

**ORDINANCE NO. 2318**

**AN ORDINANCE REQUIRING THE USE OF FACE COVERINGS IN ALL ESSENTIAL BUSINESSES FOR THE VILLAGE OF MELROSE PARK, COUNTY OF COOK, STATE OF ILLINOIS.**

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**WHEREAS**, the Village of Melrose Park, County of Cook, State of Illinois (the “Village”) is a duly organized and existing municipality and unit of local government created under the provisions of the laws of the State of Illinois, and is operating under the provisions of the Illinois Municipal Code, and all laws amendatory thereof and supplementary thereto, with full powers to enact ordinances and adopt resolutions for the benefit of the residents of the Village; and

**WHEREAS**, the Village President (the “President”), the Honorable Ronald M. Serpico, the Village Clerk, the Honorable Mary Ann Paolantonio, and the Board of Trustees of the Village (the “Village Board”), the Honorable Louis “Sonny” Nicotera, Anthony J. Prignano, Arturo J. Mota, Mary Ramirez Taconi, Jaime Anguiano and Anthony N. Abruzzo, constitute the duly elected, qualified and acting officials of the Village; and

**WHEREAS**, the president and the corporate authorities are committed to promoting the health, safety and general welfare of the Village’s residents; and

**WHEREAS**, on March 9, 2020, Governor J.B Pritzker issued a disaster proclamation (the “Disaster Proclamation”) due to the impact of the Coronavirus Disease 2019 (“COVID-19”) and declared all counties in the State of Illinois as a disaster area, and on March 13, 2020, President Donald Trump issued a proclamation declaring a national emergency concerning the COVID-19 outbreak; and

**WHEREAS**, in a short period of time, COVID-19 has rapidly spread throughout Illinois, necessitating updated and more stringent guidance from federal, state, and local public health officials; and

**WHEREAS**, on March 20, 2020, Governor J.B. Pritzker issued Executive Order 2020-10, pursuant to Sections, 7(1), 7(2), 7(8), 7(10), and 7(12) of the Illinois Emergency

Management Agency Act, 20 ILCS 3305, requiring Illinois residents to stay at home, effective March 21, 2020, and through the remainder of the duration of the Disaster Proclamation (the “Stay at Home Order”); and

**WHEREAS**, on April 1, 2020, Governor J.B. Pritzker issued Executive Order 2020-18, which extended the duration of the Disaster Proclamation, including the Stay at Home Order, through April 30, 2020; and

**WHEREAS**, the Stay at Home Order lays out three main directives: (1) stay at home, except for essential activities; (2) non-essential business and operations must cease; and (3) all gatherings of more than ten (10) people are prohibited; and

**WHEREAS**, to further protect Illinois residents, the Stay at Home Order permits individuals to leave their home only to perform Essential Activities, Essential Government Functions, or to operate Essential Businesses and Operations, as defined in Executive Order 2020-18; and

**WHEREAS**, pursuant to the directives outlined in the Stay at Home Order, it is necessary to take measures to ensure that employees and visitors of Essential Businesses are able to carry out these functions effectively and safely, while maintaining social distancing of six (6) feet as recommended by the Centers for Disease Control and Prevention (the “CDC”); and

**WHEREAS**, most recently, on April 9, 2020, the CDC issued a new recommendation to help slow the spread of COVID-19, which advised individuals to wear cloth face coverings in public settings as an additional, voluntary public health measure; and

**WHEREAS**, the number of suspected COVID-19 cases in Illinois is increasing exponentially and across more locations in Illinois, indicating that drastic social distancing measures are needed in order to reduce the number of people who become sick at any given time

and the possibility of exhausting health care resources; and

**WHEREAS**, Section 11-20-5 of the Illinois Municipal Code provides that the corporate authorities of each municipality may do all acts and make all regulations which may be necessary or expedient for the promotion of health or the suppression of diseases; and

**WHEREAS**, it is necessary and appropriate to immediately take measures to protect the public's health in public spaces in response to COVID-19;

**NOW, THEREFORE, BE IT ORDAINED** by the Village President and the Board of Trustees of the Village of Melrose Park, County of Cook, State of Illinois, as follows:

**SECTION 1:** All employees and visitors of any grocery store, pharmacy or drug store, convenience store, gas station, and all other essential businesses as defined in Executive Order 2020-18 (collectively, the "Essential Businesses" and singularly, the "Essential Business") shall wear a face covering, as recommended by the CDC, while on the premises.

