

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT, CHANCERY DIVISION**

**DAVID SHELDON, KATHLEEN HANUS,  
OMAR GARZA and WILLIAM KELLY**

**Plaintiff,**

**v.**

**LORI LIGHTFOOT, MAYOR OF THE  
CITY OF CHICAGO, and JAY ROBERT  
"J. B." PRITZKER, GOVERNOR OF THE  
STATE OF ILLINOIS,**

**Defendants.**

**No. 2020CH04727**

**COMPLAINT FOR DECLARATORY, INJUNCTIVE  
AND OTHER RELIEF**

NOW COMES, Plaintiffs, DAVID SHELDON, KATHLEEN HANUS, OMAR GARZA and WILLIAM KELLY, by and through their attorney, Laura Grochocki, complaining of Defendants, LORI LIGHTFOOT, MAYOR OF THE CITY OF CHICAGO, and JAY ROBERT "J.B." PRITZKER, GOVERNOR OF THE STATE OF ILLINOIS, as follows:

**THE PARTIES**

1. Plaintiff David Sheldon, (hereinafter "Sheldon") is a resident of the City of Chicago and the owner of a business located in the City of Chicago, who's business has suffered tremendous losses as a result of the below referenced to COVID-19 executive orders that have caused him to have to close his business and may cause him to have to permanently shut his business. .

2. Plaintiff Kathleen Hanus, (hereinafter "Hanus") is a resident of the City of Chicago and the employee of an "essential business" whose hours have been cut by more than 50% as a result of the below referenced to COVID-19 executive orders and who therefore is unable to pay

her mortgage, phone, utility and property tax bills. Because of her limited employment Hanus does not qualify for unemployment insurance nor does she qualify for any other assistance from the City, State or Federal governments.

3. Plaintiff Omar Garza, (hereinafter “Garza”) is a resident of the City of Chicago who prior to the issuance of the below referenced to COVID-19 executive orders was gainfully employed with two (2) jobs. As a result of the below referenced to COVID-19 executive orders Garza has been laid off of his two (2) jobs and because of the unemployment situation does not have any real prospect of becoming gainfully employed in the foreseeable future.

4. Plaintiff William Kelly, (hereinafter “Kelly”) is a business owner who resides in the City of Chicago, County of Cook, State of Illinois. He is also the organizer of an online petition effort and has collected signatures of 138,000 Illinois residents, business and religious leaders who allege they have been harmed by COVID-19 restrictions on their lives and civil liberties.

5. Defendant Jay Robert “J.B.” Pritzker (hereinafter “Pritzker”) is the current Governor of the State of Illinois, who assumed office on January 14, 2019. He is the person who issued Illinois Emergency Executive Orders regarding the Covid-19 pandemic, including but not limited to Emergency Executive Order 2020-38. Pritzker’s place of business is in Cook County, Illinois and his address for service of process is Office of the Governor, 100 W. Randolph Street, 16-100. Chicago, Illinois 60601. Pritzker’s primary place of residence is in Cook County, Illinois, and has vacation homes/mansions/estates in the states of Wisconsin and Florida, as well as an off shore vacation home in the Bahamas and Paris, France.

6. Defendant Lori Lightfoot is the Mayor of Chicago. She lives and works in Cook County. Her address for service of process is 121 N, LaSalle Street, Suite 507, Chicago, IL 60602.

## ALLEGATIONS COMMON TO ALL COUNTS

7. On March 11, 2020, the World Health Organization (WHO) declared the COVID-19 a pandemic. Then on March 13, 2020, the President of the United States declared the COVID-19 pandemic to be a national emergency. Prior to that, the WHO declared Covid-19 a Public Health Emergency of International Concern on January 30, 2020, and the United States Secretary of Health and Human Services declared that Covid-19 presents a public health emergency on January 27, 2020.

8. On March 9, 2020, Pritzker made a proclamation of disaster for the State of Illinois stating that the COVID-19 virus posed a public health emergency, and invoked the provision of the Illinois Emergency Management Act, 20 ILCS 3305/7, (IEMA) which granted him **limited** emergency powers for thirty (30) days. In fact the emergency proclamation stated that it “shall be effective immediately and remain in effect for 30 days”, expiring on April 9, 2020. (Exhibit 1)

9. Then on March 20, 2020, Pritzker issued Covid-19 Executive Order No. 8, which contained orders purporting to have the force of law which vastly exceeded the authority provided to him by the IEMA. These restrictions included, but were not limited to, a “Stay At Home” Order which effectively imprisoned the vast majority of the population of the State of Illinois in their homes, closed the vast majority of businesses, houses of worship, and all schools, as well as severely restricted the rights of travel of the citizens of the State of Illinois.<sup>1</sup> (“Exhibit 2”)

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1. The unprecedented nature and breath of Pritzker’s stay-at-home/business closure executive order cannot be overstated. Even during the American Civil War President Lincoln did not order that civilians, even in the confederacy, be restricted to their homes. Even during the Battle of Gettysburg the civilian population of the town were not put under any restrictions to their movement nor were they restricted to their homes.

10. It is interesting to note that while Pritzker exempted certain “essential” businesses from closing under his Executive Order, such as grocery stores and health care related businesses, he also declared recreational marijuana dispensaries to be “essential” businesses exempt from closing even though such marijuana dispensary businesses were only made legal three (3) months prior to the March 20, 2020 Executive Order by legislation championed by Pritzker. The recreational marijuana dispensary industry were large contributors to Pritzker’s campaign for governor.

11. On March 18, 2020, Chicago Mayor Lori Lightfoot (“Lightfoot”), issued her Emergency Executive Order 2020-1, declaring a state of emergency because of the COVID-19 virus, and invoking powers under the Home Rule provisions of the Constitution of the State of Illinois and 2-4-110 of the Municipal Code of Chicago ("Code"). (Exhibit 3)

12. Then on March 20, 2020, Lightfoot purported to issue an Order, vastly exceeding the authority granted her by the Constitution of the State of Illinois or the Code, joining in the “Stay at Home” order of Pritzker and purporting to confine the residents of the City of Chicago to their homes, closing those businesses she deemed non-essential, closing houses of worship, among other severe restrictions of the rights and liberties of the citizens of the City of Chicago. She also closed Chicago Park District properties over which she did not have jurisdiction. Lightfoot, by threat of the use of the police and revocation of business licenses, to endow her excessive and extralegal declaration with the purported force of law.(Exhibit 4)

13. Subsequent to the expiration of Pritzker’s powers under the IEMA on April 9, 2020, and the expiration of Lightfoot’s powers under the Home Rule provisions of the Constitution of the State of Illinois and 2-4-110 of the Code, which derive from Pritzker’s emergency declaration under the IEMA, both Lightfoot and Pritzker have purported to illegally renew, and illegally re-

renew their purported emergency powers both in violation of the laws of the State of Illinois and the Code of the City of Chicago. Further, the provisions of these illegal renewals of the purported emergency powers, and continued invoking of additional arbitrary and capricious restrictions on the rights of citizens, which favored certain groups, beliefs, businesses and occupations and discriminated against the rest.

14. To make matters worse, at no time through the date of the filing of this complaint has Pritzker submitted his emergency orders to the elected legislature of the State of Illinois for their debate, consent and approval as the elected representatives of the citizens of Illinois, even though he was well able to do so. Similarly, Lightfoot has failed to submit her emergency orders and actions to the elected City Council of the City of Chicago for their debate, consent and approval as the elected representatives of the citizens of the City of Chicago, even though she was well able to do so. On May 20, 2020, Pritzker, showing unmistakable contempt for the democratic process, threatened that if the State Legislature did not pass legislation granting him new powers to impose monetary sanctions against businesses who did not comply with his orders he would simply usurp the legislative authority of the legislature and impose these new powers by executive order.

15. The Illinois State Legislature and Chicago City Council are not the only government institutions that Pritzker and Lightfoot have shown disdain for. Displaying contempt for the judicial branch of government, which is tasked with upholding the laws of the State of Illinois and its Constitution, both Pritzker and Lightfoot have insulted and impugned the motives

of those who have sought judicial review of their executive orders and decrees, and the jurists who have agreed with them. Pritzker and Lightfoot have gone so far as to call judges who have entered rulings adverse to their authority to issue executive orders and decrees as being motivated solely by political gain. They have further publically insulted these jurists by stating that these adverse decisions will result in deaths, and that these judges do not care if they cause people to die.

16. In providing guidance to states and localities taking steps to battle the COVID-19 pandemic, the U.S. Department of Justice issued a memorandum which stated that, even in times of emergency, restrictions on the rights of citizens must be reasonable, must not be overbearing, and must not discriminate against religious institutions, religious believers, disfavored speech and undue interference in the national economy.

17. Article I of The Constitution of the State of Illinois prohibits discrimination against religious institutions, religious believers, and disfavored speech. Under the Constitution of the State of Illinois and established Illinois law, “no person shall be deprived of life, liberty or the pursuit of happiness without due process of law nor be denied equal protection of the laws.” These rights of citizens of the State of Illinois including, but not limited to, the right of unrestricted travel, the right to leave ones place of residence at a time of one’s choosing, the right to operate a business or engage in a profession or lawful employment of ones choosing, and to enjoy all the rights of a free people. Further, it is well-established that during a time of emergency those aforesaid rights under the Constitution of the State of Illinois and the laws of the State of Illinois may only be restricted to the minimum necessary narrowly tailored to address the immediate emergency in both scope and time. It is further well established under the Illinois Constitution and law that any such restrictions so enacted may not be arbitrary or capricious, nor can they favor, or discriminate against, one group, business, occupation, or favor one belief over another.

18. There is no COVID-19 exception to the Constitutional and legal rights of the Citizens of the State of Illinois nor the residents of the City of Chicago. Further, there is no constitutional provision or legal precept that subordinates democracy to a public emergency or pandemic. Even Lincoln held elections at the end of his first term and submitted his admiration to the will of congress during the Civil War, even if it meant losing to the confederacy because of the election of General McClellan after 4 years of war.

19. However, despite the aforesaid well established law of the State of Illinois, both Pritzker and Lightfoot have favored certain groups and beliefs over others, issuing exemptions from their illegal emergency decrees, which were no longer in force after April 9, 2020. For example, and not limited to, the following; beginning on June 1, 2020, Governor Pritzker and Mayor Lightfoot have regularly exempted thousands of Black Lives Matter organizers (Black Lives Matter is a non-profit corporation based in Delaware) and protesters from emergency executive orders and restrictions, which were intended to slow the spread of the COVID-19 virus and among the residents of Illinois and Chicago.

20. In contrast, Lightfoot has selectively enforced her and Pritzker's emergency executive orders, Chicago health commission orders and Chicago Park District orders against residents, churches, business owners and political organizations, in violation of constitutional rights enshrined in the Illinois Constitutions, and in an arbitrary and capricious manner, discrimination against those they do not favor for political, business, and personal reasons.

21. Lightfoot has illegally enforced her orders by the illegal and arbitrary use of her power over the Chicago Police Department and other Chicago agencies, to wit: (a) upon information and belief, eleven citations were issued to Chicago residents and three residents were arrested between March 25 and April 5, 2020 alone, due to purported violations of Illinois and

Chicago COVID-19 park closure restrictions.; (b) On May 2, 2020, Lightfoot ordered Chicago police to bust up “large gatherings,” including a crowd of residents in the Lawndale neighborhood.

22. Further, Lightfoot used threats and intimidation when, in order to impose her illegal, arbitrary and capricious edicts on the residents of the City of Chicago when, at a City of Chicago press conference, Lightfoot called large gatherings reckless and foolish and stated “We are not playing games. We mean business. The time for education into compliance is over. Don't be stupid. We will cite you. We will shut you down, and we will arrest you and take you to jail, period.”.

23. Also, on March 26, 2020, acting in excess of any pretense of legal authority, and without jurisdiction, or the consent of the City Council, Lightfoot closed all parks, beaches, the 606 trail network, and the lakefront within the City of Chicago because she believed, based only on anecdotal news media reports, that too many people were gathering in those places. She threatened that violators of her decree would face fines and arrest. At no time did Lightfoot ever ask the elected City Council to approve or consent to her closure decree, acting contemptuously toward the democratic process and the will of the citizens of Chicago.

24. To back up Lightfoot's aforesaid threats, upon information and belief, Chicago has issued 21 or more citations and fined eight or more Chicago-area businesses \$120,000 after they allegedly violated Illinois and Chicago COVID-19 restrictions. Further, upon information and belief, the City of Chicago has fined at least three churches for violating social distancing COVID-19 Chicago and Illinois restrictions. Also, on or around May 24, 2020, Lightfoot ordered Chicago Police to Cornerstone Baptist Church with the intent of shutting down the church's Sunday services.

25. Similarly, Pritzker has resorted to threats and intimidation tactics to force compliance with his orders. He has used his official press conferences to falsely threaten (a) that



businesses who do not comply with his orders and are sued will not be covered by their insurance policies, and (b) that counties that do not enforce his orders will not get funds from FEMA for recovery from the COVID-19 virus and the immense damage done by his executive. As Pritzker has no authority regarding insurance coverage, nor who the federal government designates as the recipient of its aid, his aforesaid statements are nothing more than scare tactics to intimidate people from the exercise of their rights under the law and Illinois Constitution.

26. Unlike political organizations both Pritzker and Lightfoot favor, and have sought the political backing of, such as Black Lives Matter, the Plaintiffs, who do not have any political or economic power that either Pritzker and Lightfoot covet, have not been exempted from COVID-19 related restrictions on their civil liberties and constitutional rights under the Constitution of the State of Illinois and the laws of the State of Illinois.

27. This unequal treatment of similar expression and activities violates the Constitution of the State of Illinois Constitution, Article I, et. seq.

**FURTHER FACTS COMMON TO ALL COUNTS:  
TIMELINE OF PRITZKER AND LIGHTFOOT ILLINOIS AND  
CHICAGO SHUTDOWN ORDERS**

28. On March 9, 2020, Pritzker issued a proclamation declaring, as of that date, a disaster existed within Illinois as a result of the COVID-19 virus, declaring all 102 counties within Illinois a “disaster” area, including Cook County and the City of Chicago. ("Exhibit 1").

29. Pritzker issued the aforesaid disaster proclamation concerning the COVID-19 virus pursuant to the authority granted him under the Illinois Emergency Management Agency Act, 20 ILCS 3305 *et seq.* (“IEMA”) (Exhibit 1).

30. On March 20, 2020, Pritzker issued COVID-19 Executive Order No. 8, ordering the statewide closure of all “non-essential” businesses, churches, private and public spaces. This

Executive Order also contained a stay-at-home orders for all residents of Illinois, except those which were deemed “essential workers” (Exhibit 2)

31. Pritzker’s designation of which businesses, houses of worship, and public/private spaces were “non-essential”, and which workers jobs were “essential”, under his aforesaid COVID-19 executive order, and in its subsequent amendments, were arbitrary, capricious, and were, in the vast majority of cases, unrelated to the purpose of stopping the spread of the COVID-19 virus or “flattening the curve”.

32. On March 18, 2020, Lightfoot issued Emergency Executive Order No. 2020-1, which declared a state of Emergency in the City of Chicago (“Exhibit 3.”)

33. On March 20, 2020, Lightfoot issued a press release announcing that the City of Chicago would join Pritzker’s aforesaid March 20, 2020 Executive Order, and mandated that Chicago residents should stay at home and further mandated the shut-down of “non-essential” businesses. (“Exhibit 4.”).

34. Pritzker has exceeded his emergency powers under the IEMA, which limits the length of emergency powers to 30 days, by issuing and re-issuing consecutive disaster declarations and executive orders after his initial disaster declaration expired on April 9, 2020. Pritzker did this even though there was no new disaster, invoking a version of a “permanent state of emergency” to justify his actions.<sup>2</sup> His subsequent COVID-19 executive orders continued to vastly exceed the authority granted him in the IEMA. At no time did Pritzker submit the consecutive assertion of his emergency authority to the legislature for its consent or approval of his orders, nor did he seek any

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2. While we are certainly not calling Pritzker or Lightfoot dictators, nor are we comparing their administrations to a junta, it must be noted that the imposition of an extended state of emergency is often used by authoritarian regimes to legitimize their rule by decree, (Egypt was governed under a state of emergency from 1981 to 2011, 30 years). In each case it was purportedly done for the “good of the nation” and to “protect the people”.

amendments to the IEMA authorizing extensions to the 30 days limit it imposed.<sup>3</sup> There was no actual impediment to Pritzker doing so, and his refusal to do so is evidence of his “consciousness of guilt”; i.e. that Pritzker knew that he was acting illegally, and that he also knew that he was acting against the will, and without the consent, of the citizens of Illinois.

35. On May 5, 2020, Pritzker announced his 5-phase reopening plan for Illinois, which split the state into four “health regions”: Northeast (including Chicago and Cook County), North Central, Central and Southern. Pritzker’s 5-phase plan outlines stay-at-home restrictions for Illinois residents and impacts business closures and reopening safety guidelines. (“Exhibit 5”).

36. On May 29, 2020, three days before the expiration of his final emergency executive order, Pritzker announced that all four (4) of Illinois’ health regions, including the Northeast region, which includes Cook County and the City of Chicago, would be allowed to enter phase three (3) of his plan, and that he would lift the Stay-at-Home Order, . (“Exhibit 6”)

37. To meet the Phase 3 health benchmarks, each of Illinois’ four (4) health regions were required to have a COVID-19 positivity rate of 20% or less with an increase of no more than 10 percentage points over a 14-day period. As of May 27, 2020, Illinois met all federal criteria for reopening.

38. The City of Chicago is included in the Northeastern region and was included in Illinois’ Phase 3 reopening plan without exception or qualification.

**FURTHER FACTS COMMON TO ALL COUNTS  
TIMELINE ON THE CLOSURE OF CHICAGO’S LAKEFRONT, ADJACENT PARKS,  
TRAILS AND CHICAGO’S RIVERWALK TO THE PUBLIC**

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3. The one and only protection against the abuse of an executive’s continued pronouncements resulting in an extended state of emergency is to require the executive to obtain the consent and approval of a democratically elected legislative body at the first practicable opportunity.

39. In response Pritzker's disaster proclamation, on March 14, 2020, the Illinois Department of Natural Resources announced the closure of Illinois' 324 state parks. This closure did not include the City of Chicago's Lakefront, adjacent parks, and Chicago's Riverwalk.

40. Pritzker has never ordered the closure of Chicago's Lakefront, beaches, adjacent parks, trails or Chicago's Riverwalk.

41. On March 26, 2020, Lightfoot, based solely on anecdotal reports in the news media, expressed anger at outside gatherings of more than 10 people on Chicago's Lakefront in violation of her and Pritzker's Stay-At-Home order. She then immediately issued a press statement which stated that she had issued an Executive Order closing Chicago's Lakefront, adjacent parks, 606 trail and Riverwalk until further notice, and stated that the Chicago Police Department would enforce her order by fines and citations. ( "Exhibit 7").

42. According to the Office of City Clerk of the City of Chicago, Lightfoot has only issued two (2) executive orders in 2020: Emergency Executive Order No. 2020-1, which concerns Chicago's emergency budgetary and real estate transfer powers, and Emergency Executive Order No. 2020-2, which concerns equal access of COVID-19 funds to all residents of the city, regardless of "country of origin" or "citizenship status." ("Exhibit 8.")

43. Lightfoot did not, in fact, issue an executive order to close down Chicago's Lakefront, adjacent parks, 606 trail and Chicago Riverwalk. Her statement that she did so was false. Despite the fact that there was no executive order for the aforesaid closings Lightfoot ordered the Chicago Police Department to station officers on the lakefront and stop people from using the lakefront and parks. Lightfoot did this despite the fact that the City of Chicago was experiencing an unprecedented increase in gun violence, gun related murders, and shootings.

