

7-O-97

AN ORDINANCE

Amending Chapter 23 of Title 3 of the
Evanston City Code Regulating Undertakers

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

SECTION 1: That Section 3-23-2 of the City Code of the City of Evanston,
1979, as amended, be and hereby is further amended to read as follows:

3-23-2: LICENSE FEES: The license fee for each undertaking establishment within the State of Illinois shall be one hundred fifty dollars (\$150.00) per annum. A temporary license may be issued to undertakers or funeral directors maintaining an undertaking establishment in Illinois outside the City, which temporary license shall be effective for a twenty-five (25) day period. The temporary license shall be granted only on approval of the City Department of Health to undertakers or funeral directors currently registered by the State Department of Professional Regulations. The fee for a temporary license shall be thirty dollars (\$30.00) for each twenty-five (25) day period.

It shall be unlawful for any licensed undertaker or funeral director to aid and abet anyone to evade in any manner whatsoever the license requirements of this Chapter.

SECTION 2: That Section 3-23-4(A) of the City Code of the City of Evanston,
1979, as amended, be and hereby is further amended to read as follows:

3-23-4: PERMITS, CERTIFICATES REQUIRED:

(A) Permit to Remove, Inter, Cremate or Dispose of Bodies: It shall be unlawful for any person to move the dead body of any human being, or any part of such body, from any hospital or from place to place within the City, or from the City, or to cremate or deposit any body in any vault within the City, or to inter or disinter, or in any manner dispose of any body, or part thereof, without first having obtained a permit so to do from the Public Health Director, or his/her duly authorized representative, or without filing a self-issuing permit, whichever applies; provided, however, that the Director or authorized representative may grant permission for removal of the human

remains to the undertaking establishment of a funeral director registered by the State Department of Professional Regulations prior to the issuance of such a permit. When such permission to remove is granted by telephone, the funeral director or undertaker shall enter on the certificate of death or fetal death or, if this has not yet been obtained, shall submit in writing to the person in charge of the hospital, nursing home or other institution where the death has occurred, the assigned removal authorization number, the name of the individual who granted the authorization, the date and hour the authorization was granted, and his signature. Such telephone authorization shall not be considered as permission to cremate, bury or otherwise dispose of the body until a written permit based upon the presentation of a proper death certificate to the Public Health Director or the duly authorized representative has been issued by the Health Department. No body, or part thereof, shall be disposed of otherwise than in accordance with the terms of such permit.

Funeral Directors shall file a record of death within twenty-four (24) hours to the local registrar where death occurred. Funeral Directors may use self-issuing burial permits in accordance with Vital Records Act, 410 ILCS 535/20-21. Funeral Directors shall also file the death certificate with the local registrar where death occurred within seven (7) days after death.

SECTION 3: That Section 3-23-4(B) of the City Code of the City of Evanston, 1979, as amended, be and hereby is further amended to read as follows:

3-23-4: PERMITS, CERTIFICATES REQUIRED:

(B) Death Certificate Prerequisite to Issuance of Permit: Permits for the removal, of a body or fetus from the State of Illinois, the cremation of a body or fetus, or the disposal of a body or fetus in any manner where death is subject to the coroner's or medical examiner's investigation shall be issued only upon the presentation of a proper death certificate to the Public Health Director, or a duly authorized representative. Such death certificate shall be signed by a duly licensed physician, who has attended the deceased during his last illness, or by the Coroner of the County, or, if the death occurred outside of the City, the permit of the proper authority at the place where the death occurred.

SECTION 4: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 5: That this ordinance shall be in full force and effect from and after

its passage, approval, and publication in the manner provided by law.

Introduced: January 27, 1997

Adopted: February 10, 1997

Approved: February 11, 1997

Lorraine H. Norton
Mayor

ATTEST:

Kristen L. Davis
City Clerk (MM)

Approved as to form:

[Signature]
Corporation Counsel

