

**MAY 14, 2020**

**EXECUTIVE ORDER NO. 010-20**

**EXECUTIVE ORDER TEMPORARILY ALLOWING EATING ESTABLISHMENTS  
TO OFFER OUTDOOR DINING OPTIONS DURING THE COVID-19 OUTBREAK**

WHEREAS, on January 30, 2020, the World Health Organization declared the outbreak of the Coronavirus Disease 2019 (COVID-19) to be a public health emergency of international concern; and

WHEREAS, on March 13, 2020, the President of the United States issued a proclamation declaring a national emergency concerning the COVID-19 outbreak; and

WHEREAS, on March 9, 2020, the Governor of the State of Illinois issued a disaster proclamation due to the impact of the COVID-19 outbreak in Illinois and activated the State Emergency Operations Center; and

WHEREAS, on March 16, 2020, the Governor of the State of Illinois issued Executive Order 2020-07, suspending on-premise consumption of food and beverages in places of public accommodation and prohibiting gatherings of 50 people or more; and

WHEREAS, on March 20, 2020, the Governor of the State of Illinois issued Executive Order 2020-10, requiring that all non-essential business and operations cease and requiring all individuals currently living in the State of Illinois to stay at home or their place of residence except as necessary to perform essential activities, on April 1, 2020, extended this order until April 30, 2020 in the Executive Order 2020-18, and on April 30, 2020, extended the stay at home order until May 29, 2020, in Executive Order 2020-32; and

WHEREAS, on March 17, 2020, the Village of Itasca Board of Trustees passed Ordinance No. 1936-20, pursuant to 65 ILCS 5/11-1-6, which allowed the Mayor to declare a State of Emergency related to the COVID-19 outbreak when certain standards were met; and

WHEREAS, the Mayor of the Village of Itasca issued a local Declaration of Disaster pursuant to 20 ILCS 3305/11, on March 18, 2020; and

WHEREAS, the Mayor of the Village of Itasca found the standards met for a State of Emergency, pursuant to Ordinance 1936-20 and 65 ILCS 5/11-1-6, and filed a Declaration of the State of Emergency with the Village Clerk on March 18, 2020; and

WHEREAS, the Village of Itasca Board of Trustees affirmed and ratified the Mayor's declarations pursuant to 20 ILCS 3305/11 and 65 ILCS 58/11-1-6 in Resolutions 1194-20, 1197-20, and 1203-20, which extend the Mayor's temporary extraordinary powers until May 19, 2020; and

WHEREAS, the COVID-19 pandemic has caused an unprecedented impact on local residents, businesses and visitors, including significant public health, safety and economic impacts; and

WHEREAS, COVID-19-related restrictions from both the gubernational executive orders and local public health measures have had a unique impact on eating establishments, such as restaurants, taverns, and lounges.

THEREFORE, by the powers vested in me as the Mayor of the Village of Itasca and by 65 ILCS 5/11-1-6 and 20 ILCS 3305-11, and pursuant to Ordinance No. 1936-20 and my Declaration of a State of Emergency, I hereby order the following:

SECTION ONE: The recitals set forth above are found to be true and correct and are hereby incorporated herein and made part of this Executive Order as though fully set forth.

SECTION TWO: Because of the unique impact COVID-19 and its response has had on eating establishments, all restaurants, tavern, or lounges, as defined in the Itasca Zoning Ordinance, are exempt from the outdoor eating special use requirements in the Itasca Zoning Ordinance until October 31, 2020, provided the Community Development Director or her designee approves.

SECTION THREE: The Community Development Director or her designee is hereby authorized to approve outdoor dining plans for eating establishments which demonstrate compliance with gubernational executive orders and can provide right of way access, adequate parking and other necessary amenities while ensuring patron and public safety.

SECTION FOUR: Nothing in this Executive Order shall otherwise alter, waive, suspend or modify the Itasca Municipal Code or Itasca Zoning Ordinance.

SECTION FIVE: If any provision of this Executive Order or its application to any person or circumstance is held invalid by any court of competent jurisdiction, this invalidity does not affect any other provision or application of this Executive Order, which can be given effect without the invalid provision or application. To achieve this purpose, the provisions of this Executive Order are declared to be severable.

SECTION SIX: Effective date. This Executive Order shall be in full force and effect from 12:00 AM on May 14, 2020.

ISSUED by the Village President of the Village of Itasca this 14<sup>th</sup> day of May, 2020.

  
Village President Jeffery J. Pruyn