



BURTON F. NATARUS

ALDERMAN, 42ND WARD

**CITY COUNCIL
CITY OF CHICAGO**

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August 4, 2006

Honorable Eugene C. Schulter
Chairman, Committee on License & Consumer Protection
121 N. La Salle St.
City Hall, Room 300
Chicago, IL 60602

Dear Chairman Schulter:

An amendment to the Municipal Code has been introduced and sent to your Committee for hearing and deliberation, which will authorize restaurants that have outdoor facilities to allow patrons to eat in the presence of dogs. At first blush, this extends to patrons a most congenial, pleasant experience.

Supporters of this proposal fail to realize that dog owners are strictly liable for damages under the law, if their pet dogs bite a person or another dog. Lest we forget dogs are animals and become feisty and less controllable around food; they also urine and defecate.

Restaurant owners become vicariously liable by permitting the acts to occur, and the City of Chicago also becomes liable by condoning such acts as a matter of public policy.

If the individual Alderman of a ward wishes to allow such activity a code amendment is not necessary, as the ordinance which authorizes the restaurant to conduct an outdoor restaurant can be adjusted to add language governing the individual location authorization to allow such activity. If this occurs, it should be suggested to the individual restaurant owner to raise the limits of its insurance coverage so as to protect the restaurant against adverse litigation, with the City of Chicago added as an additional protected party.

At first blush, this rather popular appealing idea of allowing dogs to be present in outdoor restaurants may not be sound as a matter of public health, welfare and safety.

Please let me have your thoughts.

Very truly yours,

Burton F. Natarus
Alderman, 42nd Ward

BFN: tf

Cc: Honorable Walter Burnett

