



COVID-19 Public Health
ORDER FOR SHELTER IN PLACE

Issued: March 18, 2020
Effective Date: March 20, 2020 at 12:01 a.m.
Expiration Date: April 3, 2020 at 11:59 p.m.


Mike Charley
Public Health Director
Department of Public Health
Village of Oak Park

Pursuant to Village of Oak Park Resolution 20-120 dated March 13, 2020, the Oak Park Village Board has declared an emergency affecting the public health due to the outbreak of the COVID-19 disease pursuant to Section 8-10-5 of the Illinois Municipal Code, 65 ILCS 5/8-10-5, and Sections 2-6-10, 2-27-9 and 20-1-6(Z) of the Village Code. Pursuant to the Resolution, the Village's Public Health Director has the authority to make "reasonable rules, regulations and orders . . . as may from time to time be deemed necessary for the preservation and improvement of the public health and for the suppression of disease."

ORDER

1. The intent of this Order is to ensure that the maximum number of people self-isolate in their places of residence to the maximum extent feasible, while enabling essential services to continue, to slow the spread of COVID-19 to the maximum extent possible. When people need to leave their places of residence, whether to obtain or perform vital services, or to otherwise facilitate authorized activities necessary for continuity of social and commercial life, they should at all times reasonably possible comply with Social Distancing Requirements as defined in Section 10 below. All provisions of this Order should be interpreted to effectuate this intent. Failure to comply with any of the provisions of this Order shall be a violation of the Illinois Public Health Act, 220 ILCS 2305/2(k), which provides as follows:

Any person who knowingly or maliciously disseminates any false information or report concerning the existence of any dangerously contagious or infectious disease in connection with the Department's power of quarantine, isolation and closure or refuses to comply with a quarantine, isolation or closure order is guilty of a Class A misdemeanor.

2. All individuals currently living within the Village of Oak Park (the "Village") are ordered to shelter at their place of residence. To the extent individuals are using shared or outdoor spaces, they must at all times as reasonably possible maintain social distancing of at least six (6) feet

from any other person when they are outside their residence. All persons may leave their residences only for Essential Activities, Essential Governmental Functions, or to operate Essential Businesses, all as defined in Section 10. Individuals experiencing homelessness are exempt from this Section, but are strongly urged to obtain shelter, and governmental and other entities are strongly urged to make such shelter available as soon as possible and to the maximum extent practicable and to use COVID-19 risk mitigation practices in their operation.

3. All businesses with a facility in the Village, except Essential Businesses as defined below in Section 10, are required to cease all activities at facilities located within the Village except Minimum Basic Operations as defined in Section 10. For clarity, businesses may also continue operations consisting exclusively of employees or contractors performing activities at their own residences (i.e., working from home). All Essential Businesses are strongly encouraged to remain open. To the greatest extent feasible, Essential Businesses shall comply with Social Distancing Requirements as defined in Section 10 below, including by maintaining six-foot social distancing for both employees and members of the public, including, but not limited to, when any customers are standing in line.

4. All public and private gatherings of any number of people occurring outside a single household or living unit are prohibited, except for the limited purposes as expressly permitted in Section 10. Nothing in this Order prohibits the gathering of members of a household or living unit. All Village block parties and special events are suspended for the duration of this Order.

5. All travel, including, but not limited to, travel on foot, bicycle, scooter, motorcycle, automobile, or public transit, except Essential Travel and Essential Activities as defined below in Section 10, is prohibited. People must use public transit only for purposes of performing Essential Activities or to travel to and from work for purposes of performing Essential Activities, Essential Travel or to travel to and from work to operate Essential Businesses or maintain Essential Governmental Functions. People riding on public transit must comply with Social Distancing Requirements as defined in Section 10 below, to the greatest extent feasible. This Order allows travel into or out of the Village to perform Essential Activities, operate Essential Businesses, or maintain Essential Governmental Functions.

