

**ORDINANCE NO. 2020-07-037**

**AN ORDINANCE RATIFYING EMERGENCY ORDER NO. 20-06**

**(Temporary Suspension of Certain Ordinances to Allow for Retail Sales and Services on Sidewalks and Parking Lots)**

**WHEREAS**, the City of Urbana (“City”) is a home rule unit of local government pursuant to Article VII, Section 6, of the Illinois Constitution, 1970, and may exercise any power and perform any function pertaining to its government and affairs, including the power to regulate for the protection of the public health, safety, and welfare; and

**WHEREAS**, on March 16, 2020, the City Council passed Ordinance No. 2020-03-015, authorizing the Mayor to issue general orders that have the force and effect of law until the Governor of the State of Illinois lifts or terminates his disaster declaration or the Mayor lifts or terminates her Declaration of Emergency, whichever is later; and

**WHEREAS**, on April 16, 2020, the City Council passed Ordinance No. 2020-04-024, reaffirming Ordinance No. 2020-03-015 and reissuing the Mayor's authority to issue a temporary declaration of emergency; and

**WHEREAS**, for any order issued pursuant to Ordinance Nos. 2020-03-015 and 2020-04-024 to remain in force, said Ordinances require the City Council to ratify the order by majority vote at its subsequent regular meeting; and

**WHEREAS**, on June 30, 2020, pursuant to Ordinance Nos. 2020-03-015 and 2020-04-024, the Mayor issued Emergency Order No. 20-06, temporarily suspending certain City ordinances to allow for retail sales and services on sidewalks and parking lots; and

**WHEREAS**, the City Council, after due consideration, finds that ratifying Emergency Order No. 20-06 will protect the public health, safety, and welfare.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Urbana, Illinois, as follows:

**Section 1.**

The City Council hereby confirms and ratifies Emergency Order No. 20-06, attached hereto and hereby incorporated by reference, as issued by the Mayor on June 30, 2020.

**Section 2.**

The City Council hereby confirms and ratifies all actions undertaken by the City of Urbana pursuant to Emergency Order No. 20-06 prior to the adoption of this Ordinance.

**Section 3.**

This Ordinance shall not be construed to affect any suit or proceeding pending in any court, or any rights acquired, or a liability incurred, or any cause or causes of action acquired or existing prior to the effective date of this Ordinance; nor shall any right or remedy of any character be lost, impaired, or affected by this Ordinance.

**Section 4.**

This Ordinance shall be in full force and effect from and after its passage.

This Ordinance is hereby passed by the affirmative vote, the “ayes” and “nays” being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a meeting of said Council.

**PASSED BY THE CITY COUNCIL** this date day of Month, Year.

AYES:

NAYS:

ABSTENTIONS:

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Phyllis D. Clark, City Clerk

**APPROVED BY THE MAYOR** this date day of Month, Year.

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Diane Wolfe Marlin, Mayor

# COVID-19 RELATED EMERGENCY ORDER



## EMERGENCY ORDER NO. 20-06

### TEMPORARY SUSPENSION OF CERTAIN CITY OF URBANA ORDINANCES TO ALLOW FOR RETAIL SALES AND SERVICES ON CITY SIDEWALKS OR RETAIL ESTABLISHMENTS'/SERVICE PROVIDERS'-OWNED SIDEWALKS AND PARKING LOTS

Effective Date: Upon execution of this Emergency Order No. 20-06 by the Mayor.

**EXPLANATION:** This Emergency Order temporarily suspends parts of the City's ordinances governing use of City sidewalks and privately-owned sidewalks and parking lots to allow for use by Urbana retail and service businesses.

**AUTHORITY TO ISSUE EMERGENCY ORDER:** Ordinance No. 2020-03-015 – Temporary Emergency Order to Address the COVID-19 Virus Pandemic, Section 13; Ordinance No. 2020-04-024 – Reaffirmation of Ordinance No. 2020-03-015 and Reissuance of Mayor's Authority to Issue Temporary Declaration of Emergency; and Governor Pritzker's Restore Illinois Plan - Phase 4 Guidelines, <https://coronavirus.illinois.gov/s/restore-illinois-phase-4>; <https://dceocovid19resources.com/restore-illinois/restore-illinois-phase-4/indoor-and-outdoor-recreation/>.

**ISSUER OF EMERGENCY ORDER 20-06:** Diane Wolfe Marlin, Mayor.

#### 1. Ordinances Temporarily Suspended.

The following ordinances shall be and hereby are suspended or otherwise modified until such time as when this Emergency Order No. 20-06 expires.

Urbana City Code Chapter 20, "Public Right-of-Way and other Public Places: Sections 20-301 (delivery or sale of merchandise on sidewalks);

Zoning Ordinance: Section VIII-1 (Applicability); Section VIII-3 (Design and Specifications of Off-Street Parking); VIII-5 (Amount of Required Parking); Table VIII-7 (Parking Requirements By Use).

Applications for City-owned sidewalk right-of-way use permits shall be required. Permit applications should include detailed plans that (i) identify the specific outdoor space (public sidewalk or other similar outdoor space to the extent the City approves) that they intend to use for outdoor retail sales or the provision of services, (ii) the arrangement of the fixtures and equipment necessary to conduct retail sales or perform services to assure sufficient social distancing consistent with Champaign-Urbana Public Health District and/or Centers for Disease Control standards on social distancing, and (iii) such other requirements as provided by the City or the State of Illinois.

To the extent that a City-approved application to open and operate outdoor retail sales or provision of services that deviate from any of the above-cited City ordinances, the approved permit application shall govern. The City shall have the right to approve or deny any application for a permit to open and offer outdoor retail sales and/or provide outdoor services on public property.

**2. Outdoor Café Emergency Order:** This Emergency Order 20-06 shall not be deemed or construed as voiding any part of Emergency Order 20-04 concerning the operation of outdoor cafés.

**3. Duration of Temporary Suspension of Certain City Ordinances:** This Emergency Order 20-06 shall expire on the later of (i) when the Governor issues an emergency order or suspends an existing emergency order so that the sale of retail merchandise and the provision of services can return to normal pre-COVID-19 operations; or (ii) when the City Council repeals its Ordinance Nos. 2020-03-015 and 2020-04-024; or (iii) when the Mayor repeals or terminates her Temporary Declaration of Emergency or this Emergency Order 20-06.

DATE: 30 June 2020

*Diane Wolfe Marlin*  
Diane Wolfe Marlin, Mayor

ATTEST: *[Signature]*  
City Clerk or Deputy City Clerk

