

DECLARATION OF EMERGENCY
CITY OF WEST CHICAGO
MARCH 30, 2020

I, Mayor Ruben Pineda, do hereby issue this Declaration of Emergency for the City of West Chicago, this 30th day of March, 2020 (“*Declaration*”).

Introduction

The United States Centers for Disease Control (CDC), the United States Department of Health and Human Services (HHS), and the World Health Organization (WHO) have each determined that the SARS-CoV-2 virus causes the COVID-19 respiratory disease. The SARS-CoV-2 virus is a new strain of coronavirus that had not been previously identified in humans and is easily spread from person to person. The COVID-19 disease can result in serious illness and death.

More than 1,285 confirmed cases of COVID-19 have been identified in 31 counties in the State of Illinois. On January 31, 2020, the Secretary of HHS declared a public health emergency for the entire United States of America concerning COVID-19. On March 9, 2020, Governor Pritzker issued a disaster proclamation concerning the spread of COVID-19 in Illinois. On March 11, 2020, WHO declared that the spread of COVID-19 is a global pandemic. On March 13, 2020, the President of the United States declared a national emergency concerning the COVID-19 pandemic.

The Illinois Department of Public Health has now confirmed localized community person-to-person transmission of COVID-19 in Illinois, significantly increasing the risk of exposure and infection to Illinois' general public and creating an extreme public health risk in the City and throughout the State. As has been experienced in other locales in the United States and around the world, the SARS-CoV-2 virus has the potential to infect large numbers of people in a short amount of time, placing extreme burdens on the health care system and the economy.

In order to prevent the spread of COVID-19 in the City, and to protect the residents of the City from disease and death, I find that it is necessary to issue this Declaration to implement emergency regulations and orders, all as set forth in this Declaration.

Statement of Authority

This Declaration is issued pursuant to the authority granted to me by: Chapter 2 of Article II, Division 2, Sec. 2-44 of the West Chicago City Code, Section 11-1-6 of the Illinois Municipal Code, 65 ILCS 5111-1-6; and Section 11 of the Illinois Emergency Management Agency Act, 20 ILCS 3305/11.

Declaration

I hereby declare that a state of emergency exists in the City of West Chicago, for the reasons set forth in this Declaration.

Emergency Regulations and Orders

I hereby direct and order as follows:

1. *Implementation of Emergency Operations Plan.* I direct the City Administrator to implement the City Emergency Operations Plan. All City employees must adhere to the directives and orders of the City Administrator, and of duly designated emergency coordinators for the City, in accordance with the Emergency Operations Plans and otherwise as required by State law and City ordinances and regulations.
2. *Cooperation with Other Government Agencies.* I direct all City officials and employees to take all practicable steps to coordinate the City's resources and emergency operations with the State of Illinois, the County of DuPage, and other local governments in and around the City, to best utilize resources of all agencies in the area for the preparation for, response to, and recovery from, the COVID-19 pandemic.
3. *Emergency Purchasing.* The City Administrator may enter into contracts for the emergency purchase of goods and services that may be necessary for the preparation for, response to, and recovery from, the COVID-19 pandemic. The City Administrator is hereby authorized to execute such contracts in accordance with applicable law. Any earmarked funds not otherwise restricted by law may be redirected to cover operational expenditures across all Funds.
4. *Emergency Staffing.* This Declaration constitutes a declaration of civil emergency under the City's collective bargaining agreements. Accordingly, I direct the City Administrator to implement such emergency staffing protocols and procedures as may be necessary for the preservation of public health and safety, and for the preservation of the health of City employees. Specifically, and without limitation of the foregoing, the City Administrator is authorized to implement alternative staffing protocols (including layoffs and furloughs), procedures, and shifts for all City Departments.
5. *Personnel Policies.* The City Administrator is authorized to adjust any personnel policies related to leave time, or other benefits or terms and conditions of employment as are reasonably related to providing sufficient staffing during the term of the emergency in accordance with applicable law, or any Governmental Directives, General Orders or the like, including the interpretation of the Families First Coronavirus Response Act (H.R. 6201) as it relates to which personnel are exempt from the Emergency Paid Sick Leave and Emergency Paid Family Leave provisions.

