



Emergency Rules: Section 690.40 Pandemic or Epidemic Respiratory Disease

The Illinois Department of Public Health issued the following emergency rule in the Control of Communicable Diseases Code (77 Ill. Adm. Code 690), effective May 15, 2020:

Section 690.40 Pandemic or Epidemic Respiratory Disease – Emergency Provisions EMERGENCY

- a) *The State Department of Public Health has general supervision of the interests of the health and lives of the people of the State. As part of that general supervision, the Department has jurisdiction to address dangerously contagious or infectious diseases outbreaks to protect the health and lives of the people of the State. The Department shall take means it considers necessary to restrict and suppress dangerously contagious or infectious diseases, especially when existing in epidemic form. (Section 2(a) of the Act)*

- b) In order to restrict and suppress the novel coronavirus SARS-CoV-2 that causes the coronavirus disease 2019 (COVID-19), a dangerously contagious and infectious respiratory disease in the form of a pandemic or epidemic, which is spread person to person in respiratory droplets released by a person infected with the disease, the Department implements the following restrictions and requirements:
 - 1) Businesses and establishments that serve food or beverages, including, but not limited to, restaurants, food buffets, self-serve areas, bars, taverns, pubs, wineries, breweries, or beer gardens, that operate under a permit or license issued by the State or local health authority, shall not allow indoor on-site consumption of food or beverages. Service shall be limited to drive-through, delivery, curbside, or pick up only. Businesses and establishments located in airports and hospitals are exempt from the requirements of this Section.

 - 2) Businesses and establishments that offer indoor fitness, exercise, physical workout or non-medical wellness services, such as health clubs or centers, fitness clubs or centers, gyms, tennis clubs, swimming pools, shall not allow on-site indoor fitness, exercise, workout or non-medical wellness options to customers, including but not limited to, classes, personal training, or individual customer use of exercise equipment or facilities. Service shall be limited to the sale of retail goods via drive-through, delivery, or pick up only, or the use of exercise equipment or the indoor

use of facilities for the recording and streaming of online classes and instructional videos only.

- 3) Businesses or establishments that offer cosmetology, esthetics, nail technology, barber, tanning, body art, or similar non-medical personal care services, treatments, procedures or therapies shall not provide on-site services. Service shall be limited to the sale of retail goods via drive-through, delivery, curbside, or pick up only

- c) Any person who violates the provisions of this Section shall be subject to the penalties set forth in Section 8.1 of the Act.

As the Director of Public Health, I am authorized to institute prosecutions and proceedings for violation of this rule. I also designate local health departments to institute prosecutions and proceedings on businesses or establishments that violate this rule. (20 ILCS 2305/8.1) I direct local health departments to coordinate with Illinois State Police and local law enforcement as provided by the Department of Public Health Act. (20 ILCS 2305/1.1 *et seq.*)

Signed:

