

**ORDINANCE NUMBER 20 - 10**

**AN ORDINANCE OF THE VILLAGE OF EAST DUNDEE, COOK  
AND KANE COUNTIES, ILLINOIS ADOPTING AND APPROVING RELIEF FROM  
THE VILLAGE OF EAST DUNDEE VILLAGE CODE IN EXECUTIVE ORDER 20-1  
ISSUED BY THE VILLAGE PRESIDENT UNDER A  
DECLARATION OF A STATE OF EMERGENCY  
(COVID-19 – MARCH 23, 2020)**

**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**, on March 23, 2020, the Village President and Board of Trustees adopted an Ordinance entitled “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,” which created Section 33.13(H) of the Village of East Dundee Village Code, authorizing the Village President to declare a state of emergency in the Village pursuant to Section 11-1-6 of the Illinois Municipal Code, 65 ILCS 5/11-1-6; and

**WHEREAS**, on March 23, 2020, the Village President declared a state of emergency in the Village due to the threats to the public’s health, safety and welfare from the COVID-19 pandemic pursuant to the “Declaration of a State of Emergency in the Village of East Dundee, Cook and Kane Counties, Illinois (COVID-19 – March 23, 2020),” attached hereto as **EXHIBIT A** and made a part hereof (“Declaration”); and

**WHEREAS**, on March 24, 2020, the Village President issued Executive Order 20-1 pursuant to the Declaration, entitled “Executive Order of the Village of East Dundee Village President Suspending Water and Sewer Late Payment Penalties,” attached hereto as **EXHIBIT B** and made a part hereof (“Executive Order 20-1”); and

**WHEREAS**, pursuant to Section 33.13(H)(2)(h) of the Village of East Dundee Village Code (“Village Code”), the expiration of the Declaration and Executive Order 20-1 shall be no later than the adjournment of the first regular meeting of the Village President and Board of Trustees after the Declaration was issued; and

**WHEREAS**, the Village President and Board of Trustees desire to adopt and extend the relief from the Village Code in Executive Order 20-1, in order to better protect and preserve the public’s health, safety and welfare with regard to the COVID-19 pandemic;

**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: Adoption and Approval of Executive Order.** That the Village President and Board of Trustees adopt and approve the relief from the Village Code in the Executive Order 20-1 and the relief shall remain in effect for water and sewer bills issued by the Village through August 21, 2020.

**SECTION 3: 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 4: Repeal.** That all ordinances, resolutions, motions or parts thereof in conflict with this Ordinance shall be and the same are hereby repealed.

**SECTION 5: 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 4th day of May, 2020 pursuant to a roll call vote as follows:

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

NAYES: None

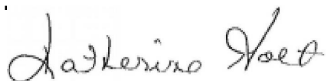
ABSENT: None

**APPROVED** by me this 4th day of May, 2020.



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

**ATTEST:**



\_\_\_\_\_  
Katherine Holt, Village Clerk

Published in pamphlet form this 4th day of May, 2020 under the authority of the Village President and Board of Trustees.

Recorded in the Village records on May 5, 2020.

# EXHIBIT A

## DECLARATION NO. 20-1

### DECLARATION OF A STATE OF EMERGENCY IN THE VILLAGE OF EAST DUNDEE, COOK AND KANE COUNTIES, ILLINOIS (COVID-19 – MARCH 23, 2020)

**WHEREAS**, the Village of East Dundee (“Village”) is a home rule unit of local government as provided by Article VII, Section 7 of the Illinois Constitution of 1970; and

**WHEREAS**, COVID-19, also known as the “coronavirus,” is a dangerous disease which has spread around the world, including in the United States, the State of Illinois and Cook and Kane Counties; and

**WHEREAS**, COVID-19 is a direct and serious threat to the public’s health, safety and welfare; and

**WHEREAS**, on March 11, 2020, the World Health Organization declared the COVID-19 virus a pandemic; and

**WHEREAS**, on March 10, 2020, the President of the Cook County Board of Commissioners issued a disaster proclamation in Cook County, Illinois related to the COVID-19 pandemic; and

**WHEREAS**, on March 17, 2020, the President of the Kane County Board of Commissioners issued a disaster proclamation in Kane County, Illinois related to the COVID-19 pandemic; and

**WHEREAS**, on March 9, 2020, the Governor of the State of Illinois issued a disaster proclamation in the State of Illinois related to the COVID-19 pandemic; and

**WHEREAS**, on March 13, 2020, the President of the United States declared a nationwide emergency under Section 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 52 U.S.C. 5121, *et seq.*, related to the COVID-19 pandemic; and

