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**THE CITY OF BLUE ISLAND  
COOK COUNTY, ILLINOIS**

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**ORDINANCE  
NUMBER 2021-15**

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**AN ORDINANCE OF THE CITY OF BLUE ISLAND, COOK  
COUNTY, ILLINOIS, AMENDING CHAPTER 115 “FOOD AND  
FOOD DEALERS” OF THE CODE OF BLUE ISLAND, ILLINOIS**

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**FRED BILOTTO, Mayor  
RAEANN CANTELO-ZYLMAN, City Clerk**

**DEXTER JOHNSON  
LUIZ MONTOYA  
NANCY RITA  
BILL FAHRENWALD  
GABRIEL McGEE  
CANDACE CARR  
JOSH ROLL**

**Aldermen**

**ORDINANCE NUMBER 2021-15**

**AN ORDINANCE OF THE CITY OF BLUE ISLAND, COOK COUNTY, ILLINOIS,  
AMENDING CHAPTER 115 "FOOD AND FOOD DEALERS" OF THE CODE  
OF BLUE ISLAND, ILLINOIS**

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**WHEREAS**, the City of Blue Island, Cook County, Illinois (the "*City*") is a duly organized and existing city created under the provisions of the laws of the State of Illinois and is now operating under the provisions of the Illinois Municipal Code, and all laws amendatory thereof and supplementary thereto, with full powers to enact ordinances and adopt resolutions for the benefits of the residents of the City; and

**WHEREAS**, COVID-19, also known as the "coronavirus," is a dangerous disease which has spread around the world, including in the United States, the State of Illinois, and Cook County, and the limitations on public gatherings and dining due to COVID-19 have had a significant detrimental impact on the Food Dispensers in the City of Blue Island; and

**WHEREAS**, the Mayor and City Aldermen seek to assist Blue Island Food Dispensers in financially surviving the COVID-19 crisis, by permitting outdoor dining at these businesses under certain conditions; and

**WHEREAS**, the Mayor and City Aldermen may from time to time amend the text of the Code of Blue Island, Illinois when it is determined to be in the best interests of the City and the residents of the City; and

**WHEREAS**, the Mayor and City Aldermen find that the following amendments of the Code of Blue Island, Illinois, as set forth herein, are in the best interests of the health, safety and welfare of the City and its residents.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and City Aldermen of the City of Blue Island, Cook County, Illinois as follows:

**Section 1.** That the above recitals and legislative findings are found to be true and correct and are hereby incorporated herein and made a part hereof, as if fully set forth in their entirety.

**Section 2.** That the Mayor and City Aldermen find and determine that the adoption of this Ordinance is in the best interests of the City as well as in the public interest.

**Section 3.** That Section 115.03 (“*Definition*”) of Chapter 115 (“*Food and Food Dealers*”) of Title XI (“*Business Regulations*”) of the Code of Blue Island, Illinois is hereby amended by adding the underlined language as follows:

## **FOOD DISPENSERS**

### **§115.036 (a). OUTDOOR DINING**

Any Food Dispenser may apply for a permit for outdoor dining or café seating pursuant to the following requirements and conditions. No event center events or similar activities will be permitted outdoor dining or café seating.

(A) Subject to approval by the City, outdoor dining or café seating may be made up of a combination of sidewalk space, private parking, City parking, and on-street parking subject to the below conditions. Outdoor seating cannot exceed 50% of a Food Dispenser’s total seating capacity, and no more than 25% of a Food Dispenser’s parking facilities may be converted to outdoor dining.

### **(B) CONDITIONS.**

#### **1. Sidewalk dining or café seating is subject to the following conditions:**

- a) The Food Dispenser otherwise conforms with current City Zoning code.
- b) The sidewalk is wide enough for sidewalk dining or café seating.
- c) A five-foot minimum clear zone is provided for pedestrian traffic. A reduction to the clear zone can be requested with a detailed justification but will require additional review and processing time.

- d) Fencing is optional. Pavement demarcations are required for all outdoor dining or café seating areas. These must be provided prior to operation of any sidewalk dining or café seating, and are subject to inspection and approval by the City.

