

**VILLAGE OF DOWNERS GROVE**  
**Report for the Village**  
**4/7/2020**

<b>SUBJECT:</b>	<b>SUBMITTED BY:</b>
COVID-Extend State of Emergency	Enza Petrarca Village Attorney

**SYNOPSIS**

A resolution is requested extending the State of Emergency for the Village of Downers Grove.

**STRATEGIC PLAN ALIGNMENT**

The goals for 2019-2021 include *Exceptional Municipal Services*.

**FISCAL IMPACT**

N/A

**RECOMMENDATION**

Approval at the April 7, 2020 active agenda.

**BACKGROUND**

On March 14, 2020, pursuant to Section 9-16 of the Downers Grove Municipal Code, the Mayor, upon the recommendation of the Village of Downers Grove Office of Emergency Management, proclaimed that a State of Emergency exists in the Village of Downers Grove. The State of Emergency was proclaimed mainly in response to the Governor of Illinois, declaring all counties in the State of Illinois as a disaster area on March 9, 2020 (Gubernatorial Disaster Proclamation) due to the outbreak of COVID-19.

As you know, on March 20, 2020 Governor Pritzker issued a Stay at Home Order (“Order”) directing all individuals living within the State of Illinois to stay at home or at their place of residence except as allowed by the Order; and ordering all non-essential businesses and operations to cease in accordance with the Order through April 7, 2020. That Order was extended on March 31<sup>st</sup> through April 30<sup>th</sup>.

During this State of Emergency the Mayor has issued the following Executive Orders:

- Liquor sales – allowing R1 and R2 liquor licensees the option to sell pre-packaged beer and wine for off-premise consumption;
- Utility billing – staying the collection of late payments and penalties;
- Parking citations & Food and beverage tax – staying the collection of late payments and penalties;
- Commuter Parking Permits - authorizing an extension of second quarter commuter parking permits through September 30, 2020.

A resolution has been prepared extending the State of Emergency in accordance with and for the remainder of the duration of the Gubernatorial Disaster Proclamation, which is currently set to expire on April 30, 2020. The resolution further affirms, authorizes and extends the executive orders issued by the Mayor during the State of Emergency.

**ATTACHMENTS**

Resolution  
State of Emergency Declaration  
Executive Orders

VILLAGE OF DOWNERS GROVE  
COUNCIL ACTION SUMMARY

INITIATED: Village Attorney DATE: April 7, 2020  
(Name)

RECOMMENDATION FROM: \_\_\_\_\_ FILE REF: \_\_\_\_\_  
(Board or Department)

**NATURE OF ACTION:**

**STEPS NEEDED TO IMPLEMENT ACTION:**

- Ordinance
- Resolution
- Motion
- Other

Motion to Adopt "A RESOLUTION EXTENDING THE STATE OF EMERGENCY FOR THE VILLAGE OF DOWNERS GROVE", as presented.

**SUMMARY OF ITEM:**

Adoption of this resolution shall extend the State of Emergency for the Village of Downers Grove.

**RECORD OF ACTION TAKEN:**

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**RESOLUTION NO. \_\_\_\_\_****A RESOLUTION EXTENDING THE STATE OF EMERGENCY  
FOR THE VILLAGE OF DOWNERS GROVE**

**WHEREAS**, on March 14, 2020, upon the authority of Section 9-16 of the Downers Grove Municipal Code, Robert T. Barnett, Mayor, upon the recommendation of the Village of Downers Grove Office of Emergency Management, proclaimed that a State of Emergency exists in the Village of Downers Grove.

