

ORDINANCE NO. 6516

AN ORDINANCE AUTHORIZING THE VILLAGE PRESIDENT TO DECLARE A STATE OF EMERGENCY SHOULD THE NEED ARISE AND AUTHORIZING PURCHASE CONTRACTS AS NECESSARY TO RESOLVE A STATE OF EMERGENCY WITHOUT PUBLIC ADVERTISEMENT WITHIN THE VILLAGE OF MOUNT PROSPECT

WHEREAS, Section 11-1-6 of the Illinois Municipal Code (65 ILCS 5/11-1-6) provides that the corporate authorities of each municipality may, by ordinance, grant to the Village President 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, such an ordinance must establish the standards to be relied upon for the Village President to determine when a state of emergency exists; and

WHEREAS, Section 8-10-5 of the Illinois Municipal Code (65 ILCS 5/8-10-5) provides that, after an emergency affecting public health or safety has been declared by affirmative vote of the majority of the corporate authorities of a municipality, where the nature of the danger to the public health or safety has been identified, the corporate authorities may authorize the letting of contracts to the extent necessary to resolve such emergency without public advertisement; and

WHEREAS, on March 17, 2020, the Board of Trustees of the Village of Mount Prospect adopted Ordinance No. 6509 which authorized the Village President to declare a state of emergency within the the Village of Mount Prospect; and

WHEREAS, on March 17, 2020, the Village President issued Declaration No. 2020-1 which declared a state of emergency in the Village of Mount Prospect is necessary in order to allow the Village to assist in preventing the loss of life and injuries, loss of productivity, hardship and suffering related to COVID-19; and

WHEREAS, the conditions related to COVID-19 which led the Village President to declare a state of emergency on March 17, 2020 continue to this time and make it necessary for the Village President again to declare a state of emergency in the Village of Mount Prospect.

BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MOUNT PROSPECT, COOK COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1: Each of the Whereas paragraphs above are incorporated into Section 1 of this Ordinance as material terms hereof.

SECTION 2: The Village President and Board of Trustees of the Village of Mount Prospect (“Corporate Authorities”) authorize the Village President to render a new declaration of a state of emergency within the Village based on the following findings and supporting facts:

1. Any type of emergency, natural disaster or catastrophe which will likely cause damage, injury, losses, hardship or suffering to the community or its residents, which can be construed broadly to include disease epidemics and other public health emergencies, is imminent or has occurred; and
2. The emergency is severe enough to require the declaration of emergency in order to supplement local resources in preventing loss of life or injury, alleviating damages, loss, hardship or suffering or to necessitate measures to be taken, including the identification of any applicable procedures, rules or regulations that will be waived or suspended, during the emergency; and
3. The emergency that caused the Village President to declare a state of emergency within the Village of Mount Prospect on March 17, 2020 continues to this time and remains severe enough to require the Village President again to declare a state of emergency.

SECTION 3: The exercise of these powers shall be based upon a statement, signed under oath by the Village President, finding that the standards herein which form the basis for such a declaration have been met, along with those facts which substantiate such a finding and declaring that a state of emergency exists.

SECTION 4: This written declaration shall be filed with the Village Clerk as soon as practicable.

SECTION 5: Based on the nature of the danger to the public health or safety as set forth in the Village President’s declaration of emergency, the Corporate Authorities authorize:

1. The Village President to exercise, by executive order, such powers of the Corporate Authorities as may be reasonably necessary to respond to the emergency; and
2. The Village Manager or the Village purchasing agent, or their designees, to let contracts to the extent necessary to resolve such emergency upon declaration, without public advertisement; and

SECTION 6: Any state of emergency declared pursuant to this authority shall expire no later than the adjournment of the first regular meeting of the Corporate Authorities after the state of emergency has been declared in accordance with Section 11-1-6 of the Illinois Municipal Code (65 ILCS 5/11-1-6) with such expiration date being the adjournment of the May 19, 2020 meeting of the Board of Trustees of the Village of

Mount Prospect.

SECTION 7: A declaration of emergency pursuant to this authority may not suspend in any way the rights of residents of the Village under the Illinois Constitution or the United States Constitution.

SECTION 8: Pursuant to Section 1-2-4 of the Illinois Municipal Code (65 ILCS 5/1-2-4), the President and Board of Trustees of the Village of Mount Prospect find and decide that it is in the best interests of the Village that the provisions of this Ordinance shall be effective immediately for purposes of implementation and enforcement, as noted above, and such provisions shall be effective immediately provided that this Ordinance receives a favorable vote of two-thirds (2/3rds) of the corporate authorities of the Village then holding office (i.e., 5 of 7 Village Board members vote in favor of the Ordinance).

ADOPTED this 5th day of May, 2020, pursuant to a roll call vote as follows:

AYES: Grossi, Hatzis, Hoefert, Rogers, Saccotelli, Zadel

NAYS: None

ABSENT: None

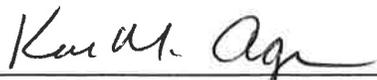
APPROVED by me, and attested by the Village Clerk, on this 5th day of May, 2020.


Arlene Juracek, Village President

ATTEST:


Karen Agoranos, Village Clerk

Published by me in pamphlet form this 6th day of May, 2020.


Karen Agoranos, Village Clerk

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

CLERK'S CERTIFICATE

I, Karen Agoranos, Clerk of the Village of Mount Prospect, in the County of Cook and State of Illinois, certify that the attached document is a true and correct copy of that certain Ordinance now on file in my Office, entitled:

ORDINANCE NO. 6516

AN ORDINANCE AUTHORIZING THE VILLAGE PRESIDENT TO DECLARE A STATE OF EMERGENCY SHOULD THE NEED ARISE AND AUTHORIZING PURCHASE CONTRACTS AS NECESSARY TO RESOLVE A STATE OF EMERGENCY WITHOUT PUBLIC ADVERTISEMENT WITHIN THE VILLAGE OF MOUNT PROSPECT

which Ordinance was passed by the Board of Trustees of the Village of Mount Prospect at a Regular Village Board Meeting on the 5th day of May, 2020, at which meeting a quorum was present, and approved by the President of the Village of Mount Prospect on the 5th day of May, 2020.

I further certify that the vote on the question of the passage of said Ordinance by the Board of Trustees of the Village of Mount Prospect was taken by Ayes and Nays and recorded in the minutes of the Board of Trustees of the Village of Mount Prospect, and that the result of said vote was as follows, to-wit:

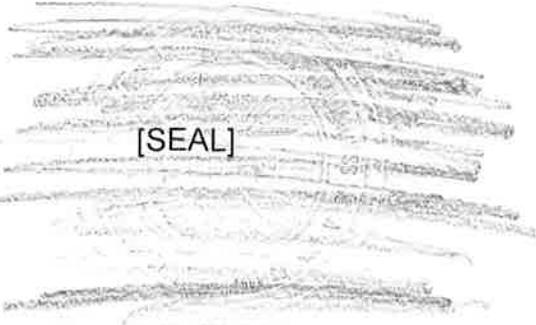
AYES: Grossi, Hatzis, Hoefert, Rogers, Saccotelli, Zadel

NAYS: None

ABSENT: None

I do further certify that the original Ordinance, of which the foregoing is a true copy, is entrusted to my care for safekeeping, and that I am the lawful keeper of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Village of Mount Prospect, this 6th day of May, 2020.



Karen Agoranos, Village Clerk