

SUBSTITUTE
ORDINANCE

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

SECTION 1. Section 10-28-590 of the Municipal Code of Chicago is hereby amended by adding the language underscored, and by deleting the language struck through, as follows:

10-28-590 Outdoor dining program with street closure.

(Omitted text is unaffected by this ordinance)

(f) ~~An~~ Except as otherwise provided in Section 10-28-600, an Outdoor Dining Street Permit shall be valid from May 1st to and including October 31st of the year of its issuance. The fee for an Outdoor Dining Street Permit shall be determined by the Commissioner, taking into account land values, and shall be set by rule.

SECTION 2. Section 10-28-597 of the Municipal Code of Chicago is hereby amended by adding the language underscored, as follows:

10-28-597 Operational conditions.

(Omitted text is unaffected by this ordinance)

(e) Permittees shall follow Commissioner directives, including, but not limited to, modification or suspension of operations in order to make room for construction, snow removal, or street cleaning.

SECTION 3. Chapter 10-28 of the Municipal Code of Chicago is hereby amended by adding a new Section 10-28-600, as follows:

10-28-600 Specific locations approved.

The following locations may receive permits, contingent upon application and approval by the Commissioner, for periods longer than set forth in Section 10-28-590(f).

<i>Location</i>	<i>Type of Outdoor Dining Street</i>	<i>Period</i>
North Glenwood Avenue, between West Morse Avenue and West Farwell Avenue	Curb Lane Permit	May to April (12 months)

SECTION 4. Section 10-28-590 of the Municipal Code of Chicago is hereby amended by adding the language underscored, and by deleting the language struck through, as follows:

10-28-610 Enforcement.

(Omitted text is unaffected by this ordinance)

(d) Any Outdoor Dining Street for which a permit is in effect under this article may be temporarily closed by the Commissioner or the Commissioner's designee, if: (1) the Outdoor Dining Street contains a significant danger to public safety, including, but not limited to, (i) the footprint or Outdoor Dining Street-related objects or equipment on property beyond plan specifications, (ii) a missing, insufficient, or incomplete barrier, ~~or~~ (iii) obstruction of a fire lane; (iv) interference or other obstruction of any snow removal, street cleaning, or similar activity; or (v) conditions on the Outdoor Dining Street present a significant danger to the public, including, but not limited to, issues with sanitation or safety in light of snow or ice; (2) a permittee has been issued notices of violation for conduct occurring on the Outdoor Dining Street on three different days during the permit period; or (3) a permittee has been issued at least one notice of noise violation for conduct occurring on the Outdoor Dining Street. Such temporary closure may include the cessation of outdoor business or the removal of all furniture and other appurtenances from the street and the reopening of the street to traffic. Upon being subjected to a temporary closure, the permittee may provide to the Commissioner evidence that the objectionable conditions have been fully remedied. Such temporary closure shall remain in effect until the Commissioner is satisfied that the violations have been properly remedied and will not reoccur.

(Omitted text is unaffected by this ordinance)

SECTION 5. This ordinance shall be in full force and effect upon passage and publication.