

**VILLAGE OF VERNON HILLS
ORDINANCE 2020-025**

**AN ORDINANCE AMENDING THE VERNON HILLS VILLAGE CODE WITH
REGARD TO THE VILLAGE PRESIDENT'S AUTHORITY TO DECLARE A STATE
OF EMERGENCY PURSUANT TO 65 ILCS 5/11-1-6**

WHEREAS, the Village of Vernon Hills is a home rule municipality pursuant to Article VII, Section 6 of the Illinois Constitution; and

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 ordinance is to establish the standards to be relied upon for the Village President to determine when a state of emergency exists; and

WHEREAS, it is in the best interests of the Village and its residents that the Village President be granted the authority as provided for pursuant to 65 ILCS 5/11-1-6; and

WHEREAS, the Village Board has determined that it is in the best interests of the Village to amend its Village Code to provide for the same.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF VERNON HILLS, LAKE COUNTY, ILLINOIS as follows:

SECTION 1: The above recitals are incorporated herein by reference.

SECTION 2: Chapter 6 of the Vernon Hills Village Code is hereby amended to add a new Section 6-2, which shall read as follows:

6-2: VILLAGE PRESIDENT'S AUTHORITY TO DECLARE A STATE OF EMERGENCY

A. The Village President is hereby authorized to render a declaration of a state of emergency within the Village based on the following findings and supporting facts:

- (1) There has occurred, or there is an actual imminent danger of the occurrence of, a natural disaster, catastrophe, pestilence, contagious disease or other public health emergency, which is likely to cause loss of life, loss of productivity, hardship or suffering to the persons residing in or doing business in the Village.
- (2) The declaration of a state of emergency and the actions to be taken pursuant to that declaration are specifically designed to, and likely to, address and alleviate the potential loss of life, loss of productivity, hardship and suffering.

B. The declaration of a state of emergency shall:

- (1) Be in writing and executed under oath;
- (2) Set forth the basis and underlying facts supporting the declaration of a state of emergency;
- (3) Make reference to published statements of federal, state or county agencies whose duty it is to address emergency matters;
- (4) To the extent possible, specify the procedures and protocols to be followed during the state of emergency;
- (5) To the extent possible, make specific reference to any regulations which may be subject to suspension during the state of emergency; and
- (6) Consistent with subsection E. below, set forth the duration of the state of emergency.

C. The declaration of a state of emergency shall be filed with the Village Clerk as soon as practicable after being issued.

D. During said state of emergency, the Village President shall be authorized to exercise, by executive order, such powers of the Corporate Authorities as may be reasonably necessary to respond to the emergency.

E. 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 by executive order of the Village President 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 of the Corporate Authorities at a public meeting.

- F. In the event of the Village President's incapacitation, all authority granted to the Village President under this Section shall be delegated to the Village President's emergency interim successors, as designated under the Village's Emergency Operations Plan (Ordinance 2008-033) currently in effect at the time of the incapacitation.
- G. A declaration of a state of emergency, pursuant to this Section, may not suspend in any way the rights of residents of the Village, under the Illinois Constitution or the United States Constitution.

SECTION 3: This Ordinance shall be applied in full force and effect from and after its passage, approval, and publication in the manner provided by law.

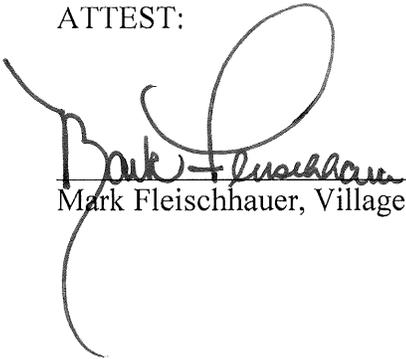
ADOPTED this 19th day of March 2020, pursuant to a roll call vote as follows:

AYES: 6 - Byrne, Koch, Marquardt, Schultz, Oppenheim, Takaoka
NAYS: 0 - None
ABSENT AND NOT VOTING: 1 - Brown

APPROVED by the Village of Vernon Hills this 19th day of March, 2020.


Village President Roger Byrne

ATTEST:


Mark Fleischhauer, Village Clerk

STATE OF ILLINOIS)
)SS.
COUNTY OF LAKE)

CLERK’S CERTIFICATE

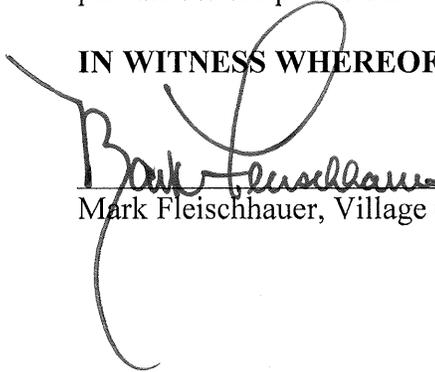
I, the undersigned, the duly qualified Clerk of the Village of Vernon Hills, Lake County, Illinois, and the keeper of the records thereof, do hereby certify that attached hereto is a true and correct copy of an Ordinance entitled:

AN ORDINANCE AMENDING THE VERNON HILLS VILLAGE CODE WITH REGARD TO THE VILLAGE PRESIDENT’S AUTHORITY TO DECLARE A STATE OF EMERGENCY PURSUANT TO 65 ILCS 5/11-1-6

ORDINANCE NO. 2020-025

adopted at a meeting of the said Village of Vernon Hills at which a quorum was present held pursuant to the provisions of the Illinois Open Meeting Act on the 19th day of March, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand this 19th day of March, 2020.



Mark Fleischhauer, Village Clerk



ATTACHMENT A
(Excerpt from Ordinance 2008-033)

law as the lead agency to manage federal response to terrorist incidents/crisis management within the United States.

The Village of Vernon Hills Village President can be reached at:

Work: (224) 217-6554 Nights: (847) 362-6452 Cell: (708) 420-5493

The Village of Vernon Hills Village Manager/ESDA Coordinator can be reached at:

Days: (847) 918-3550 Cell: (847) 707-2430

The Lake County ESDA Coordinator can be reached at:

Days: (847)377-7100 Nights: (847) 549-5200 Pager: LCSO will page their Department on its own line

The IEMA Regional Coordinator can be reached at:

Days: (847) 294-4717 Nights: (847) 294-4717 (automatically connected to Springfield*)

The *Illinois Emergency Management Agency: 1-(800) 782-7860 24 hours a day.

It is also recognized that government alone cannot respond to all disasters. Volunteers will be accepted (when doing so will not put them at extreme risk) and utilized to the full extent of their capabilities in accordance with the IEMA Act. This includes enrollment of all volunteers and compliance with the Oath as stated in the IEMA Act.

CONTINUITY OF GOVERNMENT

If the Village President is not available to assume command and direct emergency response operations, the chain of command listed below will be followed. Authorization to implement any section or part of this plan will be determined by:

1. Village President
2. Senior Trustee
3. Village Manager/ESDA Coordinator
4. Assistant Village Manager/Assistant ESDA Coordinator
5. Chief of Police

The line of succession to the Emergency Services and Disaster Agency Coordinator is to the Assistant ESDA Coordinator or a person designated by the Emergency Services and Disaster Agency Coordinator. The line of succession for each elected Village official has been designated and has been established for each office. The line of succession to each department head is according to the operating procedures established by each department.

It is the responsibility of the elected officials to ensure that all legal documents of both a public and private nature recorded by the designated official (Village Clerk, Treasurer, etc.) be protected and preserved. These records must be kept to support continuing government functions and the conduct of emergency operations.

Under the direction of the Village President or his designee, each department head or designee will direct his/her department according to the pre-planned emergency