City of Chicago
Office of the City Clerk

City Hall
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Room 107
Chicago, IL 60602
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Legislation Referred to Committees at the Chicago City Council Meeting
10/16/2013
Section 4 - Re-Referred Legislation

	File #	Title	Sponsor(s)	Committee Referral	
Municipal Code Amendment(s)					
1	O2013-5564	Amendment of Section 8-32-130 of Municipal Code to disallow under penalty any agency or business to conduct loading and unloading operations within residential districts between 10:00P.M. and 7:00 A.M which cause noise disturbances	Fioretti (2)	Health & Environment	
2	O2013-6196	Amendment of Chapter 18-14 concerning building energy use benchmarking and solicitation of compliance information	Reilly (42) Fioretti (2) Dowell (3) Cappleman (46) Arena (45) Tunney (44) Hairston (5) Smith (43) Waguespack (32) Osterman (48)	Zoning	*Redacted Record*

City of Chicago

O2013-5564

Office of the City Clerk

Document Tracking Sheet

Meeting Date:	10/16/2013
Sponsor(s):	Fioretti (2)
Type:	Ordinance
Title:	Amendment of Section 8-32-130 of Municipal Code concerning penalties and designated enforcement personnel for loading and unloading operations
Committee(s) Assignment:	Committee on Health and Environmental Protection

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ORDINANCE

BE IT ORDAINED BY THE CITY OF CHICAGO CITY COUNCIL:

SECTION 1. Section 8-32-130 of the Municipal Code of the City of Chicago is hereby amended by adding new language underlined as follows:

8-32-130 Loading and unloading operations.

No person, agency or business shall undertake or cause the loading, unloading, opening, closing or other handling of boxes, crates, containers, building materials, garbage cans, dumpsters or similar objects between the hours of 10:00 P.M. and 7:00 A.M. in such a manner as to cause a noise disturbance within a residential district or within a noise sensitive zone.

Penalties for violation of this section shall be the same as those cited in Section 8-32-140(d) and designated enforcement personnel of this section shall be the same as Section 8-32-140(c).

8-32-140 Construction, repair or demolition equipment.

(a) No person shall use or cause the use of any mechanical equipment or tool operated by fuel or electric power in building, construction, repair or demolition operations between the hours of 8:00 P.M. and 8:00 A.M. within 600 feet of any residential building or hospital.

(b) The limitation of this section does not apply to any construction, demolition or repair work of an emergency nature or to work on public improvements authorized by a governmental body or agency.

(c) This section may be enforced by designated employees of the departments of police, buildings, business affairs and consumer protection, fire, finance, streets and sanitation, transportation and housing and economic development, who are authorized to issue citations for violations.

(d) Any person who violates this section shall be liable for a penalty of not less than $1,000.00 nor more than $2,500.00 for the first violation; not less than $2,500.00 nor more than $5,000.00 for the second violation for the same offense within one year; and not less than $5,000.00 nor more than $10,000.00 for the third and each subsequent violation for the same offense within one year for each offense. Each day that a violation continues shall constitute a separate and distinct offense.

SECTION 2. This ordinance shall be in full force and effect upon its passage and publication.

ROBERT W. FIORETTI
Alderman – 2nd Ward

O2013-5564

Chicago, October 16, 2013

To the President and Members of the City Council:

Your Committee on License and Consumer Protection, having under consideration an ordinance introduced by Alderman Robert Fioretti (which was referred on July 24, 2013), to amend Chapter 8-32-130 of the Municipal Code of Chicago in regards to loading and unloading operations, begs leave to recommend that Your Honorable Body ***re-refer*** the ordinance which is transmitted herewith to the **Committee on Health and Environmental Protection.**

This recommendation was concurred in by a viva voce vote of the members of the committee on September 25, 2013.

