

RESOLUTION

A RESOLUTION DECLARING AN EMERGENCY AFFECTING THE PUBLIC HEALTH THROUGH JUNE 15, 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 a disaster proclamation is currently in effect through February 6, 2021; and

WHEREAS, Governor Pritzker has issued numerous executive orders since March 9, 2020 due to the COVID-19 disease outbreak, including, but not limited to, Executive Order 2020-10 (COVID Executive Order No. 8) requiring all individuals currently living in the State to stay at home or at their place of residence (“Stay at Home Order”), including in Oak Park; and

WHEREAS, Governor Pritzker extended his Stay at Home Order through April 30, 2020 pursuant to Executive Order 2020-18 (COVID Executive Order No. 16) and announced on April 23, 2020 that he would further extend his Stay at Home Order through May 29, 2020; and

WHEREAS, on June 26, 2020, Governor Pritzker issued Executive Order 2020-43 (COVID-19 Executive Order No. 41) which required individuals to practice social distancing, wear face coverings in public places or when working with limited exceptions, and limited gatherings to no more than fifty people; and

WHEREAS, Governor Pritzker extended Executive Order 2020-43 (COVID-19 Executive Order No. 41), through November 14, 2020 pursuant to Executive Order 2020-59 (COVID-19 Executive Order No. 55), as amended; and

WHEREAS, on November 18, 2020, Governor Pritzker issued Executive Order 2020-73 (COVID-19 Executive Order No. 69) which prohibits indoor gatherings of more than one household and limits outdoor gatherings to no more than ten people and other mitigation matters due to an exponential growth in the number of COVID-19 cases in Illinois; 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, which is incorporated herein as though fully set forth; and

WHEREAS, the Village Board adopted Resolution 20-232 to reestablish the declaration of emergency from November 2, 2020 through February 16, 2021, which is incorporated herein as though fully set forth; 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 since 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 June 15, 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 June 15, 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 June 15, 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 June 15, 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.

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ADOPTED this 19th day of January, 2021, 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 19th day of January, 2021.

Anan Abu-Taleb, Village President

ATTEST

Vicki Scaman, Village Clerk