EXECUTIVE ORDER ALLOWING TEMPORARY OUTDOOR DINING AND CONSUMPTION OF ALCOHOL FOR
RESTAURANTS IN THE
VILLAGE OF FOX RIVER GROVE, MCHenry AND LAKE COUNTY, ILLINOIS
(COVID-19 – May 26, 2020)

WHEREAS, the Village of Fox River Grove (“Village”) is a non home rule unit of local government
as provided by Article VII, Section 7 of the Illinois Constitution of 1970; and

WHEREAS, on March 9, 2020, the Governor of the State of Illinois issued a Gubernatorial
Disaster Proclamation in the State of Illinois related to the outbreak of Coronavirus Disease 2019
(COVID-19); and

WHEREAS, on March 11, 2020, the World Health Organization declared the COVID-19 virus a
pandemic; and

WHEREAS, on March 13, 2020, the President of the United States declared a nationwide
emergency under Section 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act,
52 U.S.C. 5121, et seq., related to the COVID-19 pandemic; and

WHEREAS, on March 31, 2020 and April 30, 2020, The Governor of the State of Illinois extended
his “stay at home” Executive Order until May 30, 2020; and

WHEREAS, COVID-19 continues to be a dangerous disease which has spread around the world,
including in the United States, the State of Illinois and McHenry and Lake County and is a direct and
serious threat to the public’s health, safety and welfare; and

WHEREAS, COVID-19 pandemic is a contagious disease that is likely to cause loss of life, loss of
productivity, hardship and suffering to persons residing in or doing business in and around the Village
and constitutes a disaster; and

WHEREAS, a declaration of local state of emergency in the Village was issued on March 16, 2020
by the Village President and is necessary in order to allow the Village to assist in preventing the loss of
life and injuries, alleviating damages, loss, hardship and suffering related to the COVID-19 pandemic;

WHEREAS, On May 5, 2020, the Governor announced Restore Illinois, a 5-Phase Plan to allow
the reopening of Illinois;

WHEREAS, on May 20, 2020 the Governor announced the inclusion of restaurant outdoor dining
into Phase 3 of the Restore Illinois Plan;

WHEREAS, the Governor anticipates implementation of Phase 3 of the Restore Illinois Plan on
May 29, 2020;

NOW, THEREFORE, BE IT DECLARED, by the President of the Village of Fox River Grove, McHenry
and Lake County, Illinois:

SECTION 1: Incorporation. That the recitals above shall be and are incorporated in this Section 1
as if fully restated.
SECTIONS 2: Temporary Outdoor Dining for Restaurants. Pursuant to the authority granted to the Village President by law and in accordance with the Governor's Executive Orders and the Illinois Department of Public Health Regulations for Restaurant Outdoor Dining, it is hereby proclaimed that restaurant outdoor dining will be temporarily allowed by permit, in conformance with the requirements set forth in Exhibit A.

SECTION 3: Temporary Outdoor Consumption of Alcohol for Restaurants. Pursuant to the authority granted to the Village President by law, it is hereby proclaimed that Class A, A-1, B, and C liquor license holders may serve alcohol in conjunction with restaurant outdoor dining in conformance with the standards and guidelines set forth in Exhibit A and any associated Governor's Executive Order and Illinois Department of Public Health Regulations for Outdoor Dining.

SECTION 4: Other Businesses. The Village staff may approve permits for the conduct of outdoor activities for other Village businesses so long as they do not violate the general requirements of Exhibit A.

SECTION 5: Permits. The Village staff shall have the authority, as directed by the Village Administrator, to prepare and examine applications for permits, to issue permits and to assure continued compliance with the Governor's Orders, the Village President's Orders and Exhibit A.

SECTION 6: Existing Regulations. This Executive Order recognizes that certain outdoor activities permitted pursuant to this Order may be inconsistent with existing regulations of the Village (including special uses) and hereby endorses those inconsistencies so long as they do not violate the Governor's Executive Orders, this Executive Order, Exhibit A and the permits issued pursuant to this Executive Order.

SECTION 8: Reporting. Every permit issued pursuant to this Executive Order shall be reported to the President and Board of Trustees within twenty-four (24) hours of its issuance.

SECTION 5: Duration. Any temporary permit for outdoor dining or other activity shall expire upon the earlier of:

a. The end of the Governor of the State of Illinois' disaster proclamation regarding COVID-19;

b. Repeal of this Executive Order by the Village President;

c. This Executive Order being superseded by State law or an executive order of the Governor of the State of Illinois.

SECTION 9: Filing. This Declaration shall be filed with the Village Clerk upon its execution by the Village President.

Robert J. Nunamaker, Village President

Shelley Caesar, Village Clerk
Exhibit A

Requirements - Temporary Use for Outdoor Dining

1. Staff must wear face masks and gloves when serving customers.
2. Tables must be kept 6 feet apart, allowing no more than 6 seats.
3. Single use serving items are required. (Paper menu, packaged condiments, plates, utensils.)
4. Tables and chairs must be sanitized after each use.
5. Customers waiting for seating must wait in their cars. (Reservations are suggested.)
6. Alcohol may be served only as complimentary to a meal or food order.
7. Patrons are limited to one hour of dining at a table, per restaurant, per day.
8. No food or beverages may be stored, cooked, or otherwise prepared in the outdoor seating area.
9. No open keeping or storage of used dishes, utensils, or food scraps shall be permitted within the outdoor seating area.
10. Operation of outdoor seating areas shall be permitted between 7:00 a.m. and 10:00 p.m..
11. Outdoor seating areas should be clearly delineated with caution tape, barricades, or some other appropriate apparatus when located in or near a parking lot or parking area.

12. The outdoor dining set-up must be approved by the Village before use. A sketch of the proposed layout with an appropriate level of detail should be provided for approval. Please submit sketch to village@foxrivergrove.org.