44. On March 26, 2020, an order of the Commissioner of Health of the City of Chicago, acting in reliance on Pritzker's Executive Order No. 8, (Exhibit 2), closed all Chicago parks, beaches, walking, running and cycling paths, trails and recreational facilities on and adjacent to the Lakefront, including those on the west side of Lakeshore Drive and the Riverwalk and the Bloomingdale Trail. ("Exhibit 9.") No law of the State of Illinois or Ordinance of the City of Chicago grant the Commissioner of Health of the City of Chicago the authority to close the lakefront, parks and trails of the Chicago Park District, nor has the Commissioner of Health been granted the authority to close any property or facility for any length of time without first obtaining a court order directed at an individual or specific property.

45. Lightfoot has ordered the Chicago Police Department to enforce her non-existent executive order, and the order of the Commissioner of Health by citation and arrest. Therefore, because of the Lightfoot's use of the police, Chicago residents have been denied access to the Chicago Lakefront, adjacent trails and parks, including Grant Park, and the Chicago Riverwalk by the City of Chicago since March 26, 2020.

46. Children of the City of Chicago have been denied access to all Chicago-area park playgrounds since March 24, 2020.

47. The Chicago Park District Act ("Park District Act") states that the Chicago Park District exercises control and supervision of all parks, boulevards, ways and other public property, including Chicago's Lakefront, adjacent parks and Chicago Riverwalk. (See 70 ILCS 1505). The City of Chicago, and the Mayor of the City of Chicago have no authority nor jurisdiction to close or control the areas under the jurisdiction of the Chicago Park District.

48. The Chicago Park District Act provides:

“The commissioners of the Chicago Park District, except as otherwise herein provided, may from time to time establish by ordinance all needful rules and regulations for the government and protection of parks, boulevards and driveways and other property under its jurisdiction.” (See 70 ILCS 1505/7.02), from Ch. 105, par. 333.7-02)

49. Nothing in the Chicago Park District Act grants Lightfoot, in her capacity as Chicago’s Mayor, the authority to prevent the public from use and enjoyment of Chicago’s Lakefront, adjacent parks, trails and Chicago’s Riverwalk.

50. On April 8, 2020, the Chicago Park District, applying Pritzker’s Stay-At-Home Executive Order, passed the COVID-19 Chicago Park District resolution, which closed Chicago’s Lakefront, adjacent parks, trails and Chicago’s Riverwalk. (“Exhibit 10”) At no time did the Chicago Park District state that its resolution be enforced by the Chicago Police Department, and it was Lightfoot who used Chicago’s police powers, and threat of citation and arrest, to enforce non-existent executive order and the order of the Chicago Commissioner of Health.

51. On May 31, 2020, all of Illinois’ 324 state parks reopened under Pritzker’s Phase 3 reopening plan.

52. The Northeastern health region, which includes the City of Chicago, met the criteria for Pritzker’s Phase 3 reopening on May 31, 2020.

53. Chicago extended the closure of public park lands, including Chicago’s Lakefront, adjacent parks and Chicago Riverwalk past May 31, 2020 until June 3, 2020 by Order of the Commission of Health of the City of Chicago. (“Exhibit 11.”)

## **COUNT I**

### **LIGHTFOOT'S ACTS VIOLATED THE PLAINTIFF'S RIGHTS UNDER THE SECOND, THIRD, FOURTH, FIFTH SECTIONS OF ARTICLE I OF THE CONSTITUTION OF THE STATE OF ILLINOIS TO FREEDOM OF SPEECH, RELIGION, ASSEMBLY, AND EQUAL PROTECTION**

54. Plaintiffs adopts and incorporates paragraphs 1-52 of this Complaint as paragraph 53 of Count I of this Complaint as if more fully stated herein.

55. Public parks are traditional public forums that “have immemorially been held in trust for the use of the public and, time out of mind, have been used for purposes of assembly, communicating thoughts between citizens, and discussing public questions.” *Perry Ed. Assn. v. Perry Local Educator’s Assn.*, U.S. 37, 45 (1983) (quoting *Hague v. Committee for Industrial Organization* 307 U.S. 496, 515 (1939)). In such places, the state’s authority to restrict speech is limited to “regulations of the time, place, and manner of expression which are content-neutral, are narrowly tailored to serve a significant government interest, and leave open ample alternative channels of communication.” *Perry*, 460 U.S. at 45.

56. In order for the constitutional right to speak freely in public parks to have meaning and to be effective, the concurrent right of the people to free assembly at the public parks is essential.

57. Despite the importance of this public forum for free speech, protest, and assembly, Lightfoot ordered the Chicago police to disperse a political group of approximately 150 protesters in Grant Park on May 25, 2020, stating on Twitter: “While we respect First Amendment rights, this gathering posed an unacceptable health risk and was dispersed. No matter where in the city you live, no one is exempt from @GovPritzker’s stay-at-home order.” (“Exhibit 12.”)

58. Plaintiff William Kelly was in attendance at the protest, attempting to exercise his constitutional right to free speech and assembly, however Lightfoot denied him his constitutional

right to speak, assemble and protest. Her purported reason for doing so was the COVID-19 pandemic, the risk to public health, and Pritzker's stay-at-home order.

59. Upon knowledge and belief, Plaintiff Kelly and the other protesters were assembled to demonstrate against Lightfoots' and Pritzkers' Stay-At-Home Executive Orders and were peaceably assembled to do so, but were denied these rights without being given any alternative channel of communication.

60. Lightfoot did not permit Plaintiff Kelly and 150 protesters demonstrating against her and Pritzker's Stay-At-Home order on May 25, 2020 to gather in Grant Park and ordered Chicago Police to disburse this protest.

61. Governor Pritzker's Executive Order 2020-38 § 2.d (issued May 29, 2020), states, "Any gathering of more than 10 people is prohibited by this Executive Order."

62. Both Illinois' and Chicago's Phase 3 reopening restrictions limit outdoor gatherings to no more than 10 individuals in large public and private outdoor spaces (e.g. parks) while maintaining 6ft distancing.

63. Despite these restriction on "gatherings," restricting gatherings to no more than 10 people, from June 1-7, 2020, tens of thousands of Black Lives Matter (BLM) protesters gathered and marched through streets and neighborhoods of the City of Chicago, including gathering in the thousands at the Grant Park location where Lightfoot caused the Chicago Police to disburse a gathering of 150 people who were protesting against her and Pritzker's COVID-19 executive orders. These gatherings by BLM protesters were in violation in every respect (size, distancing, mask wearing, etc.) of Pritzkers' and Lightfoots' Chicago and Illinois COVID-19 executive orders and the subsequent restrictions in their re-opening plans.



64. However, Lightfoot's response to these massive, and at times violent, BLM protest gatherings starkly, shockingly, and completely differed from her response to anti-Stay-At-Home protesters one (1) week earlier, as expressed in her statement to the BLM protestors, to wit:

"To the thousands of people here in Chicago and across the country who engaged in peaceful, non-violent protests for change, I stand with you. However, I must draw a sharp line between the righteous and the wrong, the hopeful and the cynical. We cannot conflate legitimate First Amendment expression with criminal conduct. Those acts are separate."

65. In contrast to the disparate treatment she exhibited toward the anti-Stay-At-Home order protesters, including Plaintiff William Kelly, Lightfoot did not order Chicago police to disperse BLM demonstrators or marchers in violation of the aforesaid executive orders and Chicago and Illinois COVID-19 restrictions and regulations. Despite Lightfoot's aforesaid Tweet which promised that one is exempt from @GovPritzker's stay-at-home order". ("Exhibit 12.")

66. Because of Lightfoot's actions against the 150 protesters who were protesting against her COVID-19 policies and her stay-at-home orders was substantially and massively disparate from her actions in response to the BLM protesters one (1) week later, it is obvious that Lightfoot's restrictions on speech, assembly and protest were not content-neutral, but instead were directed against those who were criticizing her orders, policies and actions. When faced with protesters, and the assembly of people she agreed with, or people whose political support she desired, Lightfoot did not disburse or interfere with their violations of each and every of the restrictions on the rights and liberties of citizens which she had deemed to be life and death matters just the day before.

67. Further, on June 7, 2020, Lightfoot reopened Grant Park and Union Park to accommodate more than 10,000 – 20,000 protesters organized by Black Lives Matter (BLM).

68. These BLM protesters violated Chicago and Illinois COVID-19 restrictions limiting gathering size to 10 individuals, failed to wear masks or follow 6 ft social distancing

orders, creating what Lightfoot and Pritzker had deemed an unacceptable health risk necessitating the severest restrictions on individual rights and liberties in living memory, if not in the history of the State of Illinois.

69. Prior to June 7, 2020, Grant Park was closed to the public by the Chicago Park District resolution, Lightfoot's non-existent executive order, and Pritzkers executive orders.

70. However, Lightfoot permitted more than 10,000 BLM protesters, who created a significant health risk by ignoring state and local social distancing restrictions, to gather in Grant Park and Union Park on June 7, 2020 in violation of the aforesaid orders, resolutions and policies of the State of Illinois and Chicago regarding the COVID-19 pandemic.

71. In contrast to her disparate treatment of Plaintiff Kelly and the anti-Stay-At-Home protesters, Lightfoot did not order Chicago police to disperse BLM protesters in Grant Park and Union Park and created an unacceptable health risk.

72. The gathering of 150 anti-Stay-At-Home protesters was significantly less than the 10,000 to 20,000 Black Lives Matter protesters who gathered in Grant Park and Union Park, and any health risk they posed was immeasurably less than the health risks from the BLM protesters.

73. The 10,000 to 20,000 BLM protesters posed a much greater threat to public health than the gathering of 150 anti-Stay-At-Home protesters; and thus the enforcement of the COVID-19 orders, resolutions and regulation were not being narrowly tailored to serve a significant government interest, but were in fact being tailored to fit the political objectives of Lightfoot and Pritzker.

74. In contrast to its aggressive enforcement measures against residents and businesses in the City of Chicago the City has not fined Black Lives Matter nor taken any legal action against

said corporation or any peaceful BLM protesters, and even many violent BLM protestors for creating a massive and unacceptable health risk.

## **COUNT II**

### **LIGHTFOOT VIOLATED THE PLAINTIFF'S RIGHT TO EQUAL PROTECTION WHEN SHE REOPENED GRANT PARK TO BLACK LIVES MATTER PROTESTERS**

75. Plaintiffs incorporates paragraphs 1-73 as if more fully stated herein. Plaintiffs adopts and incorporates paragraphs 1-73 of this Complaint as paragraph 74 of Count II of this Complaint as if more fully stated herein.

76. Lightfoot ordered the closure of the Chicago Lakefront, including Grant Park, to members of the public, including Plaintiff, on March 26, 2020.

77. The COVID-19 Chicago Park District resolution says, in pertinent part:

This Resolution [to close Chicago's Lakefront, adjacent parks, trails, and Chicago's Riverwalk shall remain in effect until Governor Pritzker and the City Health Commissioner make a written determination that the threat to public health posed by COVID-19 has diminished to the point that their directives and this Resolution can be safely repealed. (See Exhibit 10)

78. On June 7, 2020, in violation of an order of the COVID-19 Chicago Park District resolution, Lightfoot re-opened Grant Park and Union Park to more than 10,000 protesters organized by Black Lives Matter, who were also in violation of Illinois COVID-restrictions with a gathering far in excess of 10 individuals, who were not wearing masks or following 6 ft social distancing regulations.

79. Pritzker's May 29<sup>th</sup> announcement, (see Exhibit 6), that the Northeastern health region, which includes the City of Chicago, met the criteria for Illinois Phase 3 reopening on May 31, 2020, constitutes a "written determination" for the purposes of repealing the COVID-19 Chicago Park District resolution.

80. The Order of the Commissioner of Health of the City of Chicago that closed Chicago's Lakefront and adjacent parks expired on June 3, 2020 and has not been renewed.

81. The expired Order of the Commissioner of Health of the City of Chicago constitutes a "written determination" for the purposes of repealing the COVID-19 Chicago Park District resolution.

82. Despite the "written determination" of both Pritzker and the City Health Commissioner, the Chicago Park District has not announced the repeal of the COVID-19 Chicago Park District resolution.

83. As Pritzker and the City Health Commissioner have made a written determination that the threat to public health posed by COVID-19 has been diminished to the point that their directives and the Chicago Park District resolution can safely be repealed, Plaintiff has been wrongfully denied the use and enjoyment of Chicago's Lakefront, beaches, adjacent parks, trails and Chicago's Riverwalk and have been subject to disparate treatment by Lightfoot under the law.

84. If Pritzker's Phase 3 reopening plan and the Commissioner of Health of the City of Chicago's expired order do not constitute a "written determination" for the purpose of repealing the COVID-19 Chicago Park District resolution, then Lightfoot allowed the BLM protestors to violate the law, an act she was complicit in and conspired to accomplish, by permitting tens of thousands of Black Lives Matter protestors to gather in violation of Illinois COVID-19 restrictions and Chicago Park District closures.

85. On June 8, 2020 Lightfoot reopened some lakefront parks west of Lake Shore Drive, including Grant Park, Lincoln, Washington and Jackson. She did not open lakefront parks east of Lake Shore Drive, the public beaches or the Chicago Riverwalk.

86. On June 18, 2020, Lightfoot reopened the Chicago Riverwalk with heavy restrictions, including pedestrian usage limited to 5:00 A.M. to 10:00 A.M.

87. On June 18, 2020, Lightfoot announced that the Lakefront Trail would reopen on June 22, 2020 with heavy restrictions; other lakefront parks, trails, Chicago playgrounds and all public beaches remain closed.

88. Lightfoot has selectively enforced COVID-19 health orders in an arbitrary and capricious manner, and with regard to her own personal political advantage, against Plaintiffs and other members of the public are barred them from the use and enjoyment of public parks, beaches, trails and river walks.

### **COUNT III**

#### **LIGHTFOOT'S CHICAGO REOPENING PLAN RESTRICTIONS EXCEED HER AUTHORITY AND ARE VOID AB INITIO**

89. Plaintiff incorporates paragraphs 1-87 as if more fully stated herein. Plaintiffs adopts and incorporates paragraphs 1-87 of this Complaint as paragraph 88 of Count III of this Complaint as if more fully stated herein.

90. On March 20, 2020, Lightfoot announced in a press release that Chicago would join Pritzker's state mandate calling on residents to stay at home and the shut-down of "non-essential" businesses due to COVID-19.

91. In her official City of Chicago press statement, Lightfoot references and attaches Governor Pritzker's executive order, citing it as the basis of her emergency authority. (Exhibit 4)

92. Lightfoot did not, in fact, issue an independent executive order calling on Chicago residents to stay at home and the shut-down of "non-essential" businesses, churches and political organizations due to COVID-19, even though she falsely stated she did. (Exhibit 3 and 8) Lightfoot also directed the Chicago Police Department to use its resources to enforce her non-

existent executive order through its police powers at a time when children and young people were being shot and murdered on the streets of Chicago in a numbers that are unheard of in an industrialized western democracy.

93. The Order of the Commissioner of Health of the City of Chicago, No. 2020-1 does **not** authorize the closure of businesses, churches, public or private spaces or a stay-at-home order for residents of Chicago, other than for those residents suffering from the COVID-19 illness. (“Exhibit 13.”)

94. Lightfoot’s emergency authority explicitly relies on and implements Pritzker’s COVID-19 executive orders in restricting Chicago residents, businesses, churches and political organizations.

95. Therefore Lightfoot’s authority to restrict Chicago residents, businesses, churches and political organizations is limited to State of Illinois’ COVID-19 emergency restrictions.

96. Lightfoot’s Phase 3 Chicago reopening plan<sup>4</sup> restricts:

(1) Non-essential” retail businesses to 25% of store capacity with 6 ft social distancing; (2) “Essential” businesses are limited to 50% of their capacity with 6 ft social distancing; (3) Barbershops, salons and spas are limited to 25% of their capacity with 6 ft social distancing; (4) Fitness clubs are limited to 25% of their capacity with 6 ft social distancing; (5) Churches are limited to 25% of a room’s capacity or 50 congregants with 6 ft social distancing; (6) Wedding masses, funeral masses, baptism and communion services are also limited to 25% capacity or 50 congregants with 6 ft social distancing.

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4. See Mayor Lightfoot reopening plan at <https://www.chicago.gov/city/en/sites/covid-19/home/reopening-chicago.html>

97. In contrast, Pritzker's Phase 3 Illinois reopening plan<sup>5</sup> restricts:

- (2) Non-essential" retail businesses are limited to 50% of store capacity or 5 people per 1,000 square feet with 6ft social distancing;
- (3) "Essential" businesses are limited to 50% of their capacity or 5 people per 1,000 square feet with 6ft social distancing;
- (4) Barbershops, salons and spas are limited to 50% of their capacity or 5 people per 1,000 square feet with 6 ft social distancing;
- (5) Fitness clubs are limited to 50% of their capacity or 5 people per 1,000 square feet with 6ft social distancing;
- (6) Churches are limited to 25% of a room's capacity or 100 congregants, whichever is lower with 6 ft social distancing;
- (7) Wedding masses, funeral masses, baptism and communion services are also limited to 50% capacity or 100 congregants, whichever is lower with 6 ft social distancing.

98. Lightfoot's Chicago reopening plan imposes excessive and illegal restrictions on Chicago residents, businesses, churches and organizations in excess of State of Illinois' COVID-19 guidelines and is ultra vires and therefore void *ab initio*.

#### **COUNT IV**

#### **PRITZKER'S DISASTER APRIL AND MAY DISASTER DECLARATIONS AND EXECUTIVE ORDER 2020-38 EXCEED HIS AUTHORITY AND ARE VOID AB INITIO**

99. Plaintiff incorporates paragraphs 1-97 as if more fully stated herein. Plaintiffs adopts and incorporates paragraphs 1-97 of this Complaint as paragraph 98 of Count III of this Complaint as if more fully stated herein.

100. Plaintiffs' constitutional rights under Article I of the Constitution of the State of Illinois have been restricted by Executive Order 2020-38, which was authorized by Pritzker's

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5. See Governor Pritzker reopening plan at <https://www.dph.illinois.gov/restore>

fourth consecutive disaster declaration on May 29, 2020, in response to the COVID-19 public health emergency.

101. All four of Pritzker's consecutive disaster declarations and executive orders rely on the Illinois Emergency Management Agency Act. See 20 ILCS 3305/7. (IEMA)

102. The IEMA only permits Pritzker to issue a disaster declaration granting him specific and limited emergency powers for no more than 30 days in response to the declared emergency.

103. The Illinois legislature imposed a 30-day limit on a governor's emergency powers under the IEMA to: (1) ensure the state's chief executive could quickly and effectively respond to a crisis situation; (2) ensure the Illinois General Assembly's participation in critical public policy beyond the 30-day limit, and (3) to limit the potential for abuse of the IEMA by the imposition of an extended state of emergency where democratic institutions and principles can be ignored.

104. The Office of the Attorney General of Illinois has also concluded that the IEMA does not permit successive 30-day declarations based on the same disaster. *IL Atty. Gen. Op. I – 01 – 023* (July 2, 2001).

105. Because Pritzker only has the authority to issue only one (1) 30-day disaster declaration, his May and April COVID-19 disaster declarations are ultra vires and void *ab initio*. Executive Order 2020-38 is also ultra vires and void because it explicitly relies on and implements the Pritzker's authority under the May 29, 2020 declaration.

106. Lightfoot's emergency authority is also ultra vires and void *ab initio* because it explicitly relies on and implements Pritzker's Executive Order 2020-38.

