



**COVID-19 Public Health
COVID-19 PHASE 4 MITIGATION**

Issued: March 31, 2021
Effective Date: Upon Issuance
Expiration Date: Upon further Order

Joseph Terry
Interim 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 extended or reinstated as follows: (1) through May 5, 2020 by Village Resolution 20-124; through June 1, 2020 by Village Resolution 20-128 dated April 27, 2020; (2) reinstated on July 27, 2020 through September 14, 2020 by Village Resolution 20-184; (3) reinstated on November 2, 2020 by Village Resolution 20-232 through February 16, 2021; and (4) extended on January 19, 2021 by Village Resolution 20-43 through June 15, 2021. Pursuant to these resolutions and Section 20-1-6(BB) of the Oak Park Village Code, which was adopted by the Village Board on January 19, 2021 by Ordinance 21-8, 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 . . . due to the outbreak of COVID-19 disease in the State of Illinois" through June 15, 2021.

ORDER

1. The State of Illinois has announced that suburban Cook County can move to Phase 4 of Governor JB Pritzker's Restore Illinois Plan in response to the outbreak of COVID-19 disease in the State of Illinois, effective February 2, 2021.
2. I have determined that additional mitigation measures are necessary under Phase 4 to protect the public health pursuant to my authority set forth above due to the trend of COVID-19 cases in the Village of Oak Park ("Village").
3. **All Businesses and Individuals.**
 - A. Any individual who is over age two (2) and to medically tolerate a mask shall be required to wear a mask when in a public place, which for purposes of this Order includes any common or shared space in: (1) a residential multi-unit building; or (2) any non-residential building.

B. Mask refers to a complete and tight-knit fabric or cloth, or medical mask that is appropriately sized for the individual's face to snugly cover the nasal openings and mouth without the necessity of being held in place by the individual's hands.

C. All patrons in all sectors will continue to count toward capacity limits. No exemption will be made for individuals who are fully vaccinated or have had a recent negative COVID-19 test.

4. Establishments that Serve Alcoholic Liquors, Restaurants, Private Clubs, Country Clubs (All businesses that offer food or beverages for on-premises consumption—including, but not limited to, restaurants, grocery stores, and food halls):

A. Indoor service is limited to the lesser of 50 patrons or 50% of capacity per room. The maximum size of any group dining indoors together is six (6) persons.

B. Food must be available at all times in order to offer indoor service. Establishments that serve alcoholic liquors without a food license can reopen indoors as long as they partner with a food establishment (e.g., making menus available and allowing delivery, allowing patrons to order from third-party delivery services). Indoor and outdoor table size limited to no more than six people.

C. Table placement must allow for parties to be seated six (6) feet apart from one another. Bar seating is allowed with six (6) feet between parties.

D. All staff must be masked at all times. Patrons are required to be masked unless actively eating or actively drinking.

E. Those seated at a bar must be masked and not allowed to sit unmasked unless eating or actively drinking. If a patron is unmasked a member of the restaurant staff must ask the customer to mask and if not complied with after requested to leave. Failure to require patrons to be masked is a violation of the establishment to operate safely.

F. Patrons must be seated for service. Patrons shall not congregate prior to being seated. Patrons waiting for a table must wait socially spaced outdoors.

G. Outdoor table size is limited to no more than ten (10) persons.

H. Outdoor service includes:

1. Rooms with retractable roofs;
2. Rooftops;
3. Multi-party structures, such as tents, with at least 50% of walls open; and

4. Single-party structures, such as igloos, with proper ventilation.

5. Tables indoors within eight feet of an open wall or window that is at least 50% open to the outdoor air.

5. Meetings, Social Events, and Gatherings - including, but not limited to, weddings, potlucks, etc.

A. Indoor events are allowed at the lesser of 50% capacity, or a maximum of 50 individuals. Events with food and/or or drink must follow indoor dining guidelines.

B. Outdoor events are allowed at the lesser of 50% capacity, or a maximum of 100 individuals. Events with food and/or or drink must follow outdoor dining guidelines.

6. Indoor and Outdoor Activities.

A. Parks, Outdoor Flea Markets, and Outdoor Attractions. Each outdoor space is limited to the lesser of 50% capacity, or a maximum of 100 individuals while practicing social distancing.

B. Indoor spaces (e.g., field houses, indoor exhibit spaces) are limited to the lesser of 50% capacity or a maximum of 50 individuals per partitioned space.

