

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

The Director of the Evanston Department of Health and Human Services hereby issues the following Public Health Order for the City of Evanston, Illinois, issued on this 14th day of January, 2022 ("Order").

Introduction

WHEREAS, on March 15, 2020, former 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, 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, On January 27, 2020, the United States Secretary of Health and Human Services declared that COVID-19, a respiratory illness spread by close contact through respiratory droplets, presents a public health emergency, and the World Health Organization characterized the COVID-19 outbreak as a pandemic on March 11, 2020;

WHEREAS, The Evanston Health and Human Services Department is a State certified Department responsible for determining when a danger to the public health exists within its jurisdiction, and to order measures deemed necessary to protect the public health until such time that the danger to the public health is eliminated or controlled in such a manner that an immediate threat no longer exists.

WHEREAS, in order to prevent the spread of COVID-19 in the City of Evanston and the threat of the Delta and Omicron variants, and to further protect the residents of the City of Evanston from disease and death, and pursuant to the authority set forth under by the Illinois Department of Public Health pursuant to the Illinois Public Health Act (20 ILCS 2305/1.1 et seq.); the Illinois Department of Public Health Powers and Duties Law (20 ILCS 2310/2310-15 et seq.); and the Evanston Municipal Code §8-1-3-1(C), which states:

© Disease: Epidemics and Pandemics. In the case of any disease outbreak inclusive of any epidemic disease of any disease event categorized as a pandemic or of danger from an anticipated or impending epidemic or pandemic disease, or in case of sanitary conditions of the City should be of such character as to warrant, it shall be the duty of the Public Health Director or the City Manager or his/her designee to take such measures and to do, order and cause to be done such acts for the preservation of the public health as he/she may in good faith declare the public safety and health demands, except as may be herein, elsewhere or otherwise specifically authorized.

WHEREAS, the United States and the State of Illinois are in the early stages of a large surge of COVID-19 cases due to the Omicron variant.

WHEREAS, The Evanston Health and Human Services Department have determined that mitigation measures are necessary to protect the public health.

WHEREAS, the [Evanston Mask Mandate](#) issued on August 24, 2021 still remains in effect for businesses and public indoor settings.

The Director finds that it is necessary to issue this Order as set forth below.

ORDER

It is hereby ordered in the City of Evanston that the following apply:

Indoor settings where food or drink are served for on-premises consumption, and health and fitness centers:

- Businesses must require any individual 5 years of age and older to show proof that they are fully-vaccinated against COVID-19 with an approved vaccine in order to enter the establishment.
- Businesses must require patrons age 16 and older to show identification (including but not limited to driver's license, passport, government ID, work or school ID) with information that corresponds to the vaccination proof.
- Businesses must post signage advising patrons of this vaccine requirement. Such signage must be posted at all entrances to the premises as well as prominently posted in an area visible to patrons and staff within the establishment.
- Businesses may, in the interests of efficiency, allow patrons to provide the required vaccination proof prior to entry, either directly to the business itself or through an intermediary such as an event planner.
- Employees must be vaccinated or must weekly show proof of a negative COVID-19 test.
- Businesses must develop a written protocol providing details for how they will enforce this Order.

Indoor settings where food or drink are served for on-premises consumption, and health and fitness centers include but are not limited to:

- **Indoor dining establishments**, including bars, breweries, wine / spirit tasting rooms, restaurants, private clubs, country clubs, banquet halls, dining areas within any public business that is ancillary to the main business (cafes within grocery stores, other retail, etc.) coffee shops, food courts and food halls.
- **Event spaces**, including hotel ballrooms, community centers, commercial event and party venues and nightclubs.
- **Recreation and entertainment venues** in areas where food or beverages are served, including movie theaters, live performance spaces, including live theater and live music, sports arenas, skating rinks, adult entertainment venues, arcades, bowling alleys, play spaces, family entertainment centers, billiard halls, and venues for card playing; and
- **All indoor settings for recreation and exercise**, including health clubs, gyms, fitness centers, hotel fitness centers, recreation centers, yoga studios, cross-fit studios, cycling studios, dance studios, fieldhouses, boxing and kickboxing gyms, and other facilities conducting group fitness classes indoors. All sports participants playing indoors should continue to follow the Illinois Department of Public Health Sports and Safety Guidance. <https://dph.illinois.gov/covid19/community-guidance/sports-safety-guidance.html>

An individual is considered fully-vaccinated:

- Two weeks after their second dose in a 2-dose series with an approved COVID-19 vaccine, such as the Pfizer or Moderna vaccines, or
- Two weeks after a single-dose series with an approved COVID-19 vaccine, such as Johnson & Johnson's Janssen vaccine.