### **PRAYER FOR RELIEF**

WHEREFORE, Plaintiffs request that this Court grant them the following relief:



A. Enter a declaratory judgement that Lightfoot's actions violated Article I, sections 2, 3, 4, and 5 of Plaintiffs under the Constitution of the State of Illinois, and impose suitable and equitable injunctive relief ;

B. Enter a declaratory judgment that Lightfoot's Chicago reopening plan exceeds the authority which she has by imposing additional restrictions on individuals, businesses, houses of worship, and organizations in excess of State of Illinois COVID-19 emergency restrictions and is *ultra vires* and void *ab initio*;

C. Enter a preliminary and then a permanent injunction barring Lightfoot, the City of Chicago and its officers, agents, servants, employees attorneys and all of those acting in concert with them, from enforcing the closure of, or any restriction on the use of, Chicago's Lakefront, beaches, adjacent parks and trails and Chicago Riverwalk;

D. Enter a preliminary and then a permanent injunction barring Lightfoot, the City of Chicago and its officers, agents, servants, employees attorneys and all of those acting in concert with them, from imposing restrictions on individuals, businesses and organizations in excess of State of Illinois COVID-19 emergency restrictions;

E. Enter a declaration that Pritzker's April and May disaster proclamations, Executive 2020-38, and the executive orders issued pursuant thereto are *ultra vires* and void *ab initio*.

F. Enter a declaration that Lightfoot's emergency authority is void and *ultra vires* because it explicitly relies on and implements Pritzker's Executive Order 2020-38.

G. Award to Plaintiffs their attorneys' fees, costs of suit as provided under applicable law; and

H. Grant such further relief as the parties may fashion and agree to or as the Court may deem just and proper.

Respectfully Submitted,

By: \_\_\_\_\_

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## **GUBERNATORIAL DISASTER PROCLAMATION**

**WHEREAS**, in late 2019, a new and significant outbreak of Coronavirus Disease 2019 (COVID-19) emerged in China; and,

**WHEREAS**, COVID-19 is a novel severe acute respiratory illness that can spread among people through respiratory transmissions and present with symptoms similar to those of influenza; and,

**WHEREAS**, certain populations are at higher risk of experiencing more severe illness as a result of COVID-19, including older adults and people who have serious chronic medical conditions such as heart disease, diabetes, or lung disease; and,

**WHEREAS**, we are continuing our efforts to prepare for any eventuality given that this is a novel illness and given the known health risks it poses for the elderly and those with serious chronic medical conditions; and,

**WHEREAS**, the World Health Organization declared COVID-19 a Public Health Emergency of International Concern on January 30, 2020, and the United States Secretary of Health and Human Services declared that COVID-19 presents a public health emergency on January 27, 2020; and,

**WHEREAS**, the World Health Organization has reported 109,578 confirmed cases of COVID-19 and 3,809 deaths attributable to COVID-19 globally as of March 9, 2020; and,

**WHEREAS**, in response to the recent COVID-19 outbreaks in China, Iran, Italy and South Korea, the Centers for Disease Control and Prevention (“CDC”) has deemed it necessary to prohibit or restrict non-essential travel to or from those countries; and,

**WHEREAS**, the CDC has advised older travelers and those with chronic medical conditions to avoid nonessential travel, and has advised all travelers to exercise enhanced precautions; and,

**WHEREAS**, the CDC currently recommends community preparedness and everyday prevention measures be taken by all individuals and families in the United States, including voluntary home isolation when individuals are sick with respiratory symptoms, covering coughs and sneezes with a tissue, washing hands often with soap and water for at least 20 seconds, use of alcohol-based hand sanitizers with at least 60% alcohol if soap and water are not readily available, and routinely cleaning frequently touched surfaces and objects to increase community resilience and readiness for responding to an outbreak; and,

**WHEREAS**, a vaccine or drug is currently not available for COVID-19; and,

**WHEREAS**, in communities with confirmed COVID-19 cases, the CDC currently recommends mitigation measures, including staying at home when sick, when a household

member is sick with respiratory disease symptoms or when instructed to do so by public health officials or a health care provider and keeping away from others who are sick; and,

**WHEREAS**, despite efforts to contain COVID-19, the World Health Organization and the CDC indicate that it is expected to spread; and,

**WHEREAS**, there are currently 11 confirmed cases of COVID-19 and an additional 260 persons under investigation in Illinois; and,

**WHEREAS**, one of the confirmed cases of COVID-19 in Illinois has not been linked to any travel activity or to an already-confirmed COVID-19 case, which indicates community transmission in Illinois; and,

**WHEREAS**, based on the foregoing, the circumstances surrounding COVID-19 constitute a public health emergency under Section 4 of the Illinois Emergency Management Agency Act; and,

**WHEREAS**, it is the policy of the State of Illinois that the State will be prepared to address any disasters and, therefore, it is necessary and appropriate to make additional State resources available to ensure that the effects of COVID-19 are mitigated and minimized and that residents and visitors in the State remain safe and secure; and,

**WHEREAS**, this proclamation will assist Illinois agencies in coordinating State and Federal resources, including the Strategic National Stockpile of medicines and protective equipment, to support local governments in preparation for any action that may be necessary related to the potential impact of COVID-19 in the State of Illinois; and,

**WHEREAS**, these conditions provide legal justification under Section 7 of the Illinois Emergency Management Agency Act for the issuance of a proclamation of disaster;

**NOW, THEREFORE**, in the interest of aiding the people of Illinois and the local governments responsible for ensuring public health and safety, I, JB Pritzker, Governor of the State of Illinois, hereby proclaim as follows:

**Section 1.** Pursuant to the provisions of Section 7 of the Illinois Emergency Management Agency Act, 20 ILCS 3305/7, I find that a disaster exists within the State of Illinois and specifically declare all counties in the State of Illinois as a disaster area.

**Section 2.** The Illinois Department of Public Health and the Illinois Emergency Management Agency are directed to coordinate with each other with respect to planning for and responding to the present public health emergency.

**Section 3.** The Illinois Department of Public Health is further directed to cooperate with the Governor, other State agencies and local authorities, including local public health authorities, in the development of strategies and plans to protect the public health in connection with the present public health emergency.

**Section 4.** The Illinois Emergency Management Agency is directed to implement the State Emergency Operations Plan to coordinate State resources to support local governments in disaster response and recovery operations.

**Section 5.** To aid with emergency purchases necessary for response and other emergency powers as authorized by the Illinois Emergency Management Agency Act, the provisions of the Illinois Procurement Code that would in any way prevent, hinder or delay necessary action in coping with the disaster are suspended to the extent they are not required by federal law. If necessary, and in accordance with Section 7(1) of the Illinois Emergency Management Agency Act, 20 ILCS 3305/7(1), the Governor may take appropriate executive action to suspend additional statutes, orders, rules, and regulations.

**Section 6.** Pursuant to Section 7(3) of the Illinois Emergency Management Agency Act, 20 ILCS 3305/7(3), this proclamation activates the Governor's authority, as necessary, to transfer the direction, personnel or functions of State departments and agencies or units thereof for the purpose of performing or facilitating emergency response programs.

**Section 7.** The Illinois Department of Public Health, Illinois Department of Insurance and the Illinois Department of Healthcare and Family Services are directed to recommend, and, as appropriate, take necessary actions to ensure consumers do not face financial barriers in accessing diagnostic testing and treatment services for COVID-19.

**Section 8.** The Illinois State Board of Education is directed to recommend, and, as appropriate, take necessary actions to address chronic absenteeism due to transmission of COVID-19 and to alleviate any barriers to the use of e-learning during the effect of this proclamation that exist in the Illinois School Code, 105 ILCS 5/1-1 et. seq.

**Section 9.** Pursuant to Section 7(14) of the Illinois Emergency Management Agency Act, 20 ILCS 3305/7(14), increases in the selling price of goods or services, including medical supplies, protective equipment, medications and other commodities intended to assist in the prevention of or treatment and recovery of COVID-19, shall be prohibited in the State of Illinois while this proclamation is in effect:

**Section 10.** This proclamation can facilitate a request for Federal emergency and/or disaster assistance if a complete and comprehensive assessment of damage indicates that effective recovery is beyond the capabilities of the State and affected local governments.

**Section 11.** This proclamation shall be effective immediately and remain in effect for 30 days.

Issued by the Governor March 9, 2020

Filed by the Secretary of State March 9, 2020



March 20, 2020

Executive Order 2020-10

**EXECUTIVE ORDER IN RESPONSE TO COVID-19**  
**(COVID-19 EXECUTIVE ORDER NO. 8)**

**WHEREAS**, I, JB Pritzker, Governor of Illinois, declared all counties in the State of Illinois as a disaster area on March 9, 2020 (Gubernatorial Disaster Proclamation) in response to the outbreak of Coronavirus Disease 2019 (COVID-19); and,

**WHEREAS**, in a short period of time, COVID-19 has rapidly spread throughout Illinois, necessitating updated and more stringent guidance from federal, state, and local public health officials; and,

**WHEREAS**, for the preservation of public health and safety throughout the entire State of Illinois, and to ensure that our healthcare delivery system is capable of serving those who are sick, I find it necessary to take additional measures consistent with public health guidance to slow and stop the spread of COVID-19;

**WHEREAS**, COVID-19 has resulted in significant economic impact, including loss of income and wages, that threaten to undermine housing security and stability;

**WHEREAS**, the enforcement of eviction orders for residential premises is contrary to the interest of preserving public health and ensuring that individuals remain in their homes during this public health emergency;

**THEREFORE**, by the powers vested in me as the Governor of the State of Illinois, and pursuant to Sections 7(1), 7(2), 7(8), 7(10), and 7(12) of the Illinois Emergency Management Agency Act, 20 ILCS 3305, and consistent with the powers in public health laws, I hereby order the following, effective March 21, 2020 at 5:00 pm and for the remainder of the duration of the Gubernatorial Disaster Proclamation, which currently extends through April 7, 2020:

**Section 1. Stay at Home; Social Distancing Requirements; and Essential Businesses and Operations**

1. **Stay at home or place of residence.** With exceptions as outlined below, all individuals currently living within the State of Illinois are ordered to stay at home or at their place of residence except as allowed in this Executive Order. To the extent individuals are using shared or outdoor spaces when outside their residence, they must at all times and as much as reasonably possible maintain social distancing of at least six feet from any other person, consistent with the Social Distancing Requirements set forth in this Executive Order. All persons may leave their homes or place of residence only for Essential Activities, Essential Governmental Functions, or to operate Essential Businesses and Operations, all as defined below.

Individuals experiencing homelessness are exempt from this directive, but are strongly urged to obtain shelter, and governmental and other entities are strongly urged to make

such shelter available as soon as possible and to the maximum extent practicable (and to use in their operation COVID-19 risk mitigation practices recommended by the U.S. Centers for Disease Control and Prevention (CDC) and the Illinois Department of Public Health (IDPH)). Individuals whose residences are unsafe or become unsafe, such as victims of domestic violence, are permitted and urged to leave their home and stay at a safe alternative location. For purposes of this Executive Order, homes or residences include hotels, motels, shared rental units, shelters, and similar facilities.

2. **Non-essential business and operations must cease.** All businesses and operations in the State, except Essential Businesses and Operations as defined below, are required to cease all activities within the State except Minimum Basic Operations, as defined below. For clarity, businesses may also continue operations consisting exclusively of employees or contractors performing activities at their own residences (i.e., working from home).

All Essential Businesses and Operations are encouraged to remain open. To the greatest extent feasible, Essential Businesses and Operations shall comply with Social Distancing Requirements as defined in this Executive Order, including by maintaining six-foot social distancing for both employees and members of the public at all times, including, but not limited to, when any customers are standing in line.

3. **Prohibited activities.** All public and private gatherings of any number of people occurring outside a single household or living unit are prohibited, except for the limited purposes permitted by this Executive Order. Pursuant to current guidance from the CDC, any gathering of more than ten people is prohibited unless exempted by this Executive Order. Nothing in this Executive Order prohibits the gathering of members of a household or residence.

All places of public amusement, whether indoors or outdoors, including but not limited to, locations with amusement rides, carnivals, amusement parks, water parks, aquariums, zoos, museums, arcades, fairs, children's play centers, playgrounds, funplexes, theme parks, bowling alleys, movie and other theaters, concert and music halls, and country clubs or social clubs shall be closed to the public.

This Executive Order supersedes Section 2 of Executive Order 2020-07 (COVID-19 Executive Order No. 5), which prohibited gatherings of 50 people or more.

4. **Prohibited and permitted travel.** All travel, including, but not limited to, travel by automobile, motorcycle, scooter, bicycle, train, plane, or public transit, except Essential Travel and Essential Activities as defined herein, is prohibited. People riding on public transit must comply with Social Distancing Requirements to the greatest extent feasible. This Executive Order allows travel into or out of the State to maintain Essential Businesses and Operations and Minimum Basic Operations.
5. **Leaving the home for essential activities is permitted.** For purposes of this Executive Order, individuals may leave their residence only to perform any of the following Essential Activities:
  - a. **For health and safety.** To engage in activities or perform tasks essential to their health and safety, or to the health and safety of their family or household members (including, but not limited to, pets), such as, by way of example only and without limitation, seeking emergency services, obtaining medical supplies or medication, or visiting a health care professional.
  - b. **For necessary supplies and services.** To obtain necessary services or supplies for themselves and their family or household members, or to deliver those services or supplies to others, such as, by way of example only and without limitation, groceries and food, household consumer products, supplies they need

to work from home, and products necessary to maintain the safety, sanitation, and essential operation of residences.

- c. **For outdoor activity.** To engage in outdoor activity, provided the individuals comply with Social Distancing Requirements, as defined below, such as, by way of example and without limitation, walking, hiking, running, or biking. Individuals may go to public parks and open outdoor recreation areas. However, playgrounds may increase spread of COVID-19, and therefore shall be closed.
  - d. **For certain types of work.** To perform work providing essential products and services at Essential Businesses or Operations (which, as defined below, includes Healthcare and Public Health Operations, Human Services Operations, Essential Governmental Functions, and Essential Infrastructure) or to otherwise carry out activities specifically permitted in this Executive Order, including Minimum Basic Operations.
  - e. **To take care of others.** To care for a family member, friend, or pet in another household, and to transport family members, friends, or pets as allowed by this Executive Order.
6. **Elderly people and those who are vulnerable as a result of illness should take additional precautions.** People at high risk of severe illness from COVID-19, including elderly people and those who are sick, are urged to stay in their residence to the extent possible except as necessary to seek medical care. Nothing in this Executive Order prevents the Illinois Department of Public Health or local public health departments from issuing and enforcing isolation and quarantine orders pursuant to the Department of Public Health Act, 20 ILCS 2305.
7. **Healthcare and Public Health Operations.** For purposes of this Executive Order, individuals may leave their residence to work for or obtain services through Healthcare and Public Health Operations.

Healthcare and Public Health Operations includes, but is not limited to: hospitals; clinics; dental offices; pharmacies; public health entities, including those that compile, model, analyze and communicate public health information; pharmaceutical, pharmacy, medical device and equipment, and biotechnology companies (including operations, research and development, manufacture, and supply chain); organizations collecting blood, platelets, plasma, and other necessary materials; licensed medical cannabis dispensaries and licensed cannabis cultivation centers; reproductive health care providers; eye care centers, including those that sell glasses and contact lenses; home healthcare services providers; mental health and substance use providers; other healthcare facilities and suppliers and providers of any related and/or ancillary healthcare services; and entities that transport and dispose of medical materials and remains.

Specifically included in Healthcare and Public Health Operations are manufacturers, technicians, logistics, and warehouse operators and distributors of medical equipment, personal protective equipment (PPE), medical gases, pharmaceuticals, blood and blood products, vaccines, testing materials, laboratory supplies, cleaning, sanitizing, disinfecting or sterilization supplies, and tissue and paper towel products.

Healthcare and Public Health Operations also includes veterinary care and all healthcare services provided to animals.

Healthcare and Public Health Operations shall be construed broadly to avoid any impacts to the delivery of healthcare, broadly defined. Healthcare and Public Health Operations does not include fitness and exercise gyms, spas, salons, barber shops, tattoo parlors, and similar facilities.



8. **Human Services Operations.** For purposes of this Executive Order, individuals may leave their residence to work for or obtain services at any Human Services Operations, including any provider funded by the Illinois Department of Human Services, Illinois Department of Children and Family Services, or Medicaid that is providing services to the public and including state-operated, institutional, or community-based settings providing human services to the public.

Human Services Operations includes, but is not limited to: long-term care facilities; all entities licensed pursuant to the Child Care Act, 225 ILCS 10, except for day care centers, day care homes, group day care homes, and day care centers licensed as specified in Section 12(s) of this Executive Order; residential settings and shelters for adults, seniors, children, and/or people with developmental disabilities, intellectual disabilities, substance use disorders, and/or mental illness; transitional facilities; home-based settings to provide services to individuals with physical, intellectual, and/or developmental disabilities, seniors, adults, and children; field offices that provide and help to determine eligibility for basic needs including food, cash assistance, medical coverage, child care, vocational services, rehabilitation services; developmental centers; adoption agencies; businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged individuals, individuals with physical, intellectual, and/or developmental disabilities, or otherwise needy individuals.

Human Services Operations shall be construed broadly to avoid any impacts to the delivery of human services, broadly defined.

9. **Essential Infrastructure.** For purposes of this Executive Order, individuals may leave their residence to provide any services or perform any work necessary to offer, provision, operate, maintain and repair Essential Infrastructure.

Essential Infrastructure includes, but is not limited to: food production, distribution, and sale; construction (including, but not limited to, construction required in response to this public health emergency, hospital construction, construction of long-term care facilities, public works construction, and housing construction); building management and maintenance; airport operations; operation and maintenance of utilities, including water, sewer, and gas; electrical (including power generation, distribution, and production of raw materials); distribution centers; oil and biofuel refining; roads, highways, railroads, and public transportation; ports; cybersecurity operations; flood control; solid waste and recycling collection and removal; and internet, video, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services).

Essential Infrastructure shall be construed broadly to avoid any impacts to essential infrastructure, broadly defined.

10. **Essential Governmental Functions.** For purposes of this Executive Order, all first responders, emergency management personnel, emergency dispatchers, court personnel, law enforcement and corrections personnel, hazardous materials responders, child protection and child welfare personnel, housing and shelter personnel, military, and other governmental employees working for or to support Essential Businesses and Operations are categorically exempt from this Executive Order.

Essential Government Functions means all services provided by the State or any municipal, township, county, subdivision or agency of government and needed to ensure the continuing operation of the government agencies or to provide for or support the health, safety and welfare of the public, and including contractors performing Essential Government Functions. Each government body shall determine its Essential Governmental Functions and identify employees and/or contractors necessary to the performance of those functions.

This Executive Order does not apply to the United States government. Nothing in this Executive Order shall prohibit any individual from performing or accessing Essential Governmental Functions.

11. **Businesses covered by this Executive Order.** For the purposes of this Executive Order, covered businesses include any for-profit, non-profit, or educational entities, regardless of the nature of the service, the function it performs, or its corporate or entity structure.
12. **Essential Businesses and Operations.** For the purposes of this Executive Order, Essential Businesses and Operations means Healthcare and Public Health Operations, Human Services Operations, Essential Governmental Functions, and Essential Infrastructure, and the following:<sup>1</sup>
  - a. **Stores that sell groceries and medicine.** Grocery stores, pharmacies, certified farmers' markets, farm and produce stands, supermarkets, convenience stores, and other establishments engaged in the retail sale of groceries, canned food, dry goods, frozen foods, fresh fruits and vegetables, pet supplies, fresh meats, fish, and poultry, alcoholic and non-alcoholic beverages, and any other household consumer products (such as cleaning and personal care products). This includes stores that sell groceries, medicine, including medication not requiring a medical prescription, and also that sell other non-grocery products, and products necessary to maintaining the safety, sanitation, and essential operation of residences and Essential Businesses and Operations;
  - b. **Food, beverage, and cannabis production and agriculture.** Food and beverage manufacturing, production, processing, and cultivation, including farming, livestock, fishing, baking, and other production agriculture, including cultivation, marketing, production, and distribution of animals and goods for consumption; licensed medical and adult use cannabis dispensaries and licensed cannabis cultivation centers; and businesses that provide food, shelter, and other necessities of life for animals, including animal shelters, rescues, shelters, kennels, and adoption facilities;
  - c. **Organizations that provide charitable and social services.** Businesses and religious and secular nonprofit organizations, including food banks, when providing food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals, individuals who need assistance as a result of this emergency, and people with disabilities;
  - d. **Media.** Newspapers, television, radio, and other media services;
  - e. **Gas stations and businesses needed for transportation.** Gas stations and auto-supply, auto-repair, and related facilities and bicycle shops and related facilities;
  - f. **Financial institutions.** Banks, currency exchanges, consumer lenders, including but not limited, to payday lenders, pawnbrokers, consumer installment lenders and sales finance lenders, credit unions, appraisers, title companies, financial markets, trading and futures exchanges, affiliates of financial institutions, entities that issue bonds, related financial institutions, and institutions selling financial products;
  - g. **Hardware and supply stores.** Hardware stores and businesses that sell electrical, plumbing, and heating material;

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<sup>1</sup> On March 19, 2020, the U.S. Department of Homeland Security, Cybersecurity & Infrastructure Security Agency, issued a *Memorandum on Identification of Essential Critical Infrastructure Workers During COVID-19 Response*. The definition of Essential Businesses and Operations in this Order is meant to encompass the workers identified in that Memorandum.

