City of Chicago
Office of the City Clerk

City Hall
121 North LaSalle Street
Room 107
Chicago, IL 60602
www.chicityclerk.com

Legislation Referred to Committees at the Chicago City Council Meeting
10/14/2015
Section 1a - Mayoral Introductions

	File #	Title	Sponsor(s)	Committee Referral
Agreement(s) - Intergovernmental				
1	O2015-7370	Amendment and term extension of intergovernmental agreement with Chicago O'Hare Noise Compatibility Commission for implementation of noise compatibility programs and projects	Emanuel (Mayor)	Aviation
2	O2015-7376	Amendment and term extension of intergovernmental agreement with Chicago Midway Noise Compatibility Commission for implementation of noise compatibility programs and projects	Emanuel (Mayor)	Aviation
3	O2015-7381	Intergovernmental agreement with Chicago Transit Authority and Cook County for allocation of Motor Fuel Tax funds for operational expenses for Year 2016	Emanuel (Mayor)	Budget
4	O2015-7385	Expenditure of portion of Motor Fuel Tax Fund allocated to City of Chicago for year 2016	Emanuel (Mayor)	Budget
5	O2015-7672	Intergovernmental agreement with Chicago Housing Authority regarding Home Modification Program	Emanuel (Mayor)	Housing
Appointment(s)				
6	A2015-136	Appointment of Marcia Carroll as member of Special Service Area No. 5, Commmercial Avenue Commission	Emanuel (Mayor)	Finance
7	A2015-137	Appointment of Peter S. Eisenberg as member of Special Service Area No. 28-2014, Six Corners Commission	Emanuel (Mayor)	Finance
8	A2015-138	Appointment of Quay Tao as member of Special Service Area No. 28-2014, Six Corners Commission	Emanuel (Mayor)	Finance
9	A2015-139	Appointment of N. Marcia Jimenez as member of Special Service Area No. 62, Sauganash Commission	Emanuel (Mayor)	Finance
10	A2015-140	Appointment of Nicholas Yassan as member of Special Service Area No. 31, Greater Ravenswood Commission	Emanuel (Mayor)	Finance
11	A2015-142	Appointment of Julio Rodriguez as member of Chicago Commission on Human Relations	Emanuel (Mayor)	Human Relations
12	A2015-143	Appointment of Hector Rico as member of Building Board of Appeals	Emanuel (Mayor)	Zoning

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	File #	Title	Sponsor(s)	Committee Referral	
Budget & Appropriations					
13	R2015-811	Amendment of Regulations Governing Administration of Classification Plan and Employee Benefits for Classified positions set forth in Annual Appropriation Ordinance (Salary Resolution)	Emanuel (Mayor)	Workforce Development	
Municipal Code Amendment(s)					
14	O2015-7390	Amendment of Municipal Code Titles 1, 2, 3, 4, 7, 9, 10, 11, 13, 15 and 17 concerning various department functions and duties (2016 Management Ordinance), establishment of debt relief program, and installation and removal of parking meters and bus shelters	Emanuel (Mayor)	Budget	
15	O2015-7403	Amendment of Municipal Code Titles 3, 4, 7, 9, 11 and 13 concerning various fines and fees (2016 Revenue Ordinance)	Emanuel (Mayor)	Finance	
Reappointment(s)					
16	A2015-141	Reppointment of Naderh H. Elrabadi, Stephanie A. Kanter, David J. Mussatt, and Nabeela Rasheed as members of Chicago Commission on Human Relations	Emanuel (Mayor)	Human Relations	
Sale of City-owned Property					
17	O2015-7660	Sale of City-owned property located in Austin and East Garfield Park Communities under Large Lot Program	Emanuel (Mayor)	Housing	
Social Issues & Programs					
18	R2015-812	Call for Food and Drug Administration to reverse its decision approving pediatric opioid use, at request of Commisssioner of Public Health	Emanuel (Mayor) Burke (14)	Health & Environment	
Special Service Area(s)					
19	O2015-7366	Scope of services, budget and management agreement for Special Service Area No. 8	Emanuel (Mayor)	Finance	*Redacted Record*
Taxes & Tax Levies					
20	O2015-7393	Supplemental property tax levy for Year 2015	Emanuel (Mayor)	Finance	
21	O2015-7395	Property tax levy for Year 2016	Emanuel (Mayor)	Finance	
22	O2015-7396	Property tax levy for Year 2017	Emanuel (Mayor)	Finance	
23	O2015-7398	Property tax levy for Year 2018	Emanuel (Mayor)	Finance	

City of Chicago

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Document Tracking Sheet

O2015-7370

Meeting Date:	10/14/2015
Sponsor(s):	Emanuel (Mayor)
Type:	Ordinance
Title:	Amendment and term extension of intergovernmental agreement with Chicago O'Hare Noise Compatibility Commission for implementation of noise compatibility programs and projects
Committee(s) Assignment:	Committee on Aviation

AVIAT

OFFICE OF THE MAYOR

CITY OF CHICAGO

RAHM EMANUEL
MAYOR

October 14, 2015

TO THE HONORABLE, THE CITY COUNCIL
OF THE CITY OF CHICAGO

Ladies and Gentlemen:

At the request of the Commissioner of Aviation, I transmit herewith an ordinance authorizing the renewal of an intergovernmental agreement with the O'Hare Noise Compatibility Commission.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,

Rahm Emanuel

Mayor

ORDINANCE

WHEREAS, The City of Chicago (the "City") is a home rule municipality pursuant to Section 6 of Article VII of the 1970 Illinois Constitution (the "Illinois Constitution") and, as such, may exercise any power and perform any function related to its government and affairs; and

WHEREAS, The City owns and operates an airport known as Chicago O'Hare International Airport ("O'Hare"); and

WHEREAS, Pursuant to authority granted by (a) an ordinance adopted by this City Council on July 10, 1996, and published in the *Journal of the Proceedings of the City Council of the City of Chicago, Illinois* (the "Journal") of such date at pages 24918-24932, as repealed and amended by an ordinance adopted on October 30, 1996, and published in the Journal of such date at pages 31189-31198, as further amended by an ordinance adopted on June 8, 2005, and published in the Journal of such date at pages 49854-49856, as further amended by Ordinance Number O2010-3886 adopted on September 8, 2010, and published in the Journal of such date at pages 99104-99116, as further amended by Ordinance Number O2010-6949 adopted on January 13, 2011, and published in the Journal of such date at pages 110759-110772, as further amended by Ordinance Number O2014-5870 adopted on September 10, 2014, and published in the Journal of such date at pages 87841-87853; (b) Section 10 of Article VII of the Illinois Constitution; and (c) the Intergovernmental Cooperation Act (5 ILCS 220/1 et seq.), the City entered into an intergovernmental agreement relating to the O'Hare Noise Compatibility Commission (the "Agreement") by and among the City and various municipalities, Cook County, DuPage County, and public school districts; and

WHEREAS, The O'Hare Noise Compatibility Commission (the "O'Hare Commission") was established pursuant to the Agreement and provides a common forum for interested parties to have a voice in the aircraft noise issues related to O'Hare; and

WHEREAS, The City desires to amend the Agreement and extend the term for five additional years; now, therefore,

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. The foregoing recitals are hereby adopted as the findings of this City Council and are hereby incorporated in this ordinance by this reference.

SECTION 2. The Commissioner of Aviation (the "Commissioner") is hereby authorized to execute an amendment to the Agreement substantially in the form attached hereto as Exhibit A (the "Amended Agreement"), and to execute any and all instruments and take such additional actions which the Commissioner determines to be necessary or desirable to implement the terms of the Amended Agreement. The Amended Agreement shall become effective upon passage and approval of this ordinance and upon associated approval of the Amended Agreement as specified in Section 6.H. of the Amended Agreement.

SECTION 3. The Commissioner shall provide notice of the amendments to the Agreement proposed by this ordinance to each Participant of the O'Hare Commission as provided in Section 6.H. of the Amended Agreement.

SECTION 4. To the extent that any ordinance, resolution, rule, order, or provision of the Municipal Code of Chicago, or any part thereof, is in conflict with the provisions of this ordinance, the provisions of this ordinance shall be controlling. If any section, paragraph, clause, or provision of this ordinance shall be held invalid, the invalidity of such section, paragraph, clause, or provision shall not affect any of the other provisions of this ordinance.

SECTION 5. This ordinance shall be effective immediately upon its passage and approval.

EXHIBIT A

INTERGOVERNMENTAL AGREEMENT RELATING TO THE O'HARE NOISE COMPATIBILITY COMMISSION

This agreement, effective January 1, 2016, succeeds the agreement authorized by the Chicago City Council on September 10, 2014, which expired under its own terms on December 31, 2015. It is entered into by the City of Chicago, a municipality and home rule unit of government under the Illinois Constitution of 1970, by and through the Chicago Department of Aviation, and the undersigned Participants, organized under the laws of the State of Illinois. In consideration of the mutual agreements contained in this Agreement, the City of Chicago and each Participant agree as follows:

Section 1. Establishment of O'Hare Commission; Purposes.

The O'Hare Noise Compatibility Commission is hereby established pursuant to Section 10 of Article VII of the Illinois Constitution of 1970 and the Intergovernmental Cooperation Act. The purposes of the Commission are to: (a) determine certain Noise Compatibility Projects and Noise Compatibility Programs to be implemented in the O'Hare Commission Area; (b) oversee an effective and impartial noise monitoring system; (c) advise the City concerning O'Hare-related noise issues; and (d) provide a forum for direct citizen engagement.

Section 2. Definitions.

Whenever used in this Agreement, the following terms shall have the following meanings:

"*Advisory Member*" means an authorized representative of the Archdiocese of Chicago, the Diocese of Joliet, or any other non-governmental elementary and secondary school located in the O'Hare Commission Area who shall serve as a special advisory member of the O'Hare Commission as provided in Section 3.C. of this Agreement, but who shall have no voting powers on the O'Hare Commission and shall not be parties to the Agreement.

"*City*" means the City of Chicago. The Commissioner of the Chicago Department of Aviation or his or her designee (or any successor thereto) shall have the sole authority to undertake the City of Chicago's obligations and responsibilities under this Agreement, and the City shall act by and through the Commissioner of the Chicago Department of Aviation or his or her designee (or any successor thereto) for purposes of this Agreement, except as otherwise set forth in this Agreement.

"*FAA*" means the Federal Aviation Administration or any successor agency.

"*Governmental Unit*" means a county, township, municipality, municipal corporation, unit of local government, public school district, special district, public corporation, body corporate and politic, forest preserve district, park district and any other local governmental agencies, including any created by intergovernmental agreement among any of the foregoing units.

"Noise Compatibility Programs" means programs, including but not limited to the Residential Sound Insulation Program and the School Sound Insulation Program, which address aircraft noise concerns in the O'Hare Commission Area as determined by the O'Hare Commission in cooperation with the City.

"Noise Compatibility Projects" means the noise compatibility projects (including administrative costs) in the O'Hare Commission Area which are eligible for funding based on FAA regulations and grant assurances, which have been identified as eligible for participation in Noise Compatibility Programs as determined by the O'Hare Commission in cooperation with the City based on criteria adopted by the O'Hare Commission, and for which there is available funding. Noise Compatibility Projects include, but are not limited to, the sound insulation of homes and schools and/or providing the funding for such sound insulation to be implemented. Participation in a Noise Compatibility Program or receipt of a Noise Compatibility Project shall be voluntary on the part of the relevant property owner.

"O'Hare" means Chicago O'Hare International Airport.

"O'Hare Commission Area" means the area in the vicinity of O'Hare with an interest in O'Hare-related aircraft noise issues, which area includes but is not limited to the following municipalities and Governmental Units: (i) the City of Chicago, Arlington Heights, Bartlett, Bellwood, Bensenville, Bloomingdale, Des Plaines, Downers Grove, Elmwood Park, Franklin Park, Hanover Park, Harwood Heights, Hoffman Estates, Itasca, Maywood, Melrose Park, Morton Grove, Mount Prospect, Niles, Norridge, Northlake, Oak Park, Palatine, Park Ridge, River Forest, River Grove, Rolling Meadows, Rosemont, Schaumburg, Schiller Park, Stone Park and Wood Dale; (ii) the unincorporated areas of Elk Grove, Leyden, Maine, and Norwood Park Townships in Cook County and the unincorporated areas of Addison Township in DuPage County; (iii) School Districts 59, 63, 64, 80, 81, 84, 84.5, 85.5, 86, 87, 88, 89, 214, 234, 299 and 401. Municipalities and public school districts may be added to the O'Hare Commission Area as provided in Section 6.G.

"Part 150 Plan" means a noise abatement and land use compatibility plan developed pursuant to 14 CFR Part 150, or any successor provision.

"Participant" means, at any time, each city, village, public school district, or county located in the O'Hare Commission Area that has executed a counterpart of this Agreement on the basis set forth in this Agreement, other than the City. In addition, "Participant" shall include the six (6) members appointed by the Mayor of the City of Chicago to represent Wards 36, 38, 39, 40, 41, and 45 of the City of Chicago ("Chicago Ward Participants") as set forth in Section 3.A.(v) of this Agreement, who shall be eligible to participate as individual member Participants on the O'Hare Commission upon approval and execution of this Agreement by the City.

"Residential Sound Insulation Program" means the program determined by the O'Hare Commission in cooperation with the City to provide sound insulation to homes in the O'Hare Commission Area that are affected by O'Hare-related aircraft noise, and that are eligible for sound insulation pursuant to FAA guidelines and regulations and eligibility criteria established

by the O'Hare Commission in cooperation with the City, and for which there is available funding.

"School Sound Insulation Program" means the program determined by the O'Hare Commission in cooperation with the City to provide sound insulation and sound insulation funding to schools in the O'Hare Commission Area that are affected by O'Hare-related aircraft noise, and that are eligible for sound insulation pursuant to FAA guidelines and regulations and eligibility criteria established by the O'Hare Commission in cooperation with the City, and for which there is available funding.

Section 3. Composition and Organization.

A. The O'Hare Commission shall consist of the (i) mayor, village president, or chief executive officer or other designee of each of the cities and villages in the O'Hare Commission Area; (ii) the president, superintendent, or other designee of each public school district serving any portion of the O'Hare Commission Area; (iii) one member appointed by the President of the Cook County Board representing the unincorporated areas of Elk Grove, Leyden, Maine, and Norwood Park Townships in Cook County; (iv) one member appointed by the Chairman of the DuPage County Board representing the unincorporated areas of Addison Township in DuPage County; and (v) Chicago Ward Participants, provided that no such person shall be eligible to participate as a member of the O'Hare Commission unless the city, village, public school district, or county represented by such person has approved and executed a counterpart of this Agreement by December 31, 2015, or pursuant to Section 6.G. of this Agreement, except that the Chicago Ward Participants shall be eligible to participate as individual member Participants of the O'Hare Commission upon approval and execution of this Agreement by the City.

B The O'Hare Commission Area includes communities and public school districts with an interest in O'Hare-related noise issues, and a principal purpose of this Agreement is to provide a forum for those communities and public school districts to work together with the City on a cooperative basis in addressing these issues.

