfare, or safety of the Town or its residents.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Town of Berwyn Heights that the date of election for Town offices, now set for May 5, 2020, be and it is hereby postponed to a June 9, 2020.

ADOPTED THIS 15th day of April 2020. EFFECTIVE THIS 15 day of April 2020.

By the Order of the Mayor and Town Council

Stephen Isler, Mayor of Berwyn Heights

ATTEST:

Kerstin Harper, Town Clerk