

ORDINANCE 09-2020

**AN ORDINANCE AMENDING
ORDINANCE NO. 07-2020 APPROVING A TEMPORARY POLICY
AUTHORIZING AND REGULATING OUTDOOR DINING**

WHEREAS, the Village of Gilberts is a municipal corporation organized and existing under the Illinois Municipal Code, 65 ILCS 5/1-1-1 *et seq.*; and

WHEREAS, on June 2, 2020, the Village Board of Trustees approved Ordinance No. 06-2020 to approve a temporary policy authorizing and regulating outdoor dining; and

WHEREAS, on June 16, 2020, the Village Board of Trustees approved Ordinance No. 07-2020 amending and replacing in its entirety Ordinance No. 06-2020; and

WHEREAS, Ordinance 07-2020 authorizes the issuance of temporary outdoor dining permits for bars and restaurants in response to the COVID-19 pandemic; and

WHEREAS, Ordinance 07-2020 will expire on its own terms on September 7, 2020, unless extended by the Village Board; and

WHEREAS, the Village Board desires to extend the terms of Ordinance 07-2020 for an additional 90 days to continue to provide economic relief to bars and restaurants harmed by the ongoing COVID-19 pandemic.

**NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE PRESIDENT
VILLAGE BOARD OF THE VILLAGE OF GILBERTS, ILLINOIS, AS FOLLOWS:**

Section 1. Recitals. The recitals set forth above are hereby incorporated into and made a part of this Ordinance as though set forth in this Section 1.

Section 2. Amendment to Ordinance No. 07-2020. Section 2 of Ordinance No. 07-2020 is hereby amended as follows (deletions in ~~strike through~~, additions in underline):

Section 2. Approval. Notwithstanding any contrary provision of Village ordinance, regulation, or policy concerning outdoor dining and minimum parking, permits for outdoor dining areas may be approved for restaurants consistent with the terms of this Ordinance during the pandemic. This Ordinance will expire on December ~~September~~-7, 2020, unless extended, modified, or terminated by the Village Board.

Section 3. Continuing Effect. Except as expressly modified by this Ordinance, all terms and provisions of Ordinance No. 07-2020 will remain in full force and effect.

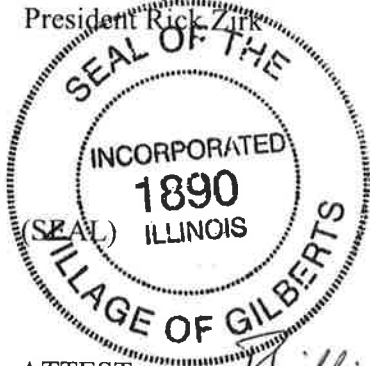
Section 4. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent

jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 5. Effective Date. This Ordinance shall be in full force and effect upon passage, approval and publication in pamphlet form as provided by law.

PASSED BY THE BOARD OF TRUSTEES of the Village of Gilberts, Kane County, Illinois, this 18th day of August 2020.

	<u>Ayes</u>	<u>Nays</u>	<u>Absent</u>	<u>Abstain</u>
Trustee Dan Corbett	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trustee ^{Kent} Elisa Kojzarek	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trustee Nancy Farrell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trustee Jeanne Allen	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trustee Lou Hacker	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trustee Guy Zambetti	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
President Rick Zirk	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



APPROVED THIS 18th DAY OF August, 2020

[Signature]
Village President, Rick Zirk

ATTEST: Phillip Versten
Deputy Village Clerk, Phillip Versten

Published: August 19, 2020