



# Albemarle County

## Legislation Details (With Text)

**File #:** 20-288      **Version:** 1      **Name:**  
**Type:** Ordinance      **Status:** Public Hearing  
**File created:** 4/3/2020      **In control:** Board of Supervisors  
**On agenda:** 4/15/2020      **Final action:**  
**Title:** Ordinance to Ensure Continuity of Government During the COVID-19 Disaster. To receive public comment on its intent to adopt an ordinance to ensure the continuity of County government as authorized by Virginia Code § 15.2-1413 during the novel coronavirus ("COVID-19") disaster. The ordinance would identify essential governmental functions, provide for the succession of elected officials and appointed officers, provide for how public meetings are conducted, modify certain deadlines imposed by State law and the County Code, state how long the ordinance will be in effect, and provide for when and how normal governmental authority will resume.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Att.A - Proposed Ordinance, 2. Att.B - Redlined Version

Date	Ver.	Action By	Action	Result
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**AGENDA DATE:** 4/15/2020

**TITLE:**

Ordinance to Ensure Continuity of Government During the COVID-19 Disaster

**SUBJECT/PROPOSAL/REQUEST:** Adoption of an Ordinance to Ensure Continuity of Government During the COVID-19 Disaster

**ITEM TYPE:** Regular Action Item

**STAFF CONTACT(S):** Richardson, Walker, Kamptner

**PRESENTER (S):** Greg Kamptner

**LEGAL REVIEW:** Yes

**REVIEWED BY:** Jeffrey B. Richardson

**BACKGROUND:** In a series of actions over the past five weeks, the County Executive, acting as the Director of Emergency Management, has declared a local emergency, and Governor Ralph S. Northam has declared a state of emergency, both as a result of the novel coronavirus ("COVID-19") pandemic. The Governor has issued four subsequent executive orders that increase restrictions on public and private gatherings, businesses, and other measures intended to slow the spread of the COVID-19 virus.

On March 27, 2020, the Board adopted an emergency ordinance designed to ensure the continuity of government as authorized by Virginia Code § 15.2-1413. The primary elements of that ordinance identified essential governmental functions, established a succession plan for elected officials and appointed officers,

established rules for public meetings, extended certain deadlines requiring public body or staff action, and provided a method for resuming normal governmental operations. Virginia Code § 15.2-1427(F) limits the duration of an emergency ordinance to not more than 60 days.

**STRATEGIC PLAN:** Mission: To enhance the well-being and quality of life for all citizens through the provision of the highest level of public service consistent with the prudent use of public funds.

**DISCUSSION:** The proposed ordinance would extend the substance of the March 27 emergency ordinance for the duration of the COVID-19 disaster and for up to six months thereafter, as provided by Virginia Code § 15.2-1413.

The proposed ordinance includes the following key changes to the March 27 emergency ordinance by: (1) refining the information provided and stated in public meeting agendas, notices, and in the chair statements in Sections 6(C), (D), and (E), respectively; (2) removing certain tax deadlines from Section 7, which are addressed in a separate ordinance for the Board's consideration; (3) adding a new Section 8 to authorize the County Executive to adjust procurement procedures to minimize the need for exchanging paper documents and for personal gatherings; and (4) adding a new Section 12 to expressly provide that the proposed ordinance does not apply to the County's courts and constitutional officers.

**BUDGET IMPACT:** Any increased workload could be managed by existing staff.

**RECOMMENDATION:**

Staff recommends that the Board adopt the attached proposed Ordinance (Attachment A).

**ATTACHMENTS:** A - Proposed Ordinance