

COUNCIL OF THE CITY OF DIXON, ILLINOIS
COUNCIL CHAMBERS - CITY HALL
THURSDAY, NOVEMBER 19, 2020
2:00 P.M.

AGENDA

How to Attend Meeting:
In person (no more than 9 people in City Hall at a time)
or
via Facebook Live
City of Dixon Illinois Government - Facebook page
or
via YouTube
City of Dixon Channel

AGENDA

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Visitors/Public Comment
5. Ordinances
 - a. An Ordinance Pertaining to Local State of Emergency
6. Adjournment

SUPPLEMENTAL AGENDA

5. Ordinances
 - a. The purpose of the Ordinance is to grant the Mayor the power to issue executive orders during a state of emergency within the City.

The City of Dixon, in compliance with the Americans With Disabilities Act, requests that persons with disabilities who require certain accommodations to allow them to observe and/or participate in this meeting or have questions about the accessibility of this meeting or facilities, contact the ADA Coordinator at (815) 288-1485 to allow the City of Dixon to make reasonable accommodations for those persons.

CITY OF DIXON

ORDINANCE NO. _____

AN ORDINANCE PERTAINING TO LOCAL STATE OF EMERGENCY

ADOPTED BY THE

COUNCIL

OF THE

CITY OF DIXON

THIS 19TH DAY OF NOVEMBER, 2020

Published in pamphlet form by authority of the Council of the City of Dixon, this 19th day of November, 2020.

ORDINANCE NO. _____

AN ORDINANCE PERTAINING TO A LOCAL STATE OF EMERGENCY

WHEREAS, the City of Dixon, Illinois (the “City”) is a non-home rule unit of government; 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 Mayor of the City 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, the City now desires to provide for the exercise of extraordinary powers by executive order during a state of emergency within the City.

NOW, THEREFORE, BE IT ORDAINED AS FOLLOWS:

SECTION 1: That the recitals set forth in the beginning of this Ordinance are true and correct, and they shall be and are hereby incorporated as findings of fact as if said recitals were fully set forth herein.

SECTION 2: That Title I of the Dixon City Code, 1963, as amended, is hereby further amended by adding a new Chapter 22 entitled “Local State of Emergency” to read as follows:

**“CHAPTER 22
LOCAL STATE OF EMERGENCY**

- 1-22-1: Definitions
- 1-22-2: Declaration
- 1-22-3: Curfew Authorized
- 1-22-4: Orders Authorized
- 1-22-5: Duration
- 1-22-6: Notice
- 1-22-7: Violations
- 1-22-8: Effect on Other Ordinances

Section 1-22-1: Definitions:

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Emergency: (1) a riot or unlawful assembly characterized by the use of actual force or violence or any threat to use force if accompanied by immediate power to execute by three or more persons acting together without authority of law; or (2) any natural disaster, epidemic, or manmade calamity, including outbreak of disease, flood, conflagration, cyclone, tornado, earthquake or explosion, or eminent threat of any of those events within the corporate limits of the city, resulting in or threatening the death or injury of persons or the destruction of property to such an extent that extraordinary measures must be taken to protect the public health, safety and welfare.

Curfew: a prohibition against any person walking, running, loitering, standing or motoring upon any alley, street, highway, public property or vacant premises within the corporate limits of the city except officials of any governmental unit and persons officially designated to duty with reference to said emergency.

Section 1-22-2: Declaration:

Whenever an emergency, as defined in section 1-22-1 exists, the Mayor, or his or her interim emergency successor, is authorized to declare the existence of a Local State of Emergency by means of a written declaration of the Mayor, or of his or her interim emergency successor, under oath, setting forth the facts which constitute the emergency, describing the nature of the emergency and declaring that a Local State of Emergency exists in accordance with the definitions set forth in this chapter. This declaration must be filed with the Clerk as soon as practicable after issuance.

Section 1-22-3: Curfew Authorized:

After written declaration of a Local State of Emergency by the Mayor, or his or her interim emergency successor, he or she may order a general curfew applicable to such geographical areas of the city or to the city as a whole, as he or she deems reasonable and advisable, and applicable during such hours of the day or night as he or she deems necessary in the interest of the public health, safety and welfare.

Section 1-22-4: Orders Authorized:

After written declaration of a Local State of Emergency by the Mayor, or his or her interim emergency successor, he or she may also, in the interest of the public health, safety and welfare, and to address the issues caused or threatened by the emergency, make or take any or all of the following actions by executive order during the state of emergency:

- (a) All actions reasonably necessary to respond to the emergency and consistent with law;
- (b) Approve previously appropriated expenditures of the city for the purpose of continuing the operations of the municipality;

- (c) Order the temporary closing of retail liquor stores, including taverns and clubs or portions thereof wherein the consumption of liquor, beer or wine is permitted;
- (d) Order the temporary discontinuance of the sale of liquor, beer and wine by any wholesaler or retailer;
- (e) Order the temporary discontinuance of selling, distributing or giving away gasoline or other liquid flammable or combustible products in any container other than a gasoline tank properly affixed to a motor vehicle and
- (f) Order the temporary discontinuance of selling, distributing, dispensing or giving away of any firearms or ammunition of any character whatsoever.

Section 1-22-5: Duration:

The written declaration authorized in this chapter shall be effective for a period of up to seven (7) days or until the adjournment of the next regular or special meeting of the city council, whichever comes first, unless sooner terminated by written declaration of the Mayor, or his or her interim emergency successor, indicating that the emergency no longer exists. The Mayor, or his or her interim emergency successor, shall have the power to re-declare the existence of an emergency at the end of each seven (7) period during the time said emergency exists.

Section 1-22-6: Notice:

Upon issuing the written declaration authorized in this chapter, the Clerk shall notify the news media situated within the City, and shall cause at least four (4) copies of the written declaration and any curfew to be posted at the following places within the city: the city hall, the police station, the post office, and in the area of any curfew.

Section 1-22-7: Violations:

Any person violating the provisions of this chapter or written declarations issued pursuant to this chapter shall be guilty of an offense against the City and shall be fined a minimum of \$250 and a maximum of \$750. Each day that a violation continues shall be deemed a separate and distinct offense.

Section 1-22-8: Effect on Other Ordinances:

Nothing contained in this chapter shall be construed to impair the powers contained in this Code, giving powers to the police and fire departments, but shall be construed together with existing ordinances now in effect for the health, safety and welfare of the citizens of the City.”

SECTION 3: That in all other respects Title I of the Dixon City Code shall remain in full force and effect.

SECTION 4: The provisions and sections of this Ordinance shall be deemed to be separable, and the invalidity of any portion of this Ordinance shall not affect the validity of the remainder.

SECTION 5: All ordinances and parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

SECTION 6: The City Clerk is hereby directed to publish this Ordinance in pamphlet form.

SECTION 7: This Ordinance shall be in full force and effect from and after its passage and approval, and publication as required by law.

Passed by the Mayor and the City Council of the City of Dixon on the 19th day of November, 2020.

Mayor

ATTEST:

City Clerk