- h. **Critical trades.** Building and Construction Tradesmen and Tradeswomen, and other trades including but not limited to plumbers, electricians, exterminators, cleaning and janitorial staff for commercial and governmental properties, security staff, operating engineers, HVAC, painting, moving and relocation services, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, Essential Activities, and Essential Businesses and Operations;
- i. **Mail, post, shipping, logistics, delivery, and pick-up services.** Post offices and other businesses that provide shipping and delivery services, and businesses that ship or deliver groceries, food, alcoholic and non-alcoholic beverages, goods or services to end users or through commercial channels;
- j. **Educational institutions.** Educational institutions—including public and private pre-K-12 schools, colleges, and universities—for purposes of facilitating distance learning, performing critical research, or performing essential functions, provided that social distancing of six-feet per person is maintained to the greatest extent possible. This Executive Order is consistent with and does not amend or supersede Executive Order 2020-05 (COVID-19 Executive Order No. 3) or Executive Order 2020-06 (COVID-19 Executive Order No. 4) except that affected schools are ordered closed through April 7, 2020;
- k. **Laundry services.** Laundromats, dry cleaners, industrial laundry services, and laundry service providers;
- l. **Restaurants for consumption off-premises.** Restaurants and other facilities that prepare and serve food, but only for consumption off-premises, through such means as in-house delivery, third-party delivery, drive-through, curbside pick-up, and carry-out. Schools and other entities that typically provide food services to students or members of the public may continue to do so under this Executive Order on the condition that the food is provided to students or members of the public on a pick-up and takeaway basis only. Schools and other entities that provide food services under this exemption shall not permit the food to be eaten at the site where it is provided, or at any other gathering site due to the virus's propensity to physically impact surfaces and personal property. This Executive Order is consistent with and does not amend or supersede Section 1 of Executive Order 2020-07 (COVID-19 Executive Order No. 5) except that Section 1 is ordered to be extended through April 7, 2020;
- m. **Supplies to work from home.** Businesses that sell, manufacture, or supply products needed for people to work from home;
- n. **Supplies for Essential Businesses and Operations.** Businesses that sell, manufacture, or supply other Essential Businesses and Operations with the support or materials necessary to operate, including computers, audio and video electronics, household appliances; IT and telecommunication equipment; hardware, paint, flat glass; electrical, plumbing and heating material; sanitary equipment; personal hygiene products; food, food additives, ingredients and components; medical and orthopedic equipment; optics and photography equipment; diagnostics, food and beverages, chemicals, soaps and detergent; and firearm and ammunition suppliers and retailers for purposes of safety and security;
- o. **Transportation.** Airlines, taxis, transportation network providers (such as Uber and Lyft), vehicle rental services, paratransit, and other private, public, and commercial transportation and logistics providers necessary for Essential Activities and other purposes expressly authorized in this Executive Order;

- p. **Home-based care and services.** Home-based care for adults, seniors, children, and/or people with developmental disabilities, intellectual disabilities, substance use disorders, and/or mental illness, including caregivers such as nannies who may travel to the child's home to provide care, and other in-home services including meal delivery;
  - q. **Residential facilities and shelters.** Residential facilities and shelters for adults, seniors, children, and/or people with developmental disabilities, intellectual disabilities, substance use disorders, and/or mental illness;
  - r. **Professional services.** Professional services, such as legal services, accounting services, insurance services, real estate services (including appraisal and title services);
  - s. **Day care centers for employees exempted by this Executive Order.** Day care centers granted an emergency license pursuant to Title 89, Section 407.400 of the Illinois Administrative Code, governing Emergency Day Care Programs for children of employees exempted by this Executive Order to work as permitted. The licensing requirements for day care homes pursuant to Section 4 of the Child Care Act, 225 ILCS 10/4, are hereby suspended for family homes that receive up to 6 children for the duration of the Gubernatorial Disaster Proclamation.
  - t. **Manufacture, distribution, and supply chain for critical products and industries.** Manufacturing companies, distributors, and supply chain companies producing and supplying essential products and services in and for industries such as pharmaceutical, technology, biotechnology, healthcare, chemicals and sanitization, waste pickup and disposal, agriculture, food and beverage, transportation, energy, steel and steel products, petroleum and fuel, mining, construction, national defense, communications, as well as products used by other Essential Businesses and Operations.
  - u. **Critical labor union functions.** Labor Union essential activities including the administration of health and welfare funds and personnel checking on the well-being and safety of members providing services in Essential Businesses and Operations – provided that these checks should be done by telephone or remotely where possible.
  - v. **Hotels and motels.** Hotels and motels, to the extent used for lodging and delivery or carry-out food services.
  - w. **Funeral services.** Funeral, mortuary, cremation, burial, cemetery, and related services.
13. **Minimum Basic Operations.** For the purposes of this Executive Order, Minimum Basic Operations include the following, provided that employees comply with Social Distancing Requirements, to the extent possible, while carrying out such operations:
- a. The minimum necessary activities to maintain the value of the business's inventory, preserve the condition of the business's physical plant and equipment, ensure security, process payroll and employee benefits, or for related functions.
  - b. The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences.
14. **Essential Travel.** For the purposes of this Executive Order, Essential Travel includes travel for any of the following purposes. Individuals engaged in any Essential Travel must comply with all Social Distancing Requirements as defined in this Section.

- a. Any travel related to the provision of or access to Essential Activities, Essential Governmental Functions, Essential Businesses and Operations, or Minimum Basic Operations.
- b. Travel to care for elderly, minors, dependents, persons with disabilities, or other vulnerable persons.
- c. Travel to or from educational institutions for purposes of receiving materials for distance learning, for receiving meals, and any other related services.
- d. Travel to return to a place of residence from outside the jurisdiction.
- e. Travel required by law enforcement or court order, including to transport children pursuant to a custody agreement.
- f. Travel required for non-residents to return to their place of residence outside the State. Individuals are strongly encouraged to verify that their transportation out of the State remains available and functional prior to commencing such travel.

15. **Social Distancing Requirements.** For purposes of this Executive Order, Social Distancing Requirements includes maintaining at least six-foot social distancing from other individuals, washing hands with soap and water for at least twenty seconds as frequently as possible or using hand sanitizer, covering coughs or sneezes (into the sleeve or elbow, not hands), regularly cleaning high-touch surfaces, and not shaking hands.

- a. **Required measures.** Essential Businesses and Operations and businesses engaged in Minimum Basic Operations must take proactive measures to ensure compliance with Social Distancing Requirements, including where possible:
  - i. **Designate six-foot distances.** Designating with signage, tape, or by other means six-foot spacing for employees and customers in line to maintain appropriate distance;
  - ii. **Hand sanitizer and sanitizing products.** Having hand sanitizer and sanitizing products readily available for employees and customers;
  - iii. **Separate operating hours for vulnerable populations.** Implementing separate operating hours for elderly and vulnerable customers; and
  - iv. **Online and remote access.** Posting online whether a facility is open and how best to reach the facility and continue services by phone or remotely.

16. **Intent of this Executive Order.** The intent of this Executive Order is to ensure that the maximum number of people self-isolate in their places of residence to the maximum extent feasible, while enabling essential services to continue, to slow the spread of COVID-19 to the greatest extent possible. When people need to leave their places of residence, whether to perform Essential Activities, or to otherwise facilitate authorized activities necessary for continuity of social and commercial life, they should at all times and as much as reasonably possible comply with Social Distancing Requirements. All provisions of this Executive Order should be interpreted to effectuate this intent.

17. **Enforcement.** This Executive Order may be enforced by State and local law enforcement pursuant to, *inter alia*, Section 7, Section 18, and Section 19 of the Illinois Emergency Management Agency Act, 20 ILCS 3305.

18. **No limitation on authority.** Nothing in this Executive Order shall, in any way, alter or modify any existing legal authority allowing the State or any county, or local government

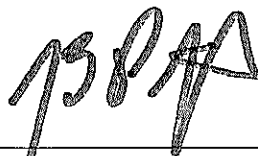
body from ordering (1) any quarantine or isolation that may require an individual to remain inside a particular residential property or medical facility for a limited period of time, including the duration of this public health emergency, or (2) any closer of a specific location for a limited period of time, including the duration of this public health emergency. Nothing in this Executive Order shall, in any way, alter or modify any existing legal authority allowing a county or local government body to enact provisions that are stricter than those in this Executive Order.

## **Section 2. Order ceasing evictions.**

Pursuant to the Illinois Emergency Management Agency Act, 20 ILCS 3305/7(2), (8), and (10), all state, county, and local law enforcement officers in the State of Illinois are instructed to cease enforcement of orders of eviction for residential premises for the duration of the Gubernatorial Disaster Proclamation. No provision contained in this Executive Order shall be construed as relieving any individual of the obligation to pay rent, to make mortgage payments, or to comply with any other obligation that an individual may have under tenancy or mortgage.

## **Section 3. Savings clause.**

If any provision of this Executive Order or its application to any person or circumstance is held invalid by any court of competent jurisdiction, this invalidity does not affect any other provision or application of this Executive Order, which can be given effect without the invalid provision or application. To achieve this purpose, the provisions of this Executive Order are declared to be severable.



JB Pritzker, Governor

Issued by the Governor March 20, 2020

Filed by the Secretary of State March 20, 2020

**FILED**  
INDEX DEPARTMENT

MAR 20 2020

IN THE OFFICE OF  
SECRETARY OF STATE



# City of Chicago

## Office of the City Clerk Document Tracking Sheet



**F2020-17**

**Meeting Date:** 4/15/2020

**Sponsor(s):** Lightfoot (Mayor)

**Type:** Communication

**Title:** Emergency Executive Order No. 2020-1 (Emergency Operations related to COVID-19 Outbreak)

**Committee(s) Assignment:**

Exhibit 3



OFFICE OF THE MAYOR  
CITY OF CHICAGO

LORI E. LIGHTFOOT  
MAYOR

March 18, 2020

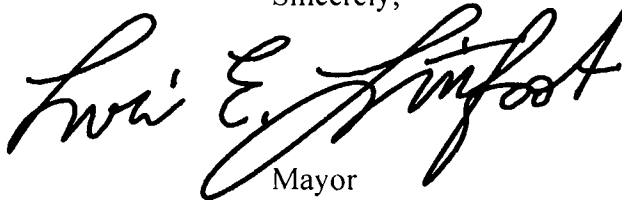
Anna Valencia  
City Clerk  
Room 107, City Hall  
Chicago, IL 60602

Dear Ms. Valencia:

I transmit herewith for filing Emergency Executive Order No. 2020-1, which I have signed this date.

Your prompt attention to this matter is appreciated.

Sincerely,

  
Mayor

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2020 MAR 18 AM 9:24

OFFICE OF THE  
CITY CLERK





OFFICE OF THE MAYOR  
CITY OF CHICAGO

LORI E. LIGHTFOOT  
MAYOR

EMERGENCY  
EXECUTIVE ORDER NO. 2020-1

**WHEREAS**, The City of Chicago ("City") is a home rule municipality as described in Section 6(a), Article VII of the 1970 Constitution of the State of Illinois, and as such may exercise any power and perform any function pertaining to its government and affairs, including protecting the public health, safety, and welfare of its citizens; and

**WHEREAS**, Beginning in late 2019, a new and highly communicable type of Coronavirus, now commonly known as COVID-19, emerged and began to spread rapidly. Despite efforts to contain COVID-19, it has continued to spread throughout Chicago and the State of Illinois, and as testing capacity increases, it is virtually certain that many more cases will be identified; and

**WHEREAS**, COVID-19 presents an extraordinarily severe and unprecedented threat to the populace of Chicago. It is necessary and appropriate for the City to take immediate measures to protect the health, safety, and welfare of its residents; and

**WHEREAS**, Under 2-4-110 of the Municipal Code of Chicago ("Code"), the Mayor acts as ex officio coordinator of activities in cases of emergency for the maintenance of public peace and order, and the preservation of life and property. The Mayor is further authorized to execute plans for the prevention of emergencies so far as possible and for meeting them effectively when they arise, and City departments, officers and employees are required to comply with the Mayor's orders in executing emergency plans and meeting such emergencies; and

**WHEREAS**, It is essential that City government be able to act swiftly and effectively to provide help and support for our residents and employees during this public health emergency ("Emergency"); now, therefore,

**I, LORI E. LIGHTFOOT, Mayor of the City of Chicago, do hereby order as follows:**

**SECTION I.** Pursuant to section 2-4-110 of the Code, I hereby declare that a state of Emergency exists in the City of Chicago caused by the outbreak of COVID-19.

**SECTION II.** Notwithstanding any Code provision to the contrary, the Chief Procurement Officer is authorized to negotiate and execute contracts for emergency supplies and services up to \$1,000,000.00 for each such contract, which contract shall include terms that the Chief Procurement Officer deems necessary or appropriate to effectively address the Emergency.

**SECTION III.** The Budget Director is authorized to establish new funding lines, consolidate funding lines, and transfer or otherwise reallocate currently appropriated funds, including making fund transfers between City Departments, all as needed to maximize effectiveness of the City response to the Emergency. The Budget Director shall provide a summary of any such budgetary activity to the Committee on the Budget and Government Operations as soon as feasible following such activity.

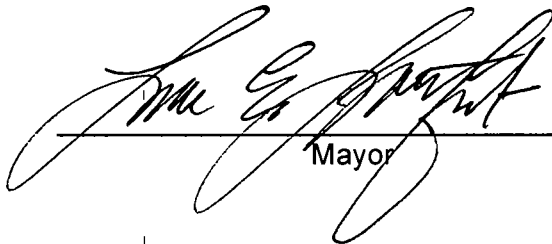
**SECTION IV.** The Director of the Department of Administrative Hearings is authorized to continue or otherwise postpone hearings and determinations on matters before that Department as in her judgment will promote the public good and facilitate the work of the Department of Public Health, until April 30, 2020.

**SECTION V.** The Commissioner of Assets, Information and Services, in exercising authority under Section 2-51-050(12) of the Municipal Code to enter into temporary agreements for the use and occupancy of real property, with prior advice and consent of the Corporation Counsel or his designee, is authorized to provide indemnification in such agreements and extend the temporary period of occupancy if the City concludes that doing so is necessary or appropriate to effectively address the Emergency.

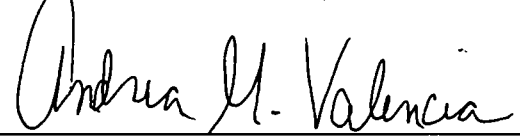
**SECTION VI.** If the City suspends or discontinues in whole or in part the provision of certain services otherwise provided by City employees because of the Emergency, the City is authorized to pay such employees the regular salary or hourly wage and provide the regular benefits that such employees would otherwise have received in the absence of such suspension or discontinuation of services.

**SECTION VII.** The Commissioner of Human Resources is authorized to amend the City's Sick Leave Policy consistent with the City's Sick Leave Policy Addendum, which is attached hereto.

**SECTION VIII.** This Order shall take effect upon its execution and filing with the City Clerk. Except as otherwise noted herein, this Order shall be repealed of its own accord when the Commissioner of Public Health makes a written determination that the threat to public health posed by the Emergency has diminished to the point that this Order can safely be repealed.

  
\_\_\_\_\_  
Mayor

Received and filed March 18, 2020

  
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City Clerk

OFFICE OF THE  
CITY CLERK

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## **CITY OF CHICAGO SICK LEAVE POLICY ADDENDUM**

**EFFECTIVE DATE: March 16, 2020**

### **I. PURPOSE**

The City of Chicago is committed to providing a safe work environment for all employees. The City's objective during the COVID-19 outbreak is to continue providing services to all City residents while ensuring the safety of its employees.

### **II. GENERAL POLICY PROVISIONS**

- A. The City of Chicago Personnel Rules, including Rule XXVIII – Sick Leave, remain in effect.
- B. The City of Chicago Family and Medical Leave Act Policy remains in effect. Please refer to Section IX below for further information
- C. For purposes of this policy, "isolated" means a person who has been diagnosed with COVID-19 virus and has been directed or ordered into isolation at home or in a medical facility by a public health agency or medical provider. "Quarantined" means a person who has not been diagnosed with the COVID-19 virus, but who has been directed or ordered into quarantine by a public health agency or medical provider.
- D. This Policy Addendum does not apply to Sworn member of the Chicago Police Department or Uniformed members of the Chicago Fire Department.

### **III. ABSENCE DUE TO COVID-19 ILLNESS OR ISOLATION ORDER**

- A. During the COVID-19 outbreak, the City will provide additional paid time off to any employee who is absent due to contracting the COVID-19 virus, or has been directed or ordered to isolate themselves by a public health agency or medical provider. Such an employee will not be required to use his or her normal benefit time.
- B. The employee must report their absence to their Department as soon as possible. The employee will be required to provide reasonable evidence to support any absence for this reason. Such documentation may include, but is not limited to, an order from a public health agency or medical provider directing them to isolate due to contracting the virus.

### **IV. ABSENCE DUE TO DIRECTED OR ORDERED QUARANTINE**

- A. If an employee is absent from work due to a quarantine order from a public health agency or a medical provider, and the employee is not currently ill or exhibiting symptoms of COVID-19, the employee should first work with their department to determine if telework is feasible pursuant to the City of Chicago Telework Policy for COVID-19 Outbreak.
- B. If it is not feasible for the employee to work from home, the City will provide additional paid time off to any employee who is absent due to a directed or ordered quarantine. Such an employee will not be required to use his or her normal benefit time.
- C. If the employee becomes symptomatic or ill, they must report the change in their condition to their Department as soon as possible.
- D. The employee must report the directed or ordered quarantine to their department as soon as possible. The employee will be required to provide reasonable evidence to support any absence for this reason. Such reasonable evidence may include, but is not limited to, a copy of an order or directive to quarantine.

**V. ABSENCE DUE TO ILLNESS OR INJURY**

- A. An employee who has not been directed to stay at home as part of a quarantine or has not been diagnosed as having COVID-19 by a health care provider, but has an illness or injury that restricts or renders the employee incapable of performing his/her job duties may use their benefit time to cover the absence from work. If an employee has exhausted their paid benefit time, the City may advance the employee's benefit days at the Department Head's discretion.
- B. The employee must report their absence to their department as soon as possible. Employees must specify the reason for their absence. If the employee receives medical treatment for an illness, and has received documentation from their health care provider indicating that they should stay off work they should submit such documentation to their department as soon as possible. Otherwise, employees may be required to self-certify the reasons for their absence from work.

**VI. ABSENCE DUE TO EMPLOYER MANDATED TRAVEL-RELATED QUARANTINE**

- A. Any employee who has visited a country or region that is listed on the CDC's Geographic Risk Assessment for COVID-19 Transmission list as a Level 3 country will be ordered to stay home and monitor their health for 14 days following his or her return.
- B. The decision as to whether or not the City may provide additional paid time off to any employee who is ordered to stay home under these circumstances will be made on a case-by-case basis; the only considerations being the circumstances of the travel and whether the employee traveled to the country prior to the country being listed as a Level 3 country.
- C. In the event that additional paid time off is not provided to an employee who has returned from a Level 3 country, the employee will be allowed to use their own benefit time to cover their absence. In the event that the employee has exhausted their own benefit time the City may advance the employee's benefit days at the Department Head's discretion.