6. This Order is issued based on evidence of increasing occurrence of COVID-19 within the Village and throughout Cook County, Illinois, scientific evidence and best practices regarding the most effective approaches to slow the transmission of communicable diseases generally and COVID-19 specifically, and evidence that the age, condition, and health of a significant portion of the population of the Village places it at risk for serious health complications, including death, from COVID-19. Due to the outbreak of the COVID-19 virus in the general public, which is now a pandemic according to the World Health Organization, there is a public health emergency throughout the Village. Making the problem worse, some individuals who contract the COVID-19 virus have no symptoms or have mild symptoms meaning they may not be aware they carry the virus. Because even people without symptoms can transmit the disease, and because evidence shows the disease is easily spread, gatherings can result in preventable transmission of the virus. The scientific evidence shows that at this stage of the

emergency, it is essential to slow virus transmission as much as possible to protect the most vulnerable and to prevent the health care system from being overwhelmed. One proven way to slow the transmission is to limit interactions among people to the greatest extent practicable. By reducing the spread of the COVID-19 virus, this Order helps preserve critical and limited healthcare capacity in the Village.

7. This Order also is issued in light of the testing and treatment of COVID-19 cases at Rush Oak Park Hospital, West Suburban Hospital and other medical providers located in the Village, the existence of one (1) confirmed case of COVID-19 in the Village, as well as at least 178 confirmed cases in Cook County and at least one (1) death in Cook County, Illinois, as of 4:00 p.m. on Wednesday, March 18, 2020, including a significant and increasing number of suspected cases of community transmission and likely further significant increases in transmission. Per the Centers for Disease Control and Prevention (“CDC”), there is no known vaccine for COVID-19 and there is no medication approved to treat it. Widespread testing for COVID-19 is not yet available but is expected to increase in the coming days. There is a body of evidence—based on about 200 journal articles—that supports the effectiveness of social distancing measures, both when used alone and in combination with other measures. The CDC recommends that government leaders continually reassess the status of the outbreak in the United States and extend any measures taken after such reassessment. This is a historic, unprecedented outbreak, the likes of which have not been seen in the United States since the influenza pandemic of 1918. This Order is necessary to slow the rate of spread and the Public Health Director will re-evaluate it as further data becomes available.

8. This Order is issued in accordance with the directive of Village President Anan Abu-Taleb as contained in President Abu-Taleb’s “Declaration of Local State of Emergency and Disaster” dated March 18, 2020, which is incorporated herein by reference.

9. This Order is issued in accordance with, and incorporates by reference the Gubernatorial Disaster Proclamation dated March 9, 2020 issued by Illinois Governor JB Pritzker, as supplemented by Governor Pritzker pursuant to Executive Orders 2020-03, 2020-04, 2020-05, 2020-06 and 2020-07 and as may be further supplemented. This Order is also issued in accordance with, and incorporates by reference Village Board Resolution 20-120 adopted on March 13, 2020, as may be supplemented and any and all orders issued by the Village’s Public Health Director regarding the COVID-19 outbreak, as may be further supplemented. Nothing contained in this Order is intended to, or shall operate to, supersede any applicable State or federal law, order or rule, and to the extent of any conflict, such State or federal law, order or rule shall be applicable.

10. Definitions and Exemptions.

a. For purposes of this Order, individuals may leave their residence only to perform any of the following “Essential Activities.” But people at high risk of severe illness from COVID-19 and people who are sick are urged to stay in their residence to the extent possible except as necessary to seek medical care.

i. To engage in activities or perform tasks essential to their health and safety, or to the health and safety of their family or household members (including, but not limited to, pets), such as, by way of example only and without limitation, obtaining medical supplies or medication, visiting a health care professional, or obtaining supplies they need to work from home;

ii. To obtain necessary services or supplies for themselves and their family or household members, or to deliver those services or supplies to others, such as, by way of example only and without limitation, canned food, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, and any other household consumer products, and products necessary to maintain the safety, sanitation, and essential operation of residences;

iii. To engage in outdoor activity, provided the individuals comply with Social Distancing Requirements as defined in this Section, such as, by way of example and without limitation, walking, hiking, or running;

iv. To perform work providing essential products and services at an Essential Business or to otherwise carry out activities specifically permitted in this Order, including Minimum Basic Operations; or

v. To care for a family member or pet in another household.

