



**COVID-19 Public Health
PROOF OF VACCINATION IN PUBLIC PLACES**

Issued: December 30, 2021
Effective Date: January 10, 2022
Expiration Date: Upon further Order

Dr. Theresa Chapple-McGruder
Public Health Director
Department of Public Health
Village of Oak Park

Pursuant to Section 20-1-6(BB) of the Oak Park Village Code, which was adopted by the Village Board on January 19, 2021, by Ordinance 21-8, the Village's Public Health Director has the authority to make "reasonable rules, regulations, and orders . . . as may from time to time be deemed necessary . . . due to the outbreak of COVID-19 disease in the State of Illinois . . . as long as there is a disaster proclamation in place by the Governor of the State of Illinois due to the outbreak of COVID-19 disease," and such a disaster proclamation continues to remain in place. In addition, authority is delegated to the Village of Oak Park Public Health Department as an Illinois certified local health department by the Illinois Public Health Act, 20 ILCS 2305/1.1 *et seq.*, Section 15 of the Illinois Department of Public Health Powers and Duties Law, 20 ILCS 2310/2310-15, and 77 Ill. Adm. Code Sections 690.1305(a) and 690.1310(c). Therefore, pursuant to said authority, it is hereby ordered and directed as follows:

ORDER

1. On January 27, 2020, the United States Secretary of Health and Human Services declared that COVID-19 presents a public health emergency, and the World Health Organization characterized the COVID-19 outbreak as a pandemic on March 11, 2020.
2. The United States and the State of Illinois are in the early stages of a large surge of COVID-19 cases due to the Omicron variant.
3. Therefore, I have determined that additional mitigation measures are necessary to protect the public health pursuant to the authority set forth above.
4. **All Businesses and Individuals – Mask Wearing Requirement.**
 - A. Any individual aged two (2) and older and able to medically tolerate a mask shall be required to wear a mask when indoors in a public place, regardless of vaccination status.
 - B. For the purposes of this Order, indoor public spaces include any common or shared space in: (1) a residential multi-unit building or (2) any non-residential building, including

but not limited to retail stores, restaurants, bars/taverns, health and fitness clubs, museums, hotels, personal services, performance venues, movie theaters, commercial buildings, event venues, healthcare settings, congregate facilities, on public transportation and in transportation hubs.

C. Mask refers to a complete and tight-knit fabric or cloth, or medical mask that is appropriately sized for the individual's face to snugly cover the nasal openings and mouth without the necessity of being held in place by the individual's hands.

D. Masks may be removed at restaurants, bars, and other eating/drinking establishments by patrons when they are actively eating/drinking while stationary. A mask may also be removed by employees at workplaces when they can consistently maintain six (6) feet of distance, such as when employees are in their office or cubicle space.

E. Masks shall not be required for individuals who undergo medical care involving the mouth or face that require their removal, such as dentistry services or surgical procedures.

F. Individuals may also remove a mask for certain activities that require their removal, such as beard shaves, facials, or other treatments. A business providing such treatment shall require the individual to provide proof of vaccination as set forth in section 5 below prior to providing such treatment.

G. Physical distancing of six (6) feet should be maintained where feasible.

5. Vaccination requirement for indoor settings where food and/or drink are served for on-premises consumption and health and fitness centers.

A. Businesses where food and/or drink are served for on-premises consumption and health and fitness center businesses ("businesses") must require any individual five (5) years of age and older to show proof that they are fully-vaccinated against COVID-19 with an approved vaccine in order to enter the business establishment.

B. Businesses must require patrons age sixteen (16) and older to show identification, including, but not limited to a driver's license, government identification card, passport, work or school identification card, or other similar identification, with information that corresponds to the vaccination proof.

C. Businesses must post signage advising patrons of the vaccine requirement set forth herein. Such signage must be posted at all entrances to the premises as well as prominently posted in an area visible to patrons and staff within the establishment.

D. In the interests of efficiency, businesses may allow patrons to provide the required vaccination proof prior to entry, either directly to the business itself or through an intermediary such as an event planner.

E. Business employees must have completed their primary series of a COVID-19 vaccine with an approved vaccine or must show proof of a negative COVID-19 test on a weekly basis.

F. Businesses must develop a written protocol providing details for how they will enforce this Order and make such written protocol available for inspection by applicable Village staff during normal business hours.

6. Indoor settings where food or drink are served for on-premises consumption and health and fitness centers subject to this Order.

A. The following indoor settings and businesses are subject to this Order:

1. Indoor dining establishments, including bars, breweries, beer/wine/spirit tasting rooms, restaurants, private clubs, country clubs, banquet halls, dining areas within any public business that is ancillary to the main business, such a grocery stores or a retail establishment, coffee shops, food courts, food halls, and cigar lounges/smoking establishments.

