



Office of the Chicago City
Clerk



SO2012-3337

Office of the City Clerk

City Council Document Tracking Sheet

Meeting Date:	5/9/2012
Sponsor(s):	Silverstein, Debra L. (50)
Type:	Ordinance
Title:	Amendment of Chapters 2-112 and 8-16 of Municipal Code to further regulate provisions for tanning facilities
Committee(s) Assignment:	Committee on License and Consumer Protection

SUBSTITUTE
ORDINANCE

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

SECTION 1. Section 2-112-160 of the Municipal Code of Chicago is hereby amended by inserting the underscored language as follows and Chapter 8-16 of the Municipal Code of Chicago is hereby amended by adding Section 8-16-024 as follows:

2-112-160 Commissioner – Enforcement powers and duties.

The commissioner of health shall perform the following duties:

(a) Enforce all the laws of the state and provisions of this Code in relation to matters pertaining to the public health and sanitary conditions of the city, including Section 8-16-024;

(Omitted text is unaffected by this ordinance)

Section 8-16-024. Tanning Facilities.

(a) Definitions. As used in this section, unless the context requires otherwise:

“Commissioner” means the commissioner of the department of public health.

“Department” means the department of public health.

“Tanning equipment” means equipment that emits ultraviolet (UV) radiation and is used for tanning of the skin, such as a sunlamp, ultraviolet lamp, tanning booth, or tanning bed. “Tanning equipment” also includes equipment used in conjunction with the foregoing, such as protective eyewear, timers, and handrails. “Tanning equipment” does not include any of the following:

- (1) Phototherapy devices utilized by appropriate health care professionals under the direct supervision of a physician who is trained in the use of phototherapy devices.
- (2) Devices used for personal use in a private residence.
- (3) Devices intended for purposes other than the irradiation of human skin.
- (4) Devices used to apply chemicals to the skin to achieve a bronze color, commonly referred to as spray-on, mist-on, or sunless tans.

"Tanning facility" means any place, structure, or business that provides consumers with access to tanning equipment for a fee.

- (b) Prohibited Activity. A tanning facility may not permit any person less than 18 years of age, regardless of whether the person has the permission of a parent or guardian, to use tanning equipment.
- (c) Enforcement. The department shall enforce this section. The commissioner is authorized to promulgate rules and regulations for the implementation of this section.
- (d) Fines. Any person who violates any provision of this section shall be fined not less than \$100 and not more than \$250 for each offense. Each instance of violation of this Section shall be deemed a separate offense.

SECTION 2. This ordinance shall take effect 10 days after its passage and publication.

[Handwritten signatures and names with associated numbers, including: John A. Toys 10, Mary June 13, Debra L. Silverstein Alderman 50th Ward, Michelle Stewart 44, James Capelman 44, James abalcer 61, Joann Thompson 14, and others.]

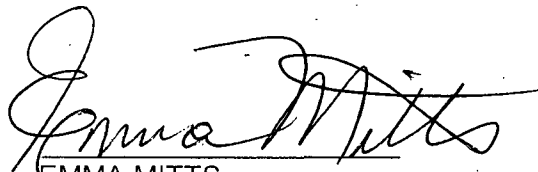
Chicago, June 6, 2012

To the President and Members of the City Council:

Your Committee on License and Consumer Protection, having under consideration a substitute ordinance introduced by Alderman Debra Silverstein (which was referred on May 9, 2012), to amend the Municipal Code of Chicago regulating Tanning Facilities, begs leave to recommend that Your Honorable Body **pass** the substitute ordinance which is transmitted herewith.

This recommendation was concurred in by a viva voce vote of the members of the committee on May 30, 2012.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Emma Mitts". The signature is written in a cursive style with a large initial "E" and a long horizontal stroke at the end.

EMMA MITTS
CHAIRMAN, COMMITTEE ON
LICENSE AND CONSUMER
PROTECTION