

AN ORDINANCE AMENDING TITLE 3, PUBLIC WAYS AND PROPERTIES, CHAPTER 2, STREETS AND PUBLIC WAYS, SECTION 3-2-4, ENCROACHMENTS, OF THE VILLAGE CODE OF THE VILLAGE OF ORLAND PARK

WHEREAS, the Village has determined that the amendments set out below are in the best interests of the Village and its residents and will enhance the public safety and welfare.

NOW, THEREFORE, Be It Ordained by the President and Board of Trustees of the Village of Orland Park, Cook and Will Counties, Illinois, as follows:

**SECTION 1**

Title 3, Public Ways, Chapter 2, Streets and Public Ways, Section 3-2-4, Encroachments of the Village Code of the Village of Orland Park is hereby amended to read in its entirety as follows:

No structure, fence, merchandise display, landscaping, driveway, parking lot, newspaper vending machine, mailbox or other obstacle shall be permitted which obstructs or otherwise interferes with public use of a street, sidewalk, right-of-way or other public easement, except that food service establishments and restaurants shall be permitted to operate and maintain outdoor dining, including the service of liquor by an establishment that holds a liquor license without amendment of the liquor license, using a portion of a public sidewalk adjoining the food service establishment or restaurant with the following limitations:

1. Such outdoor dining use occupies no more than fifty percent (50%) of the depth of sidewalk; and
2. A minimum of 44 inches of unobstructed width of the sidewalk is maintained; and
3. A minimum of 36 inches of unobstructed width of the internal aisles is maintained, and
4. The outdoor seating area does not exceed seventy five percent (75%) of the frontage of the food service establishment or restaurant; and
5. At least 50% of the boundaries of any outdoor seating area that will serve liquor are delineated, but not required to be fully enclosed, by a fence, wall, landscaping or similar barrier not less than 24 inches in height and not greater than 48 inches in height; and
6. A fence, wall, landscaping or similar barrier no less than 24 inches in height and no greater than 48 inches in height shall also be provided to distinguish between neighboring outdoor seating areas, where applicable; and
7. Prior to use of the sidewalk for outdoor dining in any year, the owner or other person in control of the food service establishment or restaurant must apply for and obtain a permit from the office of the Village Office of Development Services for that year, which application shall be accompanied by evidence of liability insurance, in amounts established from time to time by the Village, naming the Village as an additional insured.

**SECTION 2**

This Ordinance shall be in full force and effect from and after its passage, approval and publication as required by law.