6. *Licensed or Permitted Activities.* The Mayor may, upon the recommendation of the City Administrator or his designee, suspend licenses or permits for special events or any other licenses or permits issued by the City which, in the judgment of the Mayor, could impact the public health or well-being of residents or visitors of the City. The City Administrator may also temporarily modify the conditions of any licenses or extend the license terms, as appropriate.
7. *City Facilities.* The City Administrator is authorized to close City facilities as is reasonably required to protect the health and safety of the public and the employees of the City.
8. *Open Meetings Act:* Per Governor Pritzker's COVID-19 Executive Order No. 8, certain provisions of the Open Meetings Act have been temporarily modified. City Council, Standing Council Committees and advisory Boards/Commission meetings may be conducted remotely, with notices of the meetings being included on the City's website and posted at City Hall. Members of the public will have telephonic access should they wish to offer public comment.
9. *Package Sale of Alcoholic Liquor - Restaurants:* Owners of restaurants possessing either a Class A or Class E liquor license will be permitted to allow the sale of beer and wine in its original package for off-premise consumption by means of in-house delivery, third-party delivery, drive-through, curbside pick-up and carryout. Licensees remain responsible for complying with all other requirements of the West Chicago City Code and Illinois state law. This includes ensuring, at a safe social distance, that the beer and wine is sold or delivered to an individual at least twenty-one years of age or older by verifying the ages and identities of the person(s) purchasing the packaged beer and wine and/or receiving the packaged beer and wine upon delivery.

Licensees are advised that dramshop/liquor liability insurance policies may need to be updated and/or revised to undertake the sale of beer and wine in its original package for off-premise consumption by means of in-house delivery, third-party delivery, drive-through, curbside pick-up and carryout. By undertaking the sale of beer and wine in its original package, the Licensee certifies the sufficiency of its dramshop/liquor liability insurance policy and indemnifies the City of West Chicago and its employees and agents from any and all liability related to any and all claims that arise directly or indirectly from the temporary added permission described herein and any activities undertaken by the Licensee from the temporary added permission described herein.

10. *Failure to Pay Water/Sewer Bills* – There will be no late fees/penalties assessed for water/sewer bills due March 31, 2020 for failure to pay by the due date. There will also be no termination of water service during the month of April 2020 for failure to timely pay water/sewer bills. The City Administrator will determine if these suspended regulations continue beginning May 1, 2020.

Pursuant to the authority vested me pursuant to Division 2 of Article 2 of the City Code, I reserve the right to issue additional emergency regulations and orders in furtherance of this Declaration. Notice of any additional regulations and orders will be provided to the City Clerk, posted on the City website, and otherwise provided to the general public as quickly as practicable.

Effective Date and Period of Emergency

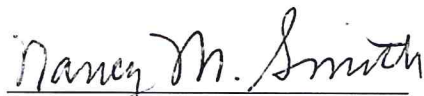
This Declaration shall take effect immediately, and shall expire automatically upon the first to occur of: (i) the adjournment of the next regular or special meeting of the corporate authorities of the City; and (ii) 11:59 p.m. on the date that is seven days after the date of this Declaration; provided, however, that corporate authorities, in their discretion, may extend the duration of this Declaration by a majority vote at any regular, special, or emergency meeting of the corporate authorities.

Signed and sealed with the official seal of the City of West Chicago on this 30th day of March, 2020.

By:



Ruben Pineda
Mayor
City of West Chicago



Nancy M. Smith
City Clerk



City Seal

STATE OF ILLINOIS)
)SS.
COUNTY OF DUPAGE)

ACKNOWLEDGMENT

I, the undersigned, a Notary Public, in and for the County and State aforesaid, DO HEREBY CERTIFY that Ruben Pineda, the Mayor of the City of West Chicago, personally known to me, appeared before me, under oath, this day in person and acknowledged that in such capacity he signed and delivered the said instrument, as his free and voluntary act for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 30th day of March, 2020.

Valeria Lopez
NOTARY PUBLIC

