

ORDINANCE NO. 2066-22

AN ORDINANCE AMENDING CHAPTER 50, ARTICLE 1, SECTION 4 OF
THE REVISED MUNICIPAL CODE OF THE VILLAGE OF NORRIDGE – 2002
“HEALTH AND SANITATION” REGARDING FACE COVERINGS

An Ordinance Revising and Updating Certain Face Covering Regulations

DANIEL TANNHAUSER, PRESIDENT

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WHEREAS, the Village of Norridge (“Village”), as a home rule municipality in accordance with Article VII Section 6(a) of the Constitution of the State of Illinois of 1970, may exercise any power and perform any function pertaining to its government and affairs, and is enacting this Ordinance pursuant to its home rule authority; and

WHEREAS, since early March 2020, Illinois has faced a pandemic caused by the novel coronavirus (“COVID-19”) that has caused extraordinary sickness and loss of life, infecting over 3,037,000 Illinois residents and causing 32,900 confirmed deaths; and

WHEREAS, the Governor of the State of Illinois has issued numerous disaster proclamations and executive orders regarding the COVID-19 pandemic and the ongoing need to protect the safety and health of all persons in Illinois including on August 7, 2020 requiring the wearing of face coverings to prevent the airborne spread of the COVID-19 virus in many circumstances and situations (“Mask Mandate”) and as of March 4, 2022, the State of Illinois continues to be under a declared state of emergency (Gubernatorial Disaster Proclamation 2022-23 found at <https://www.illinois.gov/content/dam/soi/en/web/illinois/documents/government/coronavirus-disaster-proc-03-04-2022.pdf>); and

WHEREAS, since the inception of the COVID-19 pandemic and Governor’s initial stay at home order for the entire state of Illinois, the Village President has issued numerous disaster proclamations and executive orders regarding the COVID-19 pandemic to protect the safety and health of all persons in the Village and the Village Board of Trustees has adopted a number of ordinances adopting the Village President’s orders designed to protect the health and safety of Village residents; and

WHEREAS, the State and the Village continue to be under a declared state of emergency due to the COVID-19 pandemic, however due to ever increasing rates of vaccination against COVID-19 the infection rate in Illinois and across the nation has greatly decreased the incidence of illness and further transmission of the COVID-19 virus; and

WHEREAS, on June 11, 2021 at which time the entire State of Illinois entered Phase 5 and fully reopened, however further surges of the COVID-19 virus since that

time caused federal, state and local authorities to continue to impose face covering mandates; and

WHEREAS, the United States Centers for Disease Control and Prevention (“CDC”), the Governor, and the Illinois Department of Public Health (“IDPH”) have identified the risks associated with the outbreak of COVID-19 and made a determination that the risk of serious illness and death for fully vaccinated individuals is very small and have withdrawn their mandates regarding mask wearing and replaced those regulations with certain other recommendations to suppress the spread of COVID-19; and

WHEREAS, on February 25, 2022 the CDC announced updated guidance regarding face coverings required on public transportation and in other settings available via this link <https://www.cdc.gov/coronavirus/2019-ncov/travelers/face-masks-public-transportation.html>, and all CDC guidelines regarding face coverings, vaccine and COVID-19 related issues can be found at: <https://www.cdc.gov/>; and

WHEREAS, IDPH information on COVID -19 face covering requirements can be found at <https://dph.illinois.gov/covid19.html>; and

WHEREAS, on February 28, 2022, the Cook County Department of Public Health (“CCDPH”) issued Order 2022-1 repealed its mandatory mitigation orders for suburban Cook County Illinois, due to reduced danger to the public from COVID-19 and repealed the Mask Mandate set forth in Cook County Department of Public Health Oder 2021-11 which can be found at: https://cookcountypublichealth.org/wp-content/uploads/2022/02/CCDPH-COVID-Order-2022-1_02-28-22.pdf; and

WHEREAS, the Illinois Municipal Code, 65 ILCS 5/11-20-5, provides that municipalities may do all acts and make all regulations which may be necessary or expedient for the promotion of health or the suppression of diseases which is one of the most important functions of the Village’s government and affairs; and

WHEREAS, the Village President and the Village Board of Trustees (“Village Board”) wish to amend Chapter 50 - Health And Sanitation, Article I. Section 50-4 of the Revised Municipal Code of the Village of Norridge – 2002 (“Code”) to reflect the current and updated recommendations from the CDC, IDPH and as set forth in Executive Order 2022-07 (the Governor’s most recent Executive Order regarding Covid-19) repealing the Mask Mandate; and

WHEREAS, these amendments are done to protect the health, safety and welfare of the persons within the Village.

