

# **Second Amended Declaration of Local Disaster and Public Health Emergency Village of Wilmette April 17, 2020**

I, Robert T. Bielinski, do hereby issue this Second Amended Declaration of Local Disaster and Public Health Emergency for the Village of Wilmette, this 17<sup>th</sup> day of April 2020 ("Second Amended Declaration").

## Introduction

WHEREAS, the Village President issued a Declaration of Local Disaster and Public Health Emergency on March 17, 2020 ("Declaration") in response to the outbreak of Coronavirus Disease 2019 ("COVID-19"); and

WHEREAS, the Village President issued an Amended Declaration of Local Disaster and Public Health Emergency on April 7, 2020 ("Amended Declaration"); and

WHEREAS, the Village Board approved and extended the Declaration and Amended Declaration to April 28, 2020; and

WHEREAS, since that time COVID-19 has continued to spread; and

WHEREAS, Governor Pritzker has issued multiple additional Executive Orders ("Executive Orders"), since the Declaration was issued, to help combat the spread of COVID-19; and

WHEREAS, as part of those Executive Orders, Governor Pritzker has issued stay-at-home orders, social distancing requirements, closed all public and private schools, closed all non-essential business, and prohibited gatherings of more than 10 people; and

WHEREAS, the Executive Orders authorize the local governments to help enforce the social distancing requirements and the restrictions on gatherings over 10 people; and

WHEREAS, in order to prevent the spread of COVID-19 in the Village, and to protect the residents, business community members, employees and officials of the Village from disease and death, the Village residents shall comply with and follow the Executive Orders' requirements of social distancing; and

WHEREAS, since the Amended Declaration was issued, the Centers for Disease Control and Prevention ("CDC") has issued guidance and recommendations that the use of a cloth face covering in public settings where other social distancing measures are difficult to maintain (e.g. grocery stores) will help slow the spread of COVID-19; and

WHEREAS, in order to further prevent the spread of COVID-19 in the Village, and to protect the residents, business community members, employees and officials of the Village from disease and death, the Village residents shall comply with and follow the CDC's guidance on face coverings; and

WHEREAS, in order to further prevent the spread of COVID-19 in the Village, and to protect the residents, business community members, employees and officials of the Village from disease and death, to provide the residents with ability to obtain food items in the safest and most efficient way possible, and to provide the Village's business community with the ability to continue to safely serve patrons as allowed by the Executive Orders, I find it necessary to issue this Second Amended Declaration to implement emergency regulations and orders, all as set forth in the Second Amended Declaration.

#### Statement of Authority

This Second Amended Declaration is issued pursuant to the authority vested in the office of Village President by the Illinois Municipal Code Section 5/11-1-6, the Illinois Emergency Management Agency Act Section 3305/11 and Chapter 2, Article XL of the Village Code.

#### Declaration

I hereby declare that a local disaster and public health emergency exists in the Village of Wilmette, for the reasons set forth in this Second Amended Declaration.

#### Emergency Regulations and Orders

I hereby direct and order the following:

1. *Emergency Purchasing.* Pursuant to Section 6-132 (Emergency Procurement) of the Village Code, the Village Manager shall make emergency purchases as necessary under the circumstances without prior approval from the Village Board. Any such purchases, over the Village Manager's purchasing authority, shall be submitted to the President and Board of Trustees for ratification at their next regular meeting.
2. *Emergency Staffing.* The Village Manager may implement such emergency staffing protocols and procedures as may be necessary for the preservation of the public health and safety, and for the preservation of the health of Village employees. The Village Manager is authorized to implement alternative staffing protocols, procedures, and shifts for the Village's various departments, including the Village's Police Department and Fire Department. The Village Manager is also authorized to hire any personnel or engage a consultant on a temporary basis needed to preserve the health, safety and welfare of the Village's residents.
3. *Closure of Public Buildings to the Public.* The Village's owned and operated buildings, except the front lobby of the Village's police department, shall be closed to the general public.
4. *Meeting Cancellation/Postponement.* The Village Manager shall cancel or postpone, to the extent possible and feasible, all regularly scheduled public meetings in month of April of 2020. Pursuant to the Executive Orders, all necessary and required meetings may be held electronically and shall only



have agenda items that require immediate action by the relevant board, committee or commission. Such meetings shall attempt to comply with the encouragements stated in the Executive Orders when holding electronic meetings. A summary of all meetings shall be posted on the Village's website within 48 hours from the conclusion of said meeting.

