

ORDER OF THE COMMISSIONER OF HEALTH OF THE CITY OF CHICAGO

No. 2020-5 – SECOND AMENDED AND RE-ISSUED

(EVENING CESSATION OF ALCOHOLIC LIQUOR SALES)

Issued and Effective: June 17, 2020

WHEREAS, In an Executive Order filed on May 29, 2020 (“EO2020-38”), the Governor of Illinois affirmed that a local government body may enact provisions that are stricter than those in the Executive Order; and

WHEREAS, Guided by public health data, on June 17, 2020, the Commissioner of Health of the City of Chicago re-issued Order No. 2020-9, identifying the Phase III steps the City of Chicago will take to safely reopen; and

WHEREAS, It remains imperative to maintain social distancing and not permit groups of Chicagoans across the City to recklessly congregate and cluster at or near establishments that sell alcoholic liquor, in particular in the late evening, unacceptably placing their own health and the health of all Chicagoans in danger; and

WHEREAS, The Municipal Code of Chicago (“Code”) authorizes the Commissioner of Health to implement emergency measures to stop the spread of communicable diseases, and to protect the health, safety, and welfare of the City’s residents, including but not limited to authority granted in Sections 2-112-080, 2-112-160(a)(3) and (a)(4) of the Code, in addition to 77 Ill. Adm. Code Sections 690.1305(a) and 690.1310(c); and

WHEREAS, In order to stop the devastating spread of COVID-19, all Chicagoans must practice a strict and disciplined adherence to social distancing requirements; and

WHEREAS, This Order is issued following consultation with, and on the recommendation of, the Commissioner of Business Affairs and Consumer Protection, the Local Liquor Control Commissioner, and the Chicago Police Department; now, therefore,

The Commissioner of Health of the City of Chicago hereby orders as follows:

SECTION 1. Any establishment possessing a consumption on premises – incidental activity license or a tavern license under Chapter 4-60 of the Code, or an outdoor patio license or sidewalk café permit issued in association with such license, shall:

(a) cease all sales of alcoholic liquor for consumption on the premises between 11:00 p.m. and the hour at which the licensee is permitted to resume alcoholic liquor sales under Code Section 4-60-130, and

(b) cease all sales of alcoholic liquor for off-premises consumption between 9:00 p.m. and the hour at which the licensee is permitted to resume alcoholic liquor sales under Code Section 4-60-130, and

(c) prominently post signage, in a form prescribed by the Commissioner of Business Affairs and Consumer Protection, at each publicly accessible entrance to the establishment and in any area of the establishment where alcoholic liquor is sold, informing patrons of the 9:00 p.m. cessation of alcoholic liquor sales for off-premises consumption and the 11:00 p.m. cessation of alcoholic liquor sales for on-premises consumption.

SECTION 2. Except as otherwise provided in Section 1 of this Order, every establishment licensed under Chapter 4-60 of the Code shall:

(a) cease all sales of alcoholic liquor between 9:00 p.m. and the hour at which the licensee is permitted to resume alcoholic liquor sales under Code Section 4-60-130, and

(b) prominently post signage, in a form prescribed by the Commissioner of Business Affairs and Consumer Protection, at each publicly accessible entrance to the establishment and in any area of the establishment where alcoholic liquor is sold, informing patrons of the 9:00 p.m. cessation of alcoholic liquor sales.

SECTION 3. Pursuant to Code Sections 2-112-070 and 2-112-080, in conjunction with enforcement authority granted in the Code to the following officers, this Order may be enforced by the Commissioner of Business Affairs and Consumer Protection, the Local Liquor Control Commissioner, and the Chicago Police Department.

SECTION 4. In addition to any other penalty provided by law, any person who violates this Order shall be subject to arrest, and to the fines set forth in Section 2-112-340 of the Code.

SECTION 5. This Order does not grant any licensee any privilege to sell liquor in contravention of, or less restrictively than allowed by any other applicable ordinance or Order.

SECTION 6. This Order shall remain in effect until the Commissioner of Health makes a written determination that the threat to public health posed by COVID-19 has diminished to the point that this Order can be safely repealed.

Allison Arwady, M.D.,
Commissioner of Health of the City of Chicago

Dated: _____