C. Representatives of the Archdiocese of Chicago, the Diocese of Joliet, and other non-governmental elementary and secondary schools located in the O'Hare Commission Area may serve as special "Advisory Members" of the O'Hare Commission. Advisory Members may participate fully in the deliberations of the O'Hare Commission, but shall have no voting powers and shall not be parties to this Agreement.

D. The O'Hare Commission shall elect annually from its members a Chair and a Vice Chair and any other officers that it deems necessary. The O'Hare Commission also shall appoint, retain, and employ an Executive Director and such other staff, professional advisors, and consultants as may be needed to carry out its powers and duties. The appointment of the Executive Director must be approved by two-thirds of the members of the O'Hare Commission.

E. Except as expressly set forth in this Agreement, the concurrence of a majority of the members of the O'Hare Commission shall be necessary for the approval of any action by the O'Hare Commission. A majority of the members of the O'Hare Commission shall constitute a quorum for the transaction of business. The O'Hare Commission shall establish a schedule of regular meetings in accordance with its by-laws, and a special meeting may be called by the City or any five members of the O'Hare Commission upon at least seven days' written notice to the City, each Participant, and each Advisory Member.

Section 4. O'Hare Commission Powers and Duties.

A. The O'Hare Commission shall have the following duties and powers:

(1) By vote of a majority of its members, the O'Hare Commission shall determine certain Noise Compatibility Programs and Noise Compatibility Projects to be implemented in the O'Hare Commission Area in cooperation with the City as set forth in *Appendix A,* and shall establish criteria for participation in such Noise Compatibility Programs and for determining the priorities for providing such Noise Compatibility Projects.

(2) The O'Hare Commission may make recommendations to the City regarding noise reduction programs at O'Hare including, but not limited to, the use of new technologies and flight patterns, preferential runway usage, the implementation of sound insulation programs and the implementation of FAA standard noise abatement, take-off, and high altitude approach procedures. No such recommendations shall be submitted to the FAA or implemented by the City without the prior approval of the O'Hare Commission. The O'Hare Commission also shall cooperate with the City in seeking agreements with the airlines using O'Hare and the FAA, as appropriate, with respect to aircraft noise mitigation and related matters.

(3) The O'Hare Commission may advise the City concerning any Part 150 Plan concerning O'Hare. The City shall not submit any such plan or any subsequent revision proposed by the City to the FAA without allowing the O'Hare Commission 60 days to review it and submit written recommendations to the City for consideration.

(4) The O'Hare Commission may request and, except as set forth below, the City shall provide full access to all publicly available documents relating to (i) any O'Hare noise monitoring, (ii) any O'Hare-related Noise Compatibility Project proposed or undertaken in whole or in part by the City, and (iii) any recommendations or submissions to the FAA by the City related to airport noise mitigation related to O'Hare. Such requests may not impose an undue burden upon the City or interfere with its operations. In such circumstances, the City shall extend to the O'Hare Commission an opportunity to confer with it in an attempt to reduce the request to manageable proportions.

(5) Neither the O'Hare Commission, nor any of its Participants, representatives, agents, employees, consultants, or professional advisors shall use, or assist other persons in using FAA radar data for O'Hare and/or Chicago Midway International Airport ("Data") in legal actions to enforce noise abatement policy or regulations without prior approval of the FAA, and shall not release such Data without notice to and consultation with the FAA. The O'Hare Commission and its Participants, representatives, agents, employees, consultants, or professional advisors shall not release the Data for use by law enforcement agencies or for use in any civil litigation except as otherwise required by law. If the O'Hare Commission or any of its

Participants, representatives, agents, employees, consultants, or professional advisors are required by law to release such Data, they shall notify the FAA before doing so. This notification must be provided promptly after the O'Hare Commission or any of its Participants, representatives, agents, employees, consultants, or professional advisors receives a request or requirement to release the Data, and prior to the release of the Data. The O'Hare Commission and its Participants, representatives, agents, employees, consultants, or professional advisors shall not release Data if advised by the FAA that the Data contains any information deemed sensitive at the sole discretion of the FAA, unless required by law to release such Data.

(6) The O'Hare Commission shall adopt an annual expense budget for each fiscal year. The O'Hare Commission's expense budget shall be adopted at least 30 days prior to the commencement of each such fiscal year. The O'Hare Commission's expense budget shall be funded by the City and any grants received pursuant to Section F of *Appendix A* of this Agreement, following the evaluation and approval by the City of the proposed budget request.

(7) The O'Hare Commission shall have the power to sue and be sued and to take any other action necessary to perform its powers under this Agreement. No funds received by the O'Hare Commission from the City shall be used for legal services or other costs in connection with any action by the O'Hare Commission against the City, its officers or employees, or any airline using O'Hare, except for enforcement of the provisions of this Agreement.

(8) The O'Hare Commission shall undertake any procurement activities in accordance with this Agreement and pursuant to applicable law.

(9) The O'Hare Commission shall adopt by-laws and rules for the conduct of its meetings consistent with powers enumerated herein.

B. A record of proceedings and documents of the O'Hare Commission shall be maintained, which shall be available for inspection by the City, each Participant, each Advisory Member, and the public as permitted by law. The accounts of the O'Hare Commission shall be subject to an annual audit by a qualified independent public accountant.

C. The powers and duties of the O'Hare Commission shall be limited to those expressly set forth in this Section and in *Appendix A* of this Agreement.

Section 5. Term of Agreement.

A. This Agreement shall be effective January 1, 2016, and shall terminate on December 31, 2020, unless otherwise terminated with the written consent of the City and two-thirds of the Participants. The term of this Agreement may be extended upon the approval of the City and any Participant which wishes to extend the term of the Agreement. If any Participant defaults in any material respect in the performance of any of its duties or obligations under this Agreement, and such default continues for 30 days after the O'Hare Commission notifies the Participant, the O'Hare Commission may terminate the defaulting Participant's participation as a party to this Agreement. A material default by a Participant shall include, but is not limited to, the failure of its authorized representative or designee to attend three or more consecutive meetings of the O'Hare Commission.

B. Any Participant may withdraw as a member of the O'Hare Commission at any time by providing 60 days advance written notice of its intent to withdraw to the City and the O'Hare Commission. Each such written notice shall be accompanied by a certified copy of a resolution or other official action of such Participant's legislative body authorizing such withdrawal. Following its withdrawal from the O'Hare Commission, the Participant shall cease to exercise any of its rights under this Agreement and to be responsible for any subsequent obligation incurred by the O'Hare Commission.

C. The City may terminate this Agreement at any time after January 1, 2016, upon 180 days prior written notice to each Participant and each Advisory Member. Following the City's termination of this Agreement, the rights and obligations of each party to this Agreement shall terminate.

Section 6. Miscellaneous.

A. All notices hereunder shall be in writing and shall be given as follows:

If to the City, to:

Commissioner of Aviation
Chicago Department of Aviation
10510 W. Zemke Road
Chicago, IL 60666

Tel.: (773) 686-8060
Fax: (773) 686-3424

If to a Participant, to the address set forth on the signature page of the counterpart of this Agreement executed by such Participant, and, in the case of Chicago Ward Participants, to such addresses and telephone numbers as they may provide to the O'Hare Commission. Participants may provide an e-mail address for purposes of receiving notices.

All notices shall be effective upon receipt by U.S. mail or e-mail. Any Participant may change the address or addresses for notices to be sent to it by giving notice to the O'Hare Commission.

B. No Participant may assign its rights or obligations under this Agreement without the prior written consent of the City and the other Participants.

C. The City shall not be responsible or liable for damage to property or injury to persons that may arise from, or be incident to, compliance with this Agreement or the implementation of a Noise Compatibility Program or a Noise Compatibility Project by a Participant or other Governmental Unit. A Participant shall not be responsible or liable for damage to property or injury to persons that may arise from, or be incident to, compliance with this Agreement or the implementation of a Noise Compatibility Program or a Noise Compatibility Project by the City, another Participant, or another Governmental Unit. The City's financial obligations under this Agreement are limited to legally available airport revenues. Neither the City nor any Participant shall be liable for any expenditures, indebtedness or other financial obligations incurred by the O'Hare Commission unless the City or such Participant has affirmatively agreed to incur such expenditure, indebtedness, or financial obligation. No Advisory Member shall be subject to any liabilities or obligations under this Agreement.

D. This Agreement constitutes the entire agreement of the parties with regard to the Subject matter hereof. This Agreement shall not confer upon any person or entity other than the parties hereto any rights or remedies. *Appendix A* is incorporated herein and made a part of this Agreement.

E. This Agreement may be executed in one or more counterparts, each of which shall be considered an original instrument, but all of which shall be considered one and the same agreement, and shall become binding when one or more counterparts have been signed by each party. Each counterpart may vary in order to identify the Participant, its address for notices and its execution by an authorized officer. The execution of counterparts of this Agreement by a municipality, public school district or county located in the O'Hare Commission Area prior to January 1, 2016, shall not require the consent of the O'Hare Commission, the City, or any Participant.

F. This Agreement shall be governed and construed in accordance with Illinois law.

G. Any municipality, public school district, or county located in the O'Hare Commission Area that does not become a Participant prior to January 1, 2016, may thereafter become a Participant upon (i) the approval of the City and a majority of the O'Hare Commission as set forth in Section 3.E. of this Agreement and (ii) execution of a counterpart of this Agreement.

H. The approval of the City and two-thirds of the Participants shall be required to amend this Agreement. Notice of any proposed amendment shall be transmitted to each Participant and each Advisory Member at least ten days prior to the meeting of the O'Hare Commission at which any proposed amendment is to be first considered. Any amendment shall be effective on all parties hereto when counterparts are executed by the City and two-thirds of the Participants.

Executed as of this _______day of ____________, 2015.

CITY OF CHICAGO

By:

____
Commissioner
Chicago Department of Aviation

______________________________ (Name of Governmental Unit or Other Entity)

By:

____
Authorized Officer

Address: ______________________________

____

____

____

APPENDIX A

Implementation of Noise Compatibility Programs and Projects

In connection with the development and implementation of Noise Compatibility Programs and Noise Compatibility Projects in the O'Hare Commission Area, the City, and the O'Hare Commission shall have the following duties and responsibilities:

A. The members of the O'Hare Commission shall direct the further development of the Noise Compatibility Programs for the O'Hare Commission Area. The members of the O'Hare Commission shall establish criteria for the equitable allocation of Noise Compatibility Projects and approved airport revenues (including by not limited to FAA Airport Improvement Program ("AIP") grants, Passenger Facility Charge ("PFC") funds, and General Airport Revenue Bonds, and/or bonds backed by such funding sources) within the O'Hare Commission Area and the priorities for providing Noise Compatibility Projects, subject in each case to approval by the FAA and in compliance with all applicable FAA regulations and grant assurances, as well as other applicable law, and subject to available funding.

B. The City shall retain all necessary powers to satisfy the assurances made to the FAA in connection with the expenditure of airport revenues, including eligibility for sound insulation and/or sound insulation funding that is paid by airport revenues. The City shall enter into all agreements and assurances and shall take all other actions that may be necessary to provide for the utilization of airport revenues on the basis set forth in this *Appendix A*. Each Participant and other Governmental Unit that receives Noise Compatibility Projects shall enter into all agreements and assurances, including agreements with and assurances to the City, shall execute any necessary certificates, records and other documents and shall take all other actions that may be necessary to obtain and maintain FAA approval for the use of the airport revenues as contemplated in this *Appendix A*. Neither the O'Hare Commission nor any Participant shall take or omit to take any action if such action or omission violates restrictions on the use of airport revenues. The City shall not be obligated in any year to pay or utilize any amounts in excess of available airport revenues to carry out the purposes of this *Appendix A*.

C. The determination of eligibility to participate in a Noise Compatibility Program or receive a Noise Compatibility Project is not to be construed as an admission or determination of negative impact by aircraft noise or of liability for damages or any other injury relating to aircraft noise on the part of the City or the O'Hare Commission.

D. In the event they are determined to be eligible for participation in a Noise Compatibility Program, property owners in the O'Hare Commission Area shall not be required to pay any portion of the cost of any Noise Compatibility Project. Upon approval by the City and with the consent of the property owner, at its option the City may acquire homes that are subject to very high levels of aircraft noise.

E. Noise Compatibility Projects outside the City may be implemented through Participants and other Governmental Units located in the O'Hare Commission Area. A Governmental Unit may request that the City undertake a Noise Compatibility Project within such Governmental Unit's corporate boundaries. Noise Compatibility Projects within the boundaries of the City shall be implemented by the City. The City may enter into agreements in connection with the planning and implementation of proposed Noise Compatibility Projects in the O'Hare Commission Area. The City shall provide administrative support and professional and technical assistance to the O'Hare Commission, each Participant and all other Governmental Units located in the O'Hare Commission Area in connection with the operations of the O'Hare Commission and the planning and implementation of Noise Compatibility Projects. All procurement activities related to Noise Compatibility Projects shall be undertaken in accordance with applicable law.

F. The O'Hare Commission may receive grants from any source to be used for the purpose of discharging its duties and obligations in accordance with the provisions of this *Appendix A*, and also may make grants for such purposes. The O'Hare Commission may expend any such grants for purposes consistent with this *Appendix A*. The City and the O'Hare Commission shall each use its best efforts (including serving as the sponsor or applicant for federal grants) to obtain the maximum amount of federal funds in connection with any noise mitigation projects, so as to maximize the availability and impact of the City's financial contribution to noise mitigation projects in the O'Hare Commission Area.

G. The City shall install and maintain a permanent noise monitoring system (the "*System*") at and around O'Hare Airport. The purposes of the System include validation of the FAA-approved noise contour for O'Hare, assisting in determining the eligibility and priority of proposed Noise Compatibility Projects for schools, enhancing public understanding of aircraft noise issues, and monitoring trends in aircraft noise.

(1) The City may retain a third party vendor ("*System Operator*") selected by the City with the input of the O'Hare Commission to operate and maintain the System pursuant to an agreement between the City and the System Operator.

(2) At the request of the O'Hare Commission, the City may also retain and pay the cost of another third party vendor ("*System Expert*") to provide independent management oversight of the System. The System Expert shall be mutually selected by the City and the O'Hare Commission. The System Expert will be responsible for independently verifying data and system operation through the review of all inputs and operational aspects of the System. All reports prepared by the System Expert shall be provided directly to the City and the O'Hare Commission. The activities and duties of the System Expert shall be consistent in all respects with the applicable requirements of the FAA. If the O'Hare Commission requests the City to retain and pay for such a System Expert, the amount that the City is obligated to pay the System Expert shall not exceed $200,000 per year, adjusted annually for inflation.

(3) The System shall include a minimum of 33 monitoring sites in the O'Hare Commission Area, plus such number of additional permanent monitoring sites as may be agreed upon by the City and the O'Hare Commission.

(4) The data collected by the System shall be made available by the City to the O'Hare Commission and any Participant that requests such data. The City shall provide reports to the O'Hare Commission and any Participant based on the data collected by the System.

(5) Neither the O'Hare Commission, nor any of its Participants, representatives, agents, employees, consultants, or professional advisors shall use, or assist other persons in using, information generated by the System in violation of Section 4.A.(5) of this Agreement.

