

**AMENDED ORDER OF THE DIRECTOR**  
**DEPARTMENT OF HEALTH AND HUMAN SERVICES**  
**CITY OF EVANSTON, ILLINOIS**

I, Ikenga Ogbo, Director of the Department of Health and Human Services, hereby issue the following Public Health Order for the City of Evanston, Illinois, issued on this 27<sup>th</sup> day of October, 2020 (“Order”).

**Introduction**

WHEREAS, on March 15, 2020, Mayor Stephen H. Hagerty issued a Declaration of a State of Emergency (“Declaration”) pursuant to the Evanston Municipal Code §9-9-3 due to the COVID-19 health crisis;

WHEREAS, since the issuance of the Declaration, Evanston City Council has on multiple occasions approved its extension, and the Declaration is extended through November 9, 2020;

WHEREAS, on March 20, 2020, Illinois Governor J.B. Pritzker directed residents of Illinois to stay at home, subject to limited exceptions, and non-essential businesses to cease operations with limited exceptions (“Governor’s Stay at Home Order”);

WHEREAS, the Governor’s Stay at Home Order was extended through April 30, 2020;

WHEREAS, subsequent to April 30, 2020, the Governor has issued several Executive Orders pertaining to COVID-19, whereby lifting some of the restrictions outlined in the Governor’s Stay at Home Order;

WHEREAS, the Governor issued another Executive Order on October 16, 2020, again declaring the State of Illinois in a state of disaster due to COVID-19 in effect for thirty (30) days;

WHEREAS, effective October 28, 2020, due to a surge in the number of reported confirmed COVID-19 positive residents, the Illinois Department of Public Health and the Governor issued rollback measures for Region 10, comprising of Cook County Suburbs, ordering, amongst other things, that the gatherings of more than ten (25) people and indoor dining at restaurants and bars are prohibited for that region;

WHEREAS, as of the date of this Order, there is neither a tested and effective vaccine nor proven therapeutic treatment available for COVID-19;

WHEREAS, the World Health Organization (“WHO”) has indicated that COVID-19 is spread primarily by respiratory droplets produced when an infected person coughs or sneezes and droplets can also be generated by talking, laughing or exhaling;

WHEREAS, the Center for Disease Control (“CDC”) has stated that people experiencing no symptoms of COVID-19 can spread the virus more widely than previously believed, and people are the most contagious before experiencing symptoms;

WHEREAS, on April 3, 2020, the CDC recommended for all individuals to wear cloth face coverings in public settings where other social distancing measures are difficult to maintain;

WHEREAS, on April 10, 2020, the U.S. Surgeon General recommended that individuals wear face coverings because he concluded that there is a significant amount of asymptomatic spread of COVID-19;

WHEREAS, the Director of the National Institute of Allergy and Infectious Diseases has recommended that individuals wear facial coverings to prevent individuals from infecting others;

WHEREAS, in order to prevent the spread of COVID-19 in the City of Evanston, and to further protect the residents of the City of Evanston from disease and death, and pursuant to the authority set forth under 65 ILCS 5/11-1-6, 11-20-5, 20 ILCS 3305/11, and the Evanston Municipal Code §8-1-2(b), which states:

*(B) Control of Communicable Diseases. Any rules or regulations of the Department of Health for the control of communicable diseases shall be the same as those promulgated by the State Health Department for the same diseases.”*

I find that it is necessary to issue this Order as set forth below.

### **AMENDED ORDER**

It is hereby ordered in the City of Evanston that:

- A. **Face Covering Required.** All persons over the age of two are required to wear face covering to include their nose and mouth made of cloth or other material that is reasonably designed and made to inhibit, filter, or restrict the breath, sneeze, cough or other exhaling from one’s nose and mouth (as further provided and described in Subsection C of this Order) when six of social distance is impossible to meet when outdoors or indoors.
- B. **Refusal of Admission or Service.** A business owner or operator may refuse admission or service to any individual who fails to wear a face covering as required by this Order.
- C. **Types of Face Coverings.** Appropriate face coverings include non-medical grade masks, homemade masks, scarves, bandanas or handkerchiefs.
- E. **Medical-Grade Masks.** Medical-grade masks and N95 respirators are not recommended for general public use under this Order, and should be reserved for use by health care, medical providers and first-responders.

The intent of this Order is to further increase the wearing of face coverings when in public to reduce the spread of the COVID-19 virus, and to protect essential workers and all members of the Evanston community. Nothing in this Order shall supersede or relieve any person from complying with the social distancing requirements set forth in the Governor's Order.

F. Adoption of the Order and Rules of the Illinois Department of Public Health and the Governor. Pursuant to the Evanston Municipal Code §8-1-3-1(A)(1-5), which states:

*“(A) Generally. It shall be the duty of the Public Health Director to:*

- 1. Exercise general supervision over the sanitary conditions of the City, including all persons and establishments handling, selling, manufacturing or processing any type of food or milk products.*
- 2. Investigate any reports of the existence of any contagious disease, and adopt measures to arrest its progress.*
- 3. Furnish the City Manager and the officers in charge of executive departments all such professional advice and information as they may require, with a view to preservation of the public health.*
- 4. Promptly abate all nuisances affecting the sanitary conditions of the City.*
- 5. Enforce all the laws of the State and ordinances of the City relating to health and implement other activities and programs related to public health, as authorized by the City Council.”*

The Director of the City of Evanston Public Health (“Director”) finds it necessary due to the rise in COVID-19 cases in region 10, which includes the City of Evanston, to implement measures as proscribed by the Illinois Department of Public Health (“IDPH”) and Governor’s Executive Orders and the Director shall issue orders concurrent with and adopt the orders of the IDPH and the Governor’s Executive Orders pursuant to Evanston Municipal Code §§ 8-1-2(b) and 8-1-3-1(A)(2-5), and said orders of IDPH and the Governor shall be incorporated herein;

Such orders adopted by the Director include, but are not limited to, limited social gatherings of no more than ten (10) individual and the prohibition against indoor dining;

Violations of this Order shall be subject to the fines, penalties and provisions set forth under the Evanston Municipal Code §1-4-1, §8-1-2(A) and all applicable penalties provided for in law.

This Order shall take effect on October 28, 2020 at 12:01AM and run concurrently with the term of the Declaration unless rescinded or superseded by Illinois State Law or Governor’s Executive Orders.

Signed and Sealed this 27th day of October, 2020.

By:



Ikenga Ogbo, Director  
City of Evanston  
Department of Health and Human Services

Filed with:



Eduardo Gomez, Deputy City Clerk  
City of Evanston

