



City of Chicago



O2020-2361

Office of the City Clerk

Document Tracking Sheet

Meeting Date: 4/22/2020

Sponsor(s):

Smith (43)
Vasquez, Jr. (40)
La Spata (1)
Dowell (3)
Taylor (20)
Rodriguez (22)
Sigcho-Lopez (25)
Maldonado (26)
Rodriguez Sanchez (33)
Ramirez-Rosa (35)
Martin (47)
Hopkins (2)
King (4)
Hairston (5)
Sawyer (6)
Harris (8)
Beale (9)
Sadlowski Garza (10)
Cardenas (12)
Burke (14)
Moore (17)
Curtis (18)
Scott, Jr. (24)
Ervin (28)
Taliaferro (29)
Cardona, Jr. (31)
Waguespack (32)
Reilly (42)
Cappleman (46)
Silverstein (50)
Hadden (49)
Austin (34)
Brookins (21)
Burnett (27)
Coleman (16)
Lopez (15)
Mitts (37)
Nugent (39)
Osterman (48)
Reboyras (30)
Sposato (38)
Ordinance

Type:

Title: Requiring any individual over age of two to cover their nose and mouth with mask or cloth face covering in public places

Committee(s) Assignment: Committee on Health and Human Relations

ORDINANCE

WHEREAS, As the City of Chicago confronts the unprecedented public health crisis of the COVID-19 pandemic, it is critical that the City take swift action to ensure the safety of our residents while supporting Essential Business and Operations necessary to implement Governor JB Pritzker's Stay at Home order of March 20, 2020 (Executive Order 2020-10); and

WHEREAS, Due to the rapidly spreading nature of the COVID-19, the Mayor and City Council of the City of Chicago have declared an urgent need to pass this ordinance immediately to protect the health of Chicago's residents when patronizing Essential Business and Operations; and

WHEREAS, In accordance with the Illinois Municipal Code (65 ILCS 5/1-2-4), the Mayor and the City Council of the City of Chicago find that it is urgent for this Ordinance to take effect immediately upon passage; now, therefore

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. Whenever used in this Ordinance, the following words and phrases shall have the following meanings:

"Employer" means an owner, manager, or operator of any Essential Business and Operations who employs a worker or engages an independent contractor in connection with such Essential Business and Operations or to perform an essential service for an Essential Business and Operations, other than any unit of government. To qualify as an employer, such owner, manager, or operator must (a) maintain a business facility within the geographic boundaries of the City and/or (b) be subject to one or more of the license requirements in Title 4 of the Municipal Code of the City of Chicago.

"Essential Business and Operations" has the meaning ascribed to the term "Essential Business and Operations" in Executive Order 2020-10.

"Face Covering" means a covering made of cloth, fabric, or other soft or permeable material, without holes, that covers only the nose and mouth and surrounding areas of the lower face. A Face Covering may be factory-made, or may be handmade and improvised from ordinary household materials, such as scarves and bandanas.

"Stay at Home order" means Executive Order 2020-10, Executive Order 2020-18, any extension of either such Executive Order, and any subsequent order related to the COVID-19 pandemic issued by the Governor of Illinois or the Mayor of the City of Chicago that orders nonessential workers within the City of Chicago to Stay at Home or at their place of residence, except for essential needs and activities, essential government functions, and Essential Business and Operations and operations.

"Worker" means any person who performs services for wages for an Essential Business and Operations or to perform an essential service on behalf of an Essential Business and Operations including both employees and independent contractors.

SECTION 2. Any individual who is over age two and able to medically tolerate a face-covering shall be required to cover their nose and mouth with a mask or cloth face-covering when in a public place and unable to maintain, or when not maintaining, social distance.

SECTION 3. Any person utilizing public or private transportation carriers or other for-hire vehicles, who is over age two and able to medically tolerate a Face Covering, shall wear a mask or Face Covering over the nose and mouth during any such trip; any person who is operating such public or private transport, shall likewise wear a Face Covering or mask which covers the nose and mouth while there are any passengers in such vehicle.

SECTION 4. The City and all employers of workers of Essential Business and Operations and Operations shall provide, at the employer's expense, Face Coverings for each of their respective workers, and shall require all workers to wear such Face Coverings while such workers are performing services for the employer and engaging in person-to-person interactions with the public or other workers. Such Face Coverings must cover the nose and mouth and may be non-medical grade fabric coverings, such as scarves and bandanas.

SECTION 5. All workers shall wear Face Coverings over their noses and mouths while such workers are performing services for the employer and engaging in a person-to-person interaction with the public or other workers. All workers required to wear such Face Coverings must wash any reusable Face Covering at least once a day. Single-use Face Coverings must be properly discarded into trash receptacles after use.

