



**THE VILLAGE OF SAUK VILLAGE
COOK COUNTY, ILLINOIS**

ORDINANCE

NUMBER 20-010

AN ORDINANCE PERTAINING TO LOCAL STATE OF EMERGENCY

**DERRICK BURGESS, Village Mayor
MARVA CAMPBELL-PRUITT, Village Clerk**

**GARY BELL
BERNICE BREWER
RODRICK GRANT
SHERRY JASINSKI
LINDA TODD
DEBBIE WILLIAMS
Trustees**

ORDINANCE NUMBER 20-010

AN ORDINANCE PERTAINING TO LOCAL STATE OF EMERGENCY

WHEREAS, the Illinois Municipal Code, 65 ILCS 5/11-1-6, provides for the declaration of a state of emergency and the grant of extraordinary authority to the Village President by the corporate authorities; and

WHEREAS, the Illinois Emergency Management Agency Act, 20 ILCS 3305/11, further provides for emergency local disaster declaration by the principal executive officer or his or her interim emergency successor; and

WHEREAS, the Village now desires to provide for the exercise of extraordinary powers by executive order during a state of emergency within the Village; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Sauk Village, Illinois, as follows:

ARTICLE 1

The foregoing recitals shall be and are hereby incorporated as findings of fact as if said recitals were fully set forth herein.

ARTICLE 2

That Chapter 22, Article II, entitled "Civil Emergencies" is hereby amended as follows:

1. Section 22-23, "Definitions" is hereby amended to read as follows:

Sec. 22-23. – Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Civil Emergency includes:

- (1) A riot of unlawful assembly characterized by the use of actual force or violence or any threat to use force if accompanied by immediate power to execute by three or more persons acting together without authority of law; or
- (2) Any natural disaster, epidemic, or manmade calamity, including outbreak of disease, flood, conflagration, cyclone, tornado, earthquake or explosion, or eminent threat of any of those events within the corporate limits of the Village, resulting in or threatening the death, illness or injury of persons or the destruction of property to such an extent that extraordinary measures must be taken to protect the public health, safety and welfare.

Curfew means a prohibition against any person walking, running, loitering, standing or motoring upon any alley, street, highway, public property or vacant premises within the corporate limits of the Village except officials of any governmental unit and persons officially designated to duty with reference to said civil emergency.

2. Section 22-24, "Declaration" is hereby amended to read as follows:

Sec. 22-24. – Declaration.

Whenever an emergency, as defined in Section 22-23 of this Article exists, the Mayor is authorized to declare the existence of a Local State of Emergency by means of a written declaration of the Mayor, under oath, setting forth the facts which constitute the emergency, describing the nature of the emergency and declaring that a Local State of Emergency exists in accordance with the definitions set forth in this section. This declaration must be filed with the Village Clerk as soon as practicable after issuance.

3. Section 22-25, "Mayor's powers" is hereby amended to read as follows:

Sec. 22-25. – Mayor's powers.

(a) *Curfew authorized.* After proclamation of a civil emergency by the Mayor, he may order a general curfew applicable to such geographical areas of the Village or to the Village as a whole, as he deems reasonable and advisable, and applicable during such hours of the day or night as he deems necessary in the interest of the public safety and welfare.

(b) *Orders authorized.* After the proclamation of a Local State of Emergency, the Mayor may also, in the interest of public safety and welfare, and to address this issue caused threatened by emergency, make take any and all of the following actions by executive order during the state of emergency:

- (1) Order the closing of all retail liquor stores, including taverns and private clubs or portions thereof wherein the consumption of intoxicating liquor and beer is permitted.
 - (2) Order the discontinuance of the sale of alcoholic liquor by any wholesaler or retailer.
 - (3) Order the discontinuance of selling, distributing or delivery of gasoline or other liquid flammable or combustible products in any container other than a gasoline tank properly affixed to a motor vehicle.
 - (4) Order the discontinuance of sale, distribution or delivery of any firearms or ammunition of any character whatsoever.
 - (5) Issue such other orders as are imminently necessary for the protection of life and property.
4. Section 22-26, "Term of declaration; redeclaration" is hereby amended to read as follows:

Section 22-26. – Term of declaration; redeclaration.

The declaration herein authorized shall be effective until the adjournment of the next regular or special meeting of the Village Board, whichever comes first, unless sooner terminated by a proclamation of the Mayor, or, his interim emergency successor, indicating that the civil emergency no longer exists. The Mayor or his interim emergency successor, shall have the power to re-proclaim the existence of an emergency on the 15th and 31st (or 30th) of each month, during the time said emergency exists.

5. Section 22-27, "Dissemination of proclamation" is hereby amended to read as follows:

Section 22-27. – Dissemination of proclamation.

Upon issuing the Declaration herein authorized, the municipal clerk shall notify the news media situated within the Village, and shall cause at least four copies of the proclamation declaring the existence of the emergency and any curfew to be posted at the following places within the Village:

- (1) the Village Hall;
- (2) the police station;
- (3) the post office; and
- (4) in the area of any curfew.

6. Section 22-29 is hereby created to read as follows:

Section 22-29. – Violations

Any person violating the provisions of this section or executive orders issued pursuant hereto shall be guilty of an offense against the Village and shall be punished as provided by Chapter 50, "Offenses" of the Village Code.

ARTICLE 3

EFFECTIVE DATE. This Ordinance shall be in full force and effect on March 24, 2020.

ARTICLE 4

REPEAL OF CONFLICTING PROVISIONS. All ordinances and resolutions, or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of the conflict, expressly repealed on the effective date of this Ordinance.

ARTICLE 5

SEVERABILITY. If any provisions of this Ordinance or application thereof to any person or circumstances is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid application of provision, and each invalid provisions or invalid application of this Ordinance is severable.

ADOPTED by the Mayor and Board of Trustees of the Village of Sauk Village, Illinois this 24th day of March, 2020, pursuant to a roll call vote, as follows:

Ayes: Trustees Bell, Brewer, Grant, Jasinski, Todd, Williams (6)

Nays: None

Abstain: None

Absent: None

APPROVED by the Mayor of the Village of Sauk Village, Illinois on this 24th day of March,
2020.

/s/DERRICK BURGESS
Village Mayor

ATTEST:

/s/MARVA CAMPBELL-PRUITT,
Village Clerk

STATE OF ILLINOIS)
)
COUNTY OF COOK AND WILL) SS.

CERTIFICATE

I, MARVA CAMPBELL-PRUITT, Village Clerk of the Village of Sauk Village, Illinois, DO
HEREBY CERTIFY that the foregoing is a true and correct copy of Ordinance No. 20-010

“AN ORDINANCE PERTAINING TO LOCAL STATE OF EMERGENCY,”

which Ordinance was duly adopted by said Board of Trustees at a special meeting held on the
24th of March, 2020.

I do further certify that a quorum of said Board of Trustees attended said meeting in
accordance with the current law in effect.

IN WITNESS WHEREOF, I have hereunto set my hand this 26th day of March 2020.

/s/Marva Campbell-Pruitt, Village Clerk
Village of Sauk Village