

VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION
For Inclusion on Board Agenda


 X Resolution or Ordinance (Blue) _____ *Waiver of First Requested*
_____ Recommendations of Boards, Commissions & Committees (Green)
_____ Other Business (Pink)

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: Scott R. Niehaus, Village Manager

DATE: September 11, 2018 (B of T) Date: September 20, 2018

TITLE: Amending Title XI, Chapter 119 – Restaurants and Food
Food Handler Definition

SUBMITTED BY: Janet Downer, Business Administrator 

BACKGROUND/POLICY IMPLICATIONS:

Attached for your consideration is an ordinance amending Title XI, Chapter 119 of the Lombard Village Code updating the Food Handler definition found in Section 119.01 and correcting other incorrect references in Village Code to coincide with definition updates found in the DuPage County Code Section 18-201.

Please place this item on the September 20, 2018 Board of Trustees agenda for consideration.

Fiscal Impact/Funding Source:


Review (as necessary):
Village Attorney X _____ Date _____
Finance Director X _____ Date _____
Village Manager X _____ Date _____

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the Agenda Distribution.



MEMORANDUM

TO: Scott Niehaus, Village Manager

FROM: Janet Downer, Business Administrator 

DATE: September 11, 2018

**SUBJECT: Ordinance Amending Title XI, Chapter 119 of the Lombard Village Code
Restaurants and Food**

In order to make a determination as to whether or not a new business needs to secure a Food Handler business license, staff references Village Code Title XI, Restaurants and Food, Chapter 119, Section 119.01, Definitions. Currently it reads as follows:

“For the purpose of this Chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

Restaurant, itinerant restaurant, food store, open air market, and itinerant vendor. Defined as in the "DuPage County Ordinance Regulating Food Handling Establishments" adopted March 9, 1954, as amended from time to time; hereinafter is referred to as "food handler".”

Staff while attempting to make a determination as to whether or not a new business needed a Food Handler business license noted definition inconsistencies between Village Code and the DuPage County Code. The DuPage County Code no longer references the definitions listed above.

Staff met with Village Counsel who prepared the attached ordinance. The attached ordinance amends the Food Handler Definition found in Section 119.01 referenced above as well as corrects incorrect references in Sections 119.02(B) and 119.12 to take into account the updated definitions as found in Section 18-201 of the DuPage County Code.

If you have any questions, please feel free to contact me.

/jd

ORDINANCE NO. _____

**AN ORDINANCE
AMENDING TITLE XI, CHAPTER 119
OF THE LOMBARD VILLAGE CODE IN REGARD TO
RESTAURANTS AND FOOD**

BE IT ORDAINED by the President and Board of Trustees of the Village of Lombard, DuPage County, Illinois, as follows:

SECTION 1: That Title XI, Chapter 119, Section 119.01 of the Lombard Village Code is amended to read in its entirety as follows:

“§ 119.01 Food Handler Definition.

For purposes of this Chapter, the term “food handler” shall be defined the same as the term “food establishment,” as found in Section 18-201 of the DuPage County, Illinois County Code.”

SECTION 2: That Title XI., Chapter 119, Section 119.02(B) of the Lombard Village Code is amended by revising the word “restaurant,” as contained therein, to read “food handler.”

SECTION 3: That Title XI., Chapter 119, Section 119.12 of the Lombard Village Code is amended by revising the term “food dealer,” as contained therein, to read “food handler.”

SECTION 4: That this Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form, as provided by law.

Passed on first reading this _____ day of _____, 2018.

First reading waived by action of the Board of Trustees this ____ day of _____, 2018.

Passed on second reading this _____ day of _____, 2018,
pursuant to a roll call vote as follows:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED by me this _____ day of _____, 2018.

Keith Giagnorio, Village President

ATTEST:

Sharon Kuderna, Village Clerk

Published by me in pamphlet form this _____ day of _____, 2018.

Sharon Kuderna, Village Clerk