

Village of Niles
Village President Executive Directive 2020-01
Issue Date: April 17, 2020

WHEREAS, the Village of Niles (the “Village”) is a home rule municipality in accordance with the Constitution of the State of Illinois of 1970; and

WHEREAS, pursuant to its Constitutional home rule powers, the Village has authority to “perform any function pertaining to its government and affairs including, but not limited to, the power to regulate for the protection of the public health, safety, morals, and welfare” (IL Const art. 7 § 6) by adopting ordinances and promulgating rules and regulations that pertain to its government and affairs that protect the public health, safety, and welfare of its citizens; and

WHEREAS, pursuant to, 65 ILCS 5/11-1-6, the corporate authorities of each municipality may by ordinance grant to the mayor the extraordinary power and authority to exercise, by executive order, during a state of emergency, such of the powers of the corporate authorities as may be reasonably necessary to respond to the emergency; and

WHEREAS, the COVID-19 pandemic has proved to have a significant impact on public health throughout Illinois and within the Village of Niles; and

WHEREAS, COVID-19 is a virus passing between people through airborne droplets or on various surfaces and can cause severe respiratory illness and death. To date, no drug or vaccine is currently approved to treat or prevent COVID-19; and

WHEREAS, these factors require public health initiatives to contain and limit the spread of the infectious droplets; 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 virus; and

WHEREAS, on March 16, 2020 Governor Pritzker issued Executive Order 2020-07 and on March 20, 2020, Governor Pritzker issued Executive Order 2020-10 requiring all non-essential persons to stay at home with limited exceptions and all non-essential businesses to cease operations with limited exceptions, which became effective through April 7, 2020 and was recently extended to April 30, 2020; and

WHEREAS, on March 15, 2020, I, Andrew Przybylo, Village President of the Village of Niles, issued a *Declaration of Emergency* due to the COVID-19 virus; and

WHEREAS, on March 17, 2020, pursuant to Ordinance 2020-09, the Village Board of Trustees of the Village of Niles granted emergency powers to the Village President and the Village Manager to respond to the impacts of the COVID-19 virus; and

WHEREAS, Section 13 (N) of Ordinance 2020-09 authorizes the Village President, upon the consultation of the Village Manager, to issue orders which the Village President reasonably believe are required to protect the health, safety, and welfare of persons within the Village; and

WHEREAS, the Center for Disease Control ("CDC") and the U.S. Surgeon General have recommended that all individuals wear cloth face coverings in public settings where other social distancing measures are difficult to maintain, because people who are asymptomatic can spread COVID-19 more widely than previously thought; and

WHEREAS, in order to protect the health, safety, and welfare of persons within the Village, I find that it is necessary to issue a directive requiring persons in Niles to comply with social distancing requirements ordered by the State of Illinois as well as the recommendations of the CDC and the U.S. Surgeon General; and

WHEREAS, the measures taken in this Executive Directive comply with the ordinance of the Village of Niles, laws of the State of Illinois, including 65 ILCS 5/11-1-6, IL Const art. 7 § 6 and Executive Order 10.

NOW, THEREFORE, I, Andrew Przybylo, Village President of the Village of Niles, pursuant to the authority granted to me pursuant to Ordinance 2020-09 hereby issue the following directive:

1. The Village of Niles directs all persons to follow the COVID-19 guidelines established by the CDC. All persons engaging in any activity outside of their place of residence, while other people are present, shall wear protective face covering that includes their nose and mouth made of any cloth or other material which is reasonably designed and made to inhibit, filter or restrict the breath, sneeze, cough or other exhaling from one's nose and mouth, including but not limited to a non-medical grade mask, cloth or plastic mask, scarf, bandana or handkerchief.

This directive does not apply to persons:

- a. Engaged in outdoor activity such as walking, running, biking or other solitary physical activity while at the same time practicing social or physical distancing of at least six feet from others;
- b. Riding alone in a personal vehicle;

- c. Who are alone or with household members in a separate single space;
 - d. When doing so creates a greater health, safety or security risk to the individual or the public; and
 - e. While drinking or eating.
2. A business owner or operator may refuse admission or service to any individual who fails to wear a face covering reasonably designed and made to inhibit, filter or restrict the passing of a person's breath, sneeze, cough or other exhaling from one's nose and mouth.
 3. Medical-grade masks or N-95 respirators should be reserved for use by health care providers and first responders and are not recommended for general public use under this directive.
 4. This directive does not supplant or diminish the need for all residents, workers in and visitors to Niles, to practice social and physical distancing in all settings and with all ages. Social and physical distancing is still the first, best, and required practice to combat the COVID-19 pandemic.

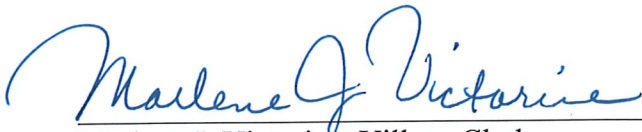
This Executive Directive shall be in effect until the expiration of the Declaration of Emergency pursuant to Ordinance 2020-09.

Issued this 17th day of April, 2020.



Andrew Przybylo, Village President
Village of Niles

Attest:



Marlene J. Victorine, Village Clerk