**WHEREAS**, JB Pritzker, Governor of Illinois, declared all counties in the State of Illinois as a disaster area on March 9, 2020 (Gubernatorial Disaster Proclamation) in response to the outbreak of COVID-19;

**WHEREAS**, on March 20, 2020 Governor Pritzker issued a Stay at Home Order (EO 2020-10 or "Order") directing all individuals living within the State of Illinois to stay at home or at their place of residence except as allowed by the Order; and ordering all non-essential businesses and operations to cease in accordance with the Order through April 7, 2020. On March 31, 2020, the Governor extended the Order through April 30, 2020;

**WHEREAS**, on March 17, 2020, Mayor Barnett issued an Executive Order allowing the R1 and R2 liquor licensees the option to sell pre-packaged beer and wine in connection with a food order for off premise consumption (Liquor Sales Executive Order);

**WHEREAS**, on March 24, 2020, Mayor Barnett issued an Executive Order staying Section 25.33 (c), (d) and (e) of the Downers Grove Municipal Code related to utility late payments penalties, discontinuing of services, and lien provisions (Utility Billing Executive Order);

**WHEREAS**, on March 27, 2020, Mayor Barnett issued an Executive Order staying Sections 14.97.4 and 21.908 of the Downers Grove Municipal Code related to parking citations and food and beverage tax late payments and penalties. (Parking and Food & Beverage Executive Order);

**WHEREAS**, on March 30, 2020, Mayor Barnett issued an Executive Order authorizing an extension of second quarter commuter parking permits through September 30, 2020. (Commuter Parking Permits Executive Order);

**WHEREAS**, the number of suspected COVID-19 cases in Illinois is increasing exponentially and across more locations in Illinois, indicating that drastic social distancing measures are needed, even in communities where confirmed cases have not yet been identified, to reduce the number of people who become sick at any given time and the possibility of exhausting our health care resources; and,

**NOW, THEREFORE, BE IT RESOLVED**, that the Village Council of the Village of Downers Grove:

1. Pursuant to Section 9-19 of the Downers Grove Municipal Code, does hereby extend the State of Emergency in accordance with and for the remainder of the duration of

the Gubernatorial Disaster Proclamation, which is currently set to expire on April 30, 2020.

2. The Village Council of the Village of Downers Grove does hereby affirm, authorize and extend concurrently with this State of Emergency the following executive orders: Liquor Sales Executive Order; Utility Billing Executive Order; Parking and Food and Beverage Executive Order; and Commuter Parking Permits Executive Order.
3. The State of Emergency shall automatically be extended, if the State of Illinois Gubernatorial Disaster Proclamation is extended.
4. Notwithstanding the foregoing, the Village Council of the Village of Downers Grove, shall have the authority to extend, amend or terminate this State of Emergency at any time.
5. That this Resolution shall be in full force and effect from and after its passage as provided by law.

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Mayor

Passed:

Attest: \_\_\_\_\_

Village Clerk

**VILLAGE OF DOWNERS GROVE  
PROCLAMATION OF EMERGENCY**

Upon the authority of Section 9-16 of the Downers Grove Municipal Code, I, Robert T. Barnett, Mayor, upon the recommendation of the Village of Downers Grove Office of Emergency Management, do hereby proclaim that a State of Emergency exists in the Village of Downers Grove for the following reasons:

- *The World Health Organization declared COVID-19 a Public Health Emergency of International Concern on January 30, 2020, and the United States Secretary of Health and Human Services declared that COVID-19 presents a public health emergency on January 27, 2020;*
- *The World Health Organization has reported 109,578 confirmed cases of COVID-19 and 3,809 deaths attributable to COVID-19 globally as of March 9, 2020;*
- *A vaccine or drug is currently not available for COVID-19;*
- *On March 9, 2020, the Governor of Illinois declared the State of Illinois as a disaster area;*
- *The United States Center for Disease Control and Prevention (“CDC”) currently recommends community preparedness and everyday prevention measures be taken by all individuals and families in the United States, including voluntary home isolation when individuals are sick with respiratory symptoms, covering coughs and sneezes with a tissue, washing hands often with soap and water for at least 20 seconds, use of alcohol-based hand sanitizers with at least 60% alcohol if soap and water are not readily available, and routinely cleaning frequently touched surfaces and objects to increase community resilience and readiness for responding to an outbreak;*
- *The CDC currently recommends mitigation measures, including staying at home when sick, when a household member is sick with respiratory disease symptoms or when instructed to do so by public health officials or a health care provider and keeping away from others who are sick;*
- *The data indicates community transmission of COVID-19 in Illinois;*
- *This proclamation will assist the Village of Downers Grove in coordinating with State and Federal agencies and resources, in preparation for any action that may be necessary related to the potential impact of COVID-19 in the Village of Downers Grove, Illinois.*

