

Ordinance No. 527

An Ordinance to revise and restate Section 28-3 of the Code of the City of New Castle to eliminate the time limits imposed on States of Emergency.

WHEREAS, the Council of the City of New Castle desires to make certain amendments to Section 28-3 of the City Code relating to the duration of states of emergency;

NOW, THEREFORE BE IT ORDAINED by the Council of the City of New Castle, the following:

SECTION 1: Section 28-3 of the Code of the City of New Castle is hereby amended so that it will state, in its entirety, as follows:

§ 28-3 Duration of state of emergency.

The state of emergency declared by the Senior Elected Official shall exist for the period set forth in the proclamation or declaration. The Senior Elected Official may terminate the state of emergency or modify its provisions prior to the time set forth in his declaration or proclamation. In addition, the state of emergency may also be terminated or its provisions modified by the affirmative vote of at least four (4) members of City Council.

SECTION 3: If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

SECTION 4. In the event any existing Ordinances or parts of Ordinances are in conflict herewith, the provisions of this Ordinance shall control.

SECTION 5. Upon passage, this Ordinance shall be retroactively effective on March 17, 2020.

First Reading: March 26th, 2020

Second Reading: March 26th, 2020

Signed this _____ day of _____, 2020

Linda Ratchford, President of Council

Brian Whittaker, City Clerk

APPROVED:

Michael J. Quaranta, Mayor