



W C H D
Winnebago County Health Department

Serving Our Whole Community

Enforcement Procedures to Prevent the Transmission of COVID-19 September 10, 2020

Intent

It is the intent of the Winnebago County Health Department (WCHD) to work with entities to prevent the transmission of COVID-19 in the community through compliance with all Executive Orders, ordinances, rules and regulations. WCHD has an obligation to respond to complaints received and observed to protect the health of the public. WCHD also has the enforcement responsibility and authority to protect the health of the public. WCHD will start with the least punitive action based on the level of infraction. When an entity has continued complaints and demonstrates non-compliance, actions will escalate in accordance with Illinois Administrative Code for the Control of Communicable Diseases (77 Ill. Adm. Code 690).

Procedure

1. All complaints against any entity, including but not limited to, businesses, retail stores, food establishments, places of worship, schools, healthcare facilities, and universities will be logged.
2. WCHD will conduct a site visit to the entity to assess violations, educate on corrective action, and document.
3. After three (3) validated violations at the same entity, a *Notice of Non-Compliance* or *School Notice of Non-Compliance* (depending on entity) will be issued. The entity will be given no more than 2 weeks (14 calendar days = 1 incubation period) to come into compliance. The timeline for compliance will depend on the nature of the violation.
4. After the timeline established for compliance in #3 above, a follow-up site visit will be conducted to assess whether corrective action has been implemented as contained in the *Notice of Non-Compliance/School Notice of Non-Compliance*.
5. If the entity has not implemented corrective actions, a *Notice to Disperse* will be issued. This Notice will be issued for a period not to exceed 24 hours and will be implemented immediately.
6. All entities issued a *Notice to Disperse* will be scheduled for a Public Health Pandemic Emergency Rule Enforcement Hearing (hearing) that will be conducted by WCHD management level personnel who were not involved in inspection of the entity.
 - o A hearing fee of \$200 will be charged and must be paid prior to the dismissal of any *Notice to Disperse*.
 - o The hearing will be open for the public to view remotely via the Winnebago County Health Department website.
7. If an entity fails to attend the hearing or fails to implement a corrective action plan established through the Public Health Pandemic Emergency Rule Enforcement Hearing process within the established timeline, a *Closure Order* will be issued pursuant to Section 2 of the Department of Public Health Act, 20 ILCS 2305/2, through authority granted to WCHD by the Illinois Department of Public Health.



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8. Failure to comply with Notices will be referred to the Winnebago County State's Attorney to review for issuance of charges consistent with Section 8, of the Department of Public Health Act, 20 ILCS 2305/8.
9. All Notices of Non-Compliance, Notices to Disperse, and Closure Orders will be posted on the WCHD website for transparency and communication to the public. Notices will be removed after an entity has demonstrated compliance for 30 days.