b. For purposes of this Order, individuals may leave their residence to work for or obtain services at any “Healthcare Operations” including hospitals, clinics, dentists, pharmacies, pharmaceutical and biotechnology companies, other healthcare facilities, healthcare suppliers, home healthcare services providers, mental health providers, medical cannabis dispensaries and related retail sales or any related and/or ancillary healthcare services. “Healthcare Operations” also includes veterinary care and all healthcare services provided to animals. This exemption shall be construed broadly to avoid any impacts to the delivery of healthcare, broadly defined. “Healthcare Operations” does not include fitness and exercise gyms and similar facilities.

c. For purposes of this Order, individuals may leave their residence to provide any services or perform any work necessary to the operations and maintenance of “Essential Infrastructure,” including, but not limited to, public works construction, construction of housing (in particular affordable housing or housing for individuals experiencing homelessness), airport operations, water, sewer, gas, electrical, oil refining, roads and highways, public transportation, solid waste collection and removal, internet, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services), provided that they carry out those services or that work in compliance with Social Distancing Requirements as defined this Section, to the extent possible. Upon application of hardship by the Village’s Chief Building Official, the Public

Health Director may authorize limited private construction activities not limited to the matters set forth in this section.

d. For purposes of this Order, all sworn Police Department and Fire Department personnel (“First Responders”), emergency management personnel, emergency dispatchers, court personnel, and law enforcement personnel, and others working for or to support Essential Businesses are categorically exempt from this Order. Further, nothing in this Order shall prohibit any individual from performing or accessing “Essential Governmental Functions.” Essential Government Functions means all services needed to ensure the continuing operation of the government agencies and provide for the health, safety and welfare of the public and all agencies that provide for the health, safety and welfare of the public. All Essential Governmental Functions shall be performed in compliance with Social Distancing Requirements as defined this Section, to the extent possible.

e. For the purposes of this Order, covered businesses include any for-profit, non-profit, or educational entities, regardless of the nature of the service, the function they perform, or its corporate or entity structure.

f. For the purposes of this Order, “Essential Businesses” means:

i. Healthcare Operations and Essential Infrastructure;

ii. Grocery stores, supermarkets, food banks, convenience stores, and other establishments engaged in the retail sale of canned food, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, and any other household consumer products (such as cleaning and personal care products). This includes stores that sell groceries and also sell other non-grocery products, and products necessary to maintaining the safety, sanitation, and essential operation of residences;

iii. Food cultivation, including farming, livestock, and fishing;

iv. Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals;

v. Newspapers, television, radio, and other media services;

vi. Gas stations and auto-supply, auto-repair, and related facilities;

vii. Banks and related financial institutions;

viii. Hardware stores;

- ix. Plumbers, electricians, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, Essential Activities, and Essential Businesses;
- x. Businesses providing mailing and shipping services, including post office boxes;
- xi. Educational institutions—including public and private K-12 schools, colleges, and universities—for purposes of facilitating distance learning or performing essential functions, provided that social distancing of six-feet per person is maintained to the greatest extent possible;
- xii. Laundromats, dry cleaners, and laundry service providers;
- xiii. Restaurants and other facilities that prepare and serve food, but only for delivery or carry out. Schools and other entities that typically provide free food services to students or members of the public may continue to do so under this Order on the condition that the food is provided to students or members of the public on a pick-up and takeaway basis only. Schools and other entities that provide food services under this exemption shall not permit the food to be eaten at the site where it is provided, or at any other gathering site;
- xiv. Businesses that supply products needed for people to work from home;
- xv. Businesses that supply other essential businesses with the support or supplies necessary to operate;
- xvi. Businesses that ship or deliver groceries, food, goods or services directly to residences;
- xvii. Airlines, taxis, and other private transportation providers providing transportation services necessary for Essential Activities and other purposes expressly authorized in this Order;
- xviii. Home-based care for seniors, adults, or children;
- xix. Residential facilities and shelters for seniors, adults, and children;
- xx. Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities; and
- xxi. Childcare facilities providing services that enable employees exempted in this Order to work as permitted. To the extent possible, childcare facilities must operate under the following mandatory conditions:

1. Childcare must be carried out in stable groups of 12 or fewer (“stable” means that the same 12 or fewer children are in the same group each day).
2. Children shall not change from one group to another.
3. If more than one group of children is cared for at one facility, each group shall be in a separate room. Groups shall not mix with each other.
4. Childcare providers shall remain solely with one group of children.

g. For the purposes of this Order, “Minimum Basic Operations” include the following, provided that employees comply with Social Distancing Requirements as defined in this Section, to the extent possible, while carrying out such operations:

- i. The minimum necessary activities to maintain the value of the business’s inventory, ensure security, process payroll and employee benefits, or for related functions; or
- ii. The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences.

h. For the purposes of this Order, “Essential Travel” includes travel for any of the following purposes. Individuals engaged in any Essential Travel must comply with all Social Distancing Requirements as defined in this Section.