C. Group size for outdoor activities is limited to a maximum of 50 individuals per group, with multiple groups permitted while maintaining appropriate social distancing.

D. Indoor Recreation Centers (e.g., bowling alleys, arcades).

1. Indoor spaces are limited to the lesser of 40% capacity or a maximum of 50 individuals per space.

2. If a facility has an outdoor component, each outdoor space is limited to the lesser of 50% capacity, or a maximum of 100 individuals, while practicing social distancing.

E. Organized Group Recreational Activities (i.e., sports, indoor sports, and activities facilities).

1. Limit group sporting and recreational activities including youth and adult recreational sports to the lesser of 50% capacity, or a maximum of 50 individuals indoors. This includes park districts and travel leagues.

2. Individual training may continue (with facility reservation).

3. Locker rooms and showers can remain open if strict and frequent cleaning measures are in place.

4. Illinois All Sports Policy is required to be followed for sports play level and allowances.

5. All sports participants playing indoors must be masked or play risk level will be elevated per Illinois All Sports Policy.

F. Public swimming pools, spas, and other facilities that have public swimming pools including, but not limited to health/fitness clubs, hotels, daycares, park districts, schools, clubs, etc., must follow all of the Illinois Department of Public Health's Swimming Facility Guidelines and the following:

1. Indoor and outdoor swimming pool facilities are limited to the lesser of either 50 bathers or 50% of facility capacity while ensuring proper social distancing.

2. Ancillary accommodations such as saunas, hot tubs, jacuzzies, spas, whirlpools, and steam rooms shall remain closed.

7. Arts and Culture.

A. Museums.

1. Capacity limited to 25% occupancy.

2. Guided tours limited to 50 individuals per group.

B. Performance Venues and Movie Theaters.

1. Indoor spaces limited to the lesser of 50% capacity or a maximum of 50 individuals per space.

2. If a facility has an outdoor component, each outdoor space is limited to the lesser of 50% capacity, or a maximum of 100 individuals, while practicing social distancing.

3. An outdoor venue with a capacity ≤ 200 is limited to 50% capacity with no more than 50 individuals.

4. An outdoor venue with a capacity ≥ 200 is limited to 25% capacity.

C. Indoor live music, performance venues and night club events must follow indoor dining guidelines where food is available, (i.e. table service), or:

1. At an outdoor kiosk, pre-packaged food and drink via “grab and go” is permitted with queuing areas clearly marked to observe social distancing; or
2. Based on indoor service area size:
 - a. Indoor quick-service areas over 500 square feet, pre-packaged food and drink via “grab and go” with no queuing permitted.
 - b. Indoor quick-service areas 500 square feet and under, pre-packaged food and drink via “grab and go” with queuing areas clearly marked to observe social distancing.
3. For any live performances, any seating within six (6) feet of a stage must be closed or an impermeable barrier installed between the stage and patrons.
4. Capacity limited to the lesser of 50 people or 50% capacity per room/space, excluding employees.
5. Venue operators must close all dance floors/prohibit dancing among patrons.
6. There shall be no physical contact between patrons and performers or employees.

D. Film and Television Production.

1. Production is encouraged to be limited to groups of cast and crew of no more than 50 individuals in confined rooms or spaces.
2. Capacity is limited to 50% for all indoor spaces, while still adhering to gathering size restrictions.

8. **Health and Fitness Centers.**

- A. Indoor facilities are limited to a maximum of 50% capacity.
- B. Patrons and staff are required to be masked at all times unless actively eating or drinking.
- C. Gatherings of employees and customers in common areas (e.g., check-in area) is limited to a maximum of 50 individuals, while ensuring proper social distancing.

D. Indoor fitness classes are limited to the lesser of 50% or 50 people per room, provided that six (6) feet of social distancing can be maintained between patrons and face coverings are worn at all times.

E. Outdoor fitness classes are limited to a maximum of 100 individuals while ensuring proper social distancing.

F. Locker rooms and showers can remain open if strict and frequent cleaning measures are in place.

G. Ancillary accommodations, including saunas and steam rooms, where social distancing and frequent cleaning cannot take place, must remain closed.

9. Personal Services.

A. Indoor space limited to the lesser of 50% capacity or 50 individuals while practicing social distancing.

B. If a service requires the removal of face coverings (e.g., facials, beard trimmings) employees must wear both a mask and eye protection (e.g., face shield, protective glasses).

