

VILLAGE OF ANTIOCH

ORDINANCE NO. 20-11-36

*EMERGENCY ORDINANCE RATIFYING AND EXTENDING MAYORAL DECLARATION OF
EMERGENCY RELATING TO CORONAVIRUS*

ADOPTED BY THE PRESIDENT AND BOARD OF TRUSTEES

OF THE

VILLAGE OF ANTIOCH, ILLINOIS

ON

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of the Village of Antioch, Lake County, Illinois,
this 12th day of November, 2020

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ORDINANCE 20-11-36

**ORDINANCE RATIFYING AND EXTENDING
MAYORAL DECLARATION OF EMERGENCY RELATING TO CORONAVIRUS**

WHEREAS, on March 13, 2020, the President of the United States of America declared that a national emergency arising from the widespread threat of serious illness and death due to the Coronavirus and COVID-19 was in effect immediately, and

WHEREAS, on March 9, 2020, the Governor of the State of Illinois declared that a statewide emergency was in effect relating to the same issues, and

WHEREAS, on March 13, 2020, the Chairman of the Lake County Board similarly declared that a county-wide emergency was in effect, again relating to the same issues, and

WHEREAS, further Executive Orders, disaster declarations and related directives with the force of law have been issued by the President, Governor and health officials with the net effect of extending the statewide emergency with a multi-phase recovery program that allows an orderly reopening of business and civic ventures without unnecessarily endangering the populace through a recurrence of viral infections, all of which will take an indefinite period of time to come, and

WHEREAS, the Governor's Executive Orders and their included reopening plan are under challenge in court proceedings in Clay County, but the rulings in that case are not currently final and the Attorney General has announced that he will file appeals from the interlocutory orders that have been issued to date, and even those rulings acknowledge the powers of the Illinois Department of Public Health to take emergency action as it deems necessary due to the pandemic and that these orders may not apply statewide in any event, and

WHEREAS, the Village of Antioch and its populace is neither more, nor less susceptible to the infection of Coronavirus and the COVID-19 disease it causes than the national, state or county populations, and

WHEREAS, the Village of Antioch continues to need access to the full emergency powers established by law, including emergency funding for first responders and containment measures, but including all other powers and funding allowed by applicable law, and

WHEREAS, the Mayor of the Village of Antioch initially exercised the emergency powers granted to him by 65 ILCS 5/11-1-6 by declaring a Village-wide emergency existed on March 17, 2020, and he has since issued additional similar declarations of Village-wide emergency, which correspond to the ongoing nature of the coronavirus pandemic, and

WHEREAS, on March 25, 2020, the Village Board adopted Ordinance 20-03-12 ratifying the said exercise of emergency powers, and again on April 13, 2020, May 11, 2020 June 8, 2020, July 13, 2020, August 10, 2020, September 14, 2020 and October 12, 2030 the Village Board adopted Ordinances (20-04-15, 20-05-16, 20-06-18, 20-07-22, 20-08-24, 20-09-26 and 20-10-30 respectively) again ratifying the exercise of emergency powers, and

WHEREAS, the Governor's phased recovery plan includes provisions which will allow some businesses to reopen within specific limits, and the Mayor has issued a renewed and supplemental emergency order on July 10, 2020 which authorized the Village's bars and restaurants to remain open for carryout and delivery, but also to include strictly limited inside seating as well as outside sales within the parameters described in the recovery plan, but particularly limited to reasonable hours of operation to fairly balance the needs of the business community and the interests of the residents for peace and quiet in their homes, and

WHEREAS, the Village Board of the Village of Antioch finds that it is appropriate, necessary and in the best interest of the populace of the Village that it again ratify the Mayor's declaration of emergency, ratify all acts taken pursuant to the prior emergency order to date and to extend the same for so long as the Governor's Executive Orders declaring a statewide emergency remains in effect, to the maximum period of time allowed by law,

NOW THEREFORE, BE IT ORDAINED that the state of emergency declared by the Mayor on March 17, 2020, originally ratified in Ordinance 20-03-12, and ratified subsequently in Ordinances 20-04-15, 20-05-16, 20-06-18, 20-07-22, 20-08-24, 20-09-26 and 20-10-30 is hereby ratified again; the acts and actions taken by the Mayor and the Administrator working under his direction in furtherance of that declaration since March 17, 2020 are ratified.

BE IT FURTHER ORDAINED that the Mayoral Ninth Supplemental And Renewed Declaration Of Continuing Emergency Relating To Coronavirus issued on October 12, 2020 and the exercise of emergency powers described therein is hereby ratified.

