ORDINANCE NO. 20-O-24

An Ordinance Approving an Emergency Suspension of the Retail Single Use Bag Program (COVID-19 Emergency)

WHEREAS, the City of Woodstock, McHenry County, Illinois, is a home rule municipality as contemplated under Article VII, Section 6, of the Constitution of the State of Illinois, and the passage of this Ordinance constitutes an exercise of the City’s home rule powers and functions as granted in the Constitution of the State of Illinois; and

WHEREAS, because of the COVID-19 public health emergency, Mayor Brian P. Sager, Ph.D. declared a Local State of Emergency for the City at 2:00 pm, on Tuesday, March 17, 2020 which declaration has subsequently been ratified and continued by the Woodstock City Council; and

WHEREAS, on March 16, 2020, Illinois Governor J.B. Pritzker signed Executive Order 2020-07 which mandated that all businesses in the State of Illinois offering food or beverages for onsite consumption, including restaurants, bars, grocery stores, and food halls must suspend service for and may not permit on-premises consumption from March 16, 2020 through March 30, 2020; and

WHEREAS, on March 20, 2020 Illinois Governor Pritzker issued COVID-19 Executive Order 2020-10 that, among other things, issued a stay at home order for state residents and has restricted the operations of non-essential businesses effective through April 7, 2020; and

WHEREAS, the COVID-19 public health crisis and attendant measures taken to protect the public health have created concerns about the need for flexibility to ensure that steps can be taken to avoid the transmission of the virus including by providing ready access to clean and unused packaging for retail purchases, and the City Council has determined that it is in the interests of the public health, safety and welfare of the City’s residents and their businesses to suspend the City’s Retail Single-Use Bag Program on a temporary basis.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Woodstock, McHenry County, 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: The provisions of Title 3, Chapter 22 of the City of Woodstock Municipal Code, the Retail Single-Use Bag Program, shall be suspended until May 31, 2020.

SECTION 3: Title 3, Chapter 22.10 shall be amended to read as follows:

3.22.10: EFFECTIVE DATES:
This chapter shall be in effect on January 1, 2020 through March 24, 2020 and shall resume effectiveness on June 1, 2020. The City's Environmental, and Cultural & Social Awareness Commissions shall review the program and shall provide a report to the City Council, no later than January 15, 2022, to allow the City Council to determine whether to alter, replace or repeal the program.

SECTION 4: If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

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

SECTION 6: This Ordinance shall be known as Ordinance 20-O-24 and shall be in full force and effect upon its passage, approval and publication in pamphlet form (which publication is hereby authorized) as provided by law.

Ayes: Flynn, Lohmeyer, Piersall, Prindiville, Tebo, Turner, Mayor Sager
Nays: None
Abstentions: None
Absentees: None

APPROVED:

[Signature]
Mayor Brian Sager, Ph.D.

(SEAL)
ATTEST: Cindy Smiley
City Clerk Cindy Smiley

Passed: 3/25/20
Approved: 3/26/20
Published: 3/26/20
CERTIFICATION

I, CINDY SMILEY, do hereby certify that I am the duly appointed, acting and qualified Clerk of the City of Woodstock, McHenry County, Illinois, and that as such Clerk, I am the keeper of the records and minutes and proceedings of the Mayor and Council members of said City.

I do hereby further certify that at a regular meeting of the Woodstock City Council, held on the 25th day of March, 2020, the foregoing Ordinance entitled An Ordinance Approving an Emergency Suspension of the Retail Single-Use Bag Program (COVID-19 Emergency), was duly passed by said City Council.

The pamphlet form of Ordinance No. 20-O-24, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the City Hall, commencing on the 26th day of March, 2020, and will continue for at least 10 days thereafter. Copies of such Ordinance are also available for public inspection upon request in the office of the City Clerk.

I do further certify that the original, of which the attached is a true and correct copy, is entrusted to me as the Clerk of said City for safekeeping, and that I am the lawful custodian and keeper of the same.

Given under my hand and corporate seal of the City of Woodstock this 26th day of March, 2020.

Cindy Smiley, Clerk
City of Woodstock,
McHenry County, Illinois

(SEAL)
ORDINANCE NO. 20-O-24

AN ORDINANCE APPROVING AN EMERGENCY SUSPENSION OF THE RETAIL SINGLE USE BAG PROGRAM (COVID-19 EMERGENCY)

ORDINANCE PASSED BY THE
MAYOR AND CITY COUNCIL
OF THE CITY OF WOODSTOCK

AT THEIR REGULAR MEETING ON MARCH 25, 2020

PUBLISHED IN PAMPHLET FORM BY THE AUTHORITY OF
THE CITY COUNCIL
OF THE
CITY OF WOODSTOCK

Mayor: Brian Sager

City Council:
Darrin Flynn
Lisa Lohmeyer
Wendy Piersall
James Prindiville
Gordon Tebo
Michael Turner

Clerk: Cindy Smiley