**SECTION 2:** Essential Businesses and/or employers must provide, at their expense, such face coverings for all employees working in the establishment.

**SECTION 3:** Essential Businesses shall post notice, in a conspicuous place, the requirement for employees and visitors to wear a mask or cloth face covering while on the premises. Essential Businesses are required to enforce the Ordinance with respect to its own employees. As for visitors on the premises, the notice shall make visitors aware that they are in violation of this Ordinance if they are not wearing a mask or cloth face covering. If a visitor of an Essential Business refuses to leave the premises or comply with the Ordinance to wear a mask or cloth face covering, the Essential Business shall notify the Village's Police Department for enforcement of the violation.

**SECTION 4:** All Essential Businesses are required to implement infection control practices, including but not limited to, regular hand washing, coughing and sneezing etiquette,

and proper tissue usage and disposal.

**SECTION 5:** All Essential Businesses are required to provide sanitization materials, such as hand sanitizer and sanitizing wipes to employees and visitors.

**SECTION 6:** All Essential Businesses are required to sanitize high-touch areas including restrooms, break rooms, equipment, and machinery.

**SECTION 7:** All Essential Businesses shall be required to enforce the 6-foot social distancing requirement.

**SECTION 8:** Nothing in the policy stated in this Ordinance shall prevent employees or visitors from wearing a surgical-grade mask or other more-protective face covering if the individual already possesses such equipment, or if the Essential Business is otherwise required to provide such employee with more-protective equipment due to the nature of the work involved.

**SECTION 9:** Failure to comply with this Ordinance by an Essential Business shall result in a citation and a fine. A second offense for non-compliance may result in the revocation of the business license.

**SECTION 10:** This Ordinance will be strictly enforced by the Melrose Park Police Department, the Business License Department and the Health Department.

**SECTION 11:** This Ordinance shall expire upon the later of (1) the adjournment of the first regular meeting of the Corporate Authorities after the date of this Ordinance or (b) the expiration of the Governor J.B. Pritzker's Executive Order 2020-010, or any extension thereof, unless sooner terminated by Ordinance or unless amended or extended pursuant to the Village Code.

**SECTION 12:** This Ordinance shall be distributed in accordance with the Village Code.

**SECTION 13:** This Ordinance is not intended to, and does not, except as specifically set

forth herein, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the Village of Melrose Park, its departments, agencies, or entities, its officers, employees, or agents, or any other person. This Ordinance shall be deposited and kept immediately available on file for inspection in the office of the Village Clerk.

**SECTION 14:** All code provisions, ordinances, resolutions and orders, or parts thereof, in conflict herewith are to the extent of such conflict hereby superseded.

**SECTION 15:** A full, true and complete copy of this Ordinance shall be published in pamphlet form or in a newspaper published and of general circulation within the Village as provided by the Illinois Municipal Code, as amended.

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**SECTION 16:** This Ordinance shall be in full force and effect following its passage, approval and publication, as provided by law.

On The Individual Poll And Voice Vote Of The Board of Trustees:

**AYE VOTES:** Trustee Mota, Trustee Anguiano, Trustee Abruzzo

**NAY VOTES:**

**ABSTAIN:**

**ABSENT:** Trustee Prignano, Trustee Taconi, Trustee Nicotera

SO PASSED, ADOPTED, APPROVED AND ENACTED IN AND AT THE VILLAGE OF MELROSE PARK, COUNTY OF COOK, STATE OF ILLINOIS, THIS TWENTY-SEVENTH DAY OF APRIL, 2020 A.D.

APPROVED:

  
RONALD M. SERPICO  
VILLAGE PRESIDENT



ATTEST:

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Mary Ann Paolantonio  
Village Clerk

(SEAL)

Recorded in the Municipal Records: April 27, 2020  
Published in Pamphlet Form: April 28, 2020