

RESOLUTION

A RESOLUTION DECLARING AN EMERGENCY AFFECTING THE PUBLIC HEALTH THROUGH FEBRUARY 16, 2021 DUE TO THE OUTBREAK OF THE COVID-19 DISEASE IN THE STATE OF ILLINOIS

WHEREAS, State of Illinois Governor JB Pritzker issued a disaster proclamation on March 9, 2020 due to the COVID-19 disease outbreak in the State of Illinois (“Illinois”); and

WHEREAS, Governor Pritzker has issued several executive orders since March 9, 2020 regarding the COVID-19 disease outbreak, including, but not limited to, Executive Order 2020-43 (COVID-19 Executive Order No. 41) requiring all individuals in the State of Illinois to wear a face covering, with certain limited exceptions, and limiting gatherings to 50 persons or less, including in Oak Park; and

WHEREAS, Governor Pritzker issued a Gubernatorial Disaster Proclamation on October 16, 2020 due to COVID-19 which extends for a period of 30 days through November 14, 2020; and

WHEREAS, subsequent to Governor Pritzker’s Disaster Proclamation, Governor Pritzker issued Executive Order 2020-63 (COVID-19 Executive Order No. 59) on October 27, 2020 which requires certain mitigation measures due to COVID-19 be taken in suburban Cook County, Illinois, which is designated as Region 10 and includes the Village of Oak Park (“Village”); and

WHEREAS, on March 11, 2020, the World Health Organization (WHO) declared the COVID-19 disease outbreak a worldwide global pandemic; and

WHEREAS, due to COVID-19, the Village Board previously declared an emergency in the Village of Oak Park (“Village”) through April 6, 2020 pursuant to Section 8-10-5 of the Illinois Municipal Code and Sections 2-6-10, 2-27-9 and 20-1-6(Z) of the Village Code by its adoption of Resolution 20-120 on March 13, 2020, which is incorporated herein as though fully set forth; and

WHEREAS, the Village Board extended its declaration of emergency in the Village through June 1, 2020 by its adoption of Resolution 20-124 on April 6, 2020 and Resolution 20-128 on April 27, 2020, both which are incorporated herein as though fully set forth; and

WHEREAS, on July 27, 2020, the Village Board declared a new emergency in the Village through September 14, 2020 by its adoption of Resolution 20-184; and

WHEREAS, the Village Board adopted Ordinance 20-094 on October 19, 2020 which amended Section 20-1-6 of the Village Code to authorize the Village’s Public Health Director to make reasonable rules, regulations and orders as may from time to time be deemed necessary in response to the COVID-19 outbreak in the Village through February 16, 2021; and

WHEREAS, the public health of the residents, visitors, and workers in the Village and Village employees continue to be affected by the outbreak of the COVID-19 disease in Illinois; and

WHEREAS, the Village has seen the seven day and fourteen day rolling average of new positive cases trend in an increasing direction during the month of October 2020; and

WHEREAS, Section 8-10-5 of the Illinois Municipal Code, 65 ILCS 5/8-10-5, provides that the Village Board may declare an emergency when the public health or safety is affected pursuant to a majority vote of its members and such a declaration allows for contracts to be let by the Village without public advertisement; and

WHEREAS, Section 2-6-10 of the Oak Park Village Code (“Village Code”) further provides that “[i]n cases of urgently needed material or urgent repairs involving labor and material, such repairs and material may be obtained through negotiated contract without formal advertising with the approval of the Village Manager, when it is in the best interest of the Village and when it is impractical to convene a meeting of the Board of Trustees;” and

WHEREAS, Section 2-27-9 of the Village Code further provides that “[t]he Village Manager, with the approval of the Village Board of Trustees, on recommendation of the Coordinator of the Oak Park ESDA [Emergency Service Disaster Agency] authorize any purchase or contracts necessary to place the Village in a position to combat effectively any disaster, and to protect the public health and safety, protect property, and to provide emergency assistance to victims in the case of any manmade or natural disaster;” and

WHEREAS, such emergency assistance shall include temporary relief from the Village’s Zoning Ordinance regulations through February 16, 2021 when such relief is to provide services in response to the COVID-19 outbreak and otherwise meets the requirements for a temporary use permit set forth in Section 14.9 of the Zoning Ordinance and to enter into license agreements for the temporary use of Village property and public rights-of-way for outdoor dining and related permit fee waivers; and

WHEREAS, the Coordinator of the Oak Park ESDA has made a recommendation to allow for such authority pursuant to Section 2-27-9 of the Village Code through February 16, 2021, and such recommendation is attached hereto and incorporated herein by reference as though fully set forth; and

WHEREAS, due to the outbreak of COVID-19 disease, in order to meet the United States Centers for Disease Control and Prevention (“CDC”) guidance for necessary supplies and equipment and other pertinent guidance from the CDC and other federal and state agencies and officials, there is a need to suspend the application of the Village’s purchasing requirements by extending the Village’s declaration of emergency as set forth herein; and

WHEREAS, pursuant to the emergency that continues to affect the public health due to the outbreak of COVID-19 disease in the State of Illinois, the Village Board has determined to adopt this Resolution to renew the declaration of emergency that was established by Resolutions 20-120, 20-

124, 20-128 and 20-184 pursuant to Section 8-10-5 of the Illinois Municipal Code and Sections 2-6-10 and 2-27-9 of the Village Code through February 16, 2021.

NOW THEREFORE, BE IT RESOLVED by the President and Board of Trustees of the Village of Oak Park, Cook County, Illinois, in the exercise of its home rule powers, as follows:

Section 1. Recitals Incorporated. The above recitals are incorporated herein as though fully set forth.

Section 2. Declaration of Emergency Affecting the Public Health. The Village Board declares an emergency affecting the public health due to the outbreak of the COVID-19 disease in the State of Illinois through February 16, 2021 pursuant to Section 8-10-5 of the Illinois Municipal Code and Sections 2-6-10 and 2-27-9 of the Village Code.

Section 3. Severability and Repeal of Inconsistent Ordinances, Resolutions and Motions. If any section, paragraph, clause or provision of this Resolution shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Resolution. All ordinances, resolutions or adopted motions in conflict herewith are hereby repealed to the extent of such conflict.

Section 4. Effective Date. This Resolution shall be in full force and effect upon its passage and approval.

ADOPTED this 2nd day of November, 2020 pursuant to a roll call vote as follows:

Voting	Aye	Nay	Abstain	Absent
President Abu-Taleb				
Trustee Andrews				
Trustee Boutet				
Trustee Buchanan				
Trustee Moroney				
Trustee Taglia				
Trustee Walker-Peddakotla				

APPROVED this 2nd day of November, 2020.

Anan Abu-Taleb, Village President

ATTEST

Vicki Scaman, Village Clerk