Departments and agencies, charged with response and recovery activities under the Village Emergency Management Plan, are hereby directed to respond with haste, in accordance with the plan, to bring said disaster to a rapid conclusion for the best interest of the residents of the Village of Downers Grove, Illinois pursuant to the Illinois Emergency Management Agency Act, the Code of DuPage County, Chapter 10, and the Village of Downers Grove Municipal Code, Chapter 9. Additionally, due to the magnitude of the disaster, the Coordinator of the Downers Grove Office of Emergency Management, is hereby directed to request immediate assistance from the State of Illinois, through the Emergency Management Agency. In accordance with the provisions of Section 9-19, this proclamation shall be in effect when signed, and shall expire in accordance with Section 9-19 of the Downers Grove Municipal Code.

Proclaimed this 14<sup>th</sup> day of March, 2020.

By: \_\_\_\_\_  
Mayor, Village of Downers Grove

Attest: \_\_\_\_\_  
Deputy Village Clerk, Village of Downers Grove



**OFFICE OF THE MAYOR  
ROBERT T. BARNETT**

**EXECUTIVE ORDER OF THE MAYOR/LIQUOR COMMISSIONER  
OF THE VILLAGE OF DOWNERS GROVE**

March 17, 2020

*Re: Temporary Expansion Class R-1 & Class R-2 Liquor License Holders*

WHEREAS, beginning March 16, 2020 at 9 p.m. through March 30, 2020, the State of Illinois, through Executive Order 2020-07 issued the following order: “that all businesses in the State of Illinois that offer food or beverages for on-premises consumption-including restaurants, bars, grocery stores, and food halls-must suspend service for and may not permit on-premises consumption. Such businesses are permitted and encouraged to serve food and beverages so that they may be consumed off-premises. Customers may enter the premises to purchase food or beverages for carry-out, and, as currently permitted by law, off-premise consumption through means such as in-house delivery, third-party delivery, drive-through, and curbside pick-up is allowed.”

The Mayor of Village of Downers Grove, as Local Liquor Commissioner, as a result of Executive Order 2020-07, and in an effort to further assist local businesses, shall temporarily allow all Class R-1 and Class R-2 restaurant liquor license holders to allow the sale of pre-packaged beer and wine only for off-premise consumption by means of in-house delivery, third-party delivery, drive-through, curbside pick-up and carry out.

The sale and/or delivery of beer and wine for off-premise consumption shall be subject to the delivery provisions set forth in Section 3.33.4 of the Liquor Code in addition to all other applicable provisions of the R-1 and R-2 liquor license classifications and Chapter 3 of the Downers Grove Municipal Code and to the following provisions:

- (a) Pre-packaged beer and wine shall be sold or delivered only in conjunction with a food purchase.
- (b) Beer and wine must be sold or delivered by an individual at least twenty-one (21) years of age or older.
- (c) Deliveries must be made during prescribed hours as follows:
  - Monday - Thursday - 8AM to 1AM, the following day
  - Friday & Saturday - 8AM to 2AM, the following day
  - Sunday - 9AM to 1 AM, the following day
- (d) Adequate evidence for proof of age should be produced in all instances.

This Executive Order is hereby effective March 17, 2020 through March 30, 2020. Further, the Executive Order shall automatically terminate upon the expiration the State of Illinois Executive Order 2020-07, and shall automatically extend past March 30, 2020, if the State of Illinois Executive Order 2020-07 is extended. Notwithstanding the foregoing, the Mayor of Village of Downers Grove, in his sole discretion, shall have the authority to amend or terminate this Executive Order at any time.