City of Chicago

Office of the City Clerk

Document Tracking Sheet

O2015-7376

Meeting Date:	10/14/2015
Sponsor(s):	Emanuel (Mayor)
Type:	Ordinance
Title:	Amendment and term extension of intergovernmental agreement with Chicago Midway Noise Compatibility Commission for implementation of noise compatibility programs and projects
Committee(s) Assignment:	Committee on Aviation

AVIAT

OFFICE OF THE MAYOR

CITY OF CHICAGO

RAHM EMANUEL
MAYOR

October 14, 2015

TO THE HONORABLE, THE CITY COUNCIL
OF THE CITY OF CHICAGO

Ladies and Gentlemen:

At the request of the Commissioner of Aviation, I transmit herewith an ordinance authorizing the renewal of an intergovernmental agreement with the Midway Noise Compatibility Commission.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,

Rahm Emanuel

Mayor

ORDINANCE

WHEREAS, The City of Chicago (the "City") is a home rule municipality pursuant to Section 6 of Article VII of the 1970 Illinois Constitution (the "Illinois Constitution") and, as such, may exercise any power and perform any function related to its government and affairs; and

WHEREAS, The City owns and operates an airport known as Chicago Midway International Airport ("Midway"); and

WHEREAS, Pursuant to authority granted by (a) an ordinance adopted by this City Council on February 7, 1996, and published in the *Journal of the Proceedings of the City Council of the City of Chicago, Illinois* (the "Journal") of such date at pages 15381-15392, as amended by an ordinance adopted on September 14, 2005, and published in the Journal of such date at pages 55205-55207, as further amended by Ordinance Number 2010-5920 adopted on November 17, 2010, and published in the Journal of such date at pages 107924-107935; (b) Section 10 of Article VII of the Illinois Constitution; and (c) the Intergovernmental Cooperation Act (5 ILCS 220/1 et seq.), the City entered into an intergovernmental agreement relating to the Midway Noise Compatibility Commission (the "Agreement") by and among the City and various municipalities and Cook County; and

WHEREAS, The Midway Noise Compatibility Commission (the "Midway Commission") was established pursuant to the Agreement and provides a common forum for interested parties to have a voice in the aircraft noise issues related to Midway; and

WHEREAS, The City desires to amend the Agreement and extend the term for five additional years; now, therefore,

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. The foregoing recitals are hereby adopted as the findings of this City Council and are hereby incorporated in this ordinance by this reference.

SECTION 2. The Commissioner of Aviation (the "Commissioner") is hereby authorized to execute an amendment to the Agreement substantially in the form attached hereto as Exhibit A (the "Amended Agreement"), and to execute any and all instruments and take such additional actions which the Commissioner determines to be necessary or desirable to implement the terms of the Amended Agreement. The Amended Agreement shall become effective upon passage and approval of this ordinance and upon associated approval of the Amended Agreement as specified in Section 6.H. of the Amended Agreement.

SECTION 3. The Commissioner shall provide notice of the amendments to the Agreement proposed by this ordinance to each Participant of the Midway Commission as provided in Section 6.H. of the Amended Agreement.

SECTION 4. To the extent that any ordinance, resolution, rule, order, or provision of the Municipal Code of Chicago, or any part thereof, is in conflict with the provisions of this ordinance, the provisions of this ordinance shall be controlling. If any section, paragraph, clause, or provision of this ordinance shall be held invalid, the invalidity of such section, paragraph, clause, or provision shall not affect any of the other provisions of this ordinance.

SECTION 5. This ordinance shall be effective immediately upon its passage and approval.

EXHIBIT A

INTERGOVERNMENTAL AGREEMENT RELATING TO THE MIDWAY NOISE COMPATIBILITY COMMISSION

This agreement, effective January 1, 2016, succeeds the agreement authorized by the Chicago City Council on November 17, 2010, which expired under its own terms on December 31, 2015. It is entered into by the City of Chicago, a municipality and home rule unit of government under the Illinois Constitution of 1970, by and through the Chicago Department of Aviation, and the undersigned Participants, organized under the laws of the State of Illinois. In consideration of the mutual agreements contained in this Agreement, the City of Chicago and each Participant agree as follows:

Section 1. Establishment of Midway Commission; Purposes.

The Midway Noise Compatibility Commission is hereby established pursuant to Section 10 of Article VII of the Illinois Constitution of 1970 and the Intergovernmental Cooperation Act. The purposes of the Commission are to: (a) determine certain Noise Compatibility Projects and Noise Compatibility Programs to be implemented in the Midway Commission Area; (b) oversee an effective and impartial noise monitoring system; (c) advise the City concerning Midway-related noise issues; and (d) provide a forum for direct citizen engagement.

Section 2. Definitions.

Whenever used in this Agreement, the following terms shall have the following meanings:

"City" means the City of Chicago. The Commissioner of the Chicago Department of Aviation or his or her designee (or any successor thereto) shall have the sole authority to undertake the City of Chicago's obligations and responsibilities under this Agreement, and the City shall act by and through the Commissioner of the Chicago Department of Aviation or his or her designee (or any successor thereto) for purposes of this Agreement, except as otherwise set forth in this Agreement.

"FAA" means the Federal Aviation Administration or any successor agency.

"Governmental Unit" means a county, township, municipality, municipal corporation, unit of local government, public school district, special district, public corporation, body corporate and politic, forest preserve district, park district and any other local governmental agencies, including any created by intergovernmental agreement among any of the foregoing units.

"Midway" means Chicago Midway International Airport.

"Midway Commission Area" means the area in the vicinity of Midway with an interest in Midway-related aircraft noise issues, which area includes but is not limited to the following municipalities and Governmental Units: (i) the City of Chicago, Bedford Park, Bridgeview,

Burbank, Cicero, Forest View, Lyons, Stickney, and Summit; and (ii) the unincorporated areas of Stickney Township in Cook County. Municipalities may be added to the Midway Commission Area as provided in Section 6.G.

"Noise Compatibility Programs" means programs, including but not limited to the Residential Sound Insulation Program and the School Sound Insulation Program, which address aircraft noise concerns in the Midway Commission Area as determined by the Midway Commission in cooperation with the City.

"Noise Compatibility Projects" means the noise compatibility projects (including administrative costs) in the Midway Commission Area which are eligible for funding based on FAA regulations and grant assurances, which have been identified as eligible for participation in Noise Compatibility Programs as determined by the Midway Commission in cooperation with the City based on criteria adopted by the Midway Commission, and for which there is available funding. Noise Compatibility Projects include, but are not limited to, the sound insulation of homes and schools and/or providing the funding for such sound insulation to be implemented. Participation in a Noise Compatibility Program or receipt of a Noise Compatibility Project shall be voluntary on the part of the relevant property owner.

"Part 150 Plan" means a noise abatement and land use compatibility plan developed pursuant to 14 CFR Part 150, or any successor provision.

"Participant" means, at any time, each city, village, or county located in the Midway Commission Area that has executed a counterpart of this Agreement on the basis set forth in this Agreement, other than the City.

"Residential Sound Insulation Program" means the program determined by the Midway Commission in cooperation with the City to provide sound insulation to homes in the Midway Commission Area that are affected by Midway-related aircraft noise, and that are eligible for sound insulation pursuant to FAA guidelines and regulations and eligibility criteria established by the Midway Commission in cooperation with the City, and for which there is available funding.

"School Sound Insulation Program" means the program determined by the Midway Commission in cooperation with the City to provide sound insulation and sound insulation funding to schools in the Midway Commission Area that are affected by Midway-related aircraft noise, and that are eligible for sound insulation pursuant to FAA guidelines and regulations and eligibility criteria established by the Midway Commission in cooperation with the City, and for which there is available funding.

Section 3. Composition and Organization.

A. The Midway Commission shall consist of the (i) mayor, village president, or chief executive officer or other designee of each of the cities, towns, and villages in the Midway Commission Area other than the City of Chicago; (ii) one member appointed by the President of the Cook County Board representing the unincorporated areas of Stickney Township in Cook

County; and (iii) ten members appointed by the Mayor of the City of Chicago, provided that the tenth member appointed by the Mayor of the City of Chicago shall always be the Commissioner of the Department of Aviation or his or her designee; and further provided that no such person shall be eligible to participate as a member of the Midway Commission unless the city, town, village, or county represented by such person has approved and executed a counterpart of this Agreement by December 31, 2015, and further provided that the number of members appointed by the Mayor of the City of Chicago is subject to increase as set forth in Section 6.G. of this Agreement.

B The Midway Commission Area includes communities with an interest in Midway-related noise issues, and a principal purpose of this Agreement is to provide a forum for those communities to work together with the City on a cooperative basis in addressing these issues.

C. The Midway Commission shall elect annually from its members a Chair and a Vice Chair and any other officers that it deems necessary.

D. Except as expressly set forth in this Agreement, the concurrence of a majority of the members of the Midway Commission shall be necessary for the approval of any action by the Midway Commission. A majority of the members of the Midway Commission shall constitute a quorum for the transaction of business. The Midway Commission shall establish a schedule of regular meetings in accordance with its by-laws, and a special meeting may be called by the City or any two members of the Midway Commission upon at least seven days' written notice to the City and each Participant.

Section 4. Midway Commission Powers and Duties.

A. The Midway Commission shall have the following duties and powers:

(1) By vote of a majority of its members, the Midway Commission shall determine certain Noise Compatibility Programs and Noise Compatibility Projects to be implemented in the Midway Commission Area in cooperation with the City as set forth in *Appendix A,* and shall establish criteria for participation in such Noise Compatibility Programs and for determining the priorities for providing such Noise Compatibility Projects.

(2) The Midway Commission may make recommendations to the City regarding noise reduction programs at Midway including, but not limited to, the use of new technologies and flight patterns, preferential runway usage, the implementation of sound insulation programs and the implementation of FAA standard noise abatement, take-off, and high altitude approach procedures. No such recommendations shall be submitted to the FAA or implemented by the City without the prior approval of the Midway Commission. The Midway Commission also shall cooperate with the City in seeking agreements with the airlines using Midway and the FAA, as appropriate, with respect to aircraft noise mitigation and related matters.

(3) The Midway Commission may advise the City concerning any Part 150 Plan concerning Midway. The City shall not submit any such plan or any subsequent revision

proposed by the City to the FAA without allowing the Midway Commission 60 days to review it and submit written recommendations to the City for consideration.

(4) The Midway Commission may request and, except as set forth below, the City shall provide full access to all publicly available documents relating to (i) any Midway noise monitoring, (ii) any Midway-related Noise Compatibility Project proposed or undertaken in whole or in part by the City, and (iii) any recommendations or submissions to the FAA by the City related to airport noise mitigation related to Midway. Such requests may not impose an undue burden upon the City or interfere with its operations. In such circumstances, the City shall extend to the Midway Commission an opportunity to confer with it in an attempt to reduce the request to manageable proportions.

(5) Neither the Midway Commission, nor any of its Participants, representatives, agents, employees, consultants, or professional advisors shall use, or assist other persons in using FAA radar data for Midway and/or Chicago O'Hare International Airport ("Data") in legal actions to enforce noise abatement policy or regulations without prior approval of the FAA, and shall not release such Data without notice to and consultation with the FAA. The Midway Commission and its Participants, representatives, agents, employees, consultants, or professional advisors shall not release the Data for use by law enforcement agencies or for use in any civil litigation except as otherwise required by law. If the Midway Commission or any of its Participants, representatives, agents, employees, consultants, or professional advisors are required by law to release such Data, they shall notify the FAA before doing so. This notification must be provided promptly after the Midway Commission or any of its Participants, representatives, agents, employees, consultants, or professional advisors receives a request or requirement to release the Data, and prior to the release of the Data. The Midway Commission and its Participants, representatives, agents, employees, consultants, or professional advisors shall not release Data if advised by the FAA that the Data contains any information deemed sensitive at the sole discretion of the FAA, unless required by law to release such Data.

(6) The Midway Commission shall adopt by-laws and rules for the conduct of its meetings consistent with powers enumerated herein.

B. A record of proceedings and documents of the Midway Commission shall be maintained, which shall be available for inspection by the City, each Participant, and the public as permitted by law. The accounts of the Midway Commission shall be subject to an annual audit by a qualified independent public accountant.

C. The powers and duties of the Midway Commission shall be limited to those expressly set forth in this Section and in *Appendix A* of this Agreement.

Section 5. Term of Agreement.

A. This Agreement shall be effective January 1, 2016, and shall terminate on December 31, 2020, unless otherwise terminated with the written consent of the City and two-thirds of the Participants. The term of this Agreement may be extended upon the approval of the City and any Participant which wishes to extend the term of the Agreement. If any Participant defaults in any material respect in the performance of any of its duties or obligations under this Agreement, and such default continues for 30 days after the Midway Commission notifies the Participant, the Midway Commission may terminate the defaulting Participant's participation as a party to this Agreement. A material default by a Participant shall include, but is not limited to, the failure of its authorized representative or designee to attend three or more consecutive meetings of the Midway Commission.

B. Any Participant may withdraw as a member of the Midway Commission at any time by providing 60 days advance written notice of its intent to withdraw to the City and the Midway Commission. Each such written notice shall be accompanied by a certified copy of a resolution or other official action of such Participant's legislative body authorizing such withdrawal. Following its withdrawal from the Midway Commission, the Participant shall cease to exercise any of its rights under this Agreement and to be responsible for any subsequent obligation incurred by the Midway Commission.

C. The City may terminate this Agreement at any time after January 1, 2016, upon 180 days prior written notice to each Participant and each Advisory Member. Following the City's termination of this Agreement, the rights and obligations of each party to this Agreement shall terminate.

Section 6. Miscellaneous.

A. All notices hereunder shall be in writing and shall be given as follows:

If to the City, to:

Commissioner of Aviation
Chicago Department of Aviation
10510 W. Zemke Road
Chicago, IL 60666

Tel.: (773) 686-8060
Fax: (773) 686-3424

If to a Participant, to the address set forth on the signature page of the counterpart of this Agreement executed by such Participant. Participants may provide an e-mail address for purposes of receiving notices.

All notices shall be effective upon receipt by U.S. mail or e-mail. Any Participant may change the address or addresses for notices to be sent to it by giving notice to the City.

B. No Participant may assign its rights or obligations under this Agreement without the prior written consent of the City and the other Participants.

C. The City shall not be responsible or liable for damage to property or injury to persons that may arise from, or be incident to, compliance with this Agreement or the implementation of a Noise Compatibility Program or a Noise Compatibility Project by a

Participant or other Governmental Unit. A Participant shall not be responsible or liable for damage to property or injury to persons that may arise from, or be incident to, compliance with this Agreement or the implementation of a Noise Compatibility Program or a Noise Compatibility Project by the City, another Participant, or another Governmental Unit. The City's financial obligations under this Agreement are limited to legally available airport revenues. Neither the City nor any Participant shall be liable for any expenditures, indebtedness or other financial obligations incurred by the Midway Commission unless the City or such Participant has affirmatively agreed to incur such expenditure, indebtedness, or financial obligation.

D. This Agreement constitutes the entire agreement of the parties with regard to the Subject matter hereof. This Agreement shall not confer upon any person or entity other than the parties hereto any rights or remedies. *Appendix A* is incorporated herein and made a part of this Agreement.

E. This Agreement may be executed in one or more counterparts, each of which shall be considered an original instrument, but all of which shall be considered one and the same agreement, and shall become binding when one or more counterparts have been signed by each party. Each counterpart may vary in order to identify the Participant, its address for notices, and its execution by an authorized officer. The execution of counterparts of this Agreement by a municipality or county located in the Midway Commission Area prior to January 1, 2016, shall not require the consent of the Midway Commission or any Participant.

