



# Office of the City Clerk

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## Legislation Details (With Text)

**File #:** O2016-697  
**Type:** Ordinance      **Status:** Passed  
**File created:** 2/10/2016      **In control:** City Council  
**Final action:** 3/16/2016

**Title:** Amendment of Municipal Code Chapter 4-384 by adding new Section 4-384-170 regarding Animal Shelter Cafe permit

**Sponsors:** Silverstein, Debra L.

**Indexes:** Ch. 384 Animal Care

**Attachments:** 1. O2016-697.pdf, 2. O2016-697 (V1).pdf

Date	Ver.	Action By	Action	Result
3/16/2016	1	City Council	Passed	Pass
3/8/2016	1	Committee on License and Consumer Protection	Recommended to Pass	Pass
2/10/2016	1	City Council	Referred	

### ORDINANCE

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

SECTION 1. Chapter 4-384 of the Municipal Code of Chicago is hereby amended by adding a new section 4-384-170, as follows:.

#### **4-384-170 Animal Shelter Cafe permit.**

##### a) Definitions.

For purposes of this section the following definitions apply:

"Beverages" means non-alcoholic beverages, including but not limited to coffee, tea, and water.

"Cafe" means that enclosed portion of the licensed humane society premises reserved solely for the sale of beverages.

"Permittee" means a person issued an animal shelter cafe permit under this section.

b) Notwithstanding any provision of this code to the contrary, a humane society may sell beverages in its licensed facility in compliance with this section; provided that no more than 20% of the total floor area, or the amount of floor area permitted in the applicable zoning district, whichever is less, shall be used for the sale of beverages. The animal shelter cafe permit authorizes only the sale of non-alcoholic beverages. The permit shall be for a term of two years and the fee shall be \$250.

The permit granted under this section does not authorize the licensee to engage in the business of a retail food establishment, except as authorized in this section.

c) Qualifications and application.

1) A permit or renewal of a permit issued under this section shall be denied or revoked for any of the following:

- A) the applicant or permittee does not have a valid animal care license issued under this chapter;
- B) the applicant or permittee is not a humane society whose mission and practice is, in whole or in significant part, the rescue and placement of dogs or cats; or
- C) the enclosed area or operation of the cafe is not in compliance with this section or applicable rules.

2) An application for, or a renewal of, an animal shelter cafe permit shall be made to the commissioner in a form and manner provided by the commissioner. The application shall include:

- A) proof that the applicant holds a valid animal care license;
- B) proof that the applicant is a humane society whose mission and practice is, in whole or in significant part, the rescue and placement of dogs or cats;

**1**

- C) a detailed drawing of the licensed animal care premises which clearly shows:
  - (i) the location of the cafe in the licensed premises; and (ii) the walls and doors separating the cafe from the remaining licensed premises; and
- D) any other pertinent information reasonably required by the commissioner.

d) Operating requirements.

- 1) The cafe shall be separated by walls and doors from the remaining area of the licensed premises;
- 2) No animals, other than service animals, shall be permitted to be in, or travel through, the cafe;
- 3) Beverages shall be sold only:
  - i) in the cafe; and
  - ii) to prospective adopters currently in the licensed premises for the purpose of adopting a cat or dog.

e) This section shall be enforced by the department and the department of health.

The commissioner shall promulgate rules for the administration and enforcement of this section. The department of health shall promulgate rules regarding the sanitation and health requirements of the cafe, which rules shall include but not be limited to adequate controls to ensure compliance with the Illinois Food, Drug and Cosmetic Act, the Illinois Food Handling- HAA/pc/Mi Regulation Enforcement Act, the Illinois Sanitary Food Preparation Act, and any other applicable law or regulation.

(f) Any person who violates this section, or any rule promulgated hereunder, shall be fined not less than \$200.00 nor more than \$1000.00 for each offense. Each day that a violation continues shall constitute a separate and distinct offense.

>ra'bUverstein Alderman, 50<sup>th</sup> Ward

2

02016-697

Chicago, March 16, 2016

To the President and Members of the City Council:

Your Committee on License and Consumer Protection, having under consideration an ordinance introduced by Alderman Debra Silverstein (which was referred on February 10, 2016), to amend Chapter 4-384 of the Municipal Code of Chicago concerning Animal Shelter Cafe permit, begs leave to recommend that Your Honorable Body pass the ordinance which is transmitted herewith as amended.

This recommendation was concurred in by a viva voce vote of the members of the committee on March 8, 2016.

Respectfully submitted,

7

EitiMA MITTS CHAIRMAN, COMMITTEE ON LICENSE AND CONSUMER PROTECTION