2. Event spaces, including hotel ballrooms and commercial events and party venues, and nightclubs.

3. Recreation and entertainment venues including movie theaters, live performance spaces, including live theater and live music, sports arenas, indoor skating rinks, arcades, bowling alleys, play spaces, family entertainment centers, billiard halls, and venues for card playing, excluding public and private school gyms;

4. All indoor settings for recreation and exercise, including health clubs, gyms, fitness centers, hotel fitness centers, recreation centers, yoga studios, cross-fit studios, dance studios, boxing and kickboxing gyms, and other facilities conducting group fitness classes indoors, excluding public and private school gyms; and

5. Any grocery store that allows and conducts food or beverage tasting/food or beverage sampling on the premises.

B. All sports participants playing indoors should continue to follow the current Illinois Department of Public Health [\(All Youth Sports Policy December 7, 2021\)](#).

C. All businesses shall comply with the United States Occupational Safety and Health Administration (“OSHA”) standards 1910.501(e) & (g) relating to employee vaccination status and testing regardless of the number of business employees.

7. Primary series of a COVID-19 vaccine.

A. An individual has completed their primary series of a COVID-19 vaccine once they are either:

1. Two weeks after their second dose in a 2-dose series with an approved COVID-19 vaccine, such as the Pfizer or Moderna vaccines, or
2. Two weeks after a single-dose series with an approved COVID-19 vaccine, such as Johnson & Johnson's Janssen vaccine.

B. An approved COVID-19 vaccine is a vaccine that has been authorized or approved by either the Food and Drug Administration or the World Health Organization to prevent COVID-19, whether for emergency use or otherwise.

8. Proof of vaccination.

Proof of vaccination means:

A. A United States Centers for Disease Control and Prevention ("CDC") COVID-19 Vaccination Record Card; or

B. An official immunization record from the jurisdiction, state, or country where the vaccine was administered; or

C. A smartphone or other similar device 'app' that provides a digital record of vaccinations; or

D. A digital or physical photo of such a card or record that includes the individual's name, the vaccine brand administered, and the date the vaccination was administered.

9. "Indoors" definition.

For purposes of this Order, "indoors" means any part of a business with a roof or overhang that is enclosed on at least three (3) sides, a temporary outdoor structure that holds multiple parties that has less than fifty percent (50%) of the sides open to allow airflow, and a dining structure for individual parties, such as a plastic dome, if the structure does not have adequate ventilation to allow for air circulation.

10. Exemptions – Individuals.

The following individuals are exempt from the proof of vaccination requirement set forth herein:

A. Individuals entering an establishment for less than ten (10) minutes for ordering and carrying out food; making a delivery; or using restroom facilities;

B. Individuals who have previously received a medical exemption, as long as proof of the medical exemption and a COVID-19 test administered by a medical professional within the last twenty-four (24) hours prior to entering a business covered by this Order are provided to the business upon entry;

C. A nonresident performing artist or nonresident person accompanying the artist who does not regularly perform in a business where this Order applies, but only while in the business for the duration of the performance;

D. A nonresident professional athlete or nonresident person accompanying the athlete, who enters a covered location as part of their regular employment for purposes of the professional athletic or sports team competition;

E. An individual eighteen (18) years of age or younger who enters a business subject to this Order to participate in a school activity or after-school program offered by any pre-kindergarten through twelfth (12th) grade public or non-public school; and

F. Any person entering a business subject to this Order for the purposes of voting in a municipal, state, or federal election, or pursuant to law, assists or accompanies a voter or observing such elections.

11. Exemptions - Business / Indoor Venues:

This Order does not apply to:

A. Houses of worship and does not limit the free exercise of religion. To protect the health and safety of faith leaders, staff, congregants and visitors, religious organizations and houses of worship are strongly encouraged to consult and follow [CDC recommendations for Communities of Faith](#). Religious organizations are strongly encouraged to take steps to ensure social distancing, and implementation of other public health measures;

B. Kindergarten through twelfth (12th) grade schools, preschools, and child care centers;

C. Indoor locations in a residential or office building the use of which is limited to residents, owners, or tenants of that building; and

D. Charitable food service establishments, such as soup kitchens.

12. Nothing contained in this Order is intended to, or shall operate to, supersede any applicable State or federal law, order or rule, and to the extent of any conflict, such State or federal law, order or rule shall be applicable.

13. This Order supersedes, replaces, and repeals the “Indoor Mask Requirement” Order dated August 5, 2021

14. If any provision of this Order or its application to any person or circumstance is held to be invalid, then the remainder of the Order, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of this Order are severable.

15. A failure to comply with this Order may result in one or all of the following: (1) a charge of Reckless Conduct pursuant to Section 12-5 of the Illinois Criminal Code, 720 ILCS 5/12-5/2, which is a Class A misdemeanor which may result in a fine of not less than \$75 not to exceed \$2,500; (2) a charge of a violation of Sections 2(k) and/or Section 8.1 of the Illinois Public Health Act, 20 ILCS 2305/2(k) and 20 ILCS 2305/8), which are also Class A misdemeanors; (3) a violation of Section 20-1-12 of the Oak Park Village Code which is a Class B misdemeanor which may result in a fine of \$750 for each violation; (4) the suspension or revocation of a business license; (5) an order of closure of a business; or (6) a charge of a violation of any other applicable law.

11. This Order shall be in full force and effect until further order.

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