



Legislation Details (With Text)

**File #:** 20-069      **Version:** 1      **Name:**

**Type:** Ordinance      **Status:** Adopted

**File created:** 3/18/2020      **In control:** City Council

**On agenda:** 3/24/2020      **Final action:** 3/24/2020

**Title:** Communication from the City Manager and Corporation Counsel with a Request to ADOPT an ORDINANCE Amending the EMERGENCY POWER OF THE MAYOR.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD NO. 17,762 Emergency Powers, 2. Emergency powers ordinance

Date	Ver.	Action By	Action	Result
3/24/2020	1	City Council	deferred	Fail
3/24/2020	1	City Council	adopted	Pass

**ACTION REQUESTED:**

Communication from the City Manager and Corporation Counsel with a Request to ADOPT an ORDINANCE Amending the EMERGENCY POWER OF THE MAYOR.

**BACKGROUND:**

In late 2019 a new and significant outbreak of Coronavirus Disease 2019 (COVID-19) occurred. COVID-19 is a novel virus that can cause severe acute respiratory illness that can spread among people and present symptoms similar to influenza. Despite efforts to contain the disease, the World Health Organization (WHO) and Centers for Disease Control (CDC) indicate it will continue to spread and cause widespread impacts on the health of members of the community.

Legal has reviewed the Illinois Municipal Code (Section 5/11-1-6), the Illinois Emergency Management Act (Section 3305/11) and the existing Ordinance as to the Mayor’s emergency powers (ordinance 7-35.2) and determined that the existing ordinance needs updated to reflect the full authority granted to the executive officer during times of emergency. This ordinance codifies existing authority the executive officer already has, including the authority to institute a curfew to certain areas or the entirety of the City, approve previously budgeted expenditures, approve new spending if the emergency extends beyond the fiscal year, close all retail liquor stores, including taverns, discontinue the selling of gas or firearms and ammunition. Under a state of emergency, the executive officer has broad authority to take all reasonable actions to respond to the emergency, including limiting access to public buildings, cancelling meetings, implementing staffing adjustments, work schedules and alternate working arrangements and entering into contracts for the emergency response protocols. Again, this is the codification of authority the executive officer has already been granted by statute.

**FINANCIAL IMPACT:** Unknown but all COVID-19 expenses will be tracked for emergency management requests for reimbursement.

**NEIGHBORHOOD CONCERNS:** Public Health.

**IMPACT IF APPROVED:** Codifies authority the mayor has in times of emergency.

**IMPACT IF DENIED:** Mayor still possesses emergency authority, but it will not be clearly defined in the City code.

**ALTERNATIVES:** N/A

**EEO CERTIFICATION NUMBER:** N/A

**WHICH OF THE GOALS IDENTIFIED IN THE COUNCIL'S 2017 - 2032 STRATEGIC PLAN DOES THIS RECOMMENDATION ADVANCE?**

1. Safe Peoria

**WHICH CRITICAL SUCCESS FACTOR(S) FROM THE COMPREHENSIVE PLAN DOES THIS RECOMMENDATION IMPLEMENT?**

1. Have an efficient government.

**DEPARTMENT:** Legal