

EMERGENCY DECLARATION 20-09

A DECLARATION GRANTING SPECIAL USE PERMITS AND IMPLEMENTING CERTAIN SAFETY MEASURES

WHEREAS, the Governor of the State of Illinois extended the Disaster Declaration until May 31, 2020

WHEREAS, I, Mayor G.W. Scott Sr, declared a state of emergency on March 20, 2020; and

WHEREAS, the Village Board approved Ordinance 20-07 granting the emergency authority to the Mayor, including the ability to manage the day to day operations of the Village; and

WHEREAS, I, Mayor G.W. Scott, Sr, signed Emergency Declaration 20-03, which extended the emergency declaration as doing so is prudent and necessary to protect and maintain the health of the Village; and

WHEREAS, the Village of Caseyville will shift into Phase III of the Restore Illinois Plan, as determined by the Governor; and

WHEREAS, Phase III allows for partial reopening of some businesses and other entities pursuant to health and safety guidelines; and

WHEREAS, under Phase III, Restaurants and Bars may reopen only to provide outdoor service; and

WHEREAS, I, Mayor G.W. Scott, Sr., find that many businesses are ready and eager to reopen and willing to take reasonable precautions for the safety of their patrons and employees; and

NOW, THEREFORE, BE IT DECLARED AS FOLLOWS:

Section 1. The foregoing recitals shall be and are hereby incorporated as findings of fact as if said recitals were fully set forth herein.

Section 2. Pursuant to the powers granted to me in Ordinance 20-07 by the Board of Trustees and 20 ILCS 3305/11 and 20 ILCS 3305/17, I, Mayor G.W. Scott, Sr., authorize the issuance of Temporary Use Permits to all duly licensed restaurants and bars within the corporate limits of the Village. Pursuant to the Temporary Use Permit, duly licensed restaurants and bars shall be allowed to provide outdoor dining and alcohol beverage service except as otherwise limited or prohibited by applicable law. No restaurant or bar shall be required to complete any application or pay any fee associated with the Temporary Use Permit issued herein. The temporary use permit automatically expires when emergency conditions under the Governor's Executive Orders expire.

Section 3. Temporary Beer Garden. Duly licensed bars and restaurants may erect a temporary outdoor area that meets the definition of a “Beer Garden” as defined in Code Section 21-1-2. The Provisions of 21-3-21(E) and 21-3-21(F) are suspended for any temporary “Beer Garden”.

Section 4. Placement. The placement of any outdoor seating area or beer garden shall be located on the restaurant’s or bar’s premises, or the adjoining property provided that the adjoining property is owned or leased by the licensed restaurant or bar, as the case maybe. Placement may be on public sidewalks or streets only if authorized by the Village of Caseyville, and subject to any conditions of usage by the Village.

Section 5. Phase III Guidelines. The Restaurant or Bar must comply with the Phase III guidelines as issued by the Illinois Department of Commerce and Economic Opportunity. The Village reserves the right to revoke the Temporary Use Permit for any restaurant or bar that does not comply with the Phase III Guidelines.

Section 6. Nothing herein shall authorize the erection of any structure, fixed or temporary. If any establishment wishes to erect a structure, fixed or temporary, such as a tent, canopy, carport, shed, or the like, the establishment must obtain permission and authorization from the Village of Caseyville to erection. The Village will review each application on a case-by-case basis after appropriate inspections as provided by the Revised Code of Ordinances. The Village reserves the right to charge the usual fee for inspections.

Section 7. Restaurants and bars shall comply with all noise and nuisance ordinances and regulations. The Village reserves the right to amend the special permissions granted by the Temporary Use Permits as reasonably necessary to address any violations of local ordinances and regulations or complaints by neighboring property owners. Restaurants and bars are encouraged to cooperate with their neighbors to ensure operations minimally impact neighboring properties.

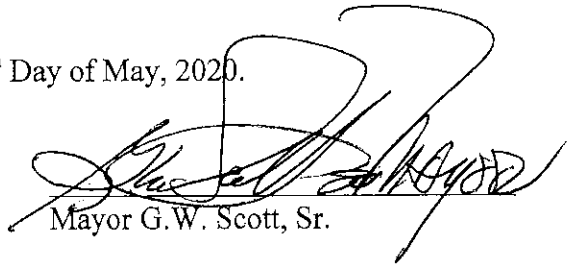
Section 8. The Temporary Use Permit shall automatically expire five (5) days after the last day that the Village remains in Phase III or under emergency conditions, as determined by the appropriate state authorities.

Section 9. So long as this Declaration remains in effect, the Board of Trustees, at the next duly convened meeting, may alter, amend, extend, discontinue, or take other action, as within the duly granted powers of the Board, in relation to this Declaration.

Section 10. Posting. The administrative clerk’s office shall provide copies of this Declaration to the public and post copies at the Police Station, Village Hall, and on the Village’s Website (www.Caseyville.com).

Signature Page to Follow

This Declaration is effective at 12:01 AM on the 29th Day of May, 2020.


Mayor G.W. Scott, Sr.

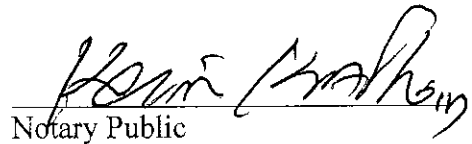
STATE OF ILLINOIS)
ss.)
SAINT CLAIR COUNTY)

I, the undersigned, a Notary Public, in and for said County, in the State aforesaid, DO HEREBY CERTIFY THAT G.W. Scott, Sr., personally known to me to be the Mayor of the Village of Caseyville, Illinois and personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that as such Mayor, G.W. Scott, Sr signed and delivered the said instrument as Mayor to the Village Clerk.

Given under my hand and notarial seal this 29th day of May 2020.

(Insert Seal)




Notary Public