

ORDINANCE NO. 2021-36

AN ORDINANCE CONTINUING THE DECLARATION OF A LOCAL STATE OF EMERGENCY IN THE VILLAGE OF PECATONICA, ILLINOIS

WHEREAS, the Village of Pecatonica, Winnebago County, Illinois (“Village”), is a non-home rule unit of government as defined by law; and

WHEREAS, the Illinois Municipal Code, 65 ILCS 5/11-1-6, provides for the declaration of a state of emergency and the grant of extraordinary authority to the Village President by the corporate authorities; and

WHEREAS, the Illinois Emergency Management Agency Act, 20 ILCS 3305/11, further provides for emergency local disaster declaration by the principal executive officer or his or her interim emergency successor; and

WHEREAS, on March 19, 2020 the Village Board did adopt and the Village President did approve Ordinance 2020-11 which ordinance adopted Section 34.01, entitled “Civil Emergencies” to Title III, entitled “Administration, Chapter 34, entitled Local State of Emergency” which section became effective that date; and

WHEREAS, under the powers vested by Ordinance 2020-11, the Village President did issue a written Declaration of a State of Emergency existed in the Village of Pecatonica on or about March 19, 2020, which written declaration conformed to the requirements of Ordinance 2020-11 and Section 34.01 of the Village Code; and

WHEREAS, pursuant to Section 34.0(e), “Duration”, *“the declaration herein authorized shall be effective for a period up to thirty (30) days or until adjournment of the next regular or special village meeting of the village board, whichever occurs first”*; and

WHEREAS, by operation of law, the previous Declaration of the Local State of Emergency will end thirty (30) days following the adoption of Ordinance 2021-32 on August 17, 2021, or on September 16, 2021, or the next regular or special board meeting, whichever occurs first; and

WHEREAS, the emergent conditions in that existed in the United States, the State of Illinois, and the Village of Pecatonica on March 19, 2020 continue to exist and persist as of this date.

NOW, THEREFORE, BE IT ORDAINED by the Village President and Board of Trustees of the Village of Pecatonica, Illinois as follows:

Section 1. The foregoing recitals shall be and are hereby incorporated as findings of fact as if said recitals were fully set forth herein.

Section 2. That pursuant to the powers vested in the Board of Trustees of the Village of Pecatonica, the Local State of Emergency of Declared by the Village President on March 19, 2020 continues to exist and the Village President is hereby empowered to continue said Declaration of

a Local State of Emergency in the Village of Pecatonica, Illinois, and upon issuance of a written declaration to continue said Local State of Emergency the Village President shall be vested with the powers provided for in Section 34.01 of the Village Code and Ordinance 2020-11 for the duration provided therein.

Section 3. That the Board of Trustees hereby ratifies the actions taken by the Village President pursuant to the Village President's authority under Ordinance 2021-32 since August 17, 2021.

Section 4. EFFECTIVE DATE. Due to the current National Emergency, State of Emergency in the State of Illinois, and local state of emergency in the Village of Pecatonica, this Ordinance shall be in immediately in full force and effect upon its adoption and approval on September 2, 2021.

Passed the ____ day of _____, 2021.

AYES: _____

NAYS: _____

Absent: _____

Approved this ____ day of _____, 2021.

WILLIAM SMULL, Village President
Village of Pecatonica, Illinois

ATTEST:

GWENN SHIRLEY, Village Clerk
Village of Pecatonica, Illinois

Declaration of Continued Local State of Emergency

State of ILLINOIS

County of WINNEBAGO

Village of PECATONICA

Pursuant to the authority vested in the office of Village President by the Illinois Municipal Code Section 5/11-1-6, the Illinois Emergency Management Agency Act Section 3305/11 and Ordinance 2020-11 of the Village of Pecatonica, I, William Smull, the Village President of Village of Pecatonica do hereby declare that a Local State of Emergency exists as of March 19, 2020, and continued pursuant to adoption of Ordinance 2020-13 on April 21, 2020, Ordinance 2020-17 on May 19, 2020, Ordinance 2020-22 on June 16, 2020, Ordinance 2020-30 on July 21, 2020, Ordinance 2020-34 on August 18, 2020, Ordinance 2020-40 on September 3, 2020, Ordinance 2020-41 on September 15, 2020, Ordinance 2020-42 on October 1, 2020, Ordinance 2020-44 on October 13, 2020, Ordinance 2020-45 on October 20, 2020, Ordinance 2020-48 on October 27, 2020, Ordinance 2020-49 on November 17, 2020, Ordinance 2020-54 on December 3, 2020, Ordinance 2020-56 on December 15, 2020, Ordinance 2021-1 on January 19, 2021, Ordinance 2021-06 on February 16, 2021, Ordinance 2021-09 on February 27, 2021, Ordinance 2021-10 on March 4, 2021, Ordinance 2021-13 on March 13, 2021, Ordinance 2021-14 on March 16, 2021, Ordinance 2021-16 on April 27, 2021, Ordinance 2021-18 on May 6, 2021, Ordinance 2021-20 on May 18, 2021, Ordinance 2021-24 on June 3, 2021, Ordinance 2021-27 on July 1, 2021, Ordinance 2021-31 on July 20, 2021, Ordinance 2021-32 on August 17, 2021, and Ordinance 2021-36 on September 2, 2021, and shall continue until such time as provided in Ordinance 2020-11.

That the reason for this Local State of Emergency is the World Health Organization has declared COVID-19 virus a worldwide pandemic. The President of the United States has declared a National Emergency exists and continues to exist due to COVID-19 virus. The Governor of the State of Illinois has declared a State of Emergency exists and continues to exist in the State of Illinois due to the COVID-19 virus.

The nature of the Local State of Emergency is that the COVID-19 virus is a pandemic disease which virus continues as of this date.

During the existence of the Local State of Emergency, the Village President shall execute such authority as provided under the Illinois Municipal Code, the Illinois Emergency Management Agency Act and Ordinance 2020-11.

This Declaration of Local State of Emergency shall be filed with the Village Clerk as soon as practicable.

I, WILLIAM SMULL, whose name is signed to this instrument, being first duly sworn, signed and executed the instrument as the Declaration of Local State of Emergency, and that I signed willingly, and that I executed it as my free and voluntary act for the purposes therein expressed.

WILLIAM SMULL, Village President
Village of Pecatonica, Illinois

NOTARY ACKNOWLEDGMENT

On this ____ of _____, 20 __, personally appeared the above-named person and acknowledged the foregoing to be (his/her) free act and deed, before me.

Notary Public

Print: _____

(Seal)