Sincerely,  
VILLAGE OF DOWNERS GROVE

Robert T. Barnett  
Mayor/Liquor Commissioner

cc: David B. Fieldman, Village Manager  
Carol Kuchynka, Liaison to the Liquor Commission  
Downers Grove Liquor Commission  
Illinois Liquor Control Commission

801 Burlington Avenue  
Downers Grove, Illinois 60515  
E-mail: rtbarnett@downers.us



**OFFICE OF THE MAYOR  
ROBERT T. BARNETT**

**EXECUTIVE ORDER OF THE MAYOR  
OF THE VILLAGE OF DOWNERS GROVE**

March 24, 2020

*Re: Water Billing*

WHEREAS, in late 2019, a new and significant outbreak of Coronavirus Disease 2019 (COVID-19) emerged; and,

WHEREAS, despite efforts to contain COVID-19, the World Health Organization and the Centers for Disease Control (CDC) indicate that it is expected to spread; and,

WHEREAS, JB Pritzker, Governor of Illinois, declared all counties in the State of Illinois as a disaster area on March 9, 2020 (Gubernatorial Disaster Proclamation) in response to the outbreak of Coronavirus Disease 2019 (COVID-19); and,

WHEREAS, on March 14, 2020, the Mayor of the Village of Downers Grove issued a State of Emergency for the Village of Downers Grove in response to the outbreak of COVID-19; and

WHEREAS on March 20, 2020 Governor Pritzker issued a Stay at Home Order (EO 2020-10 or "Order") directing all individuals living within the State of Illinois to stay at home or at their place of residence except as allowed by the Order; and ordering all non-essential businesses and operations to cease in accordance with the Order; and

WHEREAS, the number of suspected COVID-19 cases in Illinois is increasing exponentially and across more locations in Illinois, indicating that drastic social distancing measures are needed, even in communities where confirmed cases have not yet been identified, to reduce the number of people who become sick at any given time and the possibility of exhausting our health care resources; and,

WHEREAS, COVID-19 has resulted in significant economic impact, including loss of income and wages, that threaten to undermine housing security and financial stability;

THEREFORE, to that end, the Mayor of Village of Downers Grove, hereby declares that Section 25.33 (c), (d) and (e) of the Downers Grove Municipal Code related to utility late payments penalties, discontinuing of services, and lien provisions, shall hereby be stayed and not enforced.

This Executive Order is hereby effective March 24, 2020 and for the remainder of the duration of the Gubernatorial Disaster Proclamation, which currently extends through April 7, 2020. Further, this Executive Order shall automatically be extended, if the State of Illinois Gubernatorial Disaster Proclamation is extended. Notwithstanding the foregoing, the Mayor of Village of Downers Grove, in his sole discretion, shall have the authority to amend or terminate this Executive Order at any time.

Sincerely,  
VILLAGE OF DOWNERS GROVE

A handwritten signature in black ink, appearing to read "R. Barnett".

Robert T. Barnett  
Mayor



**OFFICE OF THE MAYOR**  
**ROBERT T. BARNETT**

**EXECUTIVE ORDER OF THE MAYOR**  
**OF THE VILLAGE OF DOWNERS GROVE**

March 27, 2020

**Re: *Parking citations and Food and Beverage Tax – late payments and penalties***

WHEREAS, in late 2019, a new and significant outbreak of Coronavirus Disease 2019 (COVID-19) emerged; and,

WHEREAS, despite efforts to contain COVID-19, the World Health Organization and the Centers for Disease Control (CDC) indicate that it is expected to spread; and,

WHEREAS, JB Pritzker, Governor of Illinois, declared all counties in the State of Illinois as a disaster area on March 9, 2020 (Gubernatorial Disaster Proclamation) in response to the outbreak of Coronavirus Disease 2019 (COVID-19); and,

WHEREAS, on March 14, 2020, the Mayor of the Village of Downers Grove issued a State of Emergency for the Village of Downers Grove in response to the outbreak of COVID-19; and