NOW THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF NORRIDGE, COOK COUNTY, ILLINOIS, as follows:

Section 1.

The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

Section 2.

That Chapter 50, Article I, Section 50-4 of the Revised Municipal Code of the Village be and hereby is amended as follows:

Chapter 50 - HEALTH AND SANITATION

ARTICLE I. - IN GENERAL

Sec. 50-4. - Protective face coverings.

- A. *Illinois Governors Executive Order 2022-07.* The regulations regarding the wearing of masks during for the general public are incorporated herein by this reference as if fully set forth herein. This Executive Order is found at: <https://coronavirus.illinois.gov/resources/executive-orders/display.executive-order-number-07.2022.html>, and may be amended from time to time.
- B. *United States Centers for Disease Control and Prevention - CDC.* The regulations and recommendations regarding the wearing of masks for the general public are incorporated herein by this reference as if fully set forth herein. These regulations are set forth at www.cdc.gov and for the traveling public at <https://www.cdc.gov/coronavirus/2019-ncov/travelers/face-masks-public-transportation.html>, and each may be amended from time to time.
- C. *Illinois Department of Public Health - IDPH.* The regulations and recommendations regarding the wearing of masks for the general public are incorporated herein by this reference as if fully set forth herein. These regulations are set forth at *IDPH Guidance:* <https://dph.illinois.gov/covid19.html> and may be amended from time to time.
- D. *Cook County Department of Public Health – CCDPH.* The mandatory mitigation measures requiring the wearing of masks for the general public in suburban Cook County have been repealed by Cook County in Cook County Department of Health Order 2022-1 which is incorporated herein by this reference as if fully set forth herein and may be found at: https://cookcountypublichealth.org/wp-content/uploads/2022/02/CCDPH-COVID-Order-2022-1_02-28-22.pdf. The Cook County Department of Health may amend its regulations from time to time.
- E. *Duration.* The regulations and recommendations herein shall be effective until otherwise amended or repealed by the respective federal, state, and county agencies.

F. *Notice.* Upon passage of this ordinance, the Village Clerk shall publish the ordinance in pamphlet form, post on the Village's website, notify the news media situated within the Village, and shall cause at least four copies of the ordinance to be posted at prominent places within the Village.

G. *Effect on other ordinances.* Nothing contained in this section shall be construed to impair the powers contained in the Revised Municipal Code of the Village of Norridge - 2002, giving powers to the police and fire departments, but shall be construed together with existing ordinances now in effect for the safety and welfare of the citizens of the Village.

H. *Effective date.* Due to the urgent need to protect the public health and safety due to COVID-19, this ordinance shall be in full force and effect immediately upon passage.

Section 3.

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4.

This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

Section 5.

If any provision of this Ordinance, or the application of any provision of this Ordinance, is held unconstitutional or otherwise invalid, such occurrence shall not affect other provisions of this Ordinance or their application if they can be given effect without the unconstitutional or invalid provision or its application. Each unconstitutional or invalid provision is severable, unless otherwise provided by this Ordinance.

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PASSED by the President and Board of Trustees of the Village of Norridge, Cook County, Illinois, this 23rd day of March 2022.

AYES:

NAYS:

ABSENT:

Gabriela Krasinski
Village Clerk

APPROVED this 23rd day of March 2022.

Honorable Daniel Tannhauser
Village President

PUBLISHED by me this 23rd day of March 2022 in pamphlet form.

Gabriela Krasinski
Village Clerk