



COVID-19 Public Health

RECINDMENT OF THE EXTENSION OF SUPPLEMENTAL ORDER - SUSPENSION OF THE VILLAGE OF OAK PARK'S RETAIL SINGLE-USE BAG FEE AND GUIDANCE ON REUSABLE BAGS AND RESINSTATEMENT OF SINGLE-USE BAG FEE

Issued: October 9, 2020

Effective Date: October 10, 2020 at 12:00 a.m.

Mike Charley
Public Health Director
Department of Public Health
Village of Oak Park

Pursuant to Village of Oak Park Resolution 20-120 dated March 13, 2020, the Oak Park Village Board declared an emergency affecting the public health due to the outbreak of the COVID-19 disease pursuant to Section 8-10-5 of the Illinois Municipal Code, 65 ILCS 5/8-10-5, and Sections 2-6-10, 2-27-9 and 20-1-6(Z) of the Oak Park Village Code through April 6, 2020. Said emergency was first extended through May 5, 2020 by Village Resolution 20-124 and later extended through June 1, 2020 by Village Resolution 20-128 dated April 27, 2020. On July 27, 2020, the Village Board adopted Resolution 20-184 reinstating the emergency through September 14, 2020. Pursuant to these resolutions and Section 20-1-6(AB) of the Oak Park Village Code, which was adopted by the Village Board on May 28, 2020 by Ordinance 20-041, the Village's Public Health Director has the authority to make "reasonable rules, regulations and orders . . . as may from time to time be deemed necessary for the preservation and improvement of the public health and for the suppression of disease" through November 15, 2020.

RECINDMENT ORDER AND RESINSTATEMENT OF SINGLE-USE BAG FEE

1. On June 26, 2020, State of Illinois Governor JB Pritzker's issued Executive Order 2020-43 ("COVID-19 Executive Order No. 41"), which is in effect in the Village and has been extended by Governor Pritzker through October 17, 2020 per Executive Order 2020-55 (COVID-19 Executive Order No. 51"). Governor Pritzker's Executive Order No. 41 allows the resumption of certain activities "safely and conscientiously" that were previously prohibited by his executive orders due to the outbreak of COVID-19 disease in the State of Illinois.

2. Governor Pritzker's Order provides that retail stores are to "discontinue use of reusable bags in accordance with current DCEO [Illinois Department of Commerce and Economic Opportunity] Retail Guidance" COVID-19 Executive Order No. 41 at Section 3(b). As of October 9, 2020, the Illinois DCEO Retail Guidance has been updated with new guidance which provides, "Hand sanitation stations/ disinfecting wipes are placed near bag return areas or if permitting use of reusable shopping bags."

3. Pursuant to my authority as the Village's Public Health Director and consistent with Governor Pritzker's COVID-19 Executive Order 2020-41 set forth in Section 3 above, the Village's single-use bag fee of ten cents (\$0.10) set forth in Section 20-14-2 of the Oak Park Village Code is reinstated.

4. Nothing contained in this Order is intended to, or shall operate to, supersede any applicable State or federal law, order or rule, and to the extent of any conflict, such State or federal law, order or rule shall be applicable.

5. If any provision of this Order or its application to any person or circumstance is held to be invalid, then the remainder of the Order, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of this Order are severable.

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