



Agenda Item Summary

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Submitted By

Mike Charley, Public Health Director and Florence Miller, Chair of the Board of Health

Reviewed By:

LKS

Agenda Item Title

Concur with the Board of Health's Recommendation and Adopt an Ordinance Amending Section 5-5-3 ("Animals Prohibited in Public Buildings and Businesses") and Section 8-23-2 ("General Provisions"), Subsection M ("Sanitation Requirements for Food Establishments") of the Oak Park Village Code to Permit Dogs in Craft Brew Lounges

Overview

The Village Code currently prohibits customers from bringing dogs into "food establishments". The Village Board requested that the Board of Health review a request from local business owner Tony Compaglia, The Beer Shop, 1026 North Boulevard to amend the Village Code language that currently prohibits dogs from entering a food establishment, under both Sections 5-5-3 and 8-24-2(M) of the Village Code. The Board of Health has reviewed the request and their recommendation is in support of amending the Village Code to allow dogs to enter businesses such as The Beer Shop with a Craft Brew Lounge Class D-16 Liquor license under specific conditions outlined in the Board of Health's recommendation document submitted as part of this agenda item to the Village Board. Staff does not support this recommendation.

Staff Recommendation

The Health Department staff is opposed to the Board of Health recommendation to amend the ordinance to allow for dogs to enter food establishments. Allowing companion animals to enter the Beer Shop with its current menu of foods poses minimal risk to human health. However, there is still a risk. Dogs do carry disease-causing organisms and can transmit pathogens to humans through direct and/or indirect contamination of food and food-contact surfaces. In addition, animals such as dogs shed hair continuously and may deposit liquid or fecal waste, creating the need for vigilance and more frequent and rigorous cleaning efforts. Finally, dogs can be aggressive to other dogs and humans. Aggression with dogs is often unpredictable and spontaneous and can include barking, snapping, lunging and biting. Allowing dogs in indoor confined spaces with a higher density of dogs and humans (both children and adults) is likely to increase a dog's anxiety and aggressive behavior. All risks associated with allowing dogs to enter the Beer Shop must be carefully considered when the Village Board reviews and discusses the Board of Health's recommendation.

The Health Department relies on the Illinois Department of Public Health and the Food and Drug Administration to formulate laws that the Village uses to regulate food establishments. There are no current

federal or Illinois laws that allow dogs to enter food establishments and available public health guidance from the Food and Drug Administration does not support allowing dogs inside food establishments. If Oak Park were to become the first municipality to allow dogs to enter a food establishment, the ordinance should be specific to a craft brew lounge, limit their menu, include specific active managerial control measures and provide specific measures and tools for Village staff to enforce the ordinance provisions.

Fiscal Impact

Additional Village staff hours may be required to enforce specific ordinance provisions.

Background

The Village received a request from a local business owner Tony Compaglia, The Beer Shop, 1026 North Boulevard, requesting an amendment to the Village Code which current prohibits dogs from entering a food establishment, under Sections 5-5-2 and 8-24-2(M) of the Village Code.

At the March 3, 2018 Village Board meeting, the Village Board referred this issue to the Board of Health, requesting the Board of Health to research the issue and provide their recommendation as to whether to amend the Village Code.

At the April 24, 2018 Board of Health meeting, The Beer Shop owner Tony Compaglia presented information via a PowerPoint presentation supporting his request, there was public testimony in support of amending the ordinance and the Board of Health discussed the request. The agenda item was continued until the next meeting to continue research and complete further discussion.

At the May 22, 2018 Board of Health meeting, Tony Compaglia was provided some additional time to speak/present his request. The Board of Health had further discussion on this issue and the outcome was a vote by the Board of Health to submit a recommendation to the Village Board in support of an ordinance amendment which would allow dogs to enter food establishments that have been issued liquor license classification D16 craft brew lounge for consideration by the Village Board. Chair Florence Miller communicated that she would draft a written recommendation for the Village Board that would be reviewed at the next Board of Health meeting.

At the June 26, 2018 Board of Health meeting, the Board of Health reviewed and approved the attached document titled "Report and Recommendations from the Oak Park Board of Health Commission Allowing Dogs in The Beer Shop" which was drafted by Chair Florence Miller. The report provides background on this issue, research conducted by the Board of Health, recommended ordinance language and supporting documents.

Alternatives

The Village Board can reject the motion and the current regulations will remain in effect.

The Village Board can delay action and request more information.

Previous Board Action

At the March 3, 2018 Village Board meeting, the Village Board referred this issue to the Board of Health, requesting the Board of Health to research the issue and provide their recommendation as to whether to amend the Village Code.

Citizen Advisory Commission Action

The Board of Health reviewed the request and provided a recommendation in support of amending the Village Code to allow dogs to enter a food establishment with a Class D16 Craft Brew Lounge liquor license.

Anticipated Future Actions/Commitments

N/A.

Intergovernmental Cooperation Opportunities

N/A.

Performance Management (MAP) Alignment

N/A.