

Effective date: April 8, 2008

2/20/08  
2/13/2008

**38-O-08**

**AN ORDINANCE**

**Amending Section 8-21-5 of the Evanston City Code,  
"Prohibition of Smoking"**

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

**SECTION 1:** That Section 8-21-5 of the Evanston City Code of  
1979, as amended, is hereby further amended to read as follows:

**8-21-5: PROHIBITION OF SMOKING:**

Smoking shall be prohibited in the following places:

Aquariums, galleries, libraries, and museums.

Arcades.

Beaches.

Bingo facilities.

Businesses.

Convention facilities.

Daycare centers, nursery schools, elementary schools, high schools,  
community colleges, technical training establishments, specialty schools,  
colleges and universities.

Facilities used for exhibiting a motion picture, stage, drama, lecture, musical  
recital, or other similar performance.

Government vehicles used for city business such as maintenance trucks or  
fleet vehicles.

Grocery stores.

Gymnasiums.

Healthcare facilities.

Lobbies, hallways, and other common areas in apartment buildings and condominiums, and housing cooperatives.

Performance entertainment venues, subject to section 8-21-7 of this chapter.

Playgrounds and tot lots.

Polling places.

Public and private school buildings.

Public elevators and all retail stores where merchandise is displayed and offered for sale.

Public meetings.

Public transportation facilities under the authority of government agencies, including, without limitation, buses, trains, taxicabs and limousines, and ticket, boarding and waiting areas of public transit stations.

Restaurants, subject to section 8-21-7 of this chapter.

Restrooms, lobbies, reception areas, hallways, and other enclosed common use areas.

Rooms, chambers, places of meeting or public assembly, including, without limitation, school buildings under the control of an agency, board, commission, committee or council, of the city or a political subdivision of the state, to the extent the place is subject to the jurisdiction of the city.

Service lines.

Shopping malls.

Sidewalk cafes licensed by the city.

Sports arenas or recreational areas, including, without limitation, enclosed places in outdoor arenas.

**SECTION 2:** That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 3:** That if any provision of this Ordinance 38-O-08 or application thereof to any person or circumstance is held unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this Ordinance 38-O-08 that can be given effect without the invalid application or provision, and each invalid application of this Ordinance is severable.

**SECTION 4:** 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: March 10, 2008

Approved:

Adopted: March 24, 2008

March 25, 2008

Lorraine H. Morton  
Lorraine H. Morton, Mayor

Attest:

Mary P. Morris  
Mary P. Morris, City Clerk

Approved as to form:

[Signature]  
Corporation Counsel