F. This Agreement shall be governed and construed in accordance with Illinois law.

G. Any municipality or county located in the Midway Commission Area that does not become a Participant prior to January 1, 2016, may thereafter become a Participant upon (i) the approval of the City and a majority of the Midway Commission as set forth in Section 3.D. of this Agreement and (ii) execution of a counterpart of this Agreement. The Mayor of the City of Chicago shall be entitled to appoint one additional member of the Midway Commission for each additional member of the Midway Commission that is added from outside the City as the result of this Section 6.G.

H. The approval of the City and two-thirds of the Participants shall be required to amend this Agreement. Notice of any proposed amendment shall be transmitted to each Participant at least ten days prior to the meeting of the Midway Commission at which any proposed amendment is to be first considered. Any amendment shall be effective on all parties hereto when counterparts are executed by the City and two-thirds of the Participants.

Executed as of this _______ day of ___________, 2015.

CITY OF CHICAGO

By:

____
Commissioner
Chicago Department of Aviation

____________________________ (Name of Governmental Unit or Other Entity)

By:

____

Authorized Officer

Address: ____________________________

____

____

____

APPENDIX A

Implementation of Noise Compatibility Programs and Projects

In connection with the development and implementation of Noise Compatibility Programs and Noise Compatibility Projects in the Midway Commission Area, the City and the Midway Commission shall have the following duties and responsibilities:

A. The members of the Midway Commission shall direct the further development of the Noise Compatibility Programs for the Midway Commission Area. The members of the Midway Commission shall establish criteria for the equitable allocation of Noise Compatibility Projects and approved airport revenues (including by not limited to FAA Airport Improvement Program ("AIP") grants, Passenger Facility Charge ("PFC") funds, and General Airport Revenue Bonds, and/or bonds backed by such funding sources) within the Midway Commission Area and the priorities for providing Noise Compatibility Projects, subject in each case to approval by the FAA and in compliance with all applicable FAA regulations and grant assurances, as well as other applicable law, and subject to available funding.

B. The City shall retain all necessary powers to satisfy the assurances made to the FAA in connection with the expenditure of airport revenues, including eligibility for sound insulation and/or sound insulation funding that is paid by airport revenues. The City shall enter into all agreements and assurances and shall take all other actions that may be necessary to provide for the utilization of airport revenues on the basis set forth in this *Appendix A*. Each Participant and other Governmental Unit that receives Noise Compatibility Projects shall enter into all agreements and assurances, including agreements with and assurances to the City, shall execute any necessary certificates, records and other documents and shall take all other actions that may be necessary to obtain and maintain FAA approval for the use of the airport revenues as contemplated in this *Appendix A*. Neither the Midway Commission nor any Participant shall take or omit to take any action if such action or omission violates restrictions on the use of airport revenues. The City shall not be obligated in any year to pay or utilize any amounts in excess of available airport revenues to carry out the purposes of this *Appendix A*.

C. The determination of eligibility to participate in a Noise Compatibility Program or receive a Noise Compatibility Project is not to be construed as an admission or determination of negative impact by aircraft noise or of liability for damages or any other injury relating to aircraft noise on the part of the City or the Midway Commission.

D. In the event they are determined to be eligible for participation in a Noise Compatibility Program, property owners in the Midway Commission Area shall not be required to pay any portion of the cost of any Noise Compatibility Project. Upon approval by the City and with the consent of the property owner, at its option the City may acquire homes that are subject to very high levels of aircraft noise.

E. Noise Compatibility Projects outside the City may be implemented through Participants and other Governmental Units located in the Midway Commission Area. A Governmental Unit may request that the City undertake a Noise Compatibility Project within such Governmental Unit's corporate boundaries. Noise Compatibility Projects within the boundaries of the City shall be implemented by the City. The City may enter into agreements in connection with the planning and implementation of proposed Noise Compatibility Projects in the Midway Commission Area. The City shall provide administrative support and professional and technical assistance to the Midway Commission, each Participant and all other Governmental Units located in the Midway Commission Area in connection with the operations of the Midway Commission and the planning and implementation of Noise Compatibility Projects. All procurement activities related to Noise Compatibility Projects shall be undertaken in accordance with applicable law.

F. The Midway Commission may receive grants from any source to be used for the purpose of discharging its duties and obligations in accordance with the provisions of this *Appendix A*, and also may make grants for such purposes. The Midway Commission may expend any such grants for purposes consistent with this *Appendix A*. The City and the Midway Commission shall each use its best efforts (including serving as the sponsor or applicant for federal grants) to obtain the maximum amount of federal funds in connection with any noise mitigation projects, so as to maximize the availability and impact of the City's financial contribution to noise mitigation projects in the Midway Commission Area.

G. The City shall install and maintain a permanent noise monitoring system (the "*System*") at and around Midway. The purposes of the System include validation of the FAA-approved noise contour for Midway, assisting in determining the eligibility and priority of proposed Noise Compatibility Projects for schools, enhancing public understanding of aircraft noise issues, and monitoring trends in aircraft noise.

(1) The City may retain a third party vendor ("*System Operator*") selected by the City with the input of the Midway Commission to operate and maintain the System pursuant to an agreement between the City and the System Operator.

(2) At the request of the Midway Commission, the City may also retain and pay the cost of another third party vendor ("*System Expert*") to provide independent management oversight of the System. The System Expert shall be selected by the City with the input of the Midway Commission.

(3) The System shall include a minimum of 13 monitoring sites in the Midway Commission Area, plus such number of additional permanent monitoring sites as may be agreed upon by the City and the Midway Commission.

(4) The data collected by the System shall be made available by the City to the Midway Commission and any Participant that requests such data. The City shall provide reports to the Midway Commission and any Participant based on the data collected by the System.

(5) Neither the Midway Commission, nor any of its Participants, representatives, agents, employees, consultants, or professional advisors shall use, or assist other persons in using, information generated by the System in violation of Section 4.A.(5) of this Agreement.

City of Chicago

Office of the City Clerk

Document Tracking Sheet

O2015-7381

Meeting Date: 10/14/2015

Sponsor(s): Emanuel (Mayor)

Type: Ordinance

Title: Intergovernmental agreement with Chicago Transit Authority and Cook County for allocation of Motor Fuel Tax funds for operational expenses for Year 2016

Committee(s) Assignment: Committee on Budget and Government Operations

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OFFICE OF THE MAYOR

CITY OF CHICAGO

RAHM EMANUEL
MAYOR

October 14, 2015

TO THE HONORABLE, THE CITY COUNCIL
OF THE CITY OF CHICAGO

Ladies and Gentlemen:

At the request of the Budget Director, I transmit herewith ordinances authorizing the allocation of Motor Fuel Funds and an associated intergovernmental agreement with the Chicago Transit Authority.

Your favorable consideration of these ordinances will be appreciated.

Very truly yours,

Rahm Emanuel

Mayor

ORDINANCE

WHEREAS, the Regional Transportation Authority Act (70 ILCS 3615/1.01, et seq.) (the "Act") that establishes the Regional Transportation Authority (the "RTA") provides, in Section 4.10 thereof, that the RTA shall not for any fiscal year of the RTA release to the Chicago Transit Authority (the "CTA") any funds except for the proceeds of taxes imposed by the RTA under Sections 4.03 and 4.03.1 thereof which are allocated to the CTA under Section 4.01(d) of the Act unless a unit or units of local government in Cook County (other than the CTA) enters into an agreement with the CTA to make a monetary contribution for such year of at least Five Million Dollars ($5,000,000) for public transportation; and

WHEREAS, the CTA will, for the foreseeable future, require such financial grants from the RTA in order to meets it operational expenses; and

WHEREAS, every year since the inception of the RTA, the City of Chicago has contributed Three Million Dollars ($3,000,000) and the County of Cook has contributed Two Million Dollars ($2,000,000) to fulfill the condition set forth in Section 4.10 of the Act; now, therefore,

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

SECTION 1. There is hereby allocated for the fiscal year of the RTA ending December 31, 2016 the sum of Three Million Dollars ($3,000,000) for use by the CTA as a matching grant from the City of Chicago, to be paid prior to December 31, 2016 from that part of the Motor Fuel Tax Funds which have been or may be allocated to the City of Chicago.

SECTION 2. The sum of Three Million Dollars ($3,000,000) hereby allocated shall be deemed, considered and construed as the payment and fulfillment of the local contribution required of the City of Chicago pursuant to an agreement made under Section 4.10 of the Act among the CTA, the County of Cook, and the City of Chicago. Subject to the approval of the Corporation Counsel as to form and legality, the Mayor is authorized to execute such agreement, substantially in the form attached hereto as Exhibit A.

SECTION 3. The City Clerk is hereby directed to transmit a certified copy of this Ordinance to the Governor of the State of Illinois and (2) two certified copies of this Ordinance to the Department of Transportation of the State of Illinois, Springfield, Illinois.

SECTION 4. This Ordinance shall be in force and effect from and after its passage and approval.

Exhibit "A" referred to in this Ordinance reads as follows:

INTERGOVERNMENTAL AGREEMENT

This agreement is made as of this ___ day of __________, 2016, by and among the Chicago Transit Authority, a municipal corporation of the State of Illinois that was established pursuant to the Metropolitan Transit Authority Act, 70 ILCS 3605/1, et seq. (the "Authority"), the City of Chicago, an Illinois municipal corporation (the "City"), and the County of Cook, an Illinois body corporate and politic (the "County").

Witnesseth

1. The City hereby agrees that, prior to December 31, 2016, and pursuant to an ordinance of the City Council of the City passed on ______________, 2015 and recorded in the Journal of Proceedings of the City Council for that date at pages __________________ thereof, it shall contribute to the Authority, for the Authority's public transportation purposes, the amount of Three Million Dollars ($3,000,000) (the "City Contribution") from the City's allotment of State of Illinois ("Illinois") motor fuel tax funds.

2. The County hereby agrees that, prior to December 31, 2016, and pursuant to authority granted by the County Board of Commissioners on ______________________, it shall contribute to the Authority, for the Authority's public transportation purposes, the amount of Two Million Dollars ($2,000,000) (the "County Contribution") from the County's allotment of Illinois motor fuel tax funds.

3. The Authority hereby agrees that, pursuant to an ordinance of the Chicago Transit Board passed on September 15, 2010, it has the authority to accept the City Contribution and the County Contribution.

4. The Authority hereby agrees to use the City Contribution and the County Contribution for its public transportation purposes as set forth in Section 4.10 of the Regional Transportation Authority Act, 70 ILCS 3615/1.01, et seq.

5. The Authority agrees that, if Illinois audits or otherwise questions the City or the County in connection with the City Contribution or the County Contribution, the City and the County shall each have the right to audit or question the Authority to the same extent thereof.

6. The Authority agrees to indemnify the City and the County from and against repayment losses, if any, to the extent Illinois requires the repayment to it of all or any part of the City Contribution or the County Contribution.

7. This agreement may be executed in several counterparts, each of which shall be deemed an original and all of which shall constitute one and the same agreement.

8. The Authority, the City and the County agree to cooperate fully with one another in the implementation of this agreement.

IN WITNESS WHEREOF, the parties hereto, by their duly authorized officers, have executed this agreement on the date first referenced above.

City of Chicago, an Illinois municipal corporation, acting by and through its Mayor

By: ______________________________
Rahm Emanuel
Mayor

County of Cook, an Illinois body corporate and politic

By: ______________________________
Toni R. Preckwinkle
President

Chicago Transit Authority, a municipal corporation of the State of Illinois that was established pursuant to the Metropolitan Transit Authority Act, 70 ILCS 3606/1, et seq.

By: ______________________________
Terry Peterson
Chairman

Approved as to form:

____
Assistant State's Attorney

City of Chicago

Office of the City Clerk

Document Tracking Sheet

O2015-7385

Meeting Date:	10/14/2015
Sponsor(s):	Emanuel (Mayor)
Type:	Ordinance
Title:	Expenditure of portion of Motor Fuel Tax Fund allocated to City of Chicago for year 2016
Committee(s) Assignment:	Committee on Budget and Government Operations

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OFFICE OF THE MAYOR

CITY OF CHICAGO

RAHM EMANUEL
MAYOR

October 14, 2015

TO THE HONORABLE, THE CITY COUNCIL
OF THE CITY OF CHICAGO

Ladies and Gentlemen:

At the request of the Budget Director, I transmit herewith ordinances authorizing the allocation of Motor Fuel Funds and an associated intergovernmental agreement with the Chicago Transit Authority.

Your favorable consideration of these ordinances will be appreciated.

Very truly yours,

Rahm Emanuel

Mayor

ORDINANCE

EXPENDITURE OF THE PORTION OF THE MOTOR FUEL TAX FUND ALLOCATED TO THE CITY OF CHICAGO IN THE YEAR 2016

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

SECTION 1. Definitions. As used in this ordinance:

The term "authorized use" means any use permitted pursuant to Division 2 of Article 7 of the Illinois Highway Code, 605 ILCS 5/7-202, et seq., as described and interpreted by the Illinois Department of Transportation in its Bureau of Local Roads and Streets Manual, Figure 4-3B.

The term "eligible debt service" means debt service eligible for payment out of the portion of the Motor Fuel Tax Fund allocated to the City pursuant to 605 ILCS 5/7-202.13.

The term "Fund 310" means Fund 310 as set forth in the Annual Appropriation Ordinance for the year 2016.

The term "Fund 383" means Fund 383 as set forth in the Annual Appropriation Ordinance for the year 2016.

SECTION 2. The City is hereby authorized to make the following expenditures from the portion of the Motor Fuel Tax Fund which has been or may be allocated to the City for the period beginning January 1, 2016, and ending December 31, 2016:

SUBSECTION A. The Commissioner of Transportation is authorized to expend:

(i) the sum of Two Million Twenty-Six Thousand Nine Hundred Eleven Dollars ($2,026,911) for authorized uses related to Electrical Operations of the street lighting and signal system, as more fully described in Fund 310, and

(ii) the sum of Eleven Million Eight Hundred Sixty-One Thousand Sixteen Dollars ($11,861,016) for authorized uses related to In-House Construction services related to bridge maintenance, pothole and pavement maintenance, as more fully described in Fund 310.

SUBSECTION B. The Commissioner of Fleet and Facility Management is authorized to expend:

(i) the sum of Nine Hundred Forty Thousand Two Hundred Sixteen Dollars ($940,216) for authorized uses related to Asset Management's budget for motor fuel and gasoline that supports the City's road maintenance fleet, as budgeted in Fund 310, and

(ii) the sum of Eight Million Four Hundred Fifty-Seven Thousand Three Hundred Twenty-Three Dollars ($8,457,323) for authorized uses related to Fleet Operations' budget for maintenance and repair of the City's road maintenance vehicle and equipment fleet, as budgeted in Fund 310.

SUBSECTION C. The Commissioner of Streets and Sanitation is authorized to expend the sum of Seventeen Million One Hundred Sixty-One Thousand Three Hundred Eighty-Nine Dollars

($17,161,389) for authorized uses related to Street Operations snow and ice removal program, as budgeted in Fund 310.

