

ORDINANCE NUMBER 20 - 07

**AN ORDINANCE OF THE VILLAGE OF EAST DUNDEE, COOK  
AND KANE COUNTIES, ILLINOIS AMENDING THE VILLAGE OF EAST DUNDEE  
VILLAGE CODE AUTHORIZING THE VILLAGE PRESIDENT TO  
DECLARE A STATE OF EMERGENCY IF NEEDED**

**WHEREAS**, the Village of East Dundee (“Village”) is a home rule unit of local government pursuant to Section 6 of Article VII of the Constitution of the State of Illinois, and has the authority to exercise any power and perform any function pertaining to its government and affairs; and

**WHEREAS**, Section 11-1-6 of the Illinois Municipal Code, 65 ILCS 5/11-1-6, provides that the corporate authorities of the Village may grant the Village President the extraordinary power and authority to exercise, by executive order, during a state of emergency, such of the powers of the Village’s corporate authorities as may be reasonably necessary to respond to the emergency; and

**WHEREAS**, such ordinance is to establish the standards to be relied upon for the Village President to determine when a state of emergency exists;

**NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF EAST DUNDEE, COOK AND KANE COUNTIES, ILLINOIS, AS FOLLOWS:**

**SECTION 1: Incorporation.** That the recitals above shall be and are hereby incorporated in this Section 1 as if restated herein.

**SECTION 2: Village Code Amendment.** That Section 33.13(H) of the Village of East Dundee Village Code (“Village Code”) is created and shall read as follows:

“(1) In addition to the Village President’s authority to proclaim a state of emergency in the Village of East Dundee, including elsewhere in this Section 33.13, the Village President is authorized to declare of a state of emergency and to exercise, by executive order, such powers of the Village President and Board of Trustees as may be reasonably necessary to respond to the emergency.

(2) A declaration of a state of emergency under this Section 33.13(H) shall:

(a) Be executed under oath.

(b) Set forth the basis and underlying facts supporting the declaration of a state of emergency.

(c) Make reference to published statements of federal, state or county agencies whose duty it is to address emergency matters.

(d) To the extent possible, specify the procedures and protocols to be followed during the state of emergency.

(e) To the extent possible, make specific reference to any regulations which may be subject to suspension during the state of emergency.

(f) Consistent with Section 33.13(H)(3)(h) below, set forth the duration of the state of emergency.

(g) Be filed with the Village Clerk as soon as practicable.

(h) Expire no later than the adjournment of the first regular meeting of the Village President and Board of Trustees after the state of emergency has been declared.

(3) A declaration of emergency pursuant to the authority in this Section 33.13(H) may not suspend in any way the rights of persons under the Illinois or United States Constitutions.

(4) The authority granted herein is in addition to, and not in lieu of, the authority of the Village President to address emergencies in the Village of East Dundee, including, but not limited to, elsewhere in this Section 33.13.”

**SECTION 3: Continuation.** That all provisions of the Village Code not amended herein shall remain in full force and effect.

**SECTION 4: Severability.** That if any Section, paragraph or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such Section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.

**SECTION 5: Repeal.** That all ordinances, resolutions, motions or parts thereof in conflict with this Ordinance shall be and the same are hereby repealed.

**SECTION 6: Effect.** That this Ordinance shall be in full force and effect upon its adoption, approval and publication in pamphlet form as provided by law.

**ADOPTED** this 23rd day of March, 2020 pursuant to a roll call vote as follows:

AYES: Trustees Lynam, Selep, Wood, Mahony, Andresen and Kunze

NAYES: none

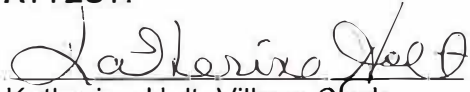
ABSENT: none

**APPROVED** by me this 23rd day of March, 2020.



\_\_\_\_\_  
Lael Miller, Village President

**ATTEST:**



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Katherine Holt, Village Clerk

Published in pamphlet form this 24th day of March, 2020, under the authority of the Village President and Board of Trustees.

Recorded in the Village records on March 24, 2020.