- i. Any travel related to the provision of or access to Essential Activities, Essential Governmental Functions, Essential Businesses, or Minimum Basic Operations;
- ii. Travel to care for elderly, minors, dependents, persons with disabilities, or other vulnerable persons;
- iii. Travel to or from educational institutions for purposes of receiving materials for distance learning, for receiving meals, and any other related services;
- iv. Travel to return to a place of residence from outside the jurisdiction;
- v. Travel required by law enforcement or court order; or
- vi. Travel required for non-residents to return to their place of residence outside the Village. Individuals are strongly encouraged to verify that their transportation out of the Village remains available and functional prior to commencing such travel.

i. For purposes of this Order, residences include hotels, motels, shared rental units, and similar facilities.

j. For purposes of this order Social Distancing Requirements includes maintaining at least six-foot social distancing from other individuals, washing hands with soap and water for at least twenty seconds as frequently as possible or using hand sanitizer, covering coughs or sneezes (into the sleeve or elbow, not hands), regularly cleaning high-touch surfaces, and not shaking hands.

11. Pursuant to 77 Ill. Adm. Code 690.1340 (“Section 690.1340”), the Public Health Director requests that the Village Police Chief, and all local and statewide law enforcement, and all other officers and employees of the Village as applicable, ensure compliance with and enforce this Order. Section provides as follows:

Section 690.1340 Enforcement

a) An order issued by the Department, a certified local health department or the circuit court in accordance with this Subpart shall be enforced by all local and statewide law enforcement, and all other officers and employees of any political subdivision within the jurisdiction of the certified local health department.

b) The Department or certified local health department may request the assistance of police officers, sheriffs, and all other officers and employees of any political subdivision within the jurisdiction of the Department or certified local health department to apprehend, hold, transport, quarantine or isolate a person who is subject to an order if that person is uncooperative or unwilling to adhere to prescribed treatment or medical instruction of the Department or certified local health department.

12. The violation of any provision of this Order constitutes a Class A misdemeanor under Section 2(k) of the Illinois Public Health Act, 220 ILCS 2305/2(k), and 77 Ill. Adm. Code 690.1340 which provides as follows:

Section 690.1415 Penalties

a) *Any person who knowingly or maliciously disseminates any false information or report concerning the existence of any dangerously contagious or infectious disease in connection with the Department or certified local health department's power of quarantine, isolation and closure or refuses to comply with a quarantine, isolation or closure order is guilty of a Class A misdemeanor. (Section 2(k) of the Act)*

b) A public health order issued by a certified local health department under this Subpart is equivalent to, shall be enforced as, and carries the same penalty as an order issued by the Department directly.

13. This Order shall become effective at 12:01 a.m. on Friday, March 20, 2020 and will continue to be in effect until 11:59 p.m. on Friday, April 3, 2020, or until it is extended, rescinded, superseded, or amended in writing by the Public Health Director.

14. During the time period this Order is in effect, Village Hall and all other Village facilities, including fire stations and the Public Works Center, shall be closed to the public except for authorized personnel. The public may continue to access the Police Department window in the basement of Village Hall, but no more than five (5) persons may congregate outside of the Police Department window in the basement of Village Hall.

15. The Village must promptly provide copies of this Order as follows:

a. By posting on the Village's website located at www.oak-park.us;

b. By posting at Village Hall located 123 Madison Street, Oak Park, Illinois 60302; and

c. By providing to any member of the public requesting a copy. In addition, the owner, manager, or operator of any facility that is likely to be impacted by this Order is strongly encouraged to post a copy of this Order onsite and to provide a copy to any member of the public asking for a copy.

16. If any provision of this Order or its application to any person or circumstance is held to be invalid, then the remainder of the Order, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of this Order are severable.

DISTRIBUTION: Department Directors
Village Board of Trustees
Post to Village Website