

ORDINANCE NUMBER 20 - 11

**AN ORDINANCE OF THE VILLAGE OF EAST DUNDEE, COOK
AND KANE COUNTIES, ILLINOIS ADOPTING AND APPROVING EXTENSIONS OF
LIQUOR LICENSE AND VIDEO GAMING TERMINAL LICENSE RENEWALS
UNDER THE VILLAGE OF EAST DUNDEE VILLAGE CODE
IN EXECUTIVE ORDER 20-3 ISSUED BY THE VILLAGE PRESIDENT UNDER A
DECLARATION OF A STATE OF EMERGENCY
(COVID-19 – APRIL 27, 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 Ordinance 20-07 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 April 27, 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 Continued State of Emergency in the Village of East Dundee, Cook and Kane Counties, Illinois (COVID-19 – April 27, 2020),” attached hereto as **EXHIBIT A** and made a part hereof (“Declaration”); and

WHEREAS, on April 27, 2020, the Village President issued Executive Order 20-3 pursuant to the Declaration, entitled “Executive Order Extending Liquor License and Video Gaming Terminal License Renewals Under a Declaration of a State of Emergency in the Village of East Dundee, Cook and Kane Counties, Illinois (COVID-19 – April 27, 2020),” attached hereto as **EXHIBIT B** and made a part hereof (“Executive Order 20-3”); 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 20-3 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 20-3, 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 20-3 and the relief shall remain in effect for holders of liquor licenses and video game terminal licenses.

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

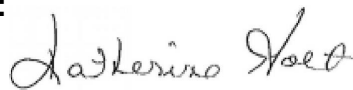
ABSENT: NONE

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. 20-2

DECLARATION OF A CONTINUED STATE OF EMERGENCY IN THE VILLAGE OF EAST DUNDEE, COOK AND KANE COUNTIES, ILLINOIS (COVID-19 – APRIL 27, 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 Ordinance 20-07, 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.

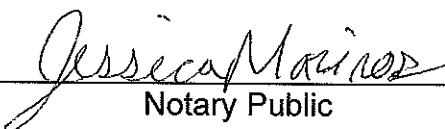
SECTION 5: Duration. That the state of emergency declared herein shall expire upon the earlier of (a) the adjournment of the next regular meeting of the Village President and Board of Trustees, which is scheduled for May 4, 2020, or (b) withdrawal of this Declaration by the Village President.

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



Lael Miller, Village President

Subscribed and sworn to before me
this 27th day of April, 2020.



Notary Public

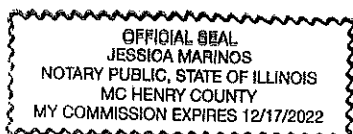


EXHIBIT B

EXECUTIVE ORDER NO. 20-3

EXECUTIVE ORDER EXTENDING LIQUOR LICENSE AND VIDEO GAMING TERMINAL LICENSE RENEWALS UNDER A DECLARATION OF A STATE OF EMERGENCY IN THE VILLAGE OF EAST DUNDEE, COOK AND KANE COUNTIES, ILLINOIS (COVID-19 – APRIL 27, 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 April 27, 2020, the Village President declared a state of emergency in the Village in Declaration 20-2, entitled “Declaration of a Continued State of Emergency in the Village of East Dundee, Cook and Kane Counties, Illinois (COVID-19 – April 27, 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 best protect the public’s health, safety and welfare regarding the COVID-19 pandemic;

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:

A. **Liquor Licenses.** The expiration dates for all Village-issued liquor licenses in effect as of April 27, 2020 are hereby extended from June 30, 2020 to September 30, 2020. The cost of liquor licenses renewed and issued by the Village that take effect on or after October 1, 2020 shall be prorated as set forth in Section 116.05(H)(1) of the Village of East Dundee Village Code.

B. **Video Gaming Terminal Licenses.** The expiration dates for all Village-issued video gaming terminal licenses in effect as of April 27, 2020 are hereby extended from June 30, 2020 to September 30, 2020. The cost of video gaming terminal licenses renewed and issued by the Village that take effect on or after October 1, 2020 shall be prorated to the same extent as the cost of liquor licenses, as set forth in Section 116.05(H)(1) of the Village of East Dundee Village Code.

SECTION 3: Duration. That this Executive Order shall expire upon the earlier of (a) the Declaration ending, or (b) withdrawal of this Executive Order by the Village President.



Lael Miller, Village President

Date: April 27, 2020