SUBSECTION D. The Director of the Office of Budget & Management is authorized to approve the expenditure of the sum of Two Million One Hundred Twenty-Two Thousand Six Hundred Thirty-Four Dollars ($2,122,634) for authorized uses related to Snow and Ice Removal and One Million Seven Hundred Twenty-Five Thousand Dollars ($1,725,000) for Technical and Third Party Agreements, as budgeted in Fund 310.

SUBSECTION E. The City is authorized to expend the sum of Three Million Dollars ($3,000,000) for contribution to the CTA, as budgeted in Fund 310.

SUBSECTION F. The City is authorized to expend the sum of Eight Million Six Hundred Ninety-Eight Thousand Five Hundred Eleven Dollars ($8,698,511) for other authorized uses related to pension, healthcare and indirect costs chargeable to the fund, as budgeted in Fund 310.

SUBSECTION G. The City is authorized to expend the sum of Twelve Million Three Hundred Seven Thousand Dollars ($12,307,000) for eligible debt service payment, and costs or fees related thereto paid from MFT resources, as budgeted in Fund 383.

SECTION 3. The City shall maintain one or more separate ledger accounts recording expenditures from its portion of the Motor Fuel Tax Fund, utilizing standard account classifications acceptable under generally accepted accounting principles, with all charges for direct or indirect expenses categorized and detailed.

SECTION 4. Motor Fuel Tax Fund monies specifically allocated for a particular use shall not be transferred to any other Motor Fuel Tax funded use without prior approval of the City Council. The operating departments shall use allocated monies only for the objects and purposes associated with those monies in the annual appropriation ordinance.

SECTION 5. The City Clerk is directed to transmit two (2) certified copies of this ordinance to the Division of Highways of the Department of Transportation of the State of Illinois, through the District Engineer of District 1 of said Department of Transportation.

SECTION 6. This ordinance shall be in force and effect from and after its passage and approval.

City of Chicago

Office of the City Clerk

Document Tracking Sheet

O2015-7672

Meeting Date:	10/14/2015
Sponsor(s):	Emanuel (Mayor)
Type:	Ordinance
Title:	Intergovernmental agreement with Chicago Housing Authority regarding Home Modification Program
Committee(s) Assignment:	Committee on Housing and Real Estate

HSG

OFFICE OF THE MAYOR

CITY OF CHICAGO

RAHM EMANUEL
MAYOR

October 14, 2015

TO THE HONORABLE, THE CITY COUNCIL
OF THE CITY OF CHICAGO

Ladies and Gentlemen:

At the request of the Commissioner of the Mayor's Office for People with Disabilities, I transmit herewith an ordinance authorizing the execution of an intergovernmental agreement with the Chicago Housing Authority regarding the Home Modification Program.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,

Rahm Emanuel

Mayor

ORDINANCE

WHEREAS, the City of Chicago ("City") is a home rule unit of government as defined in Article VII, Section 6(a) of the Illinois constitution and as such may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, the Chicago Housing Authority (the "CHA") is a municipal unit of government organized for the purpose of providing safe, clean and affordable housing to Chicago residents, including removing unsanitary and substandard conditions, constructing and operating housing accommodations and regulating the maintenance of housing projects; and

WHEREAS, the health, safety and welfare of the residents of public housing is a matter of public interest; and

WHEREAS, since 1999, the Mayor's Office for People with Disabilities ("MOPD") has and continues to operate the HomeMod Program whereby dwelling units that are occupied by a household that contains at least one disabled person are eligible to be considered for the installation of modifications with accessible features such as ramps, lifts, accessible kitchens, accessible bathrooms, or assistive technology devices, all at no or reduced cost to the household; and

WHEREAS, the CHA requested the City, through MOPD, to expand its HomeMod Program with the use of certain CHA Modification Fund funding to modify qualifying dwelling units that are leased to qualifying disabled households under the CHA's Housing Choice Voucher Program; and

WHEREAS, MOPD has unique skills and knowledge regarding the Americans with Disabilities Act, the Fair Housing Act, as amended, and Section 504 of the Rehabilitation Act regarding unit dwelling modifications; and

WHEREAS, the parties propose to enter into an intergovernmental agreement ("Agreement") to implement the expanded HomeMod Program under the provisions of the Illinois Intergovernmental Cooperation Act, 5 ILCS 220/1 et seq.; and

WHEREAS, on February 17, 2015, the Board of Commissioners of the CHA approved a resolution authorizing the CHA to enter into the Agreement; now, therefore,

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

SECTION 1. The above recitals are incorporated into this text as if fully set forth herein.

SECTION 2. Subject to the approval of the Corporation Counsel of the City as to form and legality, the Commissioner of MOPD or his or her delegate is hereby authorized to execute and deliver the Agreement with the CHA in substantially the form attached hereto as Exhibit A, with such changes therein as the Commissioner may approve, provided that such changes do not amend any essential terms of the Agreement (execution of same by the Commissioner or his or her delegate constituting conclusive evidence of such approval), and to enter into and execute all such other agreements and instruments and to perform any and all acts as shall be necessary or advisable in connection with the implementation of the Agreement.

SECTION 3. To the extent that any current ordinance, resolution, rule, order or provision of the Municipal Code of Chicago, or part thereof, is in conflict with the provisions of this ordinance, the provisions of this ordinance shall control. If any section, paragraph, clause or provision of this ordinance shall be held invalid, the invalidity of such section, paragraph, clause, or provision shall not affect any of the other provisions of this ordinance.

SECTION 4. This ordinance shall be in full force and effect from and after the date of its passage and approval.

EXHIBIT A

Intergovernmental Agreement

[attached]

INTERGOVERNMENTAL AGREEMENT

FOR the EXPANSION OF PROFESSIONAL SERVICES
Under the HomeMod Program
BETWEEN
THE CITY OF CHICAGO,
ACTING THROUGH ITS MAYOR'S OFFICE FOR PEOPLE WITH DISABILITIES,
AND
THE CHICAGO HOUSING AUTHORITY

THIS INTERGOVERNMENTAL AGREEMENT FOR PROFESSIONAL SERVICES (the "Agreement") is entered into as of the ____________________ day of ______________, 2015 ("Effective Date") by and between the **CHICAGO HOUSING AUTHORITY** (hereinafter referred to as the "**CHA**"), a municipal corporation of the State of Illinois, with its offices located at 60 E. Van Buren St., Chicago, Illinois 60605, and the **CITY OF CHICAGO** (hereinafter referred to as the "City"), acting through its Mayor's Office for People with Disabilities (hereinafter referred to as "**MOPD**") located at 121 N. LaSalle St., Room 104, Chicago, IL 60602.

RECITALS

WHEREAS, the CHA is engaged in the development and operation of safe, decent and sanitary housing throughout the City of Chicago for low-income families in accordance with the United States Housing Act of 1937, 42 USC §1437 et seq.; regulations promulgated by the United States Department of Housing and Urban Development ("HUD"), and the State Housing Authorities Act, 310 ILCS 10/1 et seq., as amended, and other applicable laws, regulations and ordinances; and

WHEREAS, the CHA requires the services of a qualified party to administer CHA's Modification Fund as defined in Section 1.02(C) below; and

WHEREAS, MOPD has unique skills and knowledge regarding the Americans with Disabilities Act ("ADA"), the Fair Housing Act, as amended, and Section 504 of the Rehabilitation Act regarding unit dwelling modifications; and

WHEREAS, since 1999, MOPD has and now continues to operate the HomeMod Program (defined below) and wishes to expand the program; and

WHEREAS, the CHA and MOPD have authority to enter into this intergovernmental agreement pursuant to the Intergovernmental Cooperation Act, 5 ILCS 220/1 et seq. and the authority granted them as set forth in Article 11 hereof; and

WHEREAS, the CHA desires to have MOPD expand its HomeMod Program with the use of certain CHA Modification Fund funding under the terms set forth herein; and

NOW THEREFORE, in consideration of the mutual promises and the terms and conditions set forth herein, the CHA and MOPD do hereby agree as follows:

ARTICLE 1 INCORPORATION OF RECITALS

Section 1.01 Incorporation of Recitals

The recitals set forth above are incorporated by reference as if fully set forth herein.

Section 1.02 Definitions

A. "Disabled" or "Disability" means with respect to a person: (a) a physical or mental impairment which substantially limits one or more of such person's major life activities; (b) having a record of such an impairment; or (c) being regarded as having such impairment. The term does not include current, illegal use of or addiction to a controlled substance (as defined in Section 102 of the Controlled Substance Act (21 U.S.C. Sec. 802)).

B. "Household" shall mean a household whose members are all persons using the dwelling unit as their principal place of residence.

C. "HomeMod Program" shall mean the program operated by MOPD for the benefit of qualified residents of the City of Chicago. Through the HomeMod Program, dwelling units (whether single family homes, multi-units, apartments, CHA-owned housing or any other type of dwelling) that are occupied by Households that contains at least one Disabled person are eligible to be considered for the installation of modifications with accessible features such as ramps, lifts, accessible kitchens, accessible bathrooms, or assistive technology devices, all at no or reduced cost to the household. The HomeMod Program may be modified from time to time in the sole discretion of MOPD.

D. "Housing Choice Voucher" or "HCV" shall mean a rent subsidy in the form of a voucher, which is issued and/or administered by the CHA or its agents to enable low-income tenants to secure housing at privately-owned homes, apartments or other authorized dwellings throughout the City of Chicago.

E. "Modification Fund" shall mean the funding made available by the CHA for the implementation of the HomeMod Program in qualifying and selected private apartments to be leased or currently being leased by a Qualified Disabled Household utilizing a HCV.

F. "Qualified Disabled Household" means a Household that meets the definition of "disabled" in CHA's Administrative Plan for the Housing Choice Voucher program, as such household is determined solely by the CHA from time to time.

ARTICLE 2 DUTIES AND RESPONSIBILITIES

Section 2.01 Scope of Services

A. Scope of Work

The services that MOPD shall provide during the term of the Agreement shall include, but not be limited to, (i) placing Households that have been qualified by the CHA as Qualified Disabled Households in line for HomeMod Program modifications, (ii) determining what modifications should be made in each Qualified Disabled Household apartment, and (iii) once the CHA approves the particular modification proposal/work order, then sending a work order to the MOPD delegate agency to perform the approved modifications.

The maximum grant amount of passed-through Modification Funds that MOPD may approve for expenditure on the installation of approved modifications within a given Qualified Disabled Household is $10,000.00, and MOPD shall fund 100% of all Qualified Disabled Household apartment modifications with Modification Funds. Notwithstanding this upper limit, however, the parties agree and acknowledge that all costs in excess of $10,000 that arise because of unforeseen on-site problems once a modification job gets under way shall be paid for with Modification Funds,

B. Statement of Work

I. CHA shall perform the following activities during the term of the Agreement:

A. **Community Notification and Outreach:** CHA shall use its best efforts to publicize and notify HCV participants, with assistance from MOPD, of the purpose and availability of the HomeMod Program.

B. **Determine Eligibility Requirements of Applicants:** CHA shall be the sole party to determine the eligibility of participants in the HCV program who shall qualify for participation in a Modification Fund-supported HomeMod Program. Participants that apply with the CHA to qualify as Qualified Disabled Household must meet the criteria established below:

1. Be a HCV Participant – the applicant must be a HCV Program (administered by the CHA or its representative) Participant. The CHA will provide a reliable process for timely verification of an HCV Participant's voucher number.

2. Have a disability or be part of a household with a disabled family member – the applicant intending to reside in the dwelling unit sought to be modified must be a person with a disability or must have a member of the family who is disabled and who intends to reside in the dwelling unit.

C. **Waiting List Administration:** CHA will keep a waiting list of requests from Qualified Disabled Households.

D. **Referral:** Once CHA approves a Qualified Disabled Household's eligibility, CHA will refer the household to MOPD.

E. **Payments From Modification Fund:** In addition to the annual payment of Modification Fund monies required under Sec. 4.02 hereof, the CHA will promptly pay additional Modification Fund monies to MOPD if a budget overage occurs as described in Sec. 2.01 A. above.

II. MOPD shall perform the following activities during the term of the Agreement:

A. **Requirement to Submit HomeMod Application to MOPD:** As Qualified Disabled Households are referred by the CHA from time to time to MOPD, each such household will be required to submit a HomeMod Program application to MOPD, in the form set out in Exhibit A hereof.

B. **Applicant and Landlord/Property Management Agreement**: Applicant Qualified Disabled Household and the landlord/property management of that household's apartment unit must give MOPD access to the unit to inspect the unit before any modifications are made via express, written agreement. Applicant, landlord/property management, and MOPD must agree to any modifications to be made to the unit by MOPD under the HomeMod Program via express, written agreement. If negotiations by MOPD with the landlord/property management do not result in an express written access agreement allowing MOPD and its agents to perform the agreed modifications, then that application will be rejected by MOPD and the Qualified Disabled Household will be ineligible to participate in the HomeMod Program.

C. **Acceptance of a Qualified Disabled Household into the HomeMod Program with support funding from the Modification Fund:** A job for a Qualified Disabled Household shall be deemed accepted into the HomeMod Program only upon the affirmative completion of ALL the following steps:

- signed affirmation from the CHA that the applicant Household is a Qualified Disabled Household, and

- acceptance by MOPD of the HomeMod Program application as submitted by the Qualified Disabled Household, and

- an access agreement signed by the Qualified Disabled Household, the landlord/property manager, and MOPD, and

- the completion of a scope of work plan and pricing for the proposed modifications job for the apartment, and

- signed affirmation from the CHA that the scope of work plan and pricing is approved by the CHA, and

- signed affirmation from the CHA (i) approving the allocation of 100% of the pricing for the job from the pre-paid Modification Fund money on hand with MOPD, and (ii) acknowledging that 100% of any job cost overage arising from unforeseen site problems will be taken by MOPD from the pre-paid Modification Fund money on hand, and

- signed affirmation from the MOPD delegate agency that it understands and agrees to both the scope of work and the price for the job, and to the work schedule for the job and the job's special access requirements, if any.

D. **Performance of the Work:** Once MOPD has accepted a Qualified Disabled Household job into the HomeMod Program pursuant to the criteria set forth in Section 2.01 B. II. C. above, then MOPD will place the modification project into MOPD's HomeMod Program construction schedule, and will proceed with the work accordingly. MOPD will be the sole party to determine when a job has been satisfactorily completed; however, MOPD will use commercially reasonable efforts to have its contractors and delegate agents perform the project to the satisfaction of the Household, the CHA and the landlord/purchasing agent.

E. **Adherence to MOPD/HomeMod Program Rules/Regulations**: Once a Qualified Disabled Household is referred to MOPD by CHA, such household's continued qualification for and participation in the HomeMod Program is subject to all applicable HomeMod Program rules, procedures or requirements as set forth by MOPD from time to time in MOPD's sole discretion. The parties agree that the determination of continued qualification for the HomeMod Program for a given referred Qualified Disabled Household is solely in MOPD's discretion.

F. **Contractors:** MOPD will use and supervise its own delegate agents and contractors to perform the modification jobs under this Agreement.

G. **Legal Requirements**: All services provided by MOPD and its delegate agents or contractors will be performed in accordance with federal, state and municipal disability accessibility legal requirements.

