CITY OF CHICAGO
RULES

Expanded Outdoor Dining Program Rules

Mayor Lori E. Lightfoot
Commissioners Gia Biagi / Rosa Escareno

By Order of the Commissioner:

Signed: ____________________________ Date: __________
Gia Biagi
Commissioner of Transportation

Signed: ____________________________ Date: __________
Rose Escareno
Commissioner of Business Affairs and Consumer Protection

Published: __________
Effective: __________
Expanded Outdoor Dining Program Rules

These rules are issued pursuant to the power invested in the Commissioner of Transportation under Section 2-102-030(v) and (l), the Commissioner of Business Affairs and Consumer Protection under Section 2-25-050(b)(6)(i) and Section 2-25-120 and jointly by authority of the City Council on June 17, 2020.

Article I. Definitions

“Associated food establishment” means a licensed retail food establishment, which has an indoor kitchen and dining area, that serves a remote dining area and has received an Extended Outdoor Dining Program permit.

“BYOB” has the same meaning as in Section 4-58-010.

“Remote dining area” means an outdoor area near a licensed retail food establishment that is temporarily created for service of food or food and liquor under the Phase III guidelines established in Commissioner of Health Order 2020-9 and permitted through the Expanded Outdoor Dining Program. “Section” refers to sections of the Municipal Code of Chicago.

Article II. Rules

ODP 1. Remote dining areas are allowed to be located (a) on public property pursuant to a public way use permit issued under the Expanded Outdoor Dining Program, or (b) on private property connected to an associated food establishment, or (c) on private property disconnected from an associated food establishment.

ODP 2. Food preparation and sanitation measures and food storage shall occur entirely indoors within an associated food establishment. No food or liquor shall be prepared or stored in the remote dining area.

ODP 3. If food is taken from an associated food establishment to the remote dining area by employees, it must be transported in dishes that are covered to avoid airborne debris or packaged for carry out in closed containers. If food is carried from an associated food establishment to the remote dining area by customers, it must be packaged for carry out in closed containers.

ODP 4. If the remote dining area is in a parking lot, the Chicago Department of Transportation shall review the site plan for any vehicular traffic concerns.

ODP 5. Liquor may be served in a remote dining area with a special use permit from the Illinois Liquor Control Commission and a special event liquor license from the Local Liquor License Commissioner.

ODP 6. All liquor served or consumed in the remote dining area must be purchased from an associated food establishment and served by an employee of an associated food establishment. BYOB of liquor is not allowed in a remote dining area.
ODP 7. If liquor is transported from an associated food establishment to the remote dining area via the public way, it must be maintained within the custody of an employee of an associated food establishment at all times. Such transport will not be considered to be a violation of Section 8-4-030.

ODP 8. All other provisions of Commissioner of Health Order 2020-9, as amended, and any further applicable orders shall additionally apply.

ODP 9. Provisions of the Expanded Outdoor Dining Program may be implemented by Chicago Department of Transportation, Business Affairs and Consumer Protection, Department of Cultural Affairs and Special Events, the Local Liquor Control Commissioner, or any other required City department. Any appropriate City department may revoke any permit under this program upon a determination that any relevant ordinance or rule or guideline has been violated in the remote dining area, or upon a determination that any condition deleterious to public health exists in the remote dining area.

ODP 10. The terms and conditions of a permit shall be given to a permittee. A violation of the terms and conditions will be a violation of these rules. The fine amount shall be as a violation for a public way use permit violation under Section 10-8-335.

ODP 11. These rules shall be in effect for Phase III of the reopening plan or until further notice.