5. *Social Distancing, Groups of More than Ten People Prohibited, Face Coverings.*

- A. To the extent individuals are using shared or outdoor spaces when outside their residence, they must at all times and as much as reasonably possible maintain social distancing of at least six feet from any other person.
- B. Gatherings of more than ten people is prohibited unless exempted by one or more of the Executive Orders.
- C. When in public settings where other social distancing measures are difficult to maintain, all persons are required to wear face coverings to include their nose and mouth made of any cloth or other material which is reasonably effective to inhibit, filter or restrict the breath, sneeze, cough or other exhaling from one's nose and mouth ("face covering"). Such coverings include but are not limited to, non-medical grade masks, cloth or plastic masks, scarfs, bandanas or handkerchiefs.

Face coverings shall be worn when:

- i. working in any business which is permitted to be opened as an Essential Business and Operation<sup>1</sup>, while open to the public or when employees have contact with the public or other employees;
- ii. engaging in essential activities (e.g. shopping at an Essential Business and Operation; obtaining medical supplies or medication; visiting health care professionals);
- iii. riding in public transportation.

A business owner or operator may refuse admission or service to any individual who fails to wear a face covering.

An individual need not wear a face covering when doing so poses a greater health or safety risk to the individual or public. It is not recommended or required that children under the age of 2 years old wear a face covering.

6. *Suspension of Certain Village Regulations.*

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<sup>1</sup> Essential Business and Operation shall mean any business deemed as such by the Executive Orders

- A. The Village shall authorize the curbside pickup or the offsite delivery of alcoholic beverages to patrons for all Village of Wilmette liquor licensed establishments where consumption of alcohol can take place on such premises ("Licensee") in the following manner:
1. the Licensee may offer for sale alcoholic beverages; and
  2. the Licensee may offer for sale beer from a tap in a Growlers or Crowlers (whether manufactured at the establishment or sold for resale) for consumption off site. All Growlers and Crowlers must be properly sealed and sanitized as required by the Illinois Liquor Control Act.
  3. the alcoholic beverages shall be in the original sealed packaging; and
  4. the alcoholic beverages shall be sold in conjunction with the sale of food; and
  5. the alcoholic beverages cannot be delivered, sold, or possessed by anyone under the age of 21; and
  6. the Licensee's employee or agent must first obtain adequate proof of age from the patron that ordered the alcoholic beverage prior to that patron receiving that alcoholic beverage.
- B. The Village shall waive the application and permit requirements needed to allow for curb loading zones and install signage for such loading zones next to or in close proximity of a Licensee's front door. This loading zone shall be used for patrons to be able to easily receive and pay curbside for purchases of menu items from the Licensee.
- C. The Village shall not issue any permits for solicitors, public demonstrations when such demonstrations may include ten (10) or more people, or a temporary use for the purpose of holding a special event if such event will include ten (10) or more people.

#### Duration of Local Disaster Declaration

The Village, based upon the public gathering guidelines of the federal and state governments, and pursuant to the encouragement of public bodies to postpone consideration of public business when possible per the Executive Orders and, in accordance with this Second Amended Declaration, the Village Board will not be able to physically meet at its next regularly scheduled Village Board meeting. The Village Manager is directed and authorized to schedule an electronic meeting for April 28, 2020, unless doing so is unfeasible, then such an electronic meeting shall be held as soon as practically possible thereafter.

Therefore, pursuant to Section 2-1124 of the Village Code, this Second Amended Declaration herein shall be in effect until such time as the Village Board shall conduct its next meeting.

Signed and sealed with the official seal of the Village of Wilmette on this 17<sup>th</sup> day of April 2020.

By:



Robert T. Bielinski,  
Village President – Village of Wilmette



Village Seal