

Wilmington, Delaware
June 16, 2022

#0199

WHEREAS, the Wilmington City Charter empowers Wilmington City Council to

Sponsor:

adopt emergency ordinances in order to meet a public emergency affecting life, health,

**Council
Member
Darby**

property or the public peace; and

WHEREAS, the Wilmington City Council proposes to amend the Wilmington City

Charter to require Wilmington City Council to make appropriations on an emergency basis

from available sources of unappropriated revenues, grant funds or special funds.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY

OF WILMINGTON that pursuant to Title 22, Section 811 of the Delaware Code, this

Council proposes to amend Section 2-205 of the Wilmington City Charter by adding the

underlined language and deleting the stricken language to read as follows:

Sec. 2-205. Emergency Ordinances.

To meet a public emergency affecting life, health, property or the public peace, the city council ~~may~~ shall adopt emergency ordinances, which shall include appropriations from any available source of revenues, grant funds or special funds, including funds being passed through to non-city entities, but such ordinances may not levy taxes, grant, renew or extend a franchise, or authorize the borrowing of money except to issue emergency notes as provided by law. An emergency ordinance shall be introduced in the form and manner prescribed for ordinances generally, except that it shall be plainly designated as an emergency ordinance and shall contain, after the enacting clause, a declaration stating that an emergency exists and describing it in clear and specific terms. An emergency ordinance may be adopted with or without amendment or rejected at the meeting at which it is introduced, but the affirmative vote of at least two-thirds of the members shall be required for adoption. It shall become effective upon adoption or at such later time as it may specify. Every emergency ordinance except one made for the issuance of emergency notes shall automatically stand repealed as of the sixty-first day following the date on which it was adopted, but this shall not prevent reenactment of the ordinance in the manner specified in this section if the emergency still exists. An emergency ordinance may be

repealed by adoption of a repealing ordinance in the same manner specified in this section for adoption of emergency ordinances.

Passed by City Council,

ATTEST: _____
City Clerk

SYNOPSIS: This Resolution initiates a proposed amendment to Wilmington City Charter Section 2-205 to require City Council to make emergency appropriations from available revenues, grant funds or special funds in order to meet a public emergency affecting life, health, property or other public peace.

SPONSOR:

HOUSE OF REPRESENTATIVES
151st GENERAL ASSEMBLY

HOUSE BILL NO. _____

AN ACT TO AMEND THE CHARTER OF THE CITY OF WILMINGTON REGARDING EMERGENCY ORDINANCES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE (Two-thirds of all members elected to each house thereof concurring therein):

Section 1. Amend § 2-205 of the Charter of the City of Wilmington by making deletions as shown by strike through and insertions as shown by underline as follows:

Section 2-205. – Emergency Ordinances.

To meet a public emergency affecting life, health, property or the public peace, the city council ~~may~~ shall adopt emergency ordinances, which shall include appropriations from any available source of revenues, grant funds or special funds, including funds being passed through to non-city entities, but such ordinances may not levy taxes, grant, renew or extend a franchise, or authorize the borrowing of money except to issue emergency notes as provided by law. An emergency ordinance shall be introduced in the form and manner prescribed for ordinances generally, except that it shall be plainly designated as an emergency ordinance and shall contain, after the enacting clause, a declaration stating that an emergency exists and describing it in clear and specific terms. An emergency ordinance may be adopted with or without amendment or rejected at the meeting at which it is introduced, but the affirmative vote of at least two-thirds of the members shall be required for adoption. It shall become effective upon adoption or at such later time as it may specify. Every emergency ordinance except one made for the issuance of emergency notes shall automatically stand repealed as of the sixty-first day following the date on which it was adopted, but this shall not prevent reenactment of the ordinance in the manner specified in this section if the emergency still exists. An emergency ordinance may be repealed by adoption of a repealing ordinance in the same manner specified in this section for adoption of emergency ordinances.

SYNOPSIS

This Act amends Section 2-205 of the City of Wilmington Charter to require Wilmington City Council to make emergency appropriations from available revenues, grant funds or special funds in order to meet a public emergency affecting life, health, property or the public peace.