

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 20th day of April, 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 twice approved its extension, and the Declaration is extended through May 11, 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 has been extended and is effective through April 30, 2020;

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.

ORDER

It is hereby ordered in the City of Evanston that:

- A. **Face Covering Required.** Except as provided in Subsection C of this Order, 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 D of this Order) while engaging in the following activities:
1. Working in or patronizing Essential Businesses and Operations (as defined in the Governor’s Stay at Home Order) that are open to the public or when employees have contact with the public, which businesses include, without limitation, grocery stores, restaurants, hardware and supply stores, financial institutions, laundry services, essential government functions, construction sites, automotive repair shops, landscaping activities and any home or curbside delivery carriers.
 2. Engaging in essential activities such as shopping for necessary supplies and services, seeking medical supplies or medication, visiting a health care professional.
 3. Riding in public transportation, taxis or ride share vehicles.
- 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. Exceptions. Subsection A of this Order does not apply in any of the following circumstances:

1. When a person is engaged in an outdoor activity and permissible outdoor physical activity, as defined in the Governor's Stay at Home Order (such as walking, hiking, running or biking), while at the same time practicing social distancing of at least six feet from persons who are not members of the same household or residence; provided, however, that in the event that such social distancing cannot be achieved, the requirements of Subsection A shall remain in effect. For the purposes of this Section C, "members of the same household or residence" shall mean a group of people, whether related or unrelated, who occupy the same dwelling unit on a fulltime basis and utilize common cooking, eating and sanitation facilities.

2. When riding in a personal vehicle.

3. When a person is alone or with members of the same household or residence in a private space that is not open to the general public.

4. When doing so poses a greater health, safety, or security risk to the person or to the public.

D. 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 Stay at Home Order.

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 April 23, 2020 at 8:00am 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 20th day of April, 2020.

By:



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

Filed with:



Eduardo Gomez, Deputy City Clerk
City of Evanston