**VII. ABSENCE DUE TO AN ORDERED SCHOOL CLOSURE**

- A. Any employee who needs to remain home due to an ordered school closure to care for a minor child, may use their benefit time to cover the absence from work. If an employee has exhausted their paid benefit time, the City may advance the employee's benefit days at the Department Head's discretion.
- B. The employee must report the school closure to their department as soon as possible.

**VIII. TIMEKEEPING**

- A. Employees are required to report their absences from work as soon as possible and will be required to sign an edit form upon returning to work from any absence or illness.
- B. For COVID-19 related absences as outlined in Sections III, IV, and VI above, timekeepers should use CATA pay code **CORV** for tracking purposes.
- C. For any non-COVID-19 related absence, timekeepers should continue to use the codes as defined in the City of Chicago CATA Guide.

**IX. FAMILY AND MEDICAL LEAVE ACT AND REASONABLE ACCOMMODATIONS**

- A. Employees who are ill due to COVID-19 may be eligible for Family and Medical Leave as provided for under the City of Chicago Family and Medical Leave Act Policy ("FMLA Policy"). Employees who have provided documentation that they are absent due to contracting the COVID-19 virus, or because they need to care for a family member as defined in the FMLA Policy who has contracted COVID-19, may have their absence designated as FMLA Leave.
- B. Employees who believe that they require a reasonable accommodation related to the COVID-19 outbreak may request an accommodation pursuant to the City of Chicago Reasonable Accommodation Policy.

**X. RETURN TO WORK**

- A. Employees who were absent from work due to an illness or injury, including contracting the COVID-19 virus, may be required to provide a return to work certification from their medical provider if there is a reasonable belief that the employee is unable to perform the essential functions of their job or if the employee's return would create an unsafe or unhealthful work environment or if the employee would pose a direct threat of harm to themselves or others. Otherwise, a self-certification may be provided by the employee in order to return to work.
- B. No return to work certification is required if the employee did not have an illness or injury but was absent from work due to a quarantine or an ordered school closure.



CITY OF CHICAGO • OFFICE OF THE MAYOR



**FOR IMMEDIATE RELEASE**

March 20, 2020

**CONTACT:**

Mayor's Press Office

312.744.3334

[press@cityofchicago.org](mailto:press@cityofchicago.org)

**MAYOR LIGHTFOOT JOINS GOVERNOR PRITZKER TO ANNOUNCE STATE ORDER TO STAY AT HOME TO PREVENT FURTHER SPREAD OF COVID-19**

*New State Mandate Calls on Residents to Remain Home Unless Travel is Essential; Goal is to Mitigate the Spread of COVID-19 and Protect Health and Safety of Residents*

CHICAGO--Mayor Lori E. Lightfoot today joined Governor JB Pritzker to announce a statewide order for Illinois residents to stay at home or place of residence. The order requires all residents to stay home, unless traveling for essential needs or business, and requires businesses not engaged in essential activities to cease all activities except for minimum basic operations. The order will take effect on Saturday, March 21 at 5 p.m., across the State of Illinois and will remain in place until the Governor's Disaster Proclamation expires on April 7. A copy of the order may be found [here](#).

These latest guidelines build on measures taken by the State and City over the past several weeks to prevent the spread of the coronavirus disease 2019 (COVID-19) and to scale services and operations to ensure the health and safety of residents.

"Every action we've taken so far is based on the latest science and data from health officials as we combat the dynamic spread of COVID-19, and this is no exception," said Mayor Lightfoot. "This decision was not an easy one, but Governor Pritzker's order for Illinois residents to stay at home is the right thing to do to ensure we are protecting the health and wellbeing of our residents. We strongly encourage our residents to follow the guidelines and ensure the safety of their neighbors as we work to confront this crisis together."

To ensure the protection of all residents during the unprecedented COVID-19 pandemic, the State's order requires all residents to stay at home, unless they are engaged in essential activities, like going to the grocery store or the pharmacy. Under the order, individuals will no longer be able to engage in public or private group activities, participate in social activities at bars or nightclubs, or take unnecessary trips. The order also closes non-essential businesses from any activity except minimum basic operations, which includes activities to preserve inventory,

Exhibit 4



CITY OF CHICAGO • OFFICE OF THE MAYOR



process payroll, or facilitate working from home. For more information on the order, please see the City's FAQ [here](#).

During the order, individuals can still fulfill all of their essential needs, including:

- Traveling to obtain necessary supplies, including food, pet supplies, medicine, or take-out food;
- Attending appointments at a hospital or mental health provider;
- Visiting private businesses that offer essential services, including pharmacies, hardware stores, banks, and laundromats; and
- Using city or state governmental services, including fire and police.

If someone must leave their residence for one of the allowable activities outlined in the order, the individual is asked to comply with social distancing guidelines to the maximum extent possible.

The order explicitly defines "social distancing requirements" as maintaining at least six feet of distancing from other individuals, washing hands, covering coughs or sneezes, regularly cleaning and disinfecting high-touch surfaces, and not shaking hands. Residents are still advised to refrain from participation in gatherings over 50 people or more, according to earlier guidance provided by the State of Illinois in consultation with CDC and health experts.

Residents who are sick must continue to stay home under the directive issued yesterday by the Commissioner of the Chicago Department of Public Health (CDPH).

"This is an unprecedented and challenging moment for every single Chicagoan," said CDPH Commissioner Dr. Allison Arwady. "Though difficult, these bold measures are critical to stemming the spread of COVID-19 and securing the health of Chicago's residents and families. No one is immune from this virus and everyone has a role to play in this fight, starting with adhering to the stay-in-place order, practicing social distancing when out, maintaining basic hand hygiene, as well as remembering to be especially mindful of our elderly residents and those with underlying medical conditions."

The order does not interfere with the operation of essential businesses. Many businesses that provide essential services – including hospitals, banks, grocery stores, utility companies, and home-based care services for seniors and people with disabilities—will remain open to ensure all residents, including the most vulnerable populations, will have continued access to care.

The Lightfoot administration has taken a series of measures in recent weeks to protect residents and prevent further spread of the virus. This includes steps taken to limit access to public facilities, protect workers, reduce non-essential services and



CITY OF CHICAGO • OFFICE OF THE MAYOR



provide economic relief to those residents and businesses that are most financially vulnerable to the impact of COVID-19.

The City has expanded public-private partnerships to ensure ample resources are in place. Yesterday, the Mayor announced a new small business relief fund, which will direct \$100 million to provide cash flow for small businesses, allowing them to keep workers on the payroll. The City has also secured a \$2.5 million donation from the partners at Citadel and Citadel Securities to help Chicago Public Schools (CPS) and the Greater Chicago Food Depository combat food insecurity amid the ongoing COVID-19 outbreak.

“Chicago’s businesses and residents should rest assured their first responders, including CPD, CFD, paramedics, and other public safety personnel, will continue to be on the job and working around the clock to ensure our communities and neighborhoods remain safe during this crisis,” said OEMC Executive Director Rich Guidice. “Meanwhile, we encourage everyone to continue to practice vital safety measures as directed by our City and State’s elected leaders, and help their fellow residents do the same.”

Notwithstanding the State’s order, City will also maintain core government services to meet the needs of its communities, preserving key functions of public safety agencies, including CPD, CFD, OEMC and the Department of Streets and Sanitation. To comply with guidance by health experts, the City has also announced the following changes to non-essential services and operations:

- Extended the closure of Chicago Public Schools until April 21
- Chicago Park District locations will be closed at the close of business today
- Chicago Public Library locations will close as of 12 p.m. tomorrow
- City Hall will remain closed to the public until further notice
- The City will continue to offer essential services (public safety, health, sanitation, water)

At the beginning of the month, Mayor Lightfoot, CDPH and the Office of Emergency and Management and Communications (OEMC) began spearheading the City’s COVID-19 Taskforce to put Chicago in the best position possible as the situation evolves. Under the Taskforce, 12 unique subcommittees are vigorously working to continuously address and update the City’s response tactics in the wake of this fast-moving and evolving situation.

# # #



# RESTORE ILLINOIS

A Public Health Approach To Safely Reopen Our State



May 5, 2020

Exhibit 5

# RESTORE ILLINOIS

A Public Health Approach To Safely Reopen Our State

Phase 1 Rapid Spread	Phase 2 Flattening	Phase 3 Recovery	Phase 4 Revitalization	Phase 5 Illinois Restored
<p>Strict stay at home and social distancing guidelines are put in place, and only essential businesses remain open.</p> <p>Every region has experienced this phase once already and could return to it if mitigation efforts are unsuccessful.</p>	<p>Non-essential retail stores reopen for curb-side pickup and delivery.</p> <p>Illinoisans are directed to wear a face covering when outside the home and can begin enjoying additional outdoor activities like golf, boating &amp; fishing while practicing social distancing.</p>	<p>Manufacturing, offices, retail, barbershops and salons can reopen to the public with capacity and other limits and safety precautions.</p> <p>Gatherings of 10 people or fewer are allowed.</p> <p>Face coverings and social distancing are the norm.</p>	<p>Gatherings of 50 people or fewer are allowed, restaurants and bars reopen, travel resumes, child care and schools reopen under guidance from the Illinois Department of Public Health.</p> <p>Face coverings and social distancing are the norm.</p>	<p>The economy fully reopens with safety precautions continuing.</p> <p>Conventions, festivals and large events are permitted, and all businesses, schools and places of recreation can open with new safety guidance and procedures.</p>

New case growth slows	Case positivity rate and hospital capacity benchmarks met	Case positivity rate and hospital capacity benchmarks met	Post-pandemic:
Surge hospital capacity			Vaccine, effective and widely available treatment, or the elimination of new cases over a sustained period of time through herd immunity or other factors
10,000 tests per day statewide	Testing for patients, health care workers and at-risk residents	Testing available regardless of symptoms or risk factors	
Testing for any symptomatic health care workers and first responders	Begin contact tracing and monitoring within 24 hours of diagnosis	Contact tracing within 24 hours of diagnosis for more than 90% of cases	

## An Introduction



From the beginning of the new coronavirus pandemic, Illinois' response has been guided by data, science, and public health experts. As community spread rapidly increased, Governor Pritzker moved quickly to issue a Disaster Proclamation on March 9, restrict visitors to nursing homes on March 11, close bars and restaurants for on-site consumption on March 16, move schools to remote learning on March 17, and issue a Stay at Home order on March 21. This virus has caused painful, cascading consequences for everyone in Illinois, but the science has been clear: in the face of a new coronavirus with unknown characteristics and in the absence of widespread testing availability and contact tracing, mitigation and maintaining a 6-foot social distance have been the only options to reduce the spread and save as many lives as possible.

Millions of Illinoisans working together by staying at home and following experts' recommendations have proven these mitigation and social distancing measures effective so far. The result has been a lower infection rate, fewer hospitalizations, and lower number of fatalities than projected without these measures. Our curve has begun to flatten. Nevertheless, the risk of spread remains, and modeling and data point to a rapid surge in new cases if all mitigation measures were to be immediately lifted.

Now that Illinois is bending the curve, it is vitally important that we follow a safe and deliberate path forward to get our Illinois economy moving. That path forward is not what everyone wants or hopes for, but it will keep Illinoisans as safe as possible from this virus as our economy is reopening.

**Restore Illinois is about saving lives and livelihoods.** This five-phased plan will reopen our state, guided by health metrics and with distinct business, education, and recreation activities characterizing each phase. This is an initial framework that will likely be updated as research and science develop and as the potential for treatments or vaccines is realized. The plan is based upon regional healthcare availability, and it recognizes the distinct impact COVID-19 has had on different regions of our state as well as regional variations in hospital capacity. The Illinois Department of Public Health (IDPH) has 11 Emergency Medical Services Regions that have traditionally guided its statewide public health work and will continue to inform this reopening plan. For the purposes of this plan, from those 11, four health regions are established, each with the ability to independently move through a phased approach: Northeast Illinois; North-Central Illinois; Central Illinois; and Southern Illinois.

The five phases for each health region are as follows:

**Phase 1 – Rapid Spread:** The rate of infection among those tested and the number of patients admitted to the hospital is high or rapidly increasing. Strict stay at home and social distancing guidelines are put in place and only essential businesses remain open. Every region has experienced this phase once already, and could return to it if mitigation efforts are unsuccessful.

**Phase 2 – Flattening:** The rate of infection among those tested and the number of patients admitted to the hospital beds and ICU beds increases at an ever slower rate, moving toward a flat and even a downward trajectory. Non-essential retail stores reopen for curbside pickup and delivery. Illinoisans are directed to wear a face covering when outside the home and can begin enjoying additional outdoor activities like golf, boating and fishing while practicing social distancing. To varying degrees, every region is experiencing flattening as of early May.

**Phase 3 – Recovery:** The rate of infection among those surveillance tested, the number of patients admitted to the hospital, and the number of patients needing ICU beds is stable or declining. Manufacturing, offices, retail, barbershops and salons can reopen to the public with capacity and other limits and safety precautions. Gatherings limited to 10 people or fewer are allowed. Face coverings and social distancing are the norm.

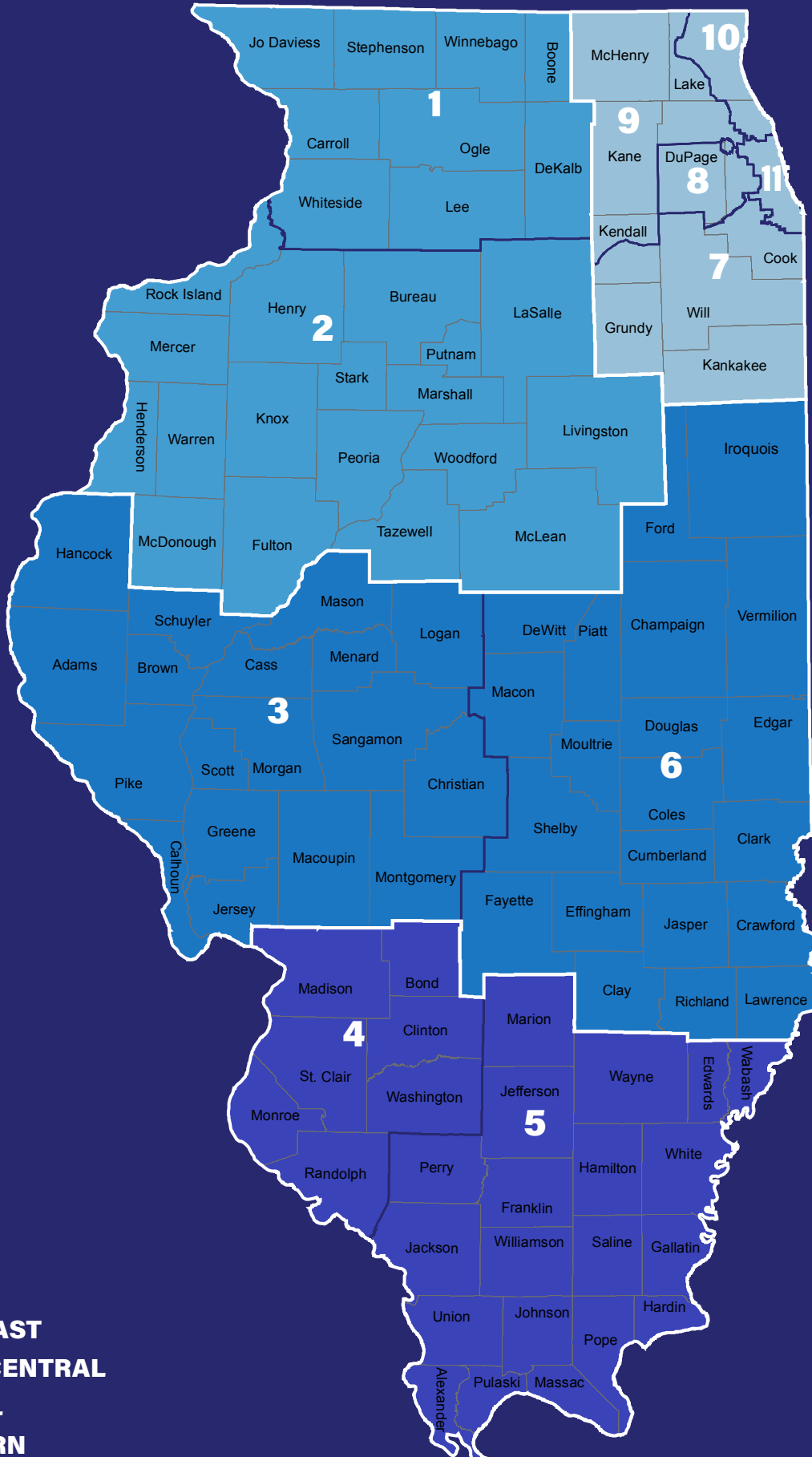
**Phase 4 – Revitalization:** The rate of infection among those surveillance tested and the number of patients admitted to the hospital continues to decline. Gatherings of 50 people or fewer are allowed, restaurants and bars reopen, travel resumes, child care and schools reopen under guidance from the Illinois Department of Public Health. Face coverings and social distancing are the norm.

**Phase 5 – Illinois Restored:** With a vaccine or highly effective treatment widely available or the elimination of any new cases over a sustained period, the economy fully reopens with safety precautions continuing. Conventions, festivals and large events are permitted, and all businesses, schools and places of recreation can open with new safety guidance and procedures in place reflecting the lessons learned during the COVID-19 pandemic.

Until COVID-19 is defeated, this plan also recognizes that just as health metrics will tell us it is safe to move forward, health metrics may also tell us to return to a prior phase. With a vaccine or highly effective treatment not yet available, IDPH will be closely monitoring key metrics to immediately identify trends in cases and hospitalizations to determine whether a return to a prior phase may become necessary.

*All public health criteria included in this document are subject to change.  
As research and data on this novel coronavirus continue to develop, this plan  
can and will be updated to reflect the latest science and data.*

# RESTORE ILLINOIS HEALTH REGIONS



- NORTHEAST**
- NORTH-CENTRAL**
- CENTRAL**
- SOUTHERN**

## Phase 1: Rapid Spread

### WHAT THIS PHASE LOOKS LIKE

COVID-19 is rapidly spreading. The number of COVID-19 positive patients in the hospital, in ICU beds, and on ventilators is increasing. The public health response relies on dramatic mitigation measures, like stay at home orders and social distancing, to slow the spread of the virus and prevent a surge that overwhelms the health care system. With a Stay at Home order in place, only essential businesses are in operation and activities outside of the home are limited to essentials, like grocery shopping.

### WHAT'S OPEN?

**Gatherings:** Essential gatherings, such as religious services, of 10 or fewer allowed; No non-essential gatherings of any size

**Travel:** Non-essential travel discouraged

**Health care:** Emergency procedures and COVID-19 care only

**Education and child care:** Remote learning in P-12 schools and higher education; Child care in groups of 10 or fewer for essential workers

**Outdoor recreation:** Walking, hiking and biking permitted; State parks closed

#### Businesses:

- **Manufacturing:** Essential manufacturing only
- **"Non-essential" businesses:** Employees of "non-essential" businesses are required to work from home except for Minimum Basic Operations
- **Bars and restaurants:** Open for delivery, pickup and drive-through only
- **Entertainment:** Closed
- **Personal care services and health clubs:** Closed
- **Retail:** Essential stores are open with strict restrictions; Non-essential stores are closed

### HOW WE MOVE TO THE NEXT PHASE

#### Cases and Capacity:

- Slowing of new case growth
- Availability of surge capacity in adult medical and surgical beds, ICU beds, and ventilators

#### Testing:

- Ability to perform 10,000 tests per day statewide
- Testing available in region for any symptomatic health care workers and first responders



## Phase 2: Flattening

### WHAT THIS PHASE LOOKS LIKE

The rise in the rate of infection is beginning to slow and stabilize. Hospitalizations and ICU bed usage continue to increase but are flattening, and hospital capacity remains stable. Face coverings must always be worn when social distancing is not possible. Testing capacity increases and tracing programs are put in place to contain outbreaks and limit the spread.

