



# Town of Vienna

Charles A. Robinson Jr. Town  
Hall  
127 Center Street South  
Vienna VA, 22180

## Legislation Details (With Text)

**File #:** 20-1812      **Version:** 1      **Name:**  
**Type:** Action Item      **Status:** Agenda Ready  
**File created:** 8/12/2020      **In control:** Town Council Meeting  
**On agenda:** 8/31/2020      **Final action:**  
**Title:** Re-adoption and extension of the Continuity of Government ordinance  
**Sponsors:**  
**Indexes:**  
**Code sections:**

**Attachments:** 1. Virginia Code Section 15.2-1413, 2. Governor EO-53-Temporary-Restrictions-Due-To-Novel-Coronavirus-(COVID-19) 03 23 2020, 3. Fairfax County Declaration of Emergency, 4. Governor EO-51-Declaration-of-a-State-of-Emergency-Due-to-Novel-Coronavirus-(COVID-19), 5. EO-55-Temporary-Stay-at-Home-Order-Due-to-Novel-Coronavirus-(COVID-19), 6. Emergency Ordinance on Continuity of Government Town of Vienna Final 03 31 2020, 7. EO-63-and-Order-Of-Public-Health-Emergency-Five---Requirement-To-Wear-Face-Covering-While-Inside-Buildings, 8. EO-65-Phase-Two, 9. EO-67-and-Order-of-Public-Health-Emergency-Seven---Phase-Three-Easing-of-Certain-Temporary-Restrictions-Due-to-Novel-Coronavirus-(COVID-19)

Date	Ver.	Action By	Action	Result
8/31/2020	1	Town Council Meeting	approve	Pass

**Subject:**  
Re-adoption and extension of the Continuity of Government ordinance  
**EXPLANATION AND SUMMARY :**

On March 31, 2020, Town Council adopted a Continuity of Government ordinance at a special/emergency meeting called by the mayor. In consideration of the declared national emergency by the President of the United States, declaration of emergency by Virginia Governor Ralph Northam as well as the Fairfax County declaration and letter of opinion of the Attorney General related to emergency authority of localities, the Town Attorney recommended immediate adoption of a Continuity of Government ordinance and also recommended advertisement of the ordinance for re-adoption at Town Council's next regularly scheduled meeting. The advertised ordinance, authorized by Virginia Code Section 15.2-1413, would permit the Town for a period not to exceed six months to modify meeting and public participation methods to comply with the governor's executive order to limit public gatherings and practice social distancing. The emergency adoption was initially valid only for 60 days and was subsequently advertised and re-adopted by Town Council April 13 with an expiration date of September 30, 2020. The Town has developed and implemented meeting procedures related to electronic participation by public body members, public participation (i.e., submission of public comment through written and electronic methods), and logistical meeting planning to ensure safe social distancing. Due to the ongoing state of emergency caused by COVID-19, an extension of the Continuity of Government ordinance is necessary.

**Strategic Plan Initiative:** *Vienna is an influential and well-governed community.*

**Departmental Recommendation :**

**Finance Recommendation :**

**Purchasing Recommendation :**

**Town Attorney Recommendation :** The Town Attorney recommends re-adoption and extension of the Continuity of Government ordinance, adopted by Town Council at its special/emergency meeting of March 31, 2020 and re-adopted April 13, 2020, to ensure the ordinance's continued effect for a period of up to six additional months from its current expiration date. The re-adoption has been advertised for two successive weeks in accordance with Town Charter provision Section 9.1.1.

**Town Manager's Recommendation :** I recommend that Town Council re-adopt and extend the Continuity of Government ordinance that was approved by Town Council at its April 13, 2020 meeting, as presented.

Cost and Financing: N/A

Account Number: N/A

Decision Needed by This date: 08/31/20

**PROPOSED/SUGGESTED MOTION**

"I move to re-adopt and extend the Continuity of Government ordinance approved by Town Council at its April 13, 2020 meeting. The re-adopted ordinance shall be good for a period of up to an additional six months, until March 31, 2021, from its current expiration of September 30, 2020."

"I further move to direct the Town Clerk to advertise a Notice of Adoption of the Continuity of Government ordinance."

Or

Other action deemed necessary by Council.