H. **Reporting Requirements:** MOPD shall submit quarterly reports with year-to-date activity for each referred Qualified Disabled Household job. Information to be reported will include the (i) name, (ii) address, (iii) whether the household continues to be qualified for the HomeMod Program, (iv) project scope, (v) status of project completion, (vi) status of costs and expenditures, which will include lien waivers and construction draws.

Section 2.02 Performance Standards

MOPD shall perform all Services required of it under this Agreement with that degree of skill, care and diligence normally shown by an entity performing services of a scope, purpose and magnitude comparable with the nature of the Services to be provided under this Agreement. MOPD shall at all times use its best efforts to assure quality and timeliness in rendering and completing the Services. MOPD agrees that performing the Services in a satisfactory manner includes quickly responding to CHA's program related needs. Accordingly, MOPD shall return all telephone calls and respond to all electronic mail on a timely basis.

Section 2.03 MBE/WBE/DBE and Section 3 Compliance

For purposes of this Agreement, MOPD and its contractors are exempt from complying with the CHA's Minority, Women and Disadvantaged Business Enterprise ("MBE/WBE/DBE") requirements and the CHA's Section 3 requirements.

Section 2.04 Audit Requirement

The CHA retains an irrevocable right to independently or, through a third party, audit MOPD's books and records pertaining to this Agreement, and disallow any inappropriate billings upon written notice to MOPD.

Section 2.05 Confidentiality

MOPD agrees that any information it receives from the CHA that contains the personal identification of CHA tenants or their household members, or their specific addresses and unit numbers ("Confidential Information") shall not be distributed by MOPD to any individual or organization without the prior written approval of the CHA, other than to courts of competent jurisdiction or administrative agencies pursuant to a subpoena or an agency of the Federal or State Government or as may be required in response to a request under the Illinois Freedom of Information Act ("FOIA"). MOPD shall notify the CHA of any such request or subpoena for information promptly, but in any event prior to the required disclosure date.

Section 2.07 Force Majeure

In the event of war, flood, riot, epidemic, act of governmental authority in its sovereign capacity or act of God during the term of this Agreement, neither the CHA nor MOPD shall be liable to the other party for any nonperformance under this Agreement resulting from such event.

ARTICLE 3 TERM OF AGREEMENT

The term of this Agreement is for the one-year period beginning on the Effective Date, and the term may be renewed if both parties agree to do so for not more than four additional one-year periods thereafter. Each renewal must be reduced to writing prior to the expiration of the then-current term.

ARTICLE 4 COMPENSATION, PAYMENTS

Section 4.01 Amount of Compensation

Each party hereto will undertake the duties and obligations of this Agreement without compensation from the other party, other than the Modification Fund payments referred to below.

Section 4.02 Payment

For the first Term of this Agreement, CHA shall pay MOPD a single payment of $92,000.00 in Modification Funds not later than 30 days after the Effective Date. For renewed or subsequent Terms undertaken pursuant to this Agreement, the CHA anticipates making Modification Fund payments of not less than $100,000.00 per year, but retains discretion to decrease or increase the amount of the Modification Fund payments from this figure, depending upon funding available to the CHA and demonstrated demand for the HomeMod Program.

Disputes over invoices, payments or accompanying information, if any, shall be resolved as set forth in Article 5 hereof.

Section 4.03 Non-Appropriation

Funding for this Agreement is subject to the availability of Federal funds from HUD and the approval for the use of such funding for the HomeMod Program by the CHA Board of Commissioners. In the event that no funds or insufficient funds are appropriated and budgeted or appropriated funds are rescinded by Congress in any fiscal period of the CHA for payments to be made under this Agreement, then the CHA shall promptly notify MOPD of such occurrence and this Agreement shall terminate on the earlier of the last day of the fiscal period for which sufficient appropriation was made or when the funds appropriated for payment under this Agreement are exhausted. No payments shall be made or due to MOPD under this Agreement beyond those amounts appropriated and budgeted by the CHA to fund payments hereunder.

In the event that CHA has funds available, and those funds are appropriated for the services/programs covered by this Agreement, then CHA, in its sole discretion, may increase the amount of Compensation by written notification to MOPD. In the event that CHA pays MOPD the total amount of Compensation for the Services without providing written notification of an increase in the amount of Compensation, no further payments shall be made under this Agreement unless and until (a) CHA has provided written notification of an increase in the amount of Compensation.

ARTICLE 5 DISPUTES

A dispute between the CHA and MOPD involving this Agreement that has not been resolved shall be referred to the Commissioner of MOPD ("Commissioner") and the CHA's Chief Executive Officer ("CEO"). Either party may give written notice of the dispute to both the Commissioner and the CEO, who shall meet within 30 days of notification to resolve the dispute. In the event the Commissioner and the CEO fail to resolve the dispute, each party may pursue its remedies at law, provided it does so within one (1) year of the date notification of the dispute is given.

ARTICLE 6 RISK MANAGEMENT

Section 6.01 Insurance to be Provided by MOPD

A. Insurance to be provided by MOPD.

1. Workers Compensation and Occupational Disease Insurance

   Workers Compensation and Occupational Disease Insurance in accordance with the laws of the State of Illinois along with Employer's Liability Insurance in an amount of not less than $500,000/$500,000/$500,000.

2. Commercial/General Liability Insurance written on an occurrence form (Primary and Excess Liability)

   Commercial/General Liability Insurance provided is to have limits of not less than One Million Dollars ($1,000,000) per occurrence with an Aggregate of not less than Two Million Dollars ($2,000,000) (i.e. $1,000,000/$2,000,000). In addition to the stipulations outlined above, the insurance policy is to include coverage for Contractual Liability, Products-Completed Operations, and Personal & Advertising Injury.

3. Motor Vehicles

   When any motor vehicles (owned, non-owned and hired) are used in connection with the Services to be performed, MOPD shall provide Comprehensive Automobile Liability Insurance with limits of not less than One Million Dollars ($1,000,000) per occurrence CSL, for bodily injury and property damage.

4. Excess Liability

   n/a

5. Self Insurance

It is agreed to and understood that the City is self-insured for the required insurance coverages listed above.

B. Subcontractor Insurance Requirements

MOPD may hire delegate agents and/or subcontractors to perform the Services described in Section 2.01 of this Agreement and shall require any and all such subcontractors to provide and maintain, at the subcontractor's own expense, the coverage and requirements specified above, subject, however, to the following lower minimum limits:

Workers compensation: $100,000 per occurrence
CGL: $500,000 per occurrence
Motor vehicle: $300,000 per occurrence

Each such delegate agent or subcontractor shall be required to name the CHA and the City of Chicago to their Commercial General Liability and Automobile Liability Insurance as additional insureds on a primary, non-contributory basis. Prior to the performance of Services under this Agreement, each such delegate agent or subcontractor shall furnish its original Certificate of Insurance evidencing the required coverage and additional insureds endorsements.

Section 6.02 Indemnification

The City shall require any subcontractors it retains to perform Services under this Agreement to indemnify, defend and hold harmless the CHA, its officers, officials, employees, and agents harmless from and against any and all liabilities, losses, penalties, damages, settlements, environmental liability, costs, charges, professional fees (including reasonable attorney fees, and other costs and expenses of litigation) and all other expenses or liabilities of every kind, nature and character arising out of or relating to any and all claims, demands, obligations, actions, suits, judgments or settlements, proceedings or causes of action of every nature and character (collectively "Claims") to the extent arising directly or indirectly out of the negligent acts, omissions or misconduct of the subcontractor, its agents, employees and its subcontractors at any lower tier in connection with this Agreement.

The CHA shall have the right, at is option, to participate in the defense of any suit without relieving the subcontractor of any of its obligations under this Section 6.02. The subcontractor shall expressly agree that the requirements set forth in Section 6.02 are separate from and not limited by the subcontractor's obligation to procure and maintain insurance pursuant to any other section of this Agreement and that the obligations of this Section 6.02 shall survive the expiration or termination of this Agreement.

Section 6.03 No Damages for Delay

MOPD shall have no claim against the CHA for damages arising from the CHA's suspension of work or delay of work, provided, however, that (i) the CHA notifies MOPD of a suspension or delay in writing as set forth in Sec. 10.01 hereof, and (ii) the CHA shall pay

MOPD for all work performed by MOPD under this Agreement prior to the date of such notification.

ARTICLE 7 TERMINATION

Either party may terminate this Agreement, or all or any portion of the Services to be performed under it, for convenience at any time by giving 30 days' notice in writing to the other party.

The CHA may at any time request that the MOPD suspend its Services or any part thereof by giving ten (10) business days prior written notice to the MOPD or without notice in the event of an emergency. The MOPD shall promptly resume performance of such Services under the same terms and conditions as stated herein when requested to do so by the CHA. No suspension of this Agreement shall in the aggregate exceed a period of (30) days. If the total number of days of suspension exceeds thirty (30) days, the MOPD shall treat such suspension as a termination for convenience.

ARTICLE 8 SPECIAL CONDITIONS

Section 8.01 Warranties and Representations

MOPD warrants that:

A. it and, to the best of its knowledge, its subcontractors, are not in violation of 18 U.S.C. §666(a)(1) and the Illinois Criminal Code, 720 ILCS 5/33E-1 et seq. (1989), as amended; also, that it has read the provisions of 18 U.S.C. §666(a) (2) and the Illinois Criminal Code, 720 ILCS 5/33E-1 et seq. and warrants that it and its officers and employees will comply with the provisions set forth therein; and also that it has read the CHA's Ethics Policy (attached as Exhibit B) and hereby agrees to comply with its provisions;

B. that no officer, agent or employee of the CHA is employed by MOPD or has a financial interest directly or indirectly in this Agreement or the compensation to be paid hereunder except as may be permitted in writing by the CHA Board of Commissioners and that no payment, gratuity or offer of employment shall be made in connection with this Agreement by or on behalf of any contractor, sub-contractor or sub-grantees to MOPD or higher tier sub-contractors or anyone associated therewith, as an inducement for the award of a contract or order; and the MOPD further acknowledges that any Agreement entered into, negotiated or performed in violation of any of the provisions set forth herein shall be voidable as to the CHA;

C. that it shall not knowingly use the services of any ineligible entity for any purpose in the performance of its Services under this Agreement; and

D. that it and its contractors, sub-contractors, or sub-grantees, if any, are not in default at the time of the execution of this Agreement, or deemed by the CHA's Director of the Purchasing and Contracts Department to have, within five (5) years immediately preceding the date of this Agreement, been found to be in default on any agreement awarded by the CHA and/or HUD.

Section 8.02 Conflict of Interest

No member of the governing body of the CHA or other units of government and no other officer, employee, or agent of the CHA or other unit of government who exercises any functions or responsibilities in connection with the Services to which this Agreement pertains, shall have any personal interest, direct, or indirect, in this Agreement. No member of or delegate to the Congress of the United States or the Illinois General Assembly and/or CHA employee shall be entitled to any share or part of this Agreement or to any financial benefit arising from it.

MOPD covenants that it and its employees, and its subcontractors presently have no interest and shall acquire no interest, direct or indirect, in this Agreement which would conflict in any manner or degree with the performance of the Services hereunder. MOPD further covenants that in the performance of this Agreement no person having any such interest shall be employed.

Additionally, pursuant to the conflict of interest requirements in OMB Circular A-102 and 24 CFR §85.36(b)(3), no person who is an employee, agent, consultant, officer, or appointed official of the CHA and who exercises or has exercised any functions or responsibilities with respect to HUD assisted activities, or who is in a position to participate in a decision making process or gain inside information with regard to such HUD activities, may obtain a financial interest or benefit from the activity, or have an interest in any contract, subcontract, or agreement with respect thereto, or the proceeds thereunder, either for himself or herself or for those whom he or she has family or business ties, during his or her tenure or for one year thereafter.

MOPD also represents that it is and will remain in compliance with federal restrictions on lobbying set forth in Section 319 of the Department of the Interior and Related Agencies Appropriations Act for Fiscal year 1990, 31 U.S.C. Subsection 1352, and related rules and regulations set forth at 54 Fed. Reg. 52309 (1989), as amended.

Section 8.03 Non-liability of Public Officials

No official, employee or agent of the either party shall be charged personally by the other party, or by any assignee or subcontractor of either party, with any liability or expenses of defense or be held personally liable to either party under any term or provision of this Agreement.

Section 8.04 Independent Contractor

MOPD and its subcontractors shall perform under this Agreement as independent contractors to the CHA and not as a representative, employee, agent, joint venturer or partner of the CHA.

ARTICLE 9 GENERAL CONDITIONS

Section 9.01 Entire Agreement

This Agreement, comprised of this Agreement and the Exhibits attached hereto and incorporated herein, shall constitute the entire agreement between the parties hereto with respect to the subject matter hereof and no other warranties, inducements, considerations, promises, or interpretations shall be implied or impressed upon this Agreement that are not expressly addressed herein and therein.

Section 9.02 Counterparts

This Agreement may be comprised of several identical counterparts, each to be fully executed by the parties and each to be deemed an original having identical legal effect.

Section 9.03 Amendments

No changes, amendments, modification, or discharge of this Agreement, or any part thereof, shall be valid unless in writing and signed by the authorized agent of MOPD and by the Chief Executive Officer of the CHA or their respective designees. The CHA shall incur no liability for additional Services without a written amendment to this Agreement pursuant to this Section. Renewals of this Agreement shall be in writing and shall be made pursuant to the requirements of Section 3.02 hereof.

Section 9.04 Compliance with All Laws/Governmental Orders

A. The MOPD shall at all times observe and comply with all applicable laws, ordinances, rules, regulations and executive orders of the federal, state and local government, now existing or hereinafter in effect, which may in any manner affect the performance of this Agreement. Provision(s) required by law, ordinances, rules, regulations, or executive orders to be inserted shall be deemed inserted whether or not they appear in this Agreement or, upon application by either party, this Agreement shall forthwith be amended to literally make such insertion; however, in no event shall the failure to insert such provisions prevent the enforcement of this Agreement.

B. The MOPD shall take such actions as may be necessary to comply promptly with any and all governmental orders imposed by any duly constituted government authority whether imposed by Federal, state, local authority.

Section 9.05 Compliance with HUD Regulations

MOPD shall comply with all the provisions of HUD Regulations, and all applicable Federal state and local laws, ordinances, rules, regulations and executive or other governmental orders including, but not limited to, the Uniform Administrative Requirements contained in 24 C.F.R. Section 85.1 et seq., as amended; Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), as amended; Fair Housing Act (42 U.S.C. 3601 et seq.), as amended; Executive Order 11,063 (27 Fed Reg. 11,527), as amended by Executive Order 12,259 (46 Fed. Reg. 1253); Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.), as amended; Rehabilitation Act of 1973 (29 U.S.C. 794), as amended; Davis-Bacon Act (40 U,S.C, 276a-276a-5), as amended; Contract Work Hours and Safety Standards Act (40 U.S.C. 327 et seq.), as amended; National Environmental Policy Act of 1969 (42 USC 4321 et seq.), as amended; Clean Air Act (42 U.S.C. 7401 et seq.), as amended; Federal Water Pollution Control Act (33 U.S.C. 1251), as amended; Flood Disaster Protection Act of 1973 (42 U.S.C. 4106); Uniform Relocation Assistance and Real Property Development Acquisition Policies Act of 1970 (42 U.S.C. 4601); Executive Order 11246, as amended by Executive Orders 12,086 and 11,375; Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 483 l(b)); Executive Order 12,372; Copeland "Anti-Kickback" Act (18 U.S.C. §874 and 40 U.S.C.§276); Byrd "Anti-Lobbying" Amendment (31 U.S.C. 1352), as amended; and Debarment and Suspension (Executive Orders 12,549 and 12,689). The HUD Regulations implementing these laws are set forth in 24 C.F.R. Section 85.1 et seq. (1993), as amended. Additionally, MOPD shall comply with the applicable provisions of OMB Circulars A-133, A-102, A-122, A-110 and A-87, as amended, succeeded or revised.

