

ORDINANCE

BE IT ORDAINED BY THE CITY OF COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. Section 2-112-160 of the Municipal Code of Chicago is hereby amended by inserting the underscored language as follows and Chapter 8-16 of the Municipal Code of Chicago is hereby amended by adding Section 8-16-024 as follows:

2-112-160 Commissioner – Enforcement powers and duties.

The commissioner of health shall perform the following duties:

(a) Enforce all of the laws of the state and provisions of this Code in relation to matters pertaining to the public health and sanitary conditions of the city, including Section 8-16-024:

(Omitted text is unaffected by this ordinance)

Section 8-16-024. Tanning Facilities.

- (a) Definitions. As used in this section, unless the context requires otherwise;
- “Commissioner” means the commissioner of the department of public health.
- “Department” means the department of public health.
- “Tanning equipment” means sunlamp products and ultraviolet lamps intended to induce skin tanning through irradiation of any part of the living body.
- “Tanning facility” means any place, structure, or business that provides consumers with access to tanning equipment for a fee.
- (b) Prohibited Activity. A tanning facility may not permit any person less than 18 years of age, regardless of whether the person has the permission of a parent or guardian, to use tanning equipment or a device defined as equipment that emits ultraviolet (UV) radiation used for tanning of the skin, such as a sunlamp, tanning booth, or tanning bed that emits electromagnetic radiation with wavelengths in the air between 200 and 400 nanometers. For the purposes of this Section, “tanning equipment” includes any accompanying equipment, such as protective eyewear, timers, and handrails. “Tanning equipment” does not include any of the following:
- (1) Phototherapy devices utilized by appropriate health care professionals under the direct supervision of a physician who is trained in the use of phototherapy devices.
 - (2) Devices used for personal use in a private residence.
 - (3) Devices intended for purposes other than the irradiation of human skin.

- (4) Devices used to apply chemicals to the skin to achieve a bronze color, commonly referred to as spray-on, mist-on, or sunless tans.
- (c) Enforcement. The department shall enforce this section. The commissioner is authorized to promulgate rules and regulations for the implementation of this section.
- (d) Fines. Any person who violates any provision of this section shall be fined not less than \$100 and not more than \$250 for each offense. Each instance of violation of this Section shall be deemed a separate offense.

SECTION 2. This ordinance shall take effect 10 days after its passage and publication.

Debra L. Silverstein
Alderman, 50th Ward