

Effective September 30, 2009

9/17/2009
7/8/2009
5/27/2009

41-O-09

AN ORDINANCE

**Amending Title 8, "Health and Sanitation,"
Chapter 8, "Food Service and Retail Food Store Sanitation,"
Section 4 (D), "Issuance of License," of the
City Code of the City of Evanston**

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

SECTION 1: That Title 8, Chapter 8, Section 4, Subsection D of
the Evanston City Code of 1979, as amended, is hereby further amended by
adding a new Subsection E to read as follows:

- D) The Public Health Director may issue a license to operate a food establishment if the proposed food establishment complies with the requirements of this Chapter and all other applicable ordinances.
- E) The Public Health Director may deny a license to operate a food establishment if the proposed food establishment fails to comply with the requirements of this Chapter and all other applicable ordinances.
 - 1) The Public Health Director may deny a license based on:
 - a. Consistent documented poor performance on routine sanitation inspections;
 - b. Persistent sanitation complaints and/or illness outbreaks linked to the establishment; or
 - c. Violations of other applicable codes that negatively affect the health and welfare of Evanston residents.

SECTION 2: That if any provision of this ordinance or application thereof to any person or circumstance is ruled unconstitutional or otherwise

invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this ordinance is severable.

SECTION 8: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 9: That this Ordinance 41-O-09 shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

Introduced: August 10, 2009

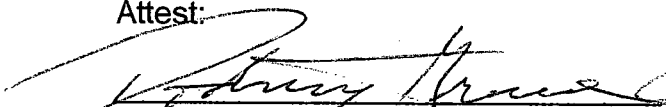
Approved:

Adopted: September 14, 2009


September 16, 2009


Elizabeth B. Tisdahl, Mayor

Attest:


Rodney Greene, City Clerk

Approved as to form:


Elke B. Tober-Purze, Interim
First Assistant Corporation Counsel