Section 9.06 Governing Law

This Agreement shall be governed as to performance and interpretation in accordance with the laws of the State of Illinois. Each party hereby irrevocably submits itself to the original jurisdiction of those courts located within the County of Cook, State of Illinois, with regard to any controversy arising out of, relating to, or in any way concerning the execution or performance of this Agreement. If any action is brought by MOPD against the CHA concerning this Agreement, the action shall only be brought in those courts located within the County of Cook, State of Illinois.

Section 9.07 Severability

If any provisions of this Agreement shall be held or deemed to be or shall in fact be inoperative or unenforceable as applied in any particular case in any jurisdiction or in all cases because it conflicts with any other provision or provisions hereof or of any constitution, statute, ordinance, rule of law or public policy, or for any other reason, such circumstances shall not have the effect of rendering the provision in question inoperative or unenforceable in any other case or circumstances, or of rendering any other provision or provisions herein contained invalid, inoperative, or unenforceable to any extent whatever. The invalidity of any one or more phrases, sentences, clauses or sections contained in this Agreement shall not affect the remaining portions of this Agreement or any part thereof.

Section 9.08 Interpretation

Any headings of this Agreement are for convenience of reference only and do not define or limit the provisions thereof. Words of any gender shall be deemed and construed to include correlative words of the other gender. Words importing the singular number shall include the plural number and vice versa, unless the context shall otherwise indicate. All references to any exhibit or document shall be deemed to include all supplements and/or amendments to any such exhibits or documents entered into in accordance with the terms and conditions hereof and thereof. All references to any person or entity shall be deemed to include any person or entity succeeding to the rights, duties, and obligations of such persons or entities in accordance with the terms and conditions of this Agreement.

Section 9.09 Assigns

All of the terms and conditions of this Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective legal representatives, successors, transferees and assigns.

Section 9.10 Waiver

Whenever under this Agreement the CHA by a proper authority waives MOPD's performance in any respect or waives a requirement or condition to either the CHA's or MOPD's performance, the waiver so granted, whether express or implied, shall only apply to the particular instance and shall not be deemed a waiver forever or for subsequent instances of the performance, requirement or condition. No such waiver shall be construed as a modification of the Agreement regardless of the number of times the CHA may have waived the performance of a requirement or condition.

Section 9.11 CHA Inspector General

It is the duty of the MOPD and its subcontractors to cooperate with the CHA Inspector General in any investigation or hearing undertaken. All of the MOPD's subcontracts must include this provision and require agreement and compliance with the same.

ARTICLE 10 COMMUNICATION AND NOTICES

Section 10.01 Communication Between the Parties

All verbal and written communication including required reports and submissions between MOPD and CHA shall be through MOPD's Program Director of the HomeMod Program and CHA's ADA/Section 504 Compliance Manager. No verbal or written communication between the parties shall change any of the terms and conditions of this Agreement. Nothing stated herein shall be construed as a waiver or modification of the requirements for notice or service of process of litigation, as set forth in the Illinois Code of Civil Procedure, the Federal Rules of Civil Procedure, the local rules of the Circuit Court of Cook County, and the local rules governing U.S. District Court for the Northern District of Illinois.

Section 10.02 Notices

Any notices sent to MOPD shall be mailed by ordinary mail, postage prepaid to:

Karen Tamley, Commissioner
Mayor's Office for People with Disabilities
City Hall, Room 104
121 North LaSalle Street
Chicago, IL 60602

with copies to:

Finance and Economic Development Division
Department of Law
City of Chicago
121 N. LaSalle St., Suite 600
Chicago, IL 60602

Notices sent to the CHA shall be mailed by certified mail, postage prepaid to:

ADA/Section 504 Compliance Manager
Chicago Housing Authority
60 E. Van Buren St. 12th Floor
Chicago, Illinois 60605

Office of the Chief Legal Officer
Chicago Housing Authority
60 E. Van Buren St. 12th Floor
Chicago, Illinois 60605
Attention: Chief Legal Officer

ARTICLE 11 AUTHORITY

Section 11.01 CHA Authority

Execution of this Agreement is authorized by resolution of the CHA's Board of Commissioners approving this Agreement on February 17, 2015.

Section 11.02 MOPD's Authority

Execution of this Agreement by MOPD is authorized by an ordinance enacted by the City Council of the City of Chicago on ____________, 2015.

[THE REMAINDER OF THIS PAGE HAS BEEN LEFT INTENTIONALLY BLANK]

IN WITNESS WHEREOF, the CHA and the MOPD have executed this Agreement as of the date first written above.

CITY OF CHICAGO, ACTING BY AND THROUGH ITS
MAYOR'S OFFICE FOR PEOPLE WITH DISABILITIES

____
COMMISSIONER

CHICAGO HOUSING AUTHORITY

____
MANAGING DIRECTOR OF INTERNAL AFFAIRS

APPROVED AS TO LEGALITY AND FORM

____
GENERAL COUNSEL
CHICAGO HOUSING AUTHORITY

EXHIBIT A

Form of HomeMod Program Application

Chicago Housing Authority's HCV Structural Modification Fund
Release of Information Form

Your reasonable accommodation request with Chicago Housing Authority (CHA) for a structural modification(s) to be funded through CHA's Housing Choice Voucher (HCV) Structural Modification Fund has been approved. CHA will provide funding for your requested structural modifications approved by CHA, subject to any terms, conditions or limitations provided to you in association with this approval. The Chicago Mayor's Office for People with Disabilities (MOPD) and its contractors will perform and/or complete these modifications. You are required to agree to all MOPD Home Mod Program policies and procedures before MOPD can begin the process to commence or complete your structural modification(s). In order to facilitate the CHA's coordination and cooperation with MOPD, you must agree to authorize the CHA to release the related information regarding your approved structural modification as a reasonable accommodation to MOPD by submitting this signed form to CHA, which must be received by the CHA before CHA can refer your reasonable accommodation for structural modification(s) to MOPD.

Release of Information

I, ____________________________, authorize the CHA to share and discuss my disability, reasonable accommodation request for a structural modification and related documents with official CHA employees and MOPD, including contractors and subcontractors of CHA and MOPD for the purposes of facilitating the consideration, review or determination of my eligibility for assistance under the Structural Modification Fund, as well as my anticipated or actual participation in the activities of the Structural Modification Fund program.

The information may be shared: in person, by phone, by fax, by mail or by e-mail, or by other means deemed appropriate between the CHA and MOPD.

I understand that: I do not have to sign a release form; I do not have to allow the CHA to share my information among official CHA and MOPD, including employees, contractors and subcontractors of CHA and MOPD; signing this release form is completely voluntary; and that this release is limited to my disability/reasonable accommodation request for a structural modification.

I understand that if I do not submit a signed release form to CHA, CHA cannot complete my approved reasonable accommodation request for a structural modification to be funded by CHA's HCV Structural Modification Fund.

I also understand that the CHA, MOPD, and I may not be able to control what happens to my information once it has been released to the above person or agency, and that the agency or person receiving information pursuant to this authorization and release may be required by law or practice to share it with others.

I have read this form and I agree to adhere to its terms. I understand that this Release of Information is valid when I sign it and that I may withdraw my consent to this release at any time.

______________________________ ______________________________
Client Signature Date

______________________________ ______________________________
CHA Employee Signature Date

EXHIBIT B

CHA Ethics Policy

[see attached]

City of Chicago

A2015-136

Office of the City Clerk

Document Tracking Sheet

Meeting Date:	10/14/2015
Sponsor(s):	Emanuel (Mayor)
Type:	Appointment
Title:	Appointment of Marcia Carroll as member of Special Service Area No. 5, Commmercial Avenue Commission
Committee(s) Assignment:	Committee on Finance

F-m

OFFICE OF THE MAYOR

CITY OF CHICAGO

RAHM EMANUEL
MAYOR

October 14, 2015

TO THE HONORABLE, THE CITY COUNCIL
OF THE CITY OF CHICAGO

Ladies and Gentlemen:

I have appointed Marcia Carroll as a member of Special Service Area No. 5, the Commercial Avenue Commission, for a term effective immediately and expiring January 15, 2017.

Your favorable consideration of this appointment will be appreciated.

Very truly yours,

Rahm Emanuel

Mayor

City of Chicago

Office of the City Clerk

Document Tracking Sheet

A2015-137

Meeting Date:	10/14/2015
Sponsor(s):	Emanuel (Mayor)
Type:	Appointment
Title:	Appointment of Peter S. Eisenberg as member of Special Service Area No. 28-2014, Six Corners Commission
Committee(s) Assignment:	Committee on Finance

F14

OFFICE OF THE MAYOR

CITY OF CHICAGO

RAHM EMANUEL
MAYOR

October 14, 2015

TO THE HONORABLE, THE CITY COUNCIL
OF THE CITY OF CHICAGO

Ladies and Gentlemen:

I have appointed Peter S. Eisenberg as a member of Special Service Area No. 28-2014, the Six Corners Commission, for a term effective immediately and expiring January 21, 2018.

Your favorable consideration of this appointment will be appreciated.

Very truly yours,

Rahm Emanuel

Mayor

City of Chicago

Office of the City Clerk

Document Tracking Sheet

A2015-138

Meeting Date: 10/14/2015

Sponsor(s): Emanuel (Mayor)

Type: Appointment

Title: Appointment of Quay Tao as member of Special Service Area No. 28-2014, Six Corners Commission

Committee(s) Assignment: Committee on Finance

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OFFICE OF THE MAYOR

CITY OF CHICAGO

RAHM EMANUEL
MAYOR

October 14, 2015

TO THE HONORABLE, THE CITY COUNCIL
OF THE CITY OF CHICAGO

Ladies and Gentlemen:

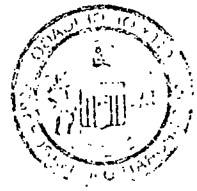
I have appointed Quay Tao as a member of Special Service Area No. 28-2014, the Six Corners Commission, for a term effective immediately and expiring January 21, 2018.

Your favorable consideration of this appointment will be appreciated.

Very truly yours,

Rahm Emanuel

Mayor



City of Chicago

Office of the City Clerk

Document Tracking Sheet

A2015-139

Meeting Date:	10/14/2015
Sponsor(s):	Emanuel (Mayor)
Type:	Appointment
Title:	Appointment of N. Marcia Jimenez as member of Special Service Area No. 62, the Sauganash Commission
Committee(s) Assignment:	Committee on Finance

F 14

OFFICE OF THE MAYOR

CITY OF CHICAGO

RAHM EMANUEL
MAYOR

October 14, 2015

TO THE HONORABLE, THE CITY COUNCIL
OF THE CITY OF CHICAGO

Ladies and Gentlemen:

I have appointed N. Marcia Jimenez as a member of Special Service Area No. 62, the Sauganash Commission, for a term expiring January 1, 2018, such period allocated as follows: a term effective immediately and expiring January 1, 2016, to complete the unexpired term of Ann M. Regan, who has resigned, followed immediately by a full two-year term.

Your favorable consideration of this appointment will be appreciated.

Very truly yours,

Mayor

City of Chicago

Office of the City Clerk

Document Tracking Sheet

A2015-140

Meeting Date:	10/14/2015
Sponsor(s):	Emanuel (Mayor)
Type:	Appointment
Title:	Appointment of Nicholas Yassan as member of Special Service Area No. 31, Greater Ravenswood Commission
Committee(s) Assignment:	Committee on Finance

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OFFICE OF THE MAYOR

CITY OF CHICAGO

RAHM EMANUEL
MAYOR

October 14, 2015

TO THE HONORABLE, THE CITY COUNCIL
OF THE CITY OF CHICAGO

Ladies and Gentlemen:

I have appointed Nicholas Yassan as a member of Special Service Area No. 31, the Greater Ravenswood Commission, for a term effective immediately and expiring June 3, 2018, to succeed William A. Helm, whose term has expired.

Your favorable consideration of this appointment will be appreciated.

Very truly yours,

Rahm Emanuel

Mayor

City of Chicago

Office of the City Clerk

Document Tracking Sheet

A2015-142

Meeting Date:	10/14/2015
Sponsor(s):	Emanuel (Mayor)
Type:	Appointment
Title:	Appointment of Julio Rodriguez as member of Chicago Commission on Human Relations
Committee(s) Assignment:	Committee on Human Relations

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OFFICE OF THE MAYOR

CITY OF CHICAGO

RAHM EMANUEL
MAYOR

October 14, 2015

TO THE HONORABLE, THE CITY COUNCIL
OF THE CITY OF CHICAGO

Ladies and Gentlemen:

I have appointed Julio Rodriguez as a member of the Chicago Commission on Human Relations for a term effective immediately and extending to July 1, 2016, to complete the unexpired term of Juan C. Linares, who has resigned.

Your favorable consideration of this appointment will be appreciated.

Very truly yours,

Rahm Emanuel

Mayor

City of Chicago

Office of the City Clerk

Document Tracking Sheet

A2015-143

Meeting Date:	10/14/2015
Sponsor(s):	Emanuel (Mayor)
Type:	Appointment
Title:	Appointment of Hector Rico as member of Building Board of Appeals
Committee(s) Assignment:	Committee on Zoning, Landmarks and Building Standards

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OFFICE OF THE MAYOR

CITY OF CHICAGO

RAHM EMANUEL
MAYOR

October 14, 2015

TO THE HONORABLE, THE CITY COUNCIL
OF THE CITY OF CHICAGO

Ladies and Gentlemen:

I have appointed Hector Rico as a member of the Building Board of Appeals for a term effective immediately and extending to April 21, 2016, to succeed Fred A. Moody, whose term has expired.

Your favorable consideration of this appointment will be appreciated.

Very truly yours,

Rahm Emanuel

Mayor

City of Chicago

Office of the City Clerk

Document Tracking Sheet

R2015-811

Meeting Date:	10/14/2015
Sponsor(s):	Emanuel (Mayor)
Type:	Resolution
Title:	Amendment of Regulations Governing Administration of Classification Plan and Employee Benefits for Classified positions set forth in Annual Appropriation Ordinance (Salary Resolution)
Committee(s) Assignment:	Committee on Workforce Development and Audit

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OFFICE OF THE MAYOR

CITY OF CHICAGO

RAHM EMANUEL
MAYOR

October 14, 2015

TO THE HONORABLE, THE CITY COUNCIL
OF THE CITY OF CHICAGO

Ladies and Gentlemen:

At the request of the Budget Director, I transmit herewith a resolution amending the Salary Resolution.

Your favorable consideration of this resolution will be appreciated.

