

EXECUTIVE ORDER NO. 20-5

EXECUTIVE ORDER REGARDING TOLLING OF SMALL WIRELESS FACILITY APPLICATIONS UNDER A DECLARATION OF A STATE OF EMERGENCY IN THE VILLAGE OF CLARENDON HILLS, DUPAGE COUNTY, ILLINOIS

(COVID-19 – 5, 2020)

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

WHEREAS, COVID-19 is a dangerous disease which has spread around the world, including in the United States, the State of Illinois and DuPage County; and

WHEREAS, COVID-19 is a direct and serious threat to the public’s health, safety and welfare; and

WHEREAS, on March 9, 2020, the Governor of the State of Illinois issued a disaster proclamation due to the impact of the COVID-19 public health emergency and activated the State Emergency Operations Center. Since the initial disaster proclamation, the Governor has issued a continuing series of disaster proclamations covering the entire State on a monthly basis, the most recent of which was dated November 13, 2020 (collectively, the “State Disaster Declarations”); and

WHEREAS, on April 6, 2020, the Village President declared a state of emergency in the Village in Declaration 2020-2, entitled “Declaration of a State of Emergency in the Village of Clarendon Hills, DuPage County, Illinois (COVID-19 – April 6, 2020)” (the “Local Declaration”); and

WHEREAS, the Declaration was made pursuant to authority granted to the Village President in Section 2.6 of the Clarendon Hills Village Code, entitled “Village President’s Authority to Declare a State of Emergency,” and pursuant to Section 11-1-6 of the Illinois Municipal Code (65 ILCS 5/11-1-6); and

WHEREAS, the Village President has, pursuant to the State Disaster Declarations and associated State executive orders (collectively, the “State Executive Orders”), and the Local Declaration, subsequently issued Executive Orders from time to time as necessary to address issues of importance to the Village as the global pandemic related to COVID-19 has continued; and

WHEREAS, the Village President has determined that it is necessary to make this Executive Order in furtherance of the Village’s continued efforts to effectively function, allocate critical resources, provide necessary services during the ongoing COVID-19 public health emergency, and to best protect the public’s health, safety and welfare;

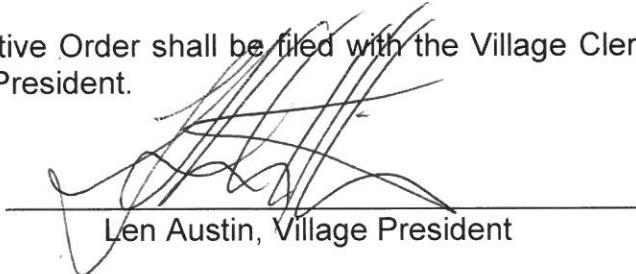
NOW, THEREFORE, BE IT ORDERED by me as the Village President of the Village of Clarendon Hills, DuPage County, Illinois, by the powers vested in me as the Village President of the Village of Clarendon Hills, and pursuant to Section 11-1-1 (Police Powers) and Section 11-1-6 (Extraordinary Powers; Executive Orders and State of Emergency) of the Illinois Municipal Code (65 ILCS 5/11-1-1 and 5/11-1-6), 20 ILCS 3305/11 of the Illinois Emergency Management Agency Act, Section 6-3-2 (Civil Emergency Declared), the Village President of Clarendon Hills Declaration 2020-2, entitled "Declaration of a State of Emergency in the Village of Clarendon Hills, DuPage County, Illinois (COVID-19 – April 6, 2020), as follows:

SECTION 1: Incorporation. The recitals above shall be and are incorporated in this Section 1 as if restated herein.

SECTION 2: Executive Order: Small Wireless Facilities. Section 15(d)(10)(B) of the Small Wireless Facility Deployment Act, ("Act") (50 ILCS 840/15(d)(10)(B)), and Section 60.5.F. of the Village Code of Clarendon Hills, authorizes a local authority to toll the time period for small wireless facility applications in instances where it is "a local, State, or federal disaster declaration or similar emergency that causes the delay." Pursuant to the authority granted to the Village by the applicable provisions of the Act and Village Code, and in accordance with the federal, State Disaster Declarations and Local Declaration currently in effect, I approve the tolling of the time period for the review and approval of any and all applications for Small Wireless Facility Permits submitted pursuant to the Small Wireless Facility Deployment Act for a period of one hundred eighty (180) days, or until such time as the Village and State of Illinois' COVID-19 pandemic disaster declarations expire or are repealed, or this Order is withdrawn by me, whichever occurs first.

SECTION 3: Effective Date. This Executive Order shall be in full force and effect immediately upon the date listed below.

SECTION 4: Filing. This Executive Order shall be filed with the Village Clerk's Office upon its execution by the Village President.



Len Austin, Village President

Date: December 14, 2020