BE IT FURTHER ORDAINED the Mayor is granted full emergency authority provided by law, including but not limited to the power to enter into contracts relating to public health services and purchases described in 65 ILCS 5/8-10-5 and the extension of working hours required of first responders described in 65 ILCS 5/10-3-6 during the term of this Ordinance.

BE IT FURTHER ORDAINED that this state of emergency is in effect until such time as the Governor shall declare the end of the statewide emergency, or until the regular meeting of the Village Board in August, currently scheduled for December 14, 2020, whichever comes first.

BE IT FURTHER ORDAINED that all persons should cooperate fully with all local, county, state and federal officials with jurisdiction over emergency management and public health in assisting the containment and mitigation of the effects of this virus and the disease it causes.

This Ordinance shall take effect immediately upon passage and approval, pursuant to law.

Dated this 9th day of November, 2020.

LAWRENCE M. HANSON
Mayor, Village of Antioch, Illinois

LORI K. ROMINE
Clerk, Village of Antioch, Illinois

**MAYORAL NINTH SUPPLEMENTAL AND RENEWED DECLARATION OF
CONTINUING EMERGENCY RELATING TO CORONAVIRUS**

WHEREAS, on March 13, 2020, the President of the United States of America declared that a national emergency arising from the widespread threat of serious illness and death due to the Coronavirus and COVID-19 was in effect immediately, and

WHEREAS, on March 9, 2020, the Governor of the State of Illinois declared that a statewide emergency was in effect relating to the same issues, and

WHEREAS, on March 13, 2020, the Chairman of the Lake County Board similarly declared that a county-wide emergency was in effect, again relating to the same issues, and

WHEREAS, on June 26, 2020, in a continuation of prior Executive Orders and Disaster Proclamations, the Governor issued a Proclamation formally declaring that the pandemic emergency was an ongoing disaster, and would continue for at least another 30 days, and

WHEREAS, the Governor has also issued a phased reopening plan for the State which allows businesses to reopen in limited phases over the next several months, while still acknowledging that the virus continues to be infectious and potentially deadly, and

WHEREAS, the Governor's Executive Orders and their included reopening plan are under challenge in court proceedings in Clay County, but the rulings in that case are not currently final and the Attorney General has announced that he will file appeals from the interlocutory orders that have been issued to date, and even those rulings acknowledge the powers of the Illinois Department of Public Health to take emergency action as it deems necessary due to the pandemic and further may not apply statewide in any event, and

WHEREAS, the Village of Antioch and its populace is neither more, nor less susceptible to the infection of Coronavirus and the COVID-19 disease it causes than the national, state or county populations, and

WHEREAS, the Village of Antioch continues to require access to the full emergency powers established by law, including emergency funding for first responders and containment measures, but including all other powers and funding allowed by applicable law, and

NOW THEREFORE, I, Lawrence M. Hanson, Mayor of the Village of Antioch Illinois do hereby proclaim and declare that a state of Village-wide emergency has been in existence since my original declaration of emergency on March 17, 2020, and that the same will continue into the indefinite future.

I FURTHER DECLARE that I will introduce an ordinance to the Village Board for approval at the regular meeting currently scheduled to be held on November 9, 2020 at 7:00 pm, seeking ratification of this declaration and extension thereof as provided for in 65 ILCS 5/8-10-5 and all other applicable statutes and laws.

I FURTHER DECLARE that this state of emergency is in effect until such ratification, and that the same should be extended by the Village Board until such time as the abatement of the threat of serious illness

and death has been announced by the Governor, and I seek the agreement of the Village Board in such a declaration, to the maximum extent permitted by applicable law.

I FURTHER DECLARE that all persons should cooperate fully with all local, county, state and federal officials with jurisdiction over emergency management and public health in assisting the containment and mitigation of the effects of this virus and the disease it causes.

I FURTHER DECLARE that, consistent with the inception of phase 4 of the Governor's multi-phased reopening plan, business establishments described by the Governor may reopen upon such terms and conditions as he set forth, provided that restaurants and bars in particular may only provide limited interior seating, carryout, curbside service and outdoor service strictly within accordance with the limits described in Governor J. B. Pritzker's Executive Order 2020-43 and any and all successors thereto.

Effective immediately, this 9th day of November, 2020.

LAWRENCE M. HANSON
Mayor, Village of Antioch, Illinois

VERIFICATION UNDER OATH

I hereby declare under penalties of perjury that the foregoing declaration of emergency is based on the best information available to me, that it is accurate and true to the best of my knowledge, information and belief, and that there is a genuine, immediate and urgent need to take action appropriate to the scope and scale of the emergency, consistent with the federal, state and county declarations.

LAWRENCE M. HANSON
Mayor, Village of Antioch

SUBSCRIBED and SWORN to before me
This 9th day of November, 2020

NOTARY PUBLIC