### WHAT'S OPEN

**Gatherings:** Essential gatherings, such as religious services, of 10 or fewer allowed; No non-essential gatherings

**Travel:** Non-essential travel discouraged

**Health care:** Emergency and COVID-19 care continue; Elective procedures allowed once IDPH criteria met

**Education and child care:** Remote learning in P-12 schools and higher education; Child care in groups of 10 or fewer for essential workers

**Outdoor recreation:** Walking, hiking, and biking permitted; Select state parks open; Boating and fishing permitted; Golf courses open; All with IDPH approved safety guidance

#### Businesses:

- **Manufacturing:** Essential manufacturing only
- **"Non-essential" businesses:** Employees of "non-essential" businesses are required to work from home except for Minimum Basic Operations
- **Bars and restaurants:** Open for delivery, pickup, and drive through only
- **Personal care services and health clubs:** Closed
- **Retail:** Essential stores are open with restrictions; Non-essential stores open for delivery and curbside pickup

### HOW WE MOVE TO THE NEXT PHASE

**Cases and Capacity:** The determination of moving from Phase 2 to Phase 3 will be driven by the COVID-19 positivity rate in each region and measures of maintaining regional hospital surge capacity. This data will be tracked from the time a region enters Phase 2, onwards.

- At or under a 20 percent positivity rate and increasing no more than 10 percentage points over a 14-day period, AND
- No overall increase (i.e. stability or decrease) in hospital admissions for COVID-19-like illness for 28 days, AND
- Available surge capacity of at least 14 percent of ICU beds, medical and surgical beds, and ventilators

**Testing:** Testing available for all patients, health care workers, first responders, people with underlying conditions, and residents and staff in congregate living facilities

**Tracing:** Begin contact tracing and monitoring within 24 hours of diagnosis

### WHAT COULD CAUSE US TO MOVE BACK

IDPH will closely monitor data and receive on-the-ground feedback from local health departments and regional healthcare councils and will recommend moving back to the previous phase based on the following factors:

- Sustained rise in positivity rate
- Sustained increase in hospital admissions for COVID-19 like illness
- Reduction in hospital capacity threatening surge capabilities
- Significant outbreak in the region that threatens the health of the region

## Phase 3: Recovery

### WHAT THIS PHASE LOOKS LIKE

The rate of infection among those surveillance tested is stable or declining. COVID-19-related hospitalizations and ICU capacity remains stable or is decreasing. Face coverings in public continue to be required. Gatherings of 10 people or fewer for any reason can resume. Select industries can begin returning to workplaces with social distancing and sanitization practices in place. Retail establishments reopen with limited capacity, and select categories of personal care establishments can also begin to reopen with social distancing guidelines and personal protective equipment. Robust testing is available along with contact tracing to limit spread and closely monitor the trend of new cases.

### WHAT'S OPEN

**Gatherings:** All gatherings of 10 people or fewer are allowed with this limit subject to change based on latest data & guidance

**Travel:** Travel should follow IDPH and CDC approved guidance

**Health Care:** All health care providers are open with DPH approved safety guidance

**Education and child care:** Remote learning in P-12 schools and higher education; Limited child care and summer programs open with IDPH approved safety guidance

**Outdoor recreation:** State parks open; Activities permitted in groups of 10 or fewer with social distancing

#### Businesses:

- **Manufacturing:** Non-essential manufacturing that can safely operate with social distancing can reopen with IDPH approved safety guidance
- **"Non-essential" businesses:** Employees of "non-essential" businesses are allowed to return to work with IDPH approved safety guidance depending upon risk level, tele-work strongly encouraged wherever possible; Employers are encouraged to provide accommodations for COVID-19-vulnerable employees
- **Bars and restaurants:** Open for delivery, pickup, and drive through only
- **Personal care services and health clubs:** Barbershops and salons open with IDPH approved safety guidance; Health and fitness clubs can provide outdoor classes and one-on-one personal training with IDPH approved safety guidance
- **Retail:** Open with capacity limits and IDPH approved safety guidance, including face coverings

### HOW WE MOVE TO THE NEXT PHASE

**Cases and Capacity:** The determination of moving from Phase 3 to Phase 4 will be driven by the COVID-19 positivity rate in each region and measures of maintaining regional hospital surge capacity. This data will be tracked from the time a region enters Phase 3, onwards.

- At or under a 20 percent positivity rate and increasing no more than 10 percentage points over a 14-day period, AND
- No overall increase (i.e. stability or decrease) in hospital admissions for COVID-19-like illness for 28 days, AND
- Available surge capacity of at least 14 percent of ICU beds, medical and surgical beds, and ventilators

**Testing:** Testing available in region regardless of symptoms or risk factors

**Tracing:** Begin contact tracing and monitoring within 24 hours of diagnosis for more than 90% of cases in region

### WHAT COULD CAUSE US TO MOVE BACK

IDPH will closely monitor data and receive on-the-ground feedback from local health departments and regional healthcare councils and will recommend moving back to the previous phase based on the following factors:

- Sustained rise in positivity rate
- Sustained increase in hospital admissions for COVID-19 like illness
- Reduction in hospital capacity threatening surge capabilities
- Significant outbreak in the region that threatens the health of the region



## Phase 4: Revitalization

### WHAT THIS PHASE LOOKS LIKE

There is a continued decline in the rate of infection in new COVID-19 cases. Hospitals have capacity and can quickly adapt for a surge of new cases in their communities. Additional measures can be carefully lifted allowing for schools and child care programs to reopen with social distancing policies in place. Restaurants can open with limited capacity and following strict public health procedures, including personal protective equipment for employees. Gatherings with 50 people or fewer will be permitted. Testing is widely available, and tracing is commonplace.

### WHAT'S OPEN

**Gatherings:** Gatherings of 50 people or fewer are allowed with this limit subject to change based on latest data and guidance

**Travel:** Travel should follow IDPH and CDC approved guidance

**Health care:** All health care providers are open

**Education and child care:** P-12 schools, higher education, all summer programs, and child care open with IDPH approved safety guidance

**Outdoor Recreation:** All outdoor recreation allowed

#### Businesses:

- **Manufacturing:** All manufacturing open with IDPH approved safety guidance
- **"Non-essential" businesses:** All employees return to work with IDPH approved safety guidance; Employers are encouraged to provide accommodations for COVID-19-vulnerable employees
- **Bars and restaurants:** Open with capacity limits and IDPH approved safety guidance
- **Personal care services and health clubs:** All barbershops, salons, spas and health and fitness clubs open with capacity limits and IDPH approved safety guidance
- **Entertainment:** Cinema and theaters open with capacity limits and IDPH approved safety guidance
- **Retail:** Open with capacity limits and IDPH approved safety guidance

### HOW WE MOVE TO THE NEXT PHASE

**Post-pandemic:** Vaccine, effective and widely available treatment, or the elimination of new cases over a sustained period of time through herd immunity or other factors.

### WHAT COULD CAUSE US TO MOVE BACK

IDPH will closely monitor data and receive on-the-ground feedback from local health departments and regional healthcare councils and will recommend moving back to the previous phase based on the following factors:

- Sustained rise in positivity rate
- Sustained increase in hospital admissions for COVID-19 like illness
- Reduction in hospital capacity threatening surge capabilities
- Significant outbreak in the region that threatens the health of the region

## Phase 5: Illinois Restored

### WHAT THIS PHASE LOOKS LIKE

Testing, tracing and treatment are widely available throughout the state. Either a vaccine is developed to prevent additional spread of COVID-19, a treatment option is readily available that ensures health care capacity is no longer a concern, or there are no new cases over a sustained period. All sectors of the economy reopen with new health and hygiene practices permanently in place. Large gatherings of all sizes can resume. Public health experts focus on lessons learned and building out the public health infrastructure needed to meet and overcome future challenges. Health care equity is made a priority to improve health outcomes and ensure vulnerable communities receive the quality care they deserve.

### WHAT'S OPEN

- All sectors of the economy reopen with businesses, schools, and recreation resuming normal operations with new safety guidance and procedures.
- Conventions, festivals, and large events can take place.

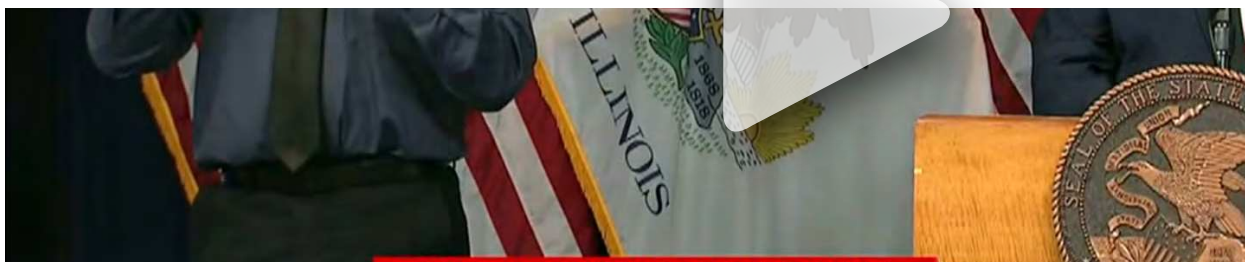
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# Gov. JB Pritzker Lifting Stay-At-Home Order As Illinois Enters Phase 3 Of Reopening

May 29, 2020 at 3:53 pm

Filed Under: [Coronavirus](#), [COVID-19](#), [Dr. Ngozi Ezike](#), [Illinois Department of Public Health](#), [JB Pritzker](#), [Stay At Home Order](#), [Tracking Coronavirus In Chicagoland](#)

Exhibit 6



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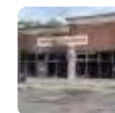


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**CHICAGO (CBS)** — As virtually the entire state enters the next phase of reopening, Gov. JB Pritzker on Friday said he is lifting the statewide stay-at-home order, but people will still be required to wear face coverings in public, and avoid gathering in groups of 10 or more.

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“As of today, thousands of our small businesses in nearly every municipality around the state are opening their doors again safely,” Pritzker said Friday afternoon.

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On Friday, all four regions of the state moved into Phase 3 of the state’s “Restore Illinois” plan for reopening the economy, except for the city of Chicago, which won’t begin Phase 3 until Wednesday.

“While some restrictions are lifting, we must still take personal responsibility to continue the reopening, but safely. We must continue to keep our distance, and wear face coverings,” Illinois Department of Public Health Director Dr. Ngozi Ezike said.



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CPD Investigating After Officer Wore Extremist Militia Logo To Downtown Protest Saturday



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Aquasha Moore, 18, Dies Of COVID-19 A Week Before High School Graduation

Ezike also reminded people that they can have the virus without showing any symptoms, and still spread COVID-19 to others.

“So it’s very important to wear our masks all the time, as you don’t know who around you could be transmitting, you don’t know if you could be transmitting. The virus is still circulating, and we will continue to have transmission and more illnesses, but we do have a role in being able to limit that,” she said.

Pritzker said he’s signing a new “Community Recovery Order,” that will end the stay-at-home mandate, but will still maintain a limit of no more than 10 people for public gatherings, and require people to wear face coverings in public when they can’t stay at least six feet away from others.

“The success of the last phase is evidenced by the declining positivity rate, the declining hospitalizations, the declining ICU bed use, and declining number of deaths. As we end that phase, it’s important to take note that the people of Illinois have taken this seriously, and that has made all the difference,” Pritzker said.

Under Phase 3 of Restore Illinois, bars and restaurants are able open outdoor service, but still would not be allowed to serve customers indoors until Phase 4. Tables outdoors must be placed six feet apart from each other, and staff are required to wear face coverings and take other social distancing precautions.

Non-essential manufacturing, offices, and retail businesses also are allowed to reopen under approved safety guidance from IDPH. Remote work, whenever possible, is still encouraged.

Barber shops and salons are allowed to reopen; and gyms and fitness clubs are allowed to offer outdoor classes and one-on-one training; all with IDPH guidance.

On Sunday, Pritzker [released industry-specific guidelines](#) to allow for the safe reopening of businesses during Phase 3.

Pritzker said all state parks have now reopened, golf courses can now allow expanded use, and horse racing tracks can resume races, but without fans in the stand.

The new executive order also lifts restrictions on churches, synagogues, mosques, and other houses of worship that had been limited to in-person services for only groups of 10 or fewer for the past month. The governor has issued new safety guidance for churches – rather than mandatory restrictions – to allow for faith leaders to protect the health of their congregants while resuming in-person services.

During Phase 3, houses of worship that chose to hold in-person services are encouraged to do so outdoors, or in groups of less than 10 people. Face coverings and six feet of distance between people are recommended under any circumstance. The state's guidance also recommends capacity limits that allow for six feet or more of distance between congregants, and a limit of 25% attendance, or a maximum of 100 people, whichever is lower.

“The safest options remain remote and drive-in services, but for those that want to conduct in-person activities, IDPH is offering best practices,” Pritzker said.

The state also recommends houses of worship conduct multiple small services, rather than one large service; expand capacity limits gradually to test and improve safety protocols; implement reservation systems and assigned seating to limit capacity; use staggered arrival and departure times; and consider separate services for groups that are especially vulnerable to the virus — such as senior citizens, small children, or those with underlying health conditions.

The guidance also recommends discouraging singing and group recitations, or setting strict limits on the number of people who can participate and ensure six feet of distance between people.

Churches also should discontinue shared food and beverages such as potlucks, or buffet-style meals. If food or beverages will be served, they should be in single-serve containers.

For outdoor services, face coverings would still be recommended, and people who are living together are encouraged to sit together, at least six feet apart from other groups.

[For a full list of the guidance for houses of worship, click here.](#)

The governor's announcement about guidance for churches came after two Chicago area churches [asked the U.S. Supreme Court for an emergency injunction](#) that would allow them to hold normal services this Sunday, despite the state's limit of 10 people on indoor public gatherings.

However, the governor said the new safety recommendations for houses of worship were in the works for Phase 3 of the reopening



plan all along, as part of industry-specific safety guidelines.

“It wouldn’t be as comprehensive as it was if it was something that was just done on the fly,” Pritzker said.

The governor said his new executive order will also extend the statewide ban on residential evictions, a moratorium on utility shutoffs, and a suspension of repossession of vehicles.

Ezike said, as of Friday afternoon, Illinois has had 117,455 cases of COVID-19 since the start of the pandemic, including 5,270 deaths.

The state has conducted 855,479 virus tests since the start of the outbreak, including 21,796 in the past 24 hours. In the past week, the statewide positivity rate is approximately 8%.

Pritzker said, while “the virus is still out there, and it is still very dangerous,” Illinois has succeeded in reducing the spread of the virus, and preventing hospitals from being overwhelmed.

The governor said Illinois is now averaging 250 fewer COVID-19 patients in ICU each day than four weeks ago, a 20% decrease; and nearly 40 fewer virus-related deaths than just two weeks ago, a 32% decrease.

As of Thursday night, there were 3,599 people in Illinois were hospitalized with the virus, including 980 in intensive care, and 593 on ventilators. As of Friday afternoon, the state’s recovery rate is 92%.

The state's recovery rate calculates the number of people who have tested positive for the virus, and have survived at least 42 days after their test.

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CITY OF CHICAGO • OFFICE OF THE MAYOR

**FOR IMMEDIATE RELEASE**

March 26, 2019

**CONTACT:**

Mayor's Press Office

312.744.3334

[press@cityofchicago.org](mailto:press@cityofchicago.org)

**MAYOR LIGHTFOOT ORDERS THE IMMEDIATE CLOSURE OF THE CITY'S LAKEFRONT, ADJACENT PARKS, 606 AND RIVERWALK TO THE PUBLIC**

*Despite Stay at Home order, an excessive number of people gathering along the lakefront and in neighborhoods necessitates further action to bend the curve of COVID-19*

**CHICAGO** - In response to the excessive gatherings of people along Chicago's Lakefront, Riverwalk and 606 Trail this week, effective immediately, Mayor Lori E. Lightfoot has issued an executive order closing these spaces to the public until further notice. The Mayor made the announcement alongside city officials and mayors from surrounding communities that are also grappling with the issue of social and congregate gatherings in their communities while the state's 'Stay at Home' order is in effect.

The Mayor's Executive Order will direct a shutdown of the Lakefront including adjacent trails, green spaces and facilities. In addition, the order provides guidance for residents to make every effort to practice social distancing during recreational activities, such as walking, running or cycling. The order also prohibits contact sports, like basketball and football. These measures are designed to protect the health and safety of residents amid the outbreak of the coronavirus disease (COVID-19).

"While our parks and other green spaces offer residents a brief respite during this stay at home order, we simply must take action to prevent the large gatherings that are putting our public health at risk," said Mayor Lightfoot. "As we work tirelessly to flatten the curve and prevent the spread of COVID-19, we need people to stay at home as much as possible. Our order to temporarily close access to the Lakefront and restrict gatherings has now become a necessary step in our effort to protect people, and to get our city through this crisis as quickly as possible."

Throughout the week, City officials have observed crowds congregating along the lakefront, in parks, and other public spaces violating the state's mandate and health guidance, both requiring that residents do not gather in groups to prevent the further spread of COVID-19. To ensure residents comply with the State's mandate and abstain from non-essential activities, the Chicago Park District Security and the Chicago Police Department will continue to patrol the lakefront and disband people who violate the closure.

"Above all, we want the residents of Chicago to be safe," said Chicago Park District General Superintendent and CEO Michael Kelly. "This closure is necessary to enforce social distancing and mitigate crowding that is typical along Chicago's lakefront but threatens the health of our city during this very delicate time."

Exhibit 7



CITY OF CHICAGO • OFFICE OF THE MAYOR

The Mayor's order bans lakefront access to all parkland in Chicago adjoining Lake Michigan, including walking, running and cycling paths, beaches and other recreational facilities. To keep these areas secured, the Chicago Park District is putting in place barricades and other security measures pursuant to the order. Please visit [chicagoparkdistrict.com](http://chicagoparkdistrict.com) for the full list of closures.

The order also bans access to other Chicago public spaces like Millennium Park, Chicago's Riverwalk and the 606 Trail. Many alternative routes will still be available to Chicago residents choosing to walk or bike to work during this time, and residents are encouraged to visit [Chicago.gov/CDOT](http://Chicago.gov/CDOT) to view the city's network of 248 miles of bike lanes.

"The movement of people who are essential workers and others doing necessary travel must take priority during this unprecedented time. We understand the Mayor's decision to close the Lakefront and 606 to protect our public health," said Melody Geraci, interim executive Director of the Active Transportation Alliance. "Chicagoans should stay home as much as possible and, when spending time outside, they should follow public health guidelines by maintaining social distancing and staying away from busy areas."

While the Chicago Police Department is empowered to enforce the Mayor's new order through citations up to \$500 and additional measures, the Department is primarily focusing on educating residents about the new order and providing warnings to individuals using these closed spaces. To further ensure compliance with the order, the Department will move forward with issuing citations if individuals don't adhere to initial warnings from police officers.

"For the most part, Chicagoans have been doing well at maintaining social distancing but with the number of people gathering on the lakefront in recent days, it is necessary that we shut down these areas for the health and safety of our residents," said Interim Superintendent Beck. "Again, it is the responsibility of every Chicagoan to do their part to help keep each other safe and following this order will save the lives of our fellow neighbors."

On Wednesday, Mayor Lightfoot joined Commissioner Allison Arwady of the Chicago Department of Public Health (CDPH) and other city officials to remind residents of important guidance to adhere to during the state's order, and as public health officials work to stem the spread of the virus. Chicagoans are still able, and encouraged, to do the following during this time:

- Go for a short walk or runs but maintain physical distance from others while doing so, preferably in their own neighborhoods.
- Walk their dog, but do not congregate at the dog park or beach.
- Shop at the grocery stores that remain open, as long as, you are not sick, and practice social distancing.
- Continue visiting the restaurants that remain open for pick-up and delivery.