Very truly yours,

Rahm Emanuel

Mayor

RESOLUTION

Be It Resolved by the City Council of the City of Chicago:

SECTION 1. The Regulations Governing the Administration of the Classification Plan and Employee Benefits for Classified Positions set forth in the Annual Appropriation Ordinance ("the Salary Regulations") are hereby amended by deleting the struck-through text and adding the underscored text, as follows:

REGULATIONS GOVERNING THE ADMINISTRATION OF THE CLASSIFICATION PLAN AND EMPLOYEE BENEFITS FOR CLASSIFIED POSITIONS SET FORTH IN THE ANNUAL APPROPRIATION ORDINANCE.

A. Purpose.

These regulations contain provisions governing compensation administration, and benefits for all positions which are subject to control and regulation by and for which compensation is required to be fixed by the Mayor and the City Council of the City of Chicago.

B. Adoption And Definition Of The Compensation Plan.

(Omitted text is unaffected by this resolution)

(8) Health ~~Insurance~~ and Welfare Coverage.

The term "~~healthcare~~ health and welfare coverage" includes, but is not limited to, medical benefits, prescription benefits, dental benefits, vision benefits, mental health and substance abuse benefits, health care flexible spending account benefits, dependent care benefits, disability benefits, life insurance benefits, accidental death and dismemberment benefits, wellness benefits and transit benefits, as well as the related claims administration, utilization review, case management, ~~prescription benefits,~~ consulting and actuarial ~~services, psychiatric and substance abuse~~ services, and any other ancillary administrative ~~benefit~~ services needed to provide such benefits.

In providing for single, employee plus one dependent, or family ~~healthcare~~ health and welfare coverage as set forth in the Annual Appropriation Ordinance under codes .0029, .0042, .0043, and .004~~43~~56, each company and Health Maintenance Organization (HMO) that provides ~~healthcare~~ health and welfare coverage shall ~~first~~ be approved by a majority of the Budget Director, City Comptroller, Benefits Manager, Commissioner of Human Resources and Chairmen of the Committee on Finance and the Committee on Workforce Development and Audit. Plan provisions and rates shall all be approved by the Mayor or his designee the City Comptroller on the recommendation of a majority of the Budget Director, ~~City Comptroller,~~ Benefits Manager, Commissioner of Human Resources and Chairmen of the Committee on Finance and the Committee on Workforce Development and Audit. ~~Plan provisions and rates~~

~~shall all be approved by the Mayor on the recommendation of the Budget Director, City Comptroller, Benefits Manager, Commissioner of Human Resources and Chairmen of the Committee on Finance and the Committee on Workforce Development and Audit.~~ The Mayor or his designee the City Comptroller is authorized to enter into and execute such agreements, amendments and documents, subject to review as to form and legality by the Corporation Counsel, as are required or necessary to implement the ~~plans~~ health and welfare coverage, which agreements, amendments and documents shall be kept on file with the Budget Director and the City Comptroller.

Notwithstanding the preceding sentence, in the case of insured health and welfare coverage, including a fully insured HMO, the City Comptroller or his designee is authorized to enter into and execute such applications for any related insurance policies or contracts provided that such policies and contracts have been filed with and approved by the appropriate state department of insurance or other regulatory authority with jurisdiction over such matters, as and to the extent such filing and approval are required by applicable law or regulation.

The open enrollment period (that time when an employee can change coverage, carriers or HMO programs) shall be designated by the City Comptroller except for new full-time employees who shall be eligible for coverage on the first of the month following date of commencement of employment. Coverage shall terminate on the last date worked, subject to any legally required extensions of coverage. Where more than one member of a family is employed by the City, no duplication of coverage shall be allowed, including for dependents. An employee or dependent can be covered by only one City-paid ~~healthcare~~ health and welfare coverage plan.

(Omitted text is unaffected by this resolution)

G. Holidays, Vacations And Sick Leave For Positions In The Classified Service.

(Omitted text is unaffected by this resolution)

(6) Working Group

The Chairman of the Committee on Finance and the Mayor, each personally or through a designee, and two designees selected by the Chairman and three designees selected by the Mayor (for a total of seven people) shall convene as a working group from time to time to consider and resolve questions pertaining to workers' compensation and return to work for the City of Chicago.

(Omitted text is unaffected by this resolution)

SECTION 2. This amendatory resolution shall be effective on its passage.

City of Chicago

Office of the City Clerk

Document Tracking Sheet

O2015-7390

Meeting Date:	10/14/2015
Sponsor(s):	Emanuel (Mayor)
Type:	Ordinance
Title:	Amendment of Municipal Code Titles 1, 2, 3, 4, 7, 9, 10, 11, 13, 15 and 17 concerning various department functions and duties (2016 Management Ordinance), establishment of debt relief program, and installation and removal of parking meters and bus shelters
Committee(s) Assignment:	Committee on Budget and Government Operations

BUDG.

OFFICE OF THE MAYOR

CITY OF CHICAGO

RAHM EMANUEL
MAYOR

October 14, 2015

TO THE HONORABLE, THE CITY COUNCIL
OF THE CITY OF CHICAGO

Ladies and Gentlemen:

At the request of the Budget Director, I transmit herewith the Management Ordinance for Fiscal Year 2016.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,

Mayor

MANAGEMENT

ORDINANCE

WHEREAS, The City of Chicago is a home rule unit of government as defined in Article VII, Section 6 (a) of the Illinois Constitution; and

WHEREAS, As a home rule unit of government, the City of Chicago may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, The management, structure, powers and functions of its departments and agencies is a matter pertaining to the government and affairs of the City of Chicago; now, therefore,

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

This ordinance is organized into twelve Articles, as follows:

ARTICLE I.
ELECTRONIC FILING AND RELATED TRAFFIC MATTERS

SECTION 1. Section 2-92-380 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through, as follows:

2-92-380 Contracts restrictions – Disclosure of debts to city – Outstanding parking violations.

(a) Whenever used in this section, the following words and phrases shall have the following meanings:

(Omitted text is unaffected by this ordinance)

~~"Outstanding parking violation complaint" means a parking ticket, notice of parking violation, or parking violation complaint on which no payment has been made or appearance filed in the Circuit Court of Cook County within the time specified on the complaint.~~

(b) Every city contract shall contain a provision that entitles the city to set off a portion of the contract price equal to the amount of ~~the fines and penalties for each outstanding parking violation complaint and~~ any debt owed by the contracting party to the city.

(c) Notwithstanding the provisions of subsection (b) herein, no such debt ~~or outstanding parking violation complaint~~ shall be offset from the contract price if one or more of the following conditions are met:

(Omitted text is unaffected by this ordinance)

SECTION 2. Section 2-152-150 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through, as follows:

2-152-150 Applicants for employment – Disclosure of indebtedness to city.

(a) Whenever used in this section, the following words and phrases shall have the following meanings:

"Debt" means a specified sum of money owed to the city for which the period granted for payment has expired.

~~"Outstanding parking violation complaint" means a parking ticket, notice of parking violation, or parking violation complaint on which no payment has been made or appearance filed in the Circuit Court of Cook County within the time specified on the complaint.~~

(b) Every person who is given an offer of employment with the city shall file an affidavit with the department of human resources disclosing any debt owed by the applicant to the city ~~and any outstanding parking violation complaint issued to any vehicle owned by the applicant prior to his appointment~~.

(Omitted text is unaffected by this ordinance)

(d) ~~No person who is given an offer of employment and has outstanding parking violation complaints shall be hired by the city unless payment of the fines for the violations has~~

~~been made or until an appearance is filed with the Circuit Court of Cook County to contest the parking violation alleged in each complaint~~.

(Omitted text is unaffected by this ordinance)

SECTION 3. Section 9-4-010 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

9-4-010 Definitions.

Whenever the following words and phrases are used in Chapter 9-4 through 9-103, they shall have the meanings respectively ascribed to them in this section:

(Omitted text is unaffected by this ordinance)

~~"Adjudication by mail" means an administrative process by which a registered owner of a vehicle or his attorney may submit documentary evidence by mail to an administrative law officer in order to contest liability for a parking or compliance violation.~~

~~"Administrative hearing" means a hearing in person before an administrative law officer at which a registered owner of a vehicle or his attorney may contest liability for a parking or compliance violation.~~

<u>"Administrative correspondence hearing" means a hearing by which a registered owner of a vehicle or his attorney, who does not wish to appear in-person before an administrative law officer, may contest liability for a parking, compliance, automated traffic law enforcement system or automated speed enforcement system violation based on the administrative law officer's review of documentary evidence submitted by the owner or his attorney.</u>

<u>"Administrative in-person hearing" means a hearing before an administrative law officer at which a registered owner of a vehicle or his attorney appears in-person to contest liability for a parking, compliance, automated traffic law enforcement system or automated speed enforcement system violation.</u>

<u>"Administrative adjudication" means an administrative in-person hearing or an administrative correspondence hearing, whichever is applicable.</u>

(Omitted text is unaffected by this ordinance)

~~"Determination of parking or compliance violation liability or nonliability" means the finding of liability or nonliability for a parking or compliance violation reached by a hearing officer after consideration of documentary evidence submitted for adjudication by mail, after an~~

~~administrative hearing at which the registered owner or his attorney appears to contest liability for a parking or compliance violation, or after the registered owner has failed to appear at a requested administrative hearing or respond to a second notice of violation.~~

(Omitted text is unaffected by this ordinance)

~~"Final determination" means: a determination of parking or compliance liability becomes a final determination for purposes of the Administrative Review Law of Illinois upon the timely exhaustion of procedures for administrative or judicial review, or failure to exhaust those procedures within the time prescribed by law.~~

(Omitted text is unaffected by this ordinance)

~~"Outstanding parking or compliance violation" means a parking violation complaint on which no payment has been made or appearance filed in the Circuit Court of Cook County within the time specified on the complaint or a parking or compliance violation notice which has resulted in a final determination of parking or compliance violation liability for which payment in full has not been made.~~

(Omitted text is unaffected by this ordinance)

~~"Parking or compliance violation notice" means a handwritten or computer-generated notice either (a) placed on a vehicle that exhibits a compliance violation or is parked or standing in violation of the traffic code, or (b) given to the driver of the vehicle, which may be challenged and enforced in accordance with the process of administrative adjudication.~~

~~"Parking or compliance violation notice copy" means any duplicate, photocopy or reproduction, including any computer-stored or computer-generated representation of an original parking or compliance violation notice.~~

(Omitted text is unaffected by this ordinance)

~~"Second notice of parking or compliance violation" means the notice, mailed to the address supplied to the Secretary of State by the registered owner of a vehicle, sent after the registered owner has failed to respond within the time allotted by ordinance to a parking or compliance violation notice placed on or given to the driver of such vehicle.~~

(Omitted text is unaffected by this ordinance)

SECTION 4. Section 9-100-030 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

9-100-030 Prima facie responsibility for violation and penalty – Parking, standing or compliance violation issuance and removal.

(a) Whenever any vehicle exhibits a parking, standing or compliance violation ~~or is parked in violation of any provision of the traffic code prohibiting or restricting vehicular parking or standing~~, any person in whose name the vehicle is registered with the Secretary of State of Illinois or such other state's registry of motor vehicles shall be prima facie responsible for the violation and subject to the penalty therefor. The city and the ticketing agent shall accurately record the state registration number of the ticketed vehicle. A prima facie case shall not be established when:

(1) the ticketing agent has failed to specify the proper state registration number of the cited vehicle on the notice;

(2) the city has failed to accurately record the specified state registration number; or

(3) for the purposes of Section 9-64-125, the registered owner was not a resident of the city ~~City of Chicago~~ on the day the violation was issued.

(b) Whenever any vehicle exhibits a parking, standing or compliance violation ~~during operation or is parked in violation of any provision of the traffic code prohibiting or restricting vehicular parking or standing or regulating the condition of a parked or standing vehicle~~, any police officer, traffic control aide, other designated member of the police department, parking enforcement aide or other person designated by the ~~city~~ traffic compliance administrator observing such violation may issue a ~~parking, or compliance~~ violation notice, as provided for in Section 9-100-040 and serve the notice on the owner of the vehicle by handing it to the operator of the vehicle, if he is present, or by affixing it to the vehicle in a conspicuous place. The issuer of the notice shall specify on the notice his identification number, the particular ~~parking or compliance~~ ordinance allegedly violated, the make and state registration number of the cited vehicle, and the place, date, time and nature of the alleged violation and shall certify the correctness of the specified information by signing his name as provided in Section 11-208.3 of the Illinois Vehicle Code, as amended.

(c) The ~~city~~ traffic compliance administrator shall withdraw a violation notice when said notice fails to establish a prima facie case as described in this section; provided, however, that a violation notice shall not be withdrawn if the administrator reasonably determines that (1) a state registration number was properly recorded by the city and its ticketing agent, and (2) any discrepancy between the vehicle make or model and the vehicle registration number as set forth in the violation notice is the result of the illegal exchange of registration plates. A final determination of liability that has been issued for a violation required to be withdrawn under this subsection (c) shall be vacated by the city. The city shall extinguish any lien which has been recorded for any debt due and owing as a result of the vacated determination and refund any fines and/or penalties paid pursuant to the vacated determination.

(d) It shall be unlawful for any person, other than the owner of the vehicle or his designee, to remove from a vehicle a ~~parking or compliance~~ violation notice affixed pursuant to this chapter.

~~(e) The city traffic compliance administrator shall withdraw a notice of violation when a registered owner of a vehicle issued a notice of violation for expiration of the time designated on the ticket, token or display device pursuant to Section 9-64-190 shows evidence that: (1) a ticket, token or display device issued or activated by the parking meter was purchased and displayed; and (2) the notice of violation was issued within five minutes of the expiration time on the ticket, token or display device; provided that only one such notice of violation shall be withdrawn per calendar year per vehicle. A final determination of liability that has been issued for a violation required to be withdrawn under this subsection (e) shall be vacated by the city. The city shall extinguish any lien which has been recorded for any debt due and owing as a result of the vacated determination.~~

~~The provisions of this subsection shall apply to any notice of violation issued on or after January 1, 2010.~~

~~This subsection (e) shall expire at midnight on April 1, 2011; provided that this subsection shall still be applicable to any person who shows evidence for withdrawal of the violation prior to the expiration of this subsection.~~

SECTION 5. Section 9-100-040 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

9-100-040 Violation notices – Contents, distribution and recordkeeping.

(a) Parking<u>, standing</u> and compliance violation notices shall contain the information required under Section 9-100-030. In addition, the notices shall state the applicable fine as provided in Section 9-100-020, the monetary penalty which shall be automatically assessed for late payment, the vehicle immobilization and driver's license suspension (if applicable) may be imposed if fines and penalties are not paid in full, that payment of the indicated fine, and of any applicable penalty for late payment, shall operate as a final disposition of the violation, and information as to the availability of an administrative hearing in which the violation may be contested on its merits and the time and manner in which such hearing may be had.

(b) The ~~city~~ traffic compliance administrator shall distribute parking<u>, standing</u> and compliance violation notices to parking enforcement aides, other persons authorized to issue

~~parking and compliance~~ such violation ~~violating~~ notices, and the department of police for issuance pursuant to Section 9-100-030. The superintendent of police shall be responsible for the distribution of the notice forms within the department of police, shall maintain a record of each set of notices issued to individual members of the department and shall retain a receipt for every set so issued.