WHEREAS on March 20, 2020 Governor Pritzker issued a Stay at Home Order (EO 2020-10 or “Order”) directing all individuals living within the State of Illinois to stay at home or at their place of residence except as allowed by the Order; and ordering all non-essential businesses and operations to cease in accordance with the Order; and

WHEREAS, the number of suspected COVID-19 cases in Illinois is increasing exponentially and across more locations in Illinois, indicating that drastic social distancing measures are needed, even in communities where confirmed cases have not yet been identified, to reduce the number of people who become sick at any given time and the possibility of exhausting our health care resources; and,

WHEREAS, COVID-19 has resulted in significant economic impact, including loss of income and wages, that threaten to undermine housing security and financial stability;

THEREFORE, to that end, the Mayor of Village of Downers Grove, hereby declares that Sections 14.97.4 and 21.908 of the Downers Grove Municipal Code related to parking citations and food and beverage tax late payments and penalties, shall hereby be stayed and not enforced.

This Executive Order is hereby effective March 27, 2020 and for the remainder of the duration of the Gubernatorial Disaster Proclamation, which currently extends through April 7, 2020. Further, this Executive Order shall automatically be extended, if the State of Illinois Gubernatorial Disaster Proclamation is extended. Notwithstanding the foregoing, the Mayor of Village of Downers Grove, in his sole discretion, shall have the authority to amend or terminate this Executive Order at any time.

Sincerely,  
VILLAGE OF DOWNERS GROVE

A handwritten signature in black ink, appearing to be "R. Barnett", written over a light blue horizontal line.

Robert T. Barnett  
Mayor





**OFFICE OF THE MAYOR  
ROBERT T. BARNETT**

**EXECUTIVE ORDER OF THE MAYOR  
OF THE VILLAGE OF DOWNERS GROVE**

March 30, 2020

**Re: *Quarterly Commuter Parking Permits***

WHEREAS, in late 2019, a new and significant outbreak of Coronavirus Disease 2019 (COVID-19) emerged; and,

WHEREAS, despite efforts to contain COVID-19, the World Health Organization and the Centers for Disease Control (CDC) indicate that it is expected to spread; and,

WHEREAS, JB Pritzker, Governor of Illinois, declared all counties in the State of Illinois as a disaster area on March 9, 2020 (Gubernatorial Disaster Proclamation) in response to the outbreak of Coronavirus Disease 2019 (COVID-19); and,

WHEREAS, on March 14, 2020, the Mayor of the Village of Downers Grove issued a State of Emergency for the Village of Downers Grove in response to the outbreak of COVID-19; and

WHEREAS on March 20, 2020 Governor Pritzker issued a Stay at Home Order (EO 2020-10 or "Order") directing all individuals living within the State of Illinois to stay at home or at their place of residence except as allowed by the Order; and ordering all non-essential businesses and operations to cease in accordance with the Order; and

WHEREAS, the number of suspected COVID-19 cases in Illinois is increasing exponentially and across more locations in Illinois, indicating that drastic social distancing measures are needed, even in communities where confirmed cases have not yet been identified, to reduce the number of people who become sick at any given time and the possibility of exhausting our health care resources; and,

WHEREAS, COVID-19 has resulted in significant economic impact, including loss of income and wages, that threaten to undermine housing security and financial stability;

THEREFORE, to that end, the Mayor of the Village of Downers Grove, hereby declares and authorizes that the quarterly commuter parking permits referenced in Section 14.123 of the Downers Grove Municipal Code be extended. Specifically, this Executive Order shall authorize commuter parking permits valid for April, May and June to be extended at no additional charge and to be valid through September 30, 2020 (end of the third quarter).

This Executive Order is hereby effective March 30, 2020.

Sincerely,  
VILLAGE OF DOWNERS GROVE

A handwritten signature in black ink, appearing to be "RTB", written over a white rectangular background.

Robert T. Barnett  
Mayor