SECTION 6. Employers shall ensure workers have access to clean, sanitary restrooms, stocked with all necessary cleansing products or sanitizing agents required to observe hand sanitation protocols recommended by the Chicago Department of Public Health.

SECTION 7. All customers and visitors of Essential Business and Operations shall wear Face Coverings over their noses and mouths.

SECTION 8. Employers or workers may: (a) refuse admission or service to any individual who is not wearing Face Covering, and (b) refuse admission or service to any individual exhibiting symptoms of respiratory illness including fever or cough.

SECTION 9. Within 7 days of the effective date of this Ordinance, employers shall implement social distancing protocols at all facilities and locations in the City of Chicago for all workers, customers and visitors. Employers shall notify all workers of all social distancing protocols adopted pursuant to this Section and display such protocols prominently at all entrances of their business. Such social distancing protocols must include the following safety guidelines:

1. Limit the number of people who may enter the premises at any one time to ensure maintain at least a six-foot buffer between all individuals in the premises, including workers, customers, and visitors at all times;
2. Designate where lines may form on the premises, and marking increments to establish where individuals should stand while waiting in a line, which must be no less than six-feet apart;
3. Provide hand sanitizer, soap and water, or other disinfectant approved by the Commissioner of the Chicago Department of Public Health at or near the entrance of, and in other appropriate areas, of the premises;

4. Post a sign in a conspicuous place at or near the entrance of and in other appropriate areas of all premises instructing customers and visitors not to enter if they are experiencing symptoms of respiratory illness, including fever or cough;
5. Regularly disinfect high-touch surfaces after each use by a customer or visitor including all payment ports, pens, and styluses;
6. Regularly disinfect all surfaces and equipment used by workers, including at the beginning and end of each worker's shift; and
7. Adherence to communicable disease control recommendations issued by the Commissioner of the Chicago Department of Public Health.

SECTION 10. Any employer may sell Face Coverings to customers or visitors. All employers selling Face Coverings shall abide by all price gouging laws.

SECTION 11. The Commissioner of the Chicago Department of Public Health, the Chicago Police Department or any person authorized by the Commissioner, shall enforce the provisions of this Ordinance. Any violation of this Ordinance by an employer shall be punishable by a fine of not more than \$750.00. Each day that a violation continues shall constitute a separate and distinct offense.

SECTION 12. This Ordinance shall take effect immediately after passage, and remain in effect for the duration of the "Stay at Home" order. Section 11 of this Ordinance shall take effect at 8:00 a.m. on April 22, 2020.

MICHELE SMITH
Alderman, 43rd Ward

ANDRE VASQUEZ
Alderman, 43rd Ward

The following legislation is being introduced by Alderman Michele Smith regarding face coverings during pandemic co-sponsored by

Daniel La Spata

Alderman Ward 1

Brian Hopkins

Alderman Ward 2

Pat Dowell

Alderman Ward 3

Sophia King

Alderman Ward 4

Leslie Hairston

Alderman Ward 5

Rod Sawyer

Alderman Ward 6

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Alderman Ward 7

Michelle Harris

Alderman Ward 8

Anthony Beale

Alderman Ward 9

Susan Sadlowski-Garza

Alderman Ward 10

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Alderman Ward 11

George Cardenas

Alderman Ward 12

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Alderman Ward 13

Ed Burke

Alderman Ward 14

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David Moore

Alderman Ward 17

Derrick Curtis

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Alderman Ward 19

Jeanette Taylor

Alderman Ward 20

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Alderman Ward 21

Mike Rodriguez

Alderman Ward 22

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Michael Scott

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Byron Sigcho-Lopez

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Roberto Maldonado

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Jason Ervin

Alderman Ward 28

Chris Taliaferro

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Felix Cardona

Alderman Ward 31

Scott Waguespack

Alderman Ward 32

Rossana Rodriguez-Sanchez

Alderman Ward 33

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Carlos Ramirez-Rosa

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Andre Vasquez

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Alderman Ward 41

Brendan Reilly

Alderman Ward 42

Michele Smith

Alderman Ward 43

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Alderman Ward 44

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Alderman Ward 45

James Cappleman

Alderman Ward 46

Matt Martin

Alderman Ward 47

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Alderman Ward 48

Maria Hadden

Alderman Ward 49

Debra Silverstein

Alderman Ward 50

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Mayor Lightfoot

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Clerk Valencia

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Ray Lopez

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Carlos Ramirez-Rosa

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Emma Mitts

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Nick Sposato

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Samantha Nugent

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