**2. Seating in private or City parking lots is subject to the following conditions:**

- a) The outdoor seating or cafe dining will not impair the normal, safe, and effective operation of a permanent use on the same site.
- b) The outdoor seating or cafe dining will not significantly impact public health, safety or convenience, or create traffic hazards or congestion, or otherwise interrupt or interfere with the normal conduct or uses and activities in the vicinity.
- c) The outdoor seating or cafe dining will not be materially detrimental to the surrounding uses in terms of traffic, noise, and other external effects.

**3. General conditions for all outdoor or café seating:**

- a) The outdoor seating or café dining must be immediately adjacent to the Food Dispenser location.
- b) Outdoor seating or cafe dining conducted in a City or private parking facility shall not occupy or remove from availability more than 25% of the spaces required for the permanent use.
- c) Each site occupied by outdoor or cafe dining must provide or have available enough parking and vehicular maneuvering area for customers or other users.
- d) Each site occupied by outdoor or cafe dining shall be left free of debris, litter, or other evidence of the outdoor or cafe dining upon completion and removal of the use.
- e) All materials, structures, and products related to the outdoor or cafe dining must be removed from the premises following expiration of the permit.
- f) Additional conditions may be established as necessary and as required by the City to ensure land use compatibility and to minimize potential impacts on nearby uses. These include, but are not limited to, time and frequency of operation, temporary arrangements for parking and traffic circulation, requirement for screening or enclosure, and guarantees for site restoration and cleanup following outdoor or cafe dining.
- g) If multiple applicants would like to convert parking to outdoor or café seating, the City shall evaluate potential for shared space between businesses.
- h) All areas temporarily repurposed for outdoor seating or café dining shall only be used with the understanding that the City may require immediate access to utilities or other infrastructure for the purpose of maintenance and emergencies.

**(C) PERMITS.** Food Dispensers wanting to provide outdoor or café dining must submit a Temporary Outdoor Dining Permit application from the City, which includes providing the City with a sketch of the proposed outdoor or café dining area. Permits for outdoor or café dining are valid from May 1<sup>st</sup> through October 31<sup>st</sup> in any given year. The permit fee for outdoor or café dining is \$100.00 per year.

**Section 4.** Outdoor dining or café seating as permitted by this Ordinance may be amended or terminated by subsequent Ordinance.

**Section 5.** If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any other provision of this Ordinance.

**Section 6.** All ordinances, resolutions, motions or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

**Section 7.** This ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

*(Intentionally Left Blank)*

ADOPTED this 22<sup>nd</sup> day of June, 2021, pursuant to roll call as follows:

	YES	NO	ABSENT	PRESENT	ABSTAIN
Alderman JOHNSON	X				
Alderman MONTOYA	X				
Alderman RITA			X		
Alderman FAHRENWALD	X				
Alderman MCGEE	X				
Alderman CARR			X		
Alderman ROLL	X				
Mayor BILOTTO					
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APPROVED by the Mayor on June 22, 2021.

FRED BILOTTO  
MAYOR OF THE CITY OF BLUE ISLAND,  
COUNTY OF COOK AND STATE OF ILLINOIS

ATTESTED and Filed in my office this  
22<sup>nd</sup> day of June, 2021.

RAEANN CANTELO-ZYLMAN, CITY CLERK

PUBLISHED in pamphlet form this  
22<sup>nd</sup> day of June, 2021

RAEANN CANTELO-ZYLMAN, CITY CLERK

STATE OF ILLINOIS        )  
  ) SS  
COUNTY OF COOK        )

**CERTIFICATE**

I, **RAEANN CANTELO-ZYLMAN**, certify that I am the duly elected and acting Municipal Clerk of the City of Blue Island of Cook County, Illinois.

I further certify that on **June 22, 2021** the Corporate Authorities of such municipality passed and approved Ordinance No. **2021 - 015** Entitled: **AN ORDINANCE OF THE CITY OF BLUE ISLAND, COOK COUNTY, ILLINOIS, AMENDING CHAPTER 115 "FOOD AND FOOD DEALERS" OF THE CODE OF BLUE ISLAND, ILLINOIS.** Which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. **2021 - 015** including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance posted in the municipal building commencing on **June 22, 2021** and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

DATED at Blue Island, Illinois, this **22nd** day of **June, 2021**.

CORPORATE SEAL

  
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RAEANN CANTELO-ZYLMAN, CITY CLERK