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"As we have learned from watching how other countries have responded to this outbreak, the best way for us to contain this virus is to practice proper social distancing," said Dr. Arwady. "This doesn't mean you can't go outside for fresh air, walk your dog or go for a run. It just means you have to do it the right way, by keeping your distance from others and not congregating in groups."

Chicago Park District's facilities and fieldhouses will remain closed for the duration of the stay at home order. Currently, the District's green spaces and parks remain open, and the City will monitor park activity in the event more closures are necessary to prevent large gatherings and congregations of people during the stay at home order.

Under Governor Pritzker's 'Stay at Home' Order, which went into effect on March 21, residents of Chicago and across the state are mandated to stay at home as much as possible, and to limit occasions for leaving their homes, unless it is to: retrieve essential goods or services, go to work if they are an essential employee, seek medical care, or to get fresh air for brief amounts of time while practicing social distancing. The order was issued out of an abundance of caution to safeguard the public health and prevent further spread in the community and is expected to last through April 7, unless otherwise directed.

Additionally, under an order released by CDPH last week, any Chicago resident that has COVID-19 or is displaying symptoms must stay at home during this time unless seeking emergency medical care. This order was issued out of an abundance of caution to safeguard the public health and prevent further spread in the community.

In response to the COVID-19 pandemic the City is launching the Stay Home, Save Lives campaign to inform residents about how they can stay healthy and do their part to bend the curve of the virus. For more information and updates on COVID-19, text COVID19 to 78015, email [coronavirus@chicago.gov](mailto:coronavirus@chicago.gov) or visit [Chicago.gov/coronavirus](https://chicago.gov/coronavirus).

# # #





**ORDER OF THE COMMISSIONER OF HEALTH OF THE CITY OF CHICAGO**  
**No. 2020-3**

**(APPLYING GOVERNOR'S STAY-AT-HOME EXECUTIVE ORDER)**

Issued and Effective: March 26, 2020

**WHEREAS**, In an Executive Order filed on March 20, 2020 ("EO2020-10"), the Governor of Illinois directed residents of Illinois to stay at home, subject to limited exceptions, and further directed that people using shared or outdoor spaces outside their home must at all times, to the degree reasonably possible, maintain a distance of six feet from any other person; and

**WHEREAS**, A significant segment of Chicago's populace has responsibly and appropriately heeded the Governor's necessary directive. However, groups of Chicagoans across the City have recklessly disregarded that directive and continue to congregate, cluster, and engage in group social and recreational activity, unacceptably placing their own health and the health of all Chicagoans in danger; and

**WHEREAS**, The Municipal Code of Chicago ("Code") authorizes the Commissioner of Health of the City of Chicago to implement emergency measures to stop the spread of communicable diseases, and to protect the health, safety, and welfare of the City's residents, including but not limited to authority granted in Sections 2-112-080, 2-112-160(a)(4), and 2-112-170 of the Code, and 77 Ill. Adm. Code Sections 690.1305(a) and 690.1310(c); and

**WHEREAS**, In order to stop the devastating spread of COVID-19, all Chicagoans must practice a strict and disciplined adherence to stay-at-home and social distancing requirements; now, therefore,

**The Commissioner of Health of the City of Chicago hereby orders as follows:**

**SECTION 1.** As set forth in detail on Attachment A hereto: (i) all Chicago parks, beaches, walking, running and cycling paths, trails and other recreational facilities on and adjacent to the Lakefront, including those on the west side of Lakeshore Drive, and (ii) the Chicago Riverwalk and the Bloomingdale Trail, are hereby closed. No person shall be present at any time on any property described in this Section 1 or Attachment A, except for: (i) emergency access by first responders, and (ii) Essential Travel, as defined in EO2020-10, on any public way intended for motor vehicles that runs through or abuts such property.

**SECTION 2.** Every person in public or private outdoor space shall exercise best efforts to maintain a distance of at least six feet from other people. This requirement

Exhibit 9

applies with particularity to recreational and athletic activities; for example, walking, jogging or cycling. Close-contact group sports (e.g., basketball, soccer, touch football) are prohibited.

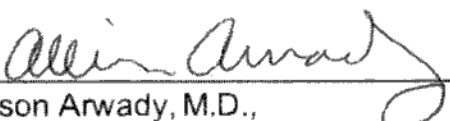
**SECTION 3.** As mandated by and subject to the limited exceptions in EO2020-10, any gathering of more than ten people on public or private property is strictly prohibited.

**SECTION 4.** Pursuant to and in conformity with EO2020-10, this Order is in effect and enforceable at all times – 24 hours a day, seven days a week.

**SECTION 5.** The Chicago Police Department shall increase City-wide focus on ensuring compliance with this Order using any means necessary, employing a graduated approach (warning, then fine, then arrest) as necessary and appropriate.

**SECTION 6.** In addition to any other penalty provided by law, any person who violates this Order shall be subject to arrest, and to the fines set forth in Section 2-112-340 of the Code.

**SECTION 7.** This Order shall remain in effect until the Commissioner of Health makes a written determination that the threat to public health posed by COVID-19 has diminished to the point that this Order can be safely repealed.

  
Allison Arwady, M.D.,  
Commissioner of Health of the City of Chicago

Dated: 3/26/20

Attachment "A"

Juneway Terrace, Rogers Beach, Howard Beach, Fargo, Griffin, Leone, Loyola, Prinz, Doria, North Shore, Hartigan, Berger, Park 559, Lane, Lincoln, Lake Shore, Harold Washington, Addams, Olive, DuSable, Millennium, Grant, Northerly Island/Museum Campus, Burnham, Jackson, Midway Plaisance, Washington, South Shore, Ashe, Rainbow Beach Park 566, Steelworkers, Calumet, Bloomingdale Trail, Riverwalk.



# Chicago Park District

## Legislation Text

File #: 20-1170-0408, Version: 1

### CHICAGO PARK DISTRICT COVID-19 RESOLUTION (APPLYING GOVERNOR'S STAY-AT-HOME EXECUTIVE ORDER)

Issued and Effective: March \_\_\_, 2020

**WHEREAS**, JB Pritzker, Governor of Illinois, declared all counties in the State of Illinois as a disaster area on March 9, 2020 (Gubernatorial Disaster Proclamation) in response to the outbreak of Coronavirus Disease 2019 (COVID-19); and,

**WHEREAS**, In a short period of time, COVID-19 has rapidly spread throughout Illinois, necessitating updated and more stringent guidance from federal, state, and local public health officials; and,

**WHEREAS**, In response, Governor Pritzker filed an Executive Order on March 20, 2020 ("EO2020-10"), directing residents of Illinois to stay at home, subject to limited exceptions, and further directed that people using shared or outdoor spaces outside their home must at all times, to the degree reasonably possible, maintain a distance of six feet from any other person; and

**WHEREAS**, A significant segment of Chicago's populace has responsibly heeded Governor Pritzker's directive, groups of Chicagoans across the City have recklessly disregarded that directive and continue to congregate, cluster, and engage in group social and recreational activity, unacceptably placing their own health and the health of all Chicagoans in danger; and

**WHEREAS**, EO2020-10, Sec. 1.18. authorizes the Chicago Park District ("Park District") to close any location for a limited period of time, including during the duration of this public health emergency; and

**WHEREAS**, The Municipal Code of Chicago ("City Code") authorized the Commissioner of Health of the City of Chicago ("City") to implement emergency measures to stop the spread of communicable diseases, and to protect the health, safety, and welfare of the City's residents, including but not limited to authority granted in Sections 2-112-080, 2-112-160(a)(4), and 2-112-170 of the City Code, and 77 Ill. Adm. City Code Sections 690.1305(a) and 690.1310(c); and

**WHEREAS**, The Park District is subject to EO2020-10 and the City Health Commissioner's order to close Park District playgrounds, buildings, various park locations and the lakefront, while Park District Code ("Park Code") Chapter VII, Sec.3.a further authorizes the Park District to prohibit access to any portion of the Park System; and

**WHEREAS**, In order to stop the devastating spread of COVID-19, all Chicagoans must practice a strict and disciplined adherence to stay-at-home and social distancing requirements; now, therefore,

**The Chicago Park District, in conformity with City and State of Illinois mandates, hereby orders as follows:**

**SECTION 1.** All parkland in Chicago adjoining Lake Michigan, including walking, running and cycling paths, beaches and other recreational facilities located thereon, is hereby closed. No person shall be present at any time on any property described in this Section 1, except for: (i) access needed by persons engaged in Essential Government Functions or Essential Businesses and Operations, as defined in EO2020-10, and (ii)

Essential Travel, as defined in EO2020-10, on any public thoroughfare that runs through or abuts such parkland.

**SECTION 2.** Any person in public or private outdoor space who fails to maintain a distance of at least six feet from other people is presumed to be violating EO2020-10, the City Health Commissioner's order, and this COVID-19 Resolution ("Resolution"). This includes persons practicing shared activity, for example, socializing at a beach or park or playing close-contact group sports (e.g. basketball), and persons practicing solitary activity, for example, walking, jogging or cycling, but failing to maintain a distance of at least six feet from others.

**SECTION 3.** Pursuant to and in conformity with EO2020-10 and the City Health Commissioner's order, this Resolution is in effect and enforceable at all times - 24 hours a day, seven days a week.

**SECTION 4.** Pursuant to and in conformity with Governor Pritzker's Orders and those of the City Health Commissioner, the Chicago Park District Board of Commissioners hereby authorizes the General Superintendent and CEO and/or his designee(s) to take any and all action necessary, including, but not limited to purchasing supplies and equipment needed, as it relates to the COVID-19 contagion.

**SECTION 5.** This Resolution shall remain in effect until Governor Pritzker and the City Health Commissioner make a written determination that the threat to public health posed by COVID-19 has diminished to the point that their directives and this Resolution can be safely repealed.

ORDER OF THE COMMISSIONER OF HEALTH OF THE CITY OF CHICAGO

No. 2020-3 – SECOND AMENDED AND REISSUED

(APPLYING GOVERNOR'S STAY-AT-HOME EXECUTIVE ORDER)

Issued and Effective: May 29, 2020

**WHEREAS**, In Executive Order No. 2020-38 (COVID-19 Executive Order No. 36), filed on May 29, 2020, the Governor of Illinois affirmed that a local government body may enact provisions that are stricter than those in the Executive Order; and

**WHEREAS**, As the Governor of Illinois has affirmed, each region of the State faces different challenges from the COVID-19 pandemic and accordingly faces different timelines for reopening; and

**WHEREAS**, The City of Chicago shall not proceed into reopening until the Mayor of the City of Chicago and the Commissioner of Health of the City of Chicago, guided by public health data, are satisfied that such reopening shall be safe; and

**WHEREAS**, The Municipal Code of Chicago ("Code") authorizes the Commissioner of Health of the City of Chicago to implement emergency measures to stop the spread of communicable diseases, and to protect the health, safety, and welfare of the City's residents, including but not limited to authority granted in Sections 2-112-080, 2-112-160(a)(4), and 2-112-170 of the Code, and 77 Ill. Adm. Code Sections 690.1305(a) and 690.1310(c); now, therefore,

The Commissioner of Health of the City of Chicago hereby orders as follows, effective May 29, 2020:

**SECTION 1.** This Order requires that all businesses and individuals in the City of Chicago shall observe the following.

1. **Wearing a face covering in public places or when working.** Any individual who is over age two and able to medically tolerate a face covering (a mask or cloth that securely covers the nose and mouth) shall be required to wear a face covering when in a public place and unable to maintain a six-foot social distance. Face coverings are required in public indoor spaces such as stores.
2. **Requirements for essential stores.** Retail stores (including, but not limited to, stores that sell groceries and medicine, hardware stores, and greenhouses, garden centers, and nurseries) designated as Essential Businesses and Operations under this Order shall to the greatest extent possible:
  - provide face coverings to all employees who are not able to maintain a minimum six-foot social distance at all times;
  - cap occupancy at 50 percent of store capacity, or, alternatively, at the occupancy limits based on store square footage set by the Department of Commerce and Economic Opportunity;

- set up store aisles to be one-way where practicable to maximize spacing between customers and identify the one-way aisles with conspicuous signage and/or floor markings;
- communicate with customers through in-store signage, and public service announcements and advertisements, about the social distancing requirements set forth in this Order (Social Distancing Requirements); and
- discontinue use of reusable bags.

Households must limit the number of members who enter stores to the minimum necessary.

3. **Requirements for non-essential stores.** Retail stores not designated as Essential Businesses and Operations may re-open for the limited purposes of fulfilling telephone and online orders through pick-up outside the store and delivery – which are deemed to be Minimum Basic Operations. Employees working in the store must follow the social Distancing Requirements, and must wear a face covering when they may come within six feet of another employee or a customer.
4. **Requirements for manufacturers.** Manufacturers that continue to operate pursuant to this Order must follow Social Distancing Requirements and take appropriate precautions, which may include:
  - providing face coverings to all employees who are not able to maintain a minimum six-foot social distance at all times;
  - staggering shifts;
  - reducing line speeds;
  - operating only essential lines, while shutting down non-essential lines;
  - ensuring that all spaces where employees may gather, including locker rooms and lunchrooms, allow for social distancing; and
  - downsizing operations to the extent necessary to allow for social distancing and to provide a safe workplace in response to the COVID-19 emergency.
5. **Requirements for all businesses.** All businesses must evaluate which employees are able to work from home, and are encouraged to facilitate remote work from home when possible. All businesses that have employees physically reporting to a work-site must post the guidance from the Illinois Department of Public Health (IDPH) and Office of the Illinois Attorney General regarding workplace safety during the COVID-19 emergency. The guidance will be posted on the IDPH webpage.

**SECTION 2.** This Order requires individuals to stay at home except for essential activities and for non-essential businesses to cease operations.

1. **Stay at home or place of residence.** With exceptions as outlined below, all individuals currently living within the City of Chicago are ordered to stay at home or at their place of

residence except as allowed in this Order. To the extent individuals are using shared or outdoor spaces when outside their residence, they must at all times and as much as reasonably possible maintain social distancing of at least six feet from any other person, consistent with the Social Distancing Requirements set forth in this Order. All persons may leave their homes or place of residence only for Essential Activities, Essential Governmental Functions, or to operate Essential Businesses and Operations, all as defined below.

Individuals experiencing homelessness are exempt from this directive, but are strongly urged to obtain shelter, and governmental and other entities are strongly urged to make such shelter available as soon as possible and to the maximum extent practicable (and to use in their operation COVID-19 risk mitigation practices recommended by the U.S. Centers for Disease Control and Prevention (CDC) and the Illinois Department of Public Health (IDPH)). Individuals whose residences are unsafe or become unsafe, such as victims of domestic violence, are permitted and urged to leave their home and stay at a safe alternative location. For purposes of this Order, homes or residences include hotels, motels, shared rental units, shelters, and similar facilities.

2. **Non-essential business and operations must cease.** All businesses and operations in the City, except Essential Businesses and Operations as defined below, are required to cease all activities within the City except Minimum Basic Operations, as defined below. For clarity, businesses may also continue operations consisting exclusively of employees or contractors performing activities at their own residences (i.e., working from home).

All Essential Businesses and Operations may remain open consistent with the express provisions of this Order and the intent of this Order as set forth in Section 2, Paragraph 16 below. To the greatest extent feasible, Essential Businesses and Operations shall comply with Social Distancing Requirements as defined in this Order, including by maintaining six-foot social distancing for both employees and members of the public at all times, including, but not limited to, when any customers are standing in line.

3. **Prohibited activities.** All public and private gatherings of any number of people occurring outside a single household or living unit are prohibited, except for the limited purposes permitted by this Order. Pursuant to current guidance from the CDC, any gathering of more than **ten** people is prohibited unless exempted by this Order. Nothing in this Order prohibits the gathering of members of a household or residence.

All places of public amusement, whether indoors or outdoors, including but not limited to, locations with amusement rides, carnivals, amusement parks, water parks, aquariums, zoos, museums, arcades, fairs, children's play centers, playgrounds, funplexes, theme parks, bowling alleys, movie and other theaters, concert and music halls, and country clubs or social clubs shall be closed to the public.

4. **Prohibited and permitted travel.** All travel, including, but not limited to, travel by automobile, motorcycle, scooter, bicycle, train, plane, or public transit, except Essential Travel and Essential Activities as defined herein, is prohibited. People riding on public transit must comply with Social Distancing Requirements to the greatest extent feasible. This Order allows travel into or out of the City to maintain Essential Businesses and Operations and Minimum Basic Operations.



5. **Leaving the home for essential activities is permitted.** For purposes of this Order, individuals may leave their residence only to perform any of the following Essential Activities, and must follow the Social Distancing Requirements set forth in this Order, including wearing face coverings when in public or at work:
- i. **For health and safety.** To engage in activities or perform tasks essential to their health and safety, or to the health and safety of their family or household members (including, but not limited to, pets), such as, by way of example only and without limitation, seeking emergency services, obtaining medical supplies or medication, or visiting a health care professional.
  - ii. **For necessary supplies and services.** To obtain necessary services or supplies for themselves and their family or household members, or to deliver those services or supplies to others, such as, by way of example only and without limitation, groceries and food, household consumer products, supplies they need to work from home, and products necessary to maintain the safety, sanitation, and essential operation of residences.
  - iii. **For outdoor activity.** To engage in outdoor activity, provided the individuals comply with Social Distancing Requirements, as defined below, such as, by way of example and without limitation, walking, hiking, running, and biking. Individuals may go to public parks and open outdoor recreation areas, including specific State parks that remain open for certain activities, as designated by the Illinois Department of Natural Resources, subject to Section 3 of this Order. Playgrounds may increase spread of COVID-19, and therefore shall be closed.
  - iv. **For certain types of work.** To perform work providing essential products and services at Essential Businesses or Operations (which, as defined below, includes Healthcare and Public Health Operations, Human Services Operations, Essential Governmental Functions, and Essential Infrastructure) or to otherwise carry out activities specifically permitted in this Order, including Minimum Basic Operations.
  - v. **To take care of others.** To care for a family member, friend, or pet in another household, and to transport family members, friends, or pets as allowed by this Order.
  - vi. **To engage in the free exercise of religion.** To engage in the free exercise of religion, provided that such exercise must comply with Social Distancing Requirements and the limit on gatherings of more than ten people in keeping with CDC guidelines for the protection of public health. Religious organizations and houses of worship are encouraged to use online or drive-in services to protect the health and safety of their congregants.
6. **Elderly people and those who are vulnerable as a result of illness should take additional precautions.** People at high risk of severe illness from COVID-19, including elderly people and those who are sick, are urged to stay in their residence to the extent possible except as necessary to seek medical care. Nothing in this Order prevents the Illinois Department of Public Health or local public health departments from issuing and enforcing isolation and quarantine orders pursuant to the Department of Public Health

Act, 20 ILCS 2305.

7. **Healthcare and Public Health Operations.** For purposes of this Order, individuals may leave their residence to work for or obtain services through Healthcare and Public Health Operations.

Healthcare and Public Health Operations includes, but is not limited to: hospitals; clinics; dental offices; pharmacies; public health entities, including those that compile, model, analyze and communicate public health information; pharmaceutical, pharmacy, medical device and equipment, and biotechnology companies (including operations, research and development, manufacture, and supply chain); organizations collecting blood, platelets, plasma, and other necessary materials; licensed medical cannabis dispensaries and licensed cannabis cultivation centers; reproductive health care providers; eye care centers, including those that sell glasses and contact lenses; home healthcare services providers; mental health and substance use providers; other healthcare facilities and suppliers and providers of any related and/or ancillary healthcare services; and entities that transport and dispose of medical materials and remains.

