

Proposal to Allow Leashed Dogs at BeerShop

To: Oak Park Village Board

From: BeerShop 1026 N Blvd, Oak Park, IL 60301

Item: Request that the Village ordinance prohibition on dogs entering food establishments be amended.

Summary: BeerShop is a three-year-old establishment in downtown Oak Park. BeerShop's business is classified by Oak Park as a Craft Beer Lounge (Article 3, Section 3.1). As such, it does not serve food or have a kitchen. During our time in business, many customers have grown accustomed to bringing their dog into our establishments with the belief that our non-kitchen status allows them to do so. This belief is based on similar, non-food beer centric establishments in Chicago. These businesses allow customers to bring leashed dogs into their taprooms. Chicago's restrictions regarding animals in stores are based only on food establishments:

Chicago's Municipal Code Title 7, chapter 40 Food establishments:

7-40-060 Animals in stores.

*It shall be unlawful for the owner of, or the person having the care or custody of any animal, to suffer or permit such animal to enter any store, meat market, bakery or other place **where foodstuffs are sold or on display**; provided, that the person owning or operating such store or place may permit a watchdog to remain therein if chained or bound in such a way that the dog cannot come in contact with any of the foodstuffs; provided, further, that when a blind person is accompanied by a dog which serves as a guide or leader for him, neither the blind person nor the dog shall be denied the right of entry and use of the facilities, if such dog is wearing a harness and the person presents credentials for inspection issued by a school for training guide dogs approved by the United States Veterans Administration. Any person violating any of the provisions of this section shall be fined not less than \$10.00 nor more than \$25.00 for each offense. (Amend Coun. J. 12-9-92, p. 25465; Amend Coun. J. 6-10-96, p. 23652; Amend Coun. J. 11-8-12, p. 38872, § 147)*

As a Craft Beer Lounge, BeerShop does not serve food. However, BeerShop is currently under the same restrictions with respects to customer's dogs as food establishments. These Oak Park restrictions are to be found in Section 5-5-3 and 8-24-2 and prohibit dogs in any food establishment. Moreover, these sections do not make exceptions for non-food serving establishment such as BeerShop.

Request: Repeat customers make up 60% of BeerShop's business. Many of our customers are local to the Oak Park area and like to walk their dog while going to BeerShop. Therefore in an attempt to accommodate these dog-owning customers, we are requesting an amendment to Oak Park's Ordinances that would recognize BeerShop's unique status as a non-food establishment so that leashed dogs could be

allowed under certain conditions. These conditions might include similar restrictions found in outdoor restaurant areas in Chicago where dogs are allowed:

4-8-031 Retail food establishment – Dog-friendly areas.

(d) If a retail food licensee allows patrons of the establishment to bring dogs on any portion of the retail food establishment, other than a service dog assisting a handicapped person, the following requirements shall apply:

- (1) dogs shall only be permitted in dog- friendly areas;*
- (2) dogs shall not be permitted to be in or travel through any indoor portion of the retail food establishment, or in any area where food is prepared;*
- (3) any dog not kept on a leash at all times or not kept under control by its owner shall be immediately removed from the retail food establishment's premises. The licensee shall have the right to refuse to serve the owner of any dog if the owner fails to keep the dog on a leash, or to exercise reasonable control over the dog, or the dog is otherwise behaving in a manner that compromises or threatens to compromise the health or safety of any person present in the retail food establishment;*
- (4) only dogs bearing a current rabies vaccination tag or other proof of current rabies vaccinations shall be permitted in the dog-friendly areas;*
- (5) a sign shall be posted in a conspicuous place in the retail food establishment indicating whether the retail food establishment permits dogs. The size and language on the sign shall be as set forth in the rules and regulations;*
- (6) the dog-friendly area, including all furniture, fixtures, and walking surfaces, shall be made of hard surfaces that can be washed with soap and water, hosed down and sanitized;*
- (7) the table and chairs at which patrons with dogs are seated shall be cleaned and sanitized between seating of patrons;*
- (8) in the event any patron's dog bites or attacks a person while on the retail food establishment's premises, the licensee shall immediately notify 311;*
- (9) while on the retail food establishment's premises, a dog shall not be provided food, either by the employees or by patrons; provided that a dog may be provided water;*
- (10) dogs shall not have any contact with any food, food contact surfaces, serving dishes, utensils, tableware, linens, paper products or any other food serving products; and*
- (11) the retail food establishment's employees shall not have contact with the dogs. If any employee has contact with a dog or a surface touched by a dog, the employee shall immediately wash his/her hands before continuing with any food service*

Please let me know if you need any further information in order to consider our request. Thank you for your time and consideration in this matter.

Sincerely,

Tony Compaglia
Owner of BeerShop