

## MEMORANDUM

**TO:** City Council

**FROM:** Philip J. Suess, Mayor 

**DATE:** July 22, 2020

**SUBJECT:** **Amending Declaration – Executive Order 2020-005, Parking Tickets**

On April 13, 2020, I signed **Executive Order 2020-005, EXECUTIVE ORDER OF THE MAYOR OF THE CITY OF WHEATON, ILLINOIS: "FORGIVING CERTAIN CITY LICENSE FEES AND LATE FEES"**, and the City Council on April 20, 2020 ratifying said executive order, which permitted the reduction and/or forgiveness of certain fees and/or charges to give Wheaton business and residential property owners and tenants some financial flexibility in managing the COVID-19 financial impacts.

The following section of Executive Order 2020-005 is hereby rescinded so to allow the assessment of a penalty (increase in compromised amount) for parking tickets issued beginning on August 1, 2020:

"4. Parking Tickets. Section 70-148 (a) of the Wheaton Municipal Code is amended to delay assessment of a penalty (increase in compromised amount) for parking tickets issued from March 20, 2020 until such a date, as later determined in writing, by the Mayor of the City of Wheaton; and"

**CC:** Michael G. Dzugan, City Manager  
Robert R. Lehnhardt, Director of Finance/Treasurer



WHEATON MAYOR PHILIP J. SUESS

CITY MANAGER MICHAEL DZUGAN

CITY COUNCIL: MICHAEL BARBIER | ERICA BRAY-PARKER | SUZANNE FITCH | LYNN ROBBINS | JOHN RUTLEDGE | CHRISTOPHER ZARUBA



**EXECUTIVE ORDER OF THE MAYOR OF THE CITY OF WHEATON, ILLINOIS: "FORGIVING CERTAIN CITY LICENSE FEES AND LATE FEES"**

**WHEREAS**, Section 2-127 "Emergency Powers and Duties" of Chapter 2 "Administration" of the Wheaton City Code grants authorization to the Mayor of the City of Wheaton to enter executive orders "upon the declaration of a local state of emergency;" and

**WHEREAS**, the authority to declare a state of emergency and to issue local executive orders under Section 2-127 is exclusive to the Mayor; and

**WHEREAS**, on March 23, 2020, I the Mayor of the City of Wheaton, Philip J. Suess, entered a declaration of local state of emergency based on the COVID-19 pandemic; and

**WHEREAS**, hardships have been placed on businesses and residents because of the COVID-19 pandemic as a result of the Governor of the State of Illinois' Executive Order requiring the closure of non-essential businesses; and

**WHEREAS**, I have concluded that an executive order permitting the reduction and/or forgiveness of certain fees and/or charges is consistent with my authority under the law and the declaration of emergency, because it gives Wheaton business and residential property owners and tenants some financial flexibility in managing the COVID-19 financial impacts; and

**WHEREAS**, I also have concluded that the City Manager should have the authority to initially implement and thereafter manage the reduction and/or forgiveness of certain fees and/or charges.

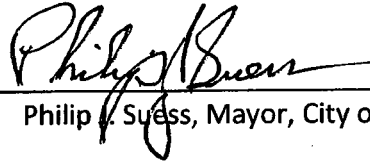
**NOW, THEREFORE, BASED ON THE FOREGOING RECITALS**, I, Philip J. Suess, as Mayor of the City of Wheaton, hereby order instanter, pursuant to my executive powers granted by law and the declaration of emergency, that:

1. Recitals. The foregoing recitals are incorporated herein as substantive provisions; and
2. Utility Bills Waive Late Fees. Section 74-336 (a) of the Wheaton Municipal Code is amended to waive late fees for non-payment of utility bills issued for March, April, and May 2020; and
3. Utility Bills Suspend Service Disconnections. Section 74-338 of the Wheaton Municipal Code is amended to suspend service disconnections for non-payment of utility bills, effective immediately for both residential and commercial customers until such a date, as later determined in writing, by the Mayor of the City of Wheaton; and
4. Parking Tickets. Section 70-148 (a) of the Wheaton Municipal Code is amended to delay assessment of a penalty (increase in compromised amount) for parking tickets issued from March 20, 2020 until such a date, as later determined in writing, by the Mayor of the City of Wheaton; and

5. City Fire Alarm Monitoring Fees. Section 22-213 of the Wheaton Municipal Code is amended to waive the City's fire alarm monitoring and radio lease fee for the second quarter (April 1, 2020 – June 30, 2020); and
6. Leased Parking Permits. The billing and collection schedule for leased parking permits of the second quarter (April 1, 2020 – June 30, 2020) is amended to extend the due date to June 1, 2020. The City will waive penalties and cancellations if payment is made by June 1, 2020; and
7. Liquor Licenses. Section 6-88 of the Wheaton Municipal Code sets forth the fees associated with specific liquor license classification fees paid by December 31 of each year. Although Section 6-88-c permits a reduced fee in proportion to the full calendar months of only the initial fee, a 3 (three) month refund for each licensee reflecting the portion of the 2020 calendar year during which the licensee was unable to engage in business of selling alcoholic liquor through no fault of the licensee is hereby authorized for the following Liquor License Classifications: A, B, H, I, L, M, O, R, and W.

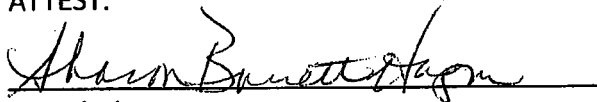
The City Manager, of the City of Wheaton, is hereby directed to undertake those acts necessary from the City's standpoint to implement this Order and manage it in accordance with its terms, covenants and conditions until terminated.

SO ORDERED this 13<sup>th</sup> day of April 2020.



Philip V. Suess, Mayor, City of Wheaton

ATTEST:

  
City Clerk

Date: April 13, 2020