**WHEREAS**, COVID-19 pandemic is a contagious disease that is likely to cause loss of life, loss of productivity, hardship and suffering to persons residing in or doing business in and around the Village; 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 of East Dundee 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**, on March 23, 2020, the Village President and Board of Trustees adopted an ordinance entitled “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,” which created

Section 33.13(H) of the Village Code, which authorizes the Village President to declare a state of emergency in the Village pursuant to Section 11-1-6 of the Illinois Municipal Code, 65 ILCS 5/11-1-6; and

**WHEREAS**, declaration of a state of emergency in the Village is necessary in order to allow the Village to assist in preventing the loss of life and injuries, alleviating damages, loss, hardship and suffering related to the COVID-19 pandemic;

**NOW, THEREFORE, BE IT DECLARED**, under oath by the Village President of the Village of East Dundee, Cook and Kane Counties, Illinois:

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

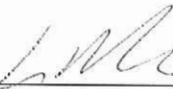
**SECTION 2: Declaration of a State of Emergency.** That a state of emergency is declared in the Village of East Dundee, Cook and Kane Counties, Illinois pursuant to Section 33.13(H) of the Village Code.

**SECTION 3: Executive Orders.** That the Village President is authorized to exercise, by executive order, such powers of the Village President and Board of Trustees as the Village President deems reasonably necessary to allow the Village to respond to the emergency.

**SECTION 4: Procedures, Protocols and Regulations Subject to Suspension.** That the Village Administrator shall present requests to the Village President for approval of executive orders described in Section 3 above. Executive orders may address any Village regulations reasonably necessary to allow the Village to respond to the emergency.

**SECTION 5: Duration.** That the state of emergency declared herein shall expire upon the earlier of (a) the adjournment of the next regular meeting of the Village President and Board of Trustees, which is scheduled for April 6, 2020, or (b) withdrawal of this Declaration by the Village President.

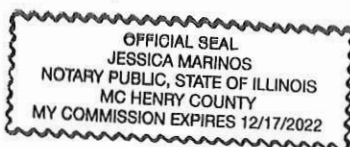
**SECTION 6: Filing.** That this declaration shall be filed with the Village Clerk upon its execution by the Village President.



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Lael Miller, Village President

Subscribed and sworn to before me  
this 24<sup>th</sup> day of March, 2020.

  
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Notary Public



# EXHIBIT B

## EXECUTIVE ORDER NO. 20-01

### EXECUTIVE ORDER OF THE VILLAGE OF EAST DUNDEE VILLAGE PRESIDENT

#### SUSPENDING WATER AND SEWER LATE PAYMENT PENALTIES

**W** **HEREAS**, the Village of East Dundee ("Village") is a home rule unit of local government as provided by Article VII, Section 7 of the Illinois Constitution of 1970; and

**W** **HEREAS**, COVID-19, also known as the "coronavirus," is a dangerous disease which has spread around the world, including in the United States, the State of Illinois and Cook and Kane Counties; and

**WHEREAS**, COVID-19 is a direct and serious threat to the public's health, safety and welfare; and

**WHEREAS**, on March 23, 2020, the Village President declared a state of emergency in the village in Declaration 20-1, entitled "Declaration of a State of Emergency in the Village of East Dundee, Cook and Kane Counties, Illinois (COVID-19 – March 23, 2020)" ("Declaration"); and

**WHEREAS**, the Declaration was made pursuant to authority granted to the Village President in Section 33.13(H) of the Village of East Dundee Village Code and pursuant to Section 11-1-6 of the Illinois Municipal Code, 65 ILCS 5/11-1-6; and

**WHEREAS**, the Village President, has determined that it is necessary to make this Executive Order to provide relief to water and sewer customers of the Village with regard to the application of late payment penalties;

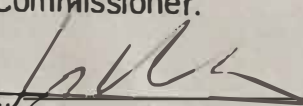
**NOW, THEREFORE, BE IT ORDERED**, by the Village President of the Village of East Dundee, Cook and Kane Counties, Illinois:

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

**SECTION 2: Executive Order.** That it is ordered:

**Water and Sewer Billing Provision (Penalties).** The requirements of Chapters 51 and 53 of the Village of East Dundee Village Code are amended to suspend the late payment penalty fee of 10% for payments made after 21 days from the date of mailing the bill.

**SECTION 3: Duration.** That this Executive Order shall expire upon the earlier of (a) the end of the Governor's disaster declaration regarding the COVID-19 pandemic, or (b) withdrawal of this Executive Order by the Local Liquor Control Commissioner.

  
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Lael Miller, Local Liquor Control Commissioner

Date: March 24, 2020