

73-O-00

**AN ORDINANCE**

**Amending Section 4-17-7(A)(4)  
Of the Site Plan and Appearance Review  
Committee Ordinance Regarding Sidewalk Cafes**

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS:

**SECTION 1:** That section 4-17-7(A)(4) of the Evanston City Code of 1979, as amended, be, and it hereby is, further amended, to read as follows, with section 4-17-7 otherwise amended:

4-17-7:       EVALUATION CRITERIA FOR TYPE II RESTAURANT  
                  SIDEWALK CAFES:

- (A) In the case of a Type II Restaurant sidewalk café, the following criteria, and not those in Section 4-17-6 of this Chapter, shall be used to evaluate the proposed use:
1. The proposed sidewalk café will not cause a negative cumulative effect, when its effect is considered in conjunction with the cumulative effect of other sidewalk cafes in the immediate neighborhood.
  2. The proposed sidewalk café will not cause undue pedestrian or vehicular traffic congestion.
  3. The sidewalk café will not have a substantial adverse impact on the use, enjoyment or property values of adjoining properties.
  4. The proposed sidewalk café will comply with all the rules and regulations contained herein except that the City Council may modify or waive the requirements in subsection 7-2-6(D) of this Code. ~~Relative to nondisposable beverage service containers.~~
  5. The proposed sidewalk café is not likely to have an adverse effect upon the public health, welfare, or safety.

6. The proposed sidewalk café meets the requirements of subsection 7-2-6(D)4 and (D)5 of this Code.

**SECTION 2:** That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 3:** 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: June 12, 2000

Adopted: June 26, 2000

Approved:

June 27, 2000  
Lorraine H. Norton  
Mayor

ATTEST:

Mary J. Morris  
City Clerk

Approved as to form:

[Signature]  
Corporation Counsel