

**CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA**



Agenda Date:	August 17, 2020
Action Required:	Ordinance Enactment
Staff Contacts:	Melissa Morton, Director of Elections and General Registrar John Blair, City Attorney
Presenters:	Melissa Morton, Director of Elections and General Registrar John Blair, City Attorney
Title:	Central Absentee Precinct Temporary Change (1st of 2 Readings)

Background:

Virginia Code Section 2.2-712 permits each locality to establish a central absentee voter precinct.

The City of Charlottesville maintains one central absentee voter precinct at City Hall pursuant to Charlottesville City Code Section 9-31.

Discussion:

Due to concerns about the spread of COVID-19, the Charlottesville Electoral Board and the Charlottesville General Registrar and Director of Elections are recommending that the central absentee voter precinct be moved from City Hall to City Space for the November 2020 general election.

This ordinance is prepared as a temporary ordinance with an expiration date of November 10, 2020.

Attachments:

Proposed Ordinance

**ORDINANCE
APPROVING CITY SPACE
AS CENTRAL ABSENTEE PRECINCT FOR
NOVEMBER 3, 2020 GENERAL ELECTION**

WHEREAS, on March 12, 2020, Governor Ralph S. Northam issued Executive Order 51 declaring a state of emergency for the Commonwealth of Virginia due to the potential spread of COVID-19; and

WHEREAS, Governor Northam’s March 12, 2020 declaration found that the anticipated effects of COVID-19 constitute a disaster pursuant to Virginia Code Section 44-146.16; and

WHEREAS, City Manager and Director of Emergency Management, Dr. Tarron J. Richardson, declared the potential spread of COVID-19 an emergency on March 12, 2020 pursuant to a Resolution adopted by the Charlottesville City Council; and

WHEREAS, Virginia Code Section 15.2-1413 provides that a locality may, by ordinance, provide a method to assure continuity in government in the event of a disaster “notwithstanding any contrary provision of law, general or special”; and

WHEREAS, the conduct of elections is necessary to assure continuity in government; and

WHEREAS, Virginia Code Section 24.2-310 provides that if an emergency makes a polling place unusable, the Director of Elections and General Registrar shall provide an alternative polling place;

WHEREAS, Charlottesville City Code Section 9-31 establishes City Hall as the polling place for the City of Charlottesville’s Central Absentee Precinct; and

WHEREAS, the Charlottesville Electoral Board and the Charlottesville Director of Elections and General Registrar have determined that the use of City Space as the polling place for the City of Charlottesville’s Central Absentee Precinct may assist the City’s efforts to avoid the spread of COVID-19 and that the continued use of City Hall as the Central Absentee Precinct polling place may contribute to the spread of COVID-19; and

WHEREAS, the potential spread of COVID-19 is a rare and unforeseen circumstance necessitating the movement of the Central Absentee Precinct polling place.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Charlottesville, Virginia that for the November 3, 2020 general election, the City of Charlottesville’s Central Absentee Precinct shall be located at City Space located at 100 5th Street NE, Charlottesville, Virginia 22902.

BE IT FURTHER ORDAINED by the Council of the City of Charlottesville, Virginia that this ordinance is adopted pursuant to the provisions of Virginia Code Sections 15.2-1413 and 24.2-310.

BE IT FURTHER ORDAINED by the Council of the City of Charlottesville, Virginia that this polling place change shall be advertised in the *Daily Progress* and on the City of Charlottesville's web site.

BE IT FURTHER ORDAINED by the Council of the City of Charlottesville, Virginia that this ordinance shall be effective on September 8, 2020 and shall expire on November 10, 2020.

BE IT FURTHER ORDAINED by the Council of the City of Charlottesville, Virginia that this ordinance is passed with the votes of four-fifths of the City Council and that the second reading of this ordinance shall not be required.