10. Retail Stores.

A. General merchandise stores and convenience stores are limited to a maximum of 50% capacity.

B. Grocery stores and pharmacies are limited to a maximum of 50% capacity.

C. Gatherings of employees and customers at an ingress/egress spot or other gathering spot are limited to no more than 50 individuals while ensuring proper social distancing.

D. Smoking is permitted in hookah stores, cigar lounges, and other retail tobacco shops, limited to the lesser of 50% capacity, or 50 individuals per room while ensuring proper social distancing.

11. Hotel & Accommodations

A. Gatherings in common spaces (e.g., lobby area) are limited to the lesser of 50% capacity, or 50 individuals while ensuring proper social distancing.

B. Fitness centers are limited to a maximum of 50% capacity. Hotel guests are required to be masked at all times in the fitness center.

C. Event and meeting spaces are limited to 50% capacity up to a maximum of 50 individuals.

12. **Short Term Rentals.** Gatherings limited to no more than 10 individuals in a single rental property or associated building common area/room, following building and individual property owner guidance.

13. **Office Buildings.**

A. All employees who can work remotely are encouraged to work remotely.

B. If remote work is not possible, capacity is limited to 50% for all indoor spaces, including tenant spaces.

C. Gatherings of occupants in cafeterias, meeting rooms, tenant lounges, and other gathering points are limited to the lesser of 50% capacity or a maximum of 50 individuals.

14. **Residential Buildings.**

A. Indoor gatherings within private residences are limited to 10 individuals.

B. Capacity in common areas and amenity spaces (e.g., conference rooms, tenant lounges) are limited to the lesser of 50% capacity, or a maximum of 50 individuals for indoor spaces or activities while ensuring proper social distancing.

15. **Businesses.**

A. Manufacturing. Gatherings of employees in cafeterias, meeting rooms, and other gathering points are limited to no more than 50 people while ensuring proper social distancing.

B. Construction. No more than 50 people shall gather in any meetings or in an ingress/egress spot or other gathering spot at a construction site.

C. Transportation and Warehousing. Gatherings of employees in cafeterias, meeting rooms, and other gathering points are limited to no more than 50 people while ensuring proper social distancing.

D. Healthcare. Gatherings of individuals in cafeterias, meeting rooms, and other gathering points are limited to no more than 50 individuals while ensuring proper social distancing.

E. Transportation.

1. Bus/Train. 15 passenger limit on 40-foot buses and 22 passenger limit on 60-foot buses and all train cars.

2. Taxis and rideshare vehicles are limited to a maximum of 9 individuals, including the driver.

16. Variances may be allowed to this Order by the Public Health Director on a case by case review basis which would be based on, but not limited to, Illinois Department of Commerce and Economic Opportunity and Illinois Department of Public Health policy, regulations, and guidance updates.

17. Exemptions.

A. Free exercise of religion. This Order does not limit the free exercise of religion. To protect the health and safety of faith leaders, staff, congregants, and visitors, religious organizations and houses of worship are strongly encouraged to consult and follow the recommended practices and guidelines from the Illinois Department of Public Health. Religious organizations are strongly encouraged to take steps to ensure social distancing, the use of face coverings, and the implementation of other public health measures.

B. Emergency functions. 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 government employees working for or to support the emergency response are exempt from this Order but are encouraged to practice social distancing and take recommended public health measures.

C. Governmental functions. This Order does not apply to the United States government and does not affect 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 their response to COVID-19 disease.

18. This Order shall supersede and replace my order dated February 4, 2021, titled "COVID-19 Phase 4 Mitigation Order, and my order dated February 10, 2021, titled "Amendment to COVID-19 Phase 4 Mitigation Order."

19. 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.

20. 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.

21. A failure to comply with this Order may result in one or all of the following: (1) a charge of Reckless Conduct pursuant to Section 12-5 of the Illinois Criminal Code, 720 ILCS 5/12-5/2, which is a Class A misdemeanor which may result in a sentence of imprisonment up to one year and/or a fine of not less than \$75 not to exceed \$2,500; (2) a charge of a violation of Sections 2(k) and/or Section 8.1 of the Illinois Public Health Act, 20 ILCS 2305/2(k) and 20 ILCS 2305/8), which are also Class A misdemeanors; (3) a violation of Section 20-1-12 of the Oak Park Village Code which is a Class B misdemeanor which may result in a fine of \$750 for each violation; (4) the suspension or revocation of a business license; (5) an order of closure of a business; or (6) a charge of a violation of any other applicable law.

22. This Order shall be in full force and effect until further order.

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