An approved COVID-19 Vaccine is a vaccine has been authorized or approved by either the Food and Drug Administration or the World Health Organization to prevent COVID19, whether for emergency use or otherwise.

Proof of vaccination means:

- A CDC COVID-19 Vaccination Record Card; or
- An official immunization record from the jurisdiction, county, state, or country where the vaccine was administered; or
- An 'app' that provides a digital record of vaccinations; or

- A digital or physical photo of such a card or record that includes the individual's name, the vaccine brand administered, and the date the vaccination was administered.

Indoors means any part of business subject to this Order with:

- A roof or overhang that is enclosed on at least three sides; or
- A temporary outdoor structure that holds multiple parties that has less than 50% of the sides open to allow airflow; or
- An outdoor dining structure meant for individual parties that does not have adequate ventilation to allow for four to six air exchanges per hour.

Exemptions – Individuals:

- Individuals entering an establishment for less than 10 minutes for ordering and carrying out food; making a delivery; or using restroom facilities.
- Individuals who have previously received a medical exemption, as long as proof of the medical exemption and a COVID-19 test administered by a medical professional within the last 24 hours prior to entering a business covered by the Order are provided to the business upon entry.
- . Religious exemptions based on strong held beliefs with proof of a signed attestation from a religious leader or institution including a COVID-19 test administered by a medical professional within the last 24 hours prior to entering a business covered by the Order are provided to the business upon entry.
- An individual 18 years of age or younger who enters a business subject to this Order to participate in a school activity or after-school program offered by any pre-kindergarten through 12th grade public or non-public school.
- K-12 individuals attending K-12 schools, community centers, preschools, after school programs and child care centers.
- . Any individual 18 years of age or younger participating in youth athletics or recreation, unless such athletic event or recreational activity takes place in an establishment where food or drink is served for consumption throughout the establishment (ex. Concessions sold for consumption throughout an entertainment venue)
- . Any individual participating in recreation programs through special recreation for individuals with disabilities
- Any person entering a business subject to this Order for the purposes of voting in a municipal, state, or federal election; or, pursuant to law, assisting or accompanying a voter or observing such elections.

Exemptions - Business / Indoor Venues:

This Order does not apply to:


- Houses of worship and does not limit the free exercise of religion. To protect the health and safety of faith leaders, staff, congregants and visitors, religious organizations and houses of worship are strongly encouraged to consult and follow CDC recommendations for Communities of Faith. Religious organizations are strongly encouraged to take steps to ensure social distancing, and implementation of other public health measures.
- Indoor locations in a residential or office building the use of which is limited to residents, owners, or tenants of that building.
- Charitable food service establishments, such as soup kitchens.

The intent of this Order is to promote vaccinations for community members in order to reduce the spread of the COVID-19 virus and the threat of the Delta variants, Omicron and other variants, and to protect all members of the Evanston community. Violations of this Order shall be subject to the fines, penalties and provisions set forth under the Evanston Municipal Code §8-1-3-1(F) and all applicable penalties provided for in law.

This Order shall take effect on January 10, 2022 at 6:00am and shall remain in effect for the duration of the COVID-19 public health emergency as declared by United States Secretary of Health and Human Services, or until such time the Evanston Health and Human Services Department makes a written determination that the threat to public safety has diminished to the point that this Order can be safely repealed

Signed and Sealed this 14th day of January, 2022.

By: 
Ike C. Ogbo, Director
City of Evanston
Department of Health and Human Services

Filed with: 
Stephanie Mendoza, Clerk
City of Evanston