Respectfully submitted,

EMMA MITTS
CHAIRMAN, COMMITTEE ON
LICENSE AND CONSUMER
PROTECTION

City of Chicago

O2013-6196

Office of the City Clerk

Document Tracking Sheet

Meeting Date:	10/16/2013
Sponsor(s):	Reilly (42) Fioretti (2) Dowell (3) Cappleman (46) Arena (45) Tunney (44) Hairston (5) Smith (43) Waguespack (32) Osterman (48)
Type:	Ordinance
Title:	Amendment of Chapter 18-14 concerning building energy use benchmarking and solicitation of compliance information
Committee(s) Assignment:	Committee on Zoning, Landmarks and Building Standards

(2)

Committee on Finance

ORDINANCE

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

SECTION 1. Title 18 of the Municipal Code of Chicago is hereby amended by adding and deleting the following sections to Chapter 18-14 as follows:

CHAPTER 18-14. Building Energy Use Benchmarking

18-14-101.2 Scope

This chapter applies to all covered buildings excluding residential dwelling units for the entirety of Chapter 18-14.

18-14-101.3 Definitions

"Group 1 covered building" means any building or group of buildings that have the same property identification or index number (PIN), containing 250,000 or more gross square feet, as identified by the commissioner excluding residential dwelling units.

"Group 2 covered building" means any building or group of buildings that have the same property identification or index number (PIN), containing 50,000 or more gross square feet but less than 250,000 gross square feet, as identified by the commissioner excluding residential dwelling units.

18-14-101.4 Solicitation of compliance information

Within 30 days of a request by the building owner, each tenant or owner of a non-residential dwelling unit in a covered building shall provide all information that cannot otherwise be acquired by the building owner and that is necessary for the building owner to comply with the requirements of this chapter.

Any owner of a covered building shall request such information no later than March 1 of the years in which benchmarking is required by Section 18-14-102.1. If the owner of a covered building receives notice that a tenant or owner of a non-residential dwelling unit intends to vacate a unit which is subject to the requirements of this section, the owner shall request the information specified in this section within 10 days of such notice, and the tenant of a non-residential dwelling unit shall provide such information within 30 days of the request.

The failure of any tenant or owner of a non-residential dwelling unit to provide the information required under this section to the owner of a covered building shall not relieve such owner of the obligation to benchmark the building as provided in Section 18-14-102.1, using all information otherwise available to the owner.

Failure of any tenant or owner of a non-residential dwelling unit to provide the information required under this section to the owner of a covered building shall create a rebuttable presumption that the owner, tenant, or both have not compiled with the time limits specified in this section.

If a tenant or owner of a non-residential dwelling unit fails to provide information to the owner of the building as provided in this section, the owner shall be considered to be in compliance with Section 18-14-102.1 with respect to the building if: (1) the owner proves that the owner has requested the tenant or owner of a non-residential dwelling unit to provide such information as specified in this section; and (2) the owner has benchmarked the building as provided in Section 19-14-103.1 using all information otherwise available to the owner.

18-14-102.1 Benchmarking.

(a) No later than June 1, 2014, and no later than June 1st each year thereafter, the owner of any Group 1 covered buildings excluding those containing residential dwelling units shall benchmark such building for the previous calendar year; provided, however, the owner of any Group 1 covered building with 10 percent or more residential occupancy shall benchmark such building for the previous calendar year no later than June 1, 2015, and no later than June 1st each year thereafter.

(b) No later than June 1, 2015, and no later than June 1st each year thereafter, the owner of any Group 2 covered building excluding those containing residential dwelling units shall benchmark such building for the previous calendar year; and no later than June 1st each year thereafter.

Exception:

(iv). The building is contains residential dwelling units.

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

Pat Dowell, 3rd

James Cappleman 46

45

Jay Emmanuel 44

Alderman Brendan Reilly, 42nd Ward

Leslie A. Santiago

43

48

Scott Waguespack 32

2

CHICAGO October 16, 2013

To the President and Members of the City Council:

Your Committee on Finance having had under consideration

An ordinance amending Chapter 18-14 of the Municipal Code of Chicago regarding building energy use benchmarking.

O2013-6196

Having had the same under advisement, begs leave to report and recommend that your Honorable Body Re-refer to the Committee on Zoning, Landmarks and Building Standards the proposed Ordinance Transmitted Herewith

This recommendation was concurred in by _____(a viva voce vote of members of the committee with _____dissenting vote(s).

Respectfully submitted

(signed)_____

Chairman

Document No._____

REPORT OF THE COMMITTEE ON FINANCE
TO THE CITY COUNCIL
CITY OF CHICAGO