

ORDINANCE NO. 6509

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.

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 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.

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); however, if the state of emergency has not been resolved as of commencement of the first regular meeting of the Corporate Authorities after the state of emergency has been declared, the authorizations set forth above in this Ordinance shall remain in full force and effect without further action by the Village President or Corporate Authorities until such state of emergency has been resolved as declared in writing by the Village President or until the authorizations are withdrawn by passage of an ordinance by an affirmative majority vote the Corporate Authorities at a public meeting.

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).

SECTION 9: This Ordinance shall become effective upon its approval, as provided by law.

ADOPTED this 17th day of March, 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 17th day of March, 2020.


Arlene Juracek, Village President

ATTEST:


Karen Agoranos, Village Clerk

Published by me in pamphlet form this 17 day of March, 2020.


Karen Agoranos, Village Clerk