

ORDINANCE NO. _____

**ORDINANCE DECLARING EMERGENCY
PURSUANT TO CHAPTER 46 OF THE CITY CODE
OF THE CITY OF DECATUR, ILLINOIS
PERTAINING TO A PUBLIC HEALTH EMERGENCY
CAUSED BY THE COVID-19 VIRUS**

WHEREAS, a new and significant outbreak of Coronavirus Disease 2019 (“COVID-19”), a novel severe acute respiratory illness that can spread among people through respiratory transmissions, emerged in late 2019; and,

WHEREAS, on January 30, 2020, the World Health Organization declared the outbreak of COVID-19 to be a public health emergency and declared it a worldwide pandemic on March 11, 2020; and,

WHEREAS, on January 31, 2020, the U.S. Health and Human Services Secretary declared a public health emergency for the United States; and,

WHEREAS, the Governor of the State of Illinois issued a Gubernatorial Disaster Proclamation declaring all counties in the State of Illinois as a disaster area on March 9, 2020 and has activated the State Emergency Operations Center; and,

WHEREAS, the State Emergency Management Agency has declared a public health emergency due to the impact of the COVID-19 virus; and,

WHEREAS, on March 13, 2020, the President of the United States declared a National Emergency concerning the COVID-19 virus; and,

WHEREAS, on March 20, 2020, the Governor of the State of Illinois issued Executive Order 2020-10 entitled Executive Order in Response to COVID-19 (COVID-19 Executive Order No 8), a Stay At Home Order; and,

WHEREAS, on March 31, 2020, the Governor of the State of Illinois issued an Executive Order extending the Stay At Home Order; and

WHEREAS, it is necessary and appropriate for the City of Decatur, Illinois to take measures to protect the public’s health in response to the COVID-19 virus; and,

WHEREAS, it is necessary and desirable to modify, suspend or otherwise temporarily alter the provisions of various City ordinances and promulgated rules during the pendency of this emergency; and,

WHEREAS, 20 ILCS 3305/10(j) of the Emergency Management Agency Act and 65 ILCS 5/8-10-5 of the Emergency Act and Chapter 46 of the City Code of the City of Decatur, Illinois provide certain emergency authority; and,

WHEREAS, the City of Decatur, Illinois is a Home Rule Unit under the 1970 State of Illinois Constitution.

NOW, THEREFORE, in accordance with Section 3 of Chapter 46 of the City Code of the City of Decatur, Illinois and the relevant provisions of the Illinois Compiled Statutes, it is hereby proclaimed and declared:

SECTION 1. That there is a public health emergency caused by the contagious COVID 19 virus.

SECTION 2. The public health emergency is related to the COVID-19 virus which is causing or anticipated to cause widespread impacts on the health and well-being of members of the community.

SECTION 3. That the directives in this Ordinance adopt and rely upon each and every matter and governmental action recited in the preamble, which is hereby incorporated by reference.

SECTION 4. That the following actions are authorized as set forth specifically:

- A. The City Manager, in consultation with and concurrence of the Mayor may determine whether and what public buildings and facilities will be open, determine the hours of operation public buildings will be open and designate those persons that may access public buildings and facilities.
- B. The City Manager may determine the essential governmental functions needed to ensure the continuing operation of the City or to provide for or support the health, safety and welfare of the public, including contractors performing essential governmental services, and identify those employees and/or contractors necessary to the performance of those functions.
- C. The City Manager may determine the manner of operations for City employees and contractors performing essential governmental functions including place and manner of work ensuring the continuity of essential governmental functions.
- D. The City Manager is authorized to suspend or alter the provisions of any regulatory ordinance prescribing procedures for the conduct of the government or affairs of the City, if strict compliance there with would prevent, hinder or delay action necessary to cope with the emergency including, but not limited to parking enforcement, utility payments and disconnections, code enforcement, issuance or renewal of permits and fees and other similar

governmental acts including, but not limited to the following suspension or alteration of City Code provisions:

- i. Termination of water service for failure to pay for such service shall be suspended for those accounts with payment due dates on or after March 14, 2020 during the pendency of this Ordinance.
 - ii. Late fees and penalties for failure to pay for water service for those accounts with payment due dates on or after March 14, 2020 shall be waived during the pendency of this Ordinance.
 - iii. Renewals of sign hanger licenses, hotel/motel licenses and Vehicle for Hire licenses shall be extended from April 30, 2020 to June 30, 2020.
 - iv. Penalties for the failure to file and pay food and beverage taxes, local motor fuel taxes, and hotel/motel use taxes for those due and owing on or after March 20, 2020 shall be waived during the pendency of this Ordinance.
 - v. Penalties for violations of the City Code pertaining to parking restrictions and enforcement of time limited parking on the public parking lots, alleys and streets in the downtown business area shall be suspended as set forth and determined by the Chief of Police of the City of Decatur
- E. The City Council Policies are amended so as to adopt the Open Meeting Act electronic attendance provisions set forth in the Governor's Executive Order 2020-07.
- F. To perform other governmental functions set forth in further Declarations and Proclamations as needed.

SECTION 5. That all actions as described above which have been taken prior to the date of this Ordinance and during the pendency of this emergency are authorized as if this Ordinance were in effect at the time the actions were taken.

SECTION 6. This Ordinance shall be effective for the period of the declaration of emergency unless terminated at any time prior by the City Council. All amendments, activities and/or authorizations permitted pursuant to this Ordinance shall cease and become void upon termination of this Ordinance.

SECTION 7. Any and all actions or prosecutions of a violation of this Ordinance and/or Code section impacted by this Ordinance shall continue in full force and effect.

PRESENTED, PASSED, APPROVED AND RECORDED this 6th day of April, 2020.

JULIE MOORE WOLFE, MAYOR

ATTEST:

CITY CLERK

PUBLISHED this _____ day of _____, 2020.

CITY CLERK