Specifically included in Healthcare and Public Health Operations are manufacturers, technicians, logistics, and warehouse operators and distributors of medical equipment, personal protective equipment (PPE), medical gases, pharmaceuticals, blood and blood products, vaccines, testing materials, laboratory supplies, cleaning, sanitizing, disinfecting or sterilization supplies, and tissue and paper towel products.

Healthcare and Public Health Operations also includes veterinary care and all healthcare and grooming services provided to animals.

Healthcare and Public Health Operations shall be construed broadly to avoid any impacts to the delivery of healthcare, broadly defined. Healthcare and Public Health Operations does not include fitness and exercise gyms, spas, salons, barber shops, tattoo parlors, and similar facilities.

8. **Human Services Operations.** For purposes of this Order, individuals may leave their residence to work for or obtain services at any Human Services Operations, including any provider funded by the Illinois Department of Human Services, Illinois Department of Children and Family Services, or Medicaid that is providing services to the public and including state-operated, institutional, or community-based settings providing human services to the public.

Human Services Operations includes, but is not limited to: long-term care facilities; all entities licensed pursuant to the Child Care Act, 225 ILCS 10, except for day care centers, day care homes, and group day care homes; day care centers licensed as specified in Section 2, Paragraph 12(s) of this Order; day programs exempt from licensure under Title 89 of the Illinois Administrative Code, Sections 377.3(a)(1)-(a)(4), (b)(2), and (c); day programs exempt from licensure under Title 89 of the Illinois Administrative Code, Section 377.3(d) (subject to the conditions governing exempt day care homes set forth in Section 1, Paragraph 12(s) of this Order); residential settings and shelters for adults, seniors, children, and/or people with developmental disabilities, intellectual disabilities, substance use disorders, and/or mental illness; transitional facilities; home-based settings to provide services to individuals with physical,

intellectual, and/or developmental disabilities, seniors, adults, and children; field offices that provide and help to determine eligibility for basic needs including food, cash assistance, medical coverage, child care, vocational services, rehabilitation services; developmental centers; adoption agencies; businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged individuals, individuals with physical, intellectual, and/or developmental disabilities, or otherwise needy individuals.

Human Services Operations shall be construed broadly to avoid any impacts to the delivery of human services, broadly defined.

9. **Essential Infrastructure.** For purposes of this Order, individuals may leave their residence to provide any services or perform any work necessary to offer, provision, operate, maintain and repair Essential Infrastructure.

Essential Infrastructure includes, but is not limited to: food production, distribution, and sale; construction (including, but not limited to, construction required in response to this public health emergency, hospital construction, construction of long-term care facilities, public works construction, and housing construction); building management and maintenance; airport operations; operation and maintenance of utilities, including water, sewer, and gas; electrical (including power generation, distribution, and production of raw materials); distribution centers; oil and biofuel refining; roads, highways, railroads, and public transportation; ports; cybersecurity operations; flood control; solid waste and recycling collection and removal; and internet, video, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services).

Essential Infrastructure shall be construed broadly to avoid any impacts to essential infrastructure, broadly defined.

10. **Essential Governmental Functions.** For purposes of this Order, all first responders, emergency management personnel, emergency dispatchers, court personnel, law enforcement and corrections personnel, hazardous materials responders, child protection and child welfare personnel, housing and shelter personnel, military, and other governmental employees working for or to support Essential Businesses and Operations are categorically exempt from this Order.

Essential Government Functions means all services provided by the City or any municipal, township, county, subdivision or agency of government and needed to ensure the continuing operation of the government agencies or to provide for or support the health, safety and welfare of the public, and including contractors performing Essential Government Functions. Each government body shall determine its Essential Governmental Functions and identify employees and/or contractors necessary to the performance of those functions.

This Order does not apply to the United States government. Nothing in this Order shall prohibit any individual from performing or accessing Essential Governmental Functions.

11. **Businesses covered by this Order.** For the purposes of this Order, covered businesses include any for-profit, non-profit, or educational entities, regardless of the

nature of the service, the function it performs, or its corporate or entity structure.

12. **Essential Businesses and Operations.** For the purposes of this Order, Essential Businesses and Operations means Healthcare and Public Health Operations, Human Services Operations, Essential Governmental Functions, and Essential Infrastructure, and the following:
- a. **Stores that sell groceries and medicine.** Grocery stores, pharmacies, certified farmers' markets, farm and produce stands, supermarkets, convenience stores, and other establishments engaged in the retail sale of groceries, canned food, dry goods, frozen foods, fresh fruits and vegetables, pet supplies, fresh meats, fish, and poultry, alcoholic and non-alcoholic beverages, and any other household consumer products (such as cleaning and personal care products). This includes stores that sell groceries, medicine, including medication not requiring a medical prescription, and also that sell other non-grocery products, and products necessary to maintaining the safety, sanitation, and essential operation of residences and Essential Businesses and Operations;
  - b. **Food, beverage, and cannabis production and agriculture.** Food and beverage manufacturing, production, processing, and cultivation, including farming, livestock, fishing, baking, and other production agriculture, including cultivation, marketing, production, and distribution of animals and goods for consumption; licensed medical and adult use cannabis dispensaries and licensed cannabis cultivation centers; and businesses that provide food, shelter, and other necessities of life for animals, including animal shelters, rescues, shelters, kennels, and adoption facilities;
  - c. **Organizations that provide charitable and social services.** Businesses and religious and secular nonprofit organizations, including food banks, when providing food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals, individuals who need assistance as a result of this emergency, and people with disabilities;
  - d. **Media.** Newspapers, television, radio, and other media services;
  - e. **Gas stations and businesses needed for transportation.** Gas stations and auto-supply, auto-repair, and related facilities and bicycle shops and related facilities;
  - f. **Financial institutions.** Banks, currency exchanges, consumer lenders, including but not limited, to payday lenders, pawnbrokers, consumer installment lenders and sales finance lenders, credit unions, appraisers, title companies, financial markets, trading and futures exchanges, affiliates of financial institutions, entities that issue bonds, related financial institutions, and institutions selling financial products;
  - g. **Hardware and supply stores and greenhouses, garden centers, and nurseries.** Hardware stores and businesses that sell electrical, plumbing, and heating material, and greenhouses, garden centers, and nurseries;

- h. **Critical trades.** Building and Construction Tradesmen and Tradeswomen, and other trades including but not limited to plumbers, electricians, exterminators, cleaning and janitorial staff for commercial and governmental properties, security staff, operating engineers, HVAC, painting, moving and relocation services, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, Essential Activities, and Essential Businesses and Operations;
- i. **Mail, post, shipping, logistics, delivery, and pick-up services.** Post offices and other businesses that provide shipping and delivery services, and businesses that ship or deliver groceries, food, alcoholic and non-alcoholic beverages, goods or services to end users or through commercial channels;
- j. **Educational institutions.** Educational institutions—including public and private pre-K-12 schools, colleges, and universities—for purposes of facilitating distance learning, performing critical research, or performing essential functions, provided that social distancing of six-feet per person is maintained to the greatest extent possible. Educational institutions may allow and establish procedures for pick-up of necessary supplies and/or student belongings and dormitory move-out if conducted in a manner consistent with public health guidelines, including Social Distancing Requirements. This Order is consistent with Executive Order 2020-05 (COVID-19 Executive Order No. 3) or Executive Order 2020-06 (COVID-19 Executive Order No. 4) except that affected schools have been closed past the April 7, 2020 date reflected in those Orders;
- k. **Laundry services.** Laundromats, dry cleaners, industrial laundry services, and laundry service providers;
- l. **Restaurants for consumption off-premises.** Restaurants and other facilities that prepare and serve food, but only for consumption off-premises, through such means as in-house delivery, third-party delivery, drive-through, curbside pick-up, and carry-out. Schools and other entities that typically provide food services to students or members of the public may continue to do so under this Order on the condition that the food is provided to students or members of the public on a pick-up and takeaway basis only. Schools and other entities that provide food services under this exemption shall not permit the food to be eaten at the site where it is provided, or at any other gathering site due to the virus's propensity to physically impact surfaces and personal property. This Order is consistent with Section 1 of Executive Order 2020-07 (COVID-19 Executive Order No. 5);
- m. **Supplies to work from home.** Businesses that sell, manufacture, or supply products needed for people to work from home;
- n. **Supplies for Essential Businesses and Operations.** Businesses that sell, manufacture, or supply other Essential Businesses and Operations with the support or materials necessary to operate, including computers, audio and video electronics, household appliances; IT and telecommunication equipment; hardware, paint, flat glass; electrical, plumbing and heating material; sanitary equipment; personal hygiene products; food, food additives, ingredients and components; medical and orthopedic equipment; optics and photography equipment; diagnostics, food and beverages, chemicals, soaps and detergent;

and firearm and ammunition suppliers and retailers for purposes of safety and security;

- o. **Transportation.** Airlines, taxis, transportation network providers (such as Uber and Lyft), vehicle rental services, paratransit, and other private, public, and commercial transportation and logistics providers necessary for Essential Activities and other purposes expressly authorized in this Order;
  - p. **Home-based care and services.** Home-based care for adults, seniors, children, and/or people with developmental disabilities, intellectual disabilities, substance use disorders, and/or mental illness, including caregivers such as nannies who may travel to the child's home to provide care, and other in-home services including meal delivery;
  - q. **Residential facilities and shelters.** Residential facilities and shelters for adults, seniors, children, and/or people with developmental disabilities, intellectual disabilities, substance use disorders, and/or mental illness;
  - r. **Professional services.** Professional services, such as legal services, accounting services, insurance services, real estate services (including appraisal and title services);
  - s. **Day care centers for employees exempted by this Order.** Day care centers granted an emergency license pursuant to Title 89, Section 407.500 of the Illinois Administrative Code, governing Emergency Day Care Programs for children of employees exempted by this Order to work as permitted;
  - t. **Manufacture, distribution, and supply chain for critical products and industries.** Manufacturing companies, distributors, and supply chain companies producing and supplying essential products and services in and for industries such as pharmaceutical, technology, biotechnology, healthcare, chemicals and sanitization, waste pickup and disposal, agriculture, food and beverage, transportation, energy, steel and steel products, petroleum and fuel, mining, construction, national defense, communications, as well as products used by other Essential Businesses and Operations;
  - u. **Critical labor union functions.** Labor Union essential activities including the administration of health and welfare funds and personnel checking on the well-being and safety of members providing services in Essential Businesses and Operations – provided that these checks should be done by telephone or remotely where possible;
  - v. **Hotels and motels.** Hotels and motels, to the extent used for lodging and delivery or carry-out food services; and
  - w. **Funeral services.** Funeral, mortuary, cremation, burial, cemetery, and related services.
13. **Minimum Basic Operations.** For the purposes of this Order, Minimum Basic Operations include the following, provided that employees comply with Social Distancing

Requirements, to the extent possible, while carrying out such operations:

1. The minimum necessary activities to maintain the value of the business's inventory, preserve the condition of the business's physical plant and equipment, ensure security, process payroll and employee benefits, or for related functions.
  2. The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences.
  3. For retail stores, fulfilling online and telephonic orders through pick-up outside the store or delivery.
14. **Essential Travel.** For the purposes of this Order, Essential Travel includes travel for any of the following purposes. Individuals engaged in any Essential Travel must comply with all Social Distancing Requirements as defined in this Section.
1. Any travel related to the provision of or access to Essential Activities, Essential Governmental Functions, Essential Businesses and Operations, or Minimum Basic Operations.
  2. Travel to care for elderly, minors, dependents, persons with disabilities, or other vulnerable persons.
  3. Travel to or from educational institutions for purposes of receiving materials for distance learning, for receiving meals, and any other related services.
  4. Travel to return to a place of residence from outside the jurisdiction.
  5. Travel required by law enforcement or court order, including to transport children pursuant to a custody agreement.
  6. Travel required for non-residents to return to their place of residence outside the City. Individuals are strongly encouraged to verify that their transportation out of the City remains available and functional prior to commencing such travel.
15. **Social Distancing, Face Covering, and PPE Requirements.** For purposes of this Order, Social Distancing Requirements includes maintaining at least six-foot social distancing from other individuals, washing hands with soap and water for at least twenty seconds as frequently as possible or using hand sanitizer, covering coughs or sneezes (into the sleeve or elbow, not hands), regularly cleaning high-touch surfaces, and not shaking hands.
1. **Required measures.** Essential Businesses and Operations and businesses engaged in Minimum Basic Operations must take proactive measures to ensure compliance with Social Distancing Requirements, including where possible:
    1. **Designate six-foot distances.** Designating with signage, tape, or by other means six-foot spacing for employees and customers in line to maintain appropriate distance;

2. **Hand sanitizer and sanitizing products.** Having hand sanitizer and sanitizing products readily available for employees and customers;
  3. **Separate operating hours for vulnerable populations.** Implementing separate operating hours for elderly and vulnerable customers;
  4. **Online and remote access.** Posting online whether a facility is open and how best to reach the facility and continue services by phone or remotely; and
  5. **Face Coverings and PPE.** Providing employees with appropriate face coverings and requiring that employees wear face coverings where maintaining a six-foot social distance is not possible at all times. When the work circumstances require, providing employees with other PPE in addition to face coverings.
16. **Intent of this Order.** The intent of this Order is to ensure that the maximum number of people self-isolate in their places of residence to the maximum extent feasible, while enabling essential services to continue, to slow the spread of COVID-19 to the greatest extent possible. When people need to leave their places of residence, whether to perform Essential Activities, or to otherwise facilitate authorized activities necessary for continuity of social and commercial life, they should at all times and as much as reasonably possible comply with Social Distancing Requirements. All provisions of this Order should be interpreted to effectuate this intent. Businesses not specifically addressed by this Order generally should cease activities and reduce to Minimum Basic Operations.
17. Businesses must follow guidance provided or published by: the Office of the Governor, the Illinois Department of Commerce and Economic Opportunity, and State and local law enforcement regarding whether they qualify as Essential; and the Illinois Department of Public Health, local public health departments, and the Workplace Rights Bureau of the Office of the Illinois Attorney General with respect to Social Distancing Requirements. Pursuant to Section 25(b) of the Whistleblower Act, 740 ILCS 174, businesses are prohibited from retaliating against an employee for disclosing information where the employee has reasonable cause to believe that the information discloses a violation of this Order.

**SECTION 3.** As set forth in detail on Attachment A hereto: (i) all Chicago parks, beaches, walking, running and cycling paths, trails and other recreational facilities on and adjacent to the Lakefront, including those on the west side of Lakeshore Drive, and (ii) the Chicago Riverwalk and the Bloomingdale Trail, are hereby closed. No person shall be present at any time on any property described in this Section 1 or Attachment A, except for: (i) emergency access by first responders, and (ii) Essential Travel, as defined in Section 2, on any public way intended for motor vehicles that runs through or abuts such property.

**SECTION 4.** Every person in public or private outdoor space shall exercise best efforts to maintain a distance of at least six feet from other people. This requirement applies with particularity to recreational and athletic activities; for example, walking, jogging or cycling. Close-contact group sports (e.g., basketball, soccer, touch football) are prohibited.



**SECTION 5.** Boating is not permitted, though a person may access a boat currently docked, moored, harbored, or otherwise anchored/secured for maintenance and dewinterization purposes, consistent with the guidelines issued by the Superintendent of the Chicago Park District. Golf and fishing are prohibited within the City of Chicago.

**SECTION 6.** This Order is in effect and enforceable at all times – 24 hours a day, seven days a week.

**SECTION 7.** The Chicago Police Department shall ensure compliance with this Order using any means necessary, employing a graduated approach (warning, then fine, then arrest) as necessary and appropriate.

**SECTION 8.** In addition to any other penalty provided by law, any person who violates this Order shall be subject to arrest, and to the fines set forth in Section 2-112-340 of the Code.

**SECTION 9.** This Order shall remain in effect until June 3, 2020.

**SECTION 10.** If any provision of this Order or its application to any person or circumstance is held invalid by any court of competent jurisdiction, this invalidity does not affect any other provision or application of this Order, which can be given effect without the invalid provision or application. To achieve this purpose, the provisions of this Order are declared to be severable. This Order is meant to be read consistently with any Court order regarding this Order.



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Allison Arwady, M.D.,  
Commissioner of Health of the City of Chicago

Dated: May 29, 2020

Attachment "A"

Juneway Terrace, Rogers Beach, Howard Beach, Fargo, Griffin, Leone, Loyola, Prinz, Doria, North Shore, Hartigan, Berger, Park 559, Lane, Lincoln, Lake Shore, Harold Washington, Addams, Olive, DuSable, Millennium, Grant, Northerly Island/Museum Campus, Burnham, Jackson, Midway Plaisance, Washington, South Shore, Ashe, Rainbow Beach Park 566, Steelworkers, Calumet, Bloomingdale Trail, Riverwalk.



## Tweet



**Mayor Lori Lightfoot** 

@chicagosmayor

Regarding today's large unpermitted gathering at Millennium Park: while we respect 1st amendment rights, this gathering posed an unacceptable health risk and was dispersed. No matter where in the city you live, no one is exempt from [@GovPritzker](#)'s stay-at-home order.

2:41 PM · May 25, 2020 · [Twitter for iPhone](#)

**583** Retweets   **3.6K** Likes



**ORDER OF THE COMMISSIONER OF HEALTH OF THE CITY OF CHICAGO**  
**No. 2020-1**

**(SHELTER IN PLACE FOR COVID-19 ILLNESS)**

Issued and Effective: March 18, 2020

**WHEREAS**, The Municipal Code of Chicago authorizes the Commissioner of Health of the City of Chicago to implement emergency measures to stop the spread of communicable diseases, and to protect the health, safety, and welfare of the City's residents, including, but not limited to, authority granted in sections 2-112-160(a)(4) and 2-112-170, and 77 Ill. Adm. Code 690.1310(c); and

**WHEREAS**, COVID-19 is a communicable disease that presents an extraordinarily severe and unprecedented threat to the residents of Chicago. It is necessary and appropriate for the Commissioner of Health to take immediate measures to protect the health, safety, and welfare of the City's residents; and

**WHEREAS**, To prevent the spread of COVID-19, it is essential that anyone exhibiting symptoms of illness indicative of COVID-19 shelters in their place of residence; now, therefore,

**The Commissioner of Health of the City of Chicago hereby orders as follows:**

**SECTION 1.** The following terms wherever used in this Order shall have the following meanings unless a different meaning appears from the context:

"COVID-19 Illness" means demonstrating symptoms of acute respiratory disease, including, but not limited to, new onset of fever, cough, shortness of breath, congestion in the nasal sinuses or lungs, sore throat, body aches, or unusual fatigue. A person is considered to have COVID-19 illness until such person is free of fever (100.4° F (38.0° C) or greater using an oral thermometer), and any of the other symptoms described herein, for at least 72 hours, without the use of fever-reducing or other symptom-altering medicines (e.g. cough suppressants).

"Place of residence" means the home or other place at which a person usually resides, but in a location apart from other household members, such as a separate area of the place of residence, to the extent practicable. A place of residence shall include an isolation location designated by the Commissioner of Health if necessary to: (1) isolate a person with COVID-19 illness from a vulnerable person living at the place of residence, or (2) provide a place of residence for a person suffering from COVID-19 illness.

**SECTION 2.** Any resident of the City of Chicago having COVID-19 illness shall shelter in their place of residence. No person having COVID-19 illness shall go to their workplace or congregate setting in the City of Chicago. Any resident of the City of Chicago having COVID-19 illness shall only leave their place of residence to seek necessary clinical care or evaluation, or for essential life sustaining needs, such as obtaining medicine or food.

**SECTION 3.** In addition to any other penalty provided by law, any person who violates this Order shall be subject to the fines set forth in Section 2-112-340 of the Municipal Code.

**SECTION 4.** This Order shall remain in effect until the Commissioner of Health makes a written determination that the threat to public health posed by COVID-19 has diminished to the point that this Order can be safely repealed.



Dated: 3/18/20

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Allison Arwady, MD,  
Commissioner of Health of the City of Chicago