

VILLAGE OF LONG GROVE

ORDINANCE NO. 2020-____

**AN ORDINANCE AMENDING TITLE 8, CHAPTER 1 OF THE LONG GROVE
VILLAGE CODE REGARDING COVID-19 EMERGENCY HEALTH MEASURES**

Adopted by the
President and Board of Trustees
of
the Village of Long Grove
this ____th day of April, 2020

Published in pamphlet form by direction
and authority of the Village of Long Grove,
Lake County, Illinois
this ____th day of April, 2020

VILLAGE OF LONG GROVE

ORDINANCE NO. 2020-___

AN ORDINANCE AMENDING TITLE 8, CHAPTER 1 OF THE LONG GROVE VILLAGE CODE REGARDING COVID-19 EMERGENCY HEALTH MEASURES

WHEREAS, COVID-19 is a virus that causes severe respiratory illness, and its spread has resulted in pandemic conditions (the “**COVID-19 Pandemic**”); and

WHEREAS, the COVID-19 Pandemic has had a significant impact on public health, leading to significant numbers of fatalities and extraordinary strain on health care systems worldwide, including health care systems serving the Village of Long Grove (the “**Village**”); and

WHEREAS, on March 11, 2020, the World Health Organization (“**WHO**”) declared COVID-19 to be a Global Pandemic; and

WHEREAS, COVID-19 is passed between people through air-born droplets, and definitive data is lacking concerning how long such infectious droplets remain in the air or on various surfaces and how far the droplets travel and suspend in the air; and

WHEREAS, to date no drug or vaccine is currently approved to treat or prevent COVID-19; and

WHEREAS, these characteristics and factors relating to the COVID-19 Pandemic warrant public health initiatives to contain and limit the spread of the infectious droplets; and

WHEREAS, Illinois Governor Pritzker has issued various executive orders (including Executive Order #2020-07 on March 16, 2020 and Executive Order #2020-10 on March 20, 2020) that have declared all counties in the State of Illinois as a disaster area (the “**Disaster Proclamation**”) and have provided that all non-essential workers stay at home with limited exceptions and non-essential businesses to cease operations with limited exceptions; and

WHEREAS, the Disaster Proclamation currently extends until April 30, 2020, subject to further extension; and

WHEREAS, on April 3, 2020, the Center for Disease Control ("**CDC**") issued a recommendation for all individuals to wear cloth face coverings in public settings where other social distancing measures are difficult to maintain, because people who are asymptomatic can spread COVID-19 more widely than previously thought; and

WHEREAS, on April 10, 2020, the U.S. Surgeon General recommended that individuals wear face coverings because he concluded that there is a significant amount of asymptomatic spread of COVID-19; and

WHEREAS, appropriate responses to the severe and real health dangers and resulting losses of life from COVID-19 are of critical importance, and such responses require additional proactive steps to provide for the public health, safety, and protection of life and security of business in the Village; and

WHEREAS, pursuant to Section 11-20-5 of the Illinois Municipal Code, 65 ILCS, the President and Board of Trustees of the Village (the "**Village Board**") are authorized to "do all acts and make all regulations which may be necessary or expedient for the promotion of health or the suppression of diseases"; and

WHEREAS, the Village Board has determined that it is in the best interest of the Village and its residents to establish requirements for face coverings at least for the duration of the Disaster Proclamation, as further provided in this Ordinance as set forth below;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LONG GROVE, COUNTY OF LAKE, AND STATE OF ILLINOIS, as follows:

SECTION ONE: **Recitals.** The foregoing recitals are incorporated herein as if fully set forth.

SECTION TWO: Amendment to Title 8, Chapter 1 of the Village Code. Chapter 1, entitled “Public Facilities,” of Title 8, entitled “Health and Sanitation,” of the Long Grove Village Code (the “***Village Code***”) is hereby amended by adding a new Section 8-1-3, to be entitled “Emergency COVID-19 Face-Covering Requirement,” which new Section 8-1-3 shall hereafter be and read as follows:

§8-1-3: EMERGENCY COVID-19 FACE-COVERING AND RELATED REQUIREMENTS:

- (A) Background; Purpose. The global pandemic associated with the COVID-19 virus has triggered various public health responses, including the declaration by the Governor of the State of Illinois that all counties in the State are disaster areas (the “***Disaster Proclamation***”). Consistent with the Disaster Proclamation and various Gubernatorial Executive Orders arising from the COVID-19 pandemic, this Section is intended to establish local regulations relating to the use of “face coverings” (as hereinafter defined) within the Village for the duration of the Disaster Proclamation.
- (B) Definitions. For purposes of this Section, the following terms shall have the meaning set forth herein, unless the context clearly requires a different construction:
- (1) “Executive Order” shall mean a formal executive order of the Governor of the State of Illinois relating to the COVID-19 pandemic, including without limitation any supporting statements, memoranda, or other regulation issued by or on behalf of the Governor.
 - (2) “Face covering” shall mean any cloth or other material which is reasonably designed and made to cover a person’s nose and mouth for the purpose of inhibiting, filtering, or restricting the breath, sneeze, cough, or other exhaling from one’s nose and mouth, including but not limited to a cloth or plastic mask, scarf, bandana or handkerchief.
- (C) Face Covering Requirement. Except as provided in Subsection (D) below, all persons over five (5) years of age are required to wear a face covering while engaging in the following activities:
- (1) Working in any business while such business is open to the public or when employees of such business have contact with the public, including without limitation the following businesses: grocery stores, restaurants, hardware and building supply stores, financial institutions, laundry services, pharmacies, group homes and assisted living as construed in the broadest terms, and any curbside or home delivery staffs;

- (2) Engaging in activities such as shopping for supplies and services in businesses described in Section 8-1-3(C)(1), seeking medical supplies or medication, and visiting a health care professional; and
- (3) Riding in public transportation including buses, trains, taxis, and ride share vehicles, which requirement shall apply to the driver of such transportation.

A business owner or operator may refuse admission or service to any individual who fails to wear a face covering as required by this Section.

- (D) Exceptions. The requirements of Subsection (C) will not apply to any person who is engaging in the following activities :
- (1) Outdoor activity such as walking , running, biking, or other solitary physical activity while at the same time practicing social or physical distancing of at least six feet from others;
 - (2) Riding in a personal vehicle;
 - (3) When alone or with household members in a separate single space;
 - (4) When doing so poses a greater health, safety, or security risk to the individual or the public than interacting without a face covering; and
 - (5) While drinking or eating.
- (E) Medical Grade Masks. Medical-grade masks or N95 respirators are not required as face coverings for general public use. In order to minimize the risk of supply shortages, medical grade coverings are expressly intended for use by health care and medical providers and first responders .
- (F) Social and Physical Distancing. This Section does not supplant or diminish the absolute need for all persons in the Village to practice social and physical distancing in all settings and with all ages as provided in any Executive Order. It is a finding of the Village Board of Trustees that such social and physical distancing practices are still the first best and required practice to combat the COVID- 19 Pandemic.
- (G) Duration. The provisions of this Section shall remain in effective for the duration of the Disaster Proclamation (as it may be extended by the Governor), unless the Village Board of Trustees adopts a resolution sooner terminating the requirement for face covering as set forth in this Section.

SECTION THREE: Effective Date. This Ordinance shall be in full force and effect after its passage, approval, and publication in pamphlet form in the manner provided by law.

PASSED THIS 28th DAY of APRIL, 2020.

AYES:

NAYS:

ABSENT:

APPROVED this 28th DAY of APRIL, 2020.

Bill Jacob, Village President

ATTEST:

Amy Gayton, Village Clerk

DRAFT