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WAUKEGAN
City of Progress *Illinois*

MAY 28 2021

Ann B. Taylor, Mayor
Janet E. Kilkelly, City Clerk
Dr. John R. Schwab, Treasurer

WAUKEGAN CITY CLERK Office of the Mayor
JANET E. KILKELLY

mayor.taylor@waukeganil.gov
Office: (847) 599-2510

May 28, 2021

Waukegan Emergency Order
2021-EO-01

CITY OF WAUKEGAN, ILLINOIS
MAYORAL EMERGENCY ORDER REPEALING AND REPLACING MAYORAL
EMERGENCY ORDER 2020-EO-16 REQUIRING THE USE OF FACE COVERINGS

WHEREAS, the City continues to adapt and respond to the public health disaster caused by coronavirus disease 2019 (“**COVID-19**”), a novel acute respiratory illness; and

WHEREAS, on January 31, 2020, the United States Department of Health and Human Services Secretary determined that the spread of COVID-19 constitutes a public health emergency that began on January 27, 2020; and

WHEREAS, on March 9, 2020, Governor Pritzker issued a disaster proclamation concerning the spread of COVID-19 in Illinois and has since issued renewed and additional disaster proclamations that remain in effect; and

WHEREAS, on March 11, 2020, the World Health Organization declared that COVID-19 is a worldwide pandemic; and

WHEREAS, on March 13, 2020, President Trump declared a national emergency due to the COVID-19 outbreak; and

WHEREAS, on March 14, 2020, Mayor Samuel D. Cunningham Jr. exercised the emergency powers granted by 65 ILCS 5/11-1-6 and Section 2-122 of the Waukegan Municipal Code by declaring a city-wide emergency exists on March 14, 2020, and (“**March 2020 Declaration**”); and

WHEREAS, Mayor Cunningham issued emergency orders pursuant to the March 2020 Declaration, which along with the March 2020 Declaration, were ratified and extended by the City Council on numerous occasions; and

WHEREAS, on May 17, 2021, Mayor Ann B. Taylor exercised the emergency powers granted by 65 ILCS 5/11-1-6 and Section 2-122 of the Waukegan Municipal Code to declare that a city-wide emergency continues to exist as a result of the ongoing COVID-19 pandemic (“**May 2021 Declaration**”); and

WHEREAS, Mayor Taylor issued emergency orders pursuant to the May 2021 Declaration (“**Mayoral Orders**”), which along with the May 2021 Declaration, were ratified by the City Council and extended through and until the adjournment of the June 7, 2021 City Council Meeting by motion duly approved;



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WHEREAS, the Centers for Disease Control and Prevention (“CDC”), the U.S. Surgeon General, the Director of the National Institute of Allergy and Infectious Diseases, the Illinois Department of Public Health, the Lake County Health Department, and other medical professionals have previously issued recommendations for all individuals over the age of two to wear a face covering in order to prevent individuals from spreading COVID-19, which the World Health Organization has indicated spreads primarily by respiratory droplets produced through an infected person coughing, sneezing, talking, laughing, or exhaling; and

WHEREAS, Mayoral Emergency Order 20-EO-16 Requiring the Use of Face Coverings was issued on April 12, 2020 and ratified and extended by the City Council on numerous occasions, including at the most recent May 17, 2021 City Council meeting, which required the wearing of face coverings for persons over the age of two in most public settings in Waukegan as defined in the Governor’s Emergency Orders in order to prevent the spread of COVID-19; and

WHEREAS, face coverings, social distancing, vaccines, and other public health precautions have been effective in reducing and preventing the spread of COVID-19, and that the number of new cases of COVID-19 in Illinois has decreased, leading the State of Illinois to relax some mitigation measures as residents continue to get vaccinated; and

WHEREAS, the CDC recently updated its guidance declaring that fully vaccinated people can resume numerous activities without wearing a mask or social distancing except as otherwise required by federal, state, local, tribal, or territorial laws, rules, and regulations, including local business and workplace guidance; and

WHEREAS, on May 17, 2021 Illinois Governor J.B. Pritzker issued statewide Executive Order 2021-10 (“*Bridge Phase Order*”) that incorporated the CDC’s guidance by limiting the requirement that persons wear face coverings and socially distance in public places to persons who are not fully vaccinated; and

WHEREAS, the Bridge Phase Order still requires all individuals, regardless of vaccination status, to wear face coverings on public transportation, in congregate facilities, and in health care settings; and

WHEREAS, the Bridge Phase Order continues to authorize local governments to impose stricter regulations pursuant to their emergency powers and in no way limits private businesses and property owners from requiring persons visiting their premises to wear face coverings and/or practice social distancing; and



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THEREFORE, in further exercise of the Emergency Authority granted to me, I, Ann B. Taylor, Mayor of the City of Waukegan DO HEREBY ORDER as follows:

SECTION ONE.

Mayoral Emergency Order 20-EO-16 Requiring the Use of Face Coverings is hereby repealed in its entirety, and this Emergency Order 21-EO-1 shall supplant it in all respects.

SECTION TWO.

In accordance with Governor Pritzker's Bridge Phase Order, the following public health requirements for individuals shall apply within the corporate boundaries of the City:

- a. **Social distancing.** To the extent individuals who are not fully vaccinated are using shared spaces when outside their residence, including when outdoors, they must at all times and as much as reasonably possible maintain social distancing of at least six feet from any other person who does not live with them.
- b. **Face coverings.** Any individual who is not fully vaccinated and who is over age two and able to medically tolerate a face covering (a mask or cloth face covering) shall be required to cover their nose and mouth with a face covering when in a public place and unable to maintain a six-foot social distance. This requirement applies whether in an indoor space, such as a store, or in a public outdoor space where maintaining a six-foot social distance is not always possible. All individuals, including those who are fully vaccinated, shall be required to wear a face covering consistent with CDC guidance, including (1) on planes, buses, trains, and other forms of public transportation and in transportation hubs such as airports and train and bus stations; (2) in congregate facilities such as correctional facilities and homeless shelters; and (3) in healthcare settings.
- c. **City Hall and Other Municipal Facilities.** Members of the public who are over age two and able to medically tolerate a face covering entering enclosed facilities owned or operated by the City, including City Hall and any Police, Fire, or Public Works facility, will be required to wear a face covering consistent with CDC guidance, regardless of their vaccination status. City staff is directed to make reasonable accommodations, including providing service telephonically, over email, or in an unenclosed area, to persons who are unable to medically tolerate a face covering.
- d. **No Limit on Private Property Restrictions.** Nothing in this Emergency Order shall prevent or limit a private establishment's right to require its employees, guests, customers, or visitors to comply with requirements for social distancing and face coverings that are stricter than those set forth in this Emergency Order or to deny entry to members of the public who do not comply with such restrictions.



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SECTION THREE.

Enforcement: Willful violations of this Order, shall be subject to the fines, penalties, and provisions set forth in City Code, and shall be subject to Administrative Adjudication, as set forth in Section 2-521, et seq. of the City of Waukegan Code of Ordinances.

SECTION FOUR.

This Order shall be promptly filed with the Clerk of the City of Waukegan, and shall be posted on the City of Waukegan's website.

SECTION FIVE.

If any provision of this Order or its application to any person or circumstance is held to be invalid, then the remainder of the Order, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of this Order are severable.

This Order shall take effect immediately, and shall not expire until the occurrence of one of the following: (1) its repeal and rescission by Mayoral Order; (2) the expiration and non-renewal of the Mayor's Declaration of Emergency; or (3) the expiration and non-renewal of Governor Pritzker's statewide Disaster Proclamation.

IT IS SO ORDERED.

Dated this 28th day of May, 2021.

ANN B. TAYLOR
Mayor, City of Waukegan, Illinois

ATTEST:

JANET E. KILKELLY
Clerk, City of Waukegan, Illinois