



City of Chicago



O2021-5291

Office of the City Clerk

Document Tracking Sheet

Meeting Date: 11/17/2021

Sponsor(s): Lightfoot (Mayor)

Type: Ordinance

Title: Promulgation of rules authorizing extension of Expanded Outdoor Dining Program through 2022

Committee(s) Assignment: Committee on Transportation and Public Way

TRANS



OFFICE OF THE MAYOR
CITY OF CHICAGO

LORI E. LIGHTFOOT
MAYOR

November 17, 2021

TO THE HONORABLE, THE CITY COUNCIL
OF THE CITY OF CHICAGO

Ladies and Gentlemen:

At the request of the Commissioner of Business Affairs and Consumer Protection, I transmit herewith an ordinance authorizing the extension of the Expanded Outdoor Dining Program through 2022.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,

A handwritten signature in cursive script that reads "Lori E. Lightfoot".

Mayor

ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

ARTICLE I. Expanded Outdoor Dining Program

SECTION 1. The Commissioner of Transportation and the Commissioner of Business Affairs and Consumer Protection are jointly authorized to operate the Expanded Outdoor Dining Program ("Program") for the 2022 calendar year.

SECTION 2. The Commissioner of Transportation is authorized to place and maintain temporary traffic-control devices as needed to make space for the Program. The Commissioner of Transportation may also designate spaces to be used for the Program, but may require that permittees place the traffic-control devices as long as the traffic-control devices meet specifications established by the Department of Transportation.

SECTION 3. In order to facilitate the Program, the Local Liquor Control Commissioner is authorized to issue special event liquor licenses pursuant to Section 4-60-070 under the Program. These licenses shall be exempt from the fifteen-day time limit set by Section 4-60-070(c). Special event liquor licenses may be issued for the duration of the term set by the Program after the applicant pays the \$150 one-time fee, to a maximum of 180 days.

SECTION 4. The Commissioner of Transportation and the Commissioner of Business Affairs and Consumer Protection are authorized to jointly promulgate rules to allow licensed retail food establishments to operate pursuant to the Program, both on public and on private property.

ARTICLE II. Sidewalk Cafés

SECTION 1. *Extension in front of neighboring property.*

If a permit application is made for a sidewalk café that would extend to any portion of a public right-of-way in front of a neighboring property, in addition to all other applicable requirements, the following requirements shall apply:

- 1) The insurance coverages furnished in compliance with Section 10-28-815 of the Code must apply to the entire footprint of the sidewalk café as set forth in the approved plan;
- 2) The sidewalk café must extend to the public right-of-way in front of the neighboring property without interruption;
- 3) The sidewalk café cannot obstruct the view of the entirety of any of the neighboring property's windows from the street, or block the door of the neighboring property;
- 4) The sidewalk café cannot extend to a public right-of-way in front of a neighboring property that is used for the operation of a retail food establishment or retail liquor establishment;
- 5) The extension shall be limited to the public right-of-way in front of a single neighboring property; and
- 6) If the sidewalk café extends on the property side of the public right-of-way in front of the neighboring property, the applicant shall notify, in writing, the owner and

occupant, if any, of such property of the applicant's plan to apply for a sidewalk café permit that that would extend on the property side of the public right-of-way in front of the neighboring property. A copy of such notice shall be included with the sidewalk café permit application. No such notice shall be required if the sidewalk café extension is entirely on the curb side of the public right-of-way in front of the neighboring property.

SECTION 2. *Permit fees.*

Permit fees for issuance of a sidewalk café permit shall be 25 percent of the fees that otherwise would have been charged for such permit under Section 10-28-805 of the Code. The Commissioner is authorized to issue a refund of any excess sidewalk café permit fee paid by an applicant to the City while this ordinance is in effect.

ARTICLE III. Effective and Termination Dates

SECTION 1.

(a) Following passage and approval, ARTICLE I of this ordinance shall take effect January 1, 2022.

(b) Following passage and approval, ARTICLE II of this ordinance shall take effect March 1, 2022.

SECTION 2.

(a) ARTICLE I of this ordinance shall repeal of its own accord, without further action of the City Council, at 11:59 p.m. on December 31, 2022.

(b) ARTICLE II of this ordinance shall repeal of its own accord, without further action of the City Council, at 11:59 p.m. on February 28, 2023.