



# Naperville

OFFICE OF THE MAYOR

Steve Chirico

March 25, 2020

Executive Order 2020 – 06

## EXECUTIVE ORDER OF THE MAYOR OF THE CITY OF NAPERVILLE

### RECITALS

1. **WHEREAS**, on January 30, 2020, the World Health Organization declared the COVID-19 outbreak to be a public health emergency of international concern; and
2. **WHEREAS**, on March 13, 2020, the President of the United States issued a proclamation on declaring a national emergency concerning the COVID-19 outbreak, and
3. **WHEREAS**, on March 9, 2020, the Governor of the State of Illinois issued a disaster proclamation due to the impact of the COVID-19 outbreak and activated the State Emergency Operations Center; and
4. **WHEREAS**, on March 17, 2020, at an emergency Naperville City Council meeting a local state of emergency and disaster related to the COVID-19 outbreak was declared (see, *Mayor of Naperville's Declaration of a Local State of Emergency and Disaster* and *City of Naperville Ordinance 20-028 pertaining to a local state of emergency and disaster*); and
5. **WHEREAS**, effective Wednesday, March 18, 2020, all City of Naperville buildings have been closed to the public and many City staff began working remotely impacting City public business operations; and
6. **WHEREAS**, on March 16, 2020, the Governor of the State of Illinois issued Executive Order 2020-07, suspending on-premise consumption of food and beverages in places of public accommodation and prohibiting gatherings of 50 people or more; and
7. **WHEREAS**, on March 20, 2020, the Governor of the State of Illinois issued Executive Order 2020-10, requiring that all non-essential business and operations cease and requiring all individuals currently living in the State of Illinois to stay at home or their place of residence except as necessary to perform essential activities; and



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8. **WHEREAS**, hardships have been placed on businesses and residents because of the COVID-19 virus outbreak and the Governor of the State of Illinois' Executive Order 2020-10 requiring the closure of non-essential businesses; and
9. **WHEREAS**, the City of Naperville is a home rule unit of local government and may exercise any power and perform any function pertaining to its government and affairs including, but not limited to, the power to regulate for the protection of the public health, safety, morals and welfare, including taking immediate emergency measures to protect the public welfare in response to the COVID-19 outbreak.

**THEREFORE**, by the powers vested in me as the Mayor of the City of Naperville, and pursuant to 65 ILCS 5/11-1-6 of the Illinois Municipal Code, 20 ILCS 3305/11 of the Illinois Emergency Management Agency Act, Sections 10-1-1 and 1-8D of the Naperville Municipal Code, the Mayor of Naperville's Declaration of a Local State of Emergency and Disaster and City of Naperville Ordinance No. 20-028, I hereby order the following:

**SECTION 1: Recitals.** The Recitals set forth above are found to be true and correct and are hereby incorporated herein and made part hereof in their entirety by reference as though fully set forth in this Section 1.

**SECTION 2: Cigarette and Tobacco Dealer's Licenses.** Section 3-3-5:6 of the Naperville Municipal Code is amended to extend all currently issued Cigarette and Tobacco Dealer's Licenses, set to expire on April 30, 2020, to such date as later determined in writing, by the City of Naperville's Liquor and Tobacco Control Commissioner. The City's cigarette and tobacco license renewal process and any late fees pertaining to the City's cigarette and tobacco renewal process are suspended, until such a date, as later determined, in writing, by the Liquor and Tobacco Control Commissioner.

**SECTION 3: Food and Beverage Tax.** Section 3-1-9:6.1 of the Naperville Municipal Code is amended to extend the deadline for payments to the city of all taxes imposed by this Section for March, April, and May 2020 by sixty days from the original due date. Qualified taxpayers are still required to file sworn return(s) with the Finance Director for each retail facility located in the City by their original due date, even though the deadline for payment has been extended. The City will waive penalties and interest provided that the taxpayer files sworn return(s) by the original due date and makes payment of the taxes within 60 days from the original due date.



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**SECTION 4: Hotel and Motel Tax.** Sections 3-10-4:1 and 3-10-4:2 of the Naperville Municipal Code are amended to extend the deadline for payment of the quarterly tax return for the reporting period starting on the first day of January by sixty days, until June 15, 2020. The owners of each hotel or motel room within the City shall file the quarterly tax return showing tax receipts received with respect to each hotel or motel room during the three-month quarterly reporting period by their original due date, even though the deadline for payment has been extended. The City will waive penalties and interest provided that the taxpayer files quarterly tax returns by the original due date and makes payment of the taxes by or on June 15, 2020.

**SECTION 5: Gas Use Tax.** Sections 3-1-10:3.1 and 3-1-10:3.2 of the Naperville Municipal Code are amended to extend the deadline for payment of gas delivered to the retail purchaser's premises in February, March and April 2020 to the fifteenth day of the fourth month following the month in which the gas is delivered to the retail purchaser or consumed. The City will waive penalties and interest provided that the taxpayer makes payment of the taxes by the new due date.

**SECTION 6: Commuter Parking.** The billing schedule for commuter parking fees for the second quarter (April 1 – June 30) is amended to extend the due date to June 1, 2020. The City will waive penalties, cancellations, and interest if payment is made by June 1, 2020.

**SECTION 7: Utility Bills.** Section 8-3-1 of the Naperville Municipal Code is amended to waive late fees for non-payment of utility bills through March, April, and May 2020. The City has suspended service disconnections for non-payment, effective immediately for both residential and commercial customers until such a date, as later determined in writing, by the Mayor of the City of Naperville.

**SECTION 8: Parking Tickets.** Sections 11-2B-11:3.1, 11-2B-11:3.2, and 11-2B-11:3.3 of the Naperville Municipal Code are amended to delay assessment of a penalty (ticket doubling/increase in compromised amount), for parking tickets issued beginning on March 6, 2020 through April 7, 2020, until after April 30, 2020.

**SECTION 9: Savings Clause.** If any provisions of this Executive Order or its application to any person or circumstance is held invalid or unenforceable by any court of competent jurisdiction, this invalidity or unenforceability does not affect any other provisions or application of this Executive Order, which can be given effect without the invalid or unenforceable provision or application. To achieve this purpose, the provisions of the Executive Order are declared to be severable.



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**SECTION 10: Effective Date.** This Executive Order shall be in full force and effect from 12:00 A.M. on the date listed atop page one of this Order.

APPROVED this 24th day of March 2020.

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Steve Chirico  
Mayor