

ORDINANCE NO. 2280

AN ORDINANCE TO AMEND CHAPTER 1 OF THE CODE OF SUSSEX COUNTY RELATING TO SUSSEX COUNTY COUNCIL MEETINGS THAT FALL ON LEGAL HOLIDAYS

WHEREAS, Title 9, § 334 (a) of the Delaware Code, entitled, “Organization meeting; election of president” states, “(a) The governing bodies of the respective counties shall meet for organization on the first Tuesday in January following the biennial general election, or on the date specified by ordinance in the respective county,” thereby mandating the Sussex County Council to meet on the first Tuesday in January each year unless the County passes an ordinance stating otherwise; and

WHEREAS, Title 9, § 7002 (k) (1) of the Delaware Code which addresses Sussex County Council procedure states in part that “[t]he place and dates of such meetings shall be established by the county government as a part of the rules of procedure adopted for the conduct of its meetings,”; and

WHEREAS, Title 9 § 7002 (k) (2) of the Delaware Code states in part that “[t]he county government shall determine its own rules and order of business,”; and

WHEREAS, Sussex County Council desires to clarify when its meetings shall be held in the event its regularly scheduled Tuesday meeting falls on a legal holiday; and

WHEREAS, this ordinance shall amend Chapter 1 of the Sussex County Code by creating a new Article II, entitled, “Sussex County Council Procedure” and a new § 11-20, entitled, “Meetings on Legal Holidays” to clarify when a Sussex County Council meeting shall take place if the regularly scheduled meeting falls on a legal holiday;

NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:

Section 1. Amend Sussex County Code, Chapter 1, by creating a new Article II, entitled, "Sussex County Council Procedures" and a new § 1-20, entitled, "Meetings on Legal Holidays, containing the underlined language as follows:

Article II. Sussex County Council Procedures

§ 1 – 20 Meetings on Legal Holidays.

In the event any Council meetings mandated by the Delaware Code, Sussex County Code or Sussex County Council's Rules of Procedure fall on a legal holiday, the meeting shall take place on the next regularly scheduled Tuesday meeting date, or on such other date to be scheduled by the Council, upon providing proper notice to the public in accordance with Title 29, Chapter 100, of the Delaware Code.

Section 2. Effective Date. This Ordinance shall become effective immediately upon its passage.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF ORDINANCE NO. 2280 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 27TH DAY OF NOVEMBER 2012.



**ROBIN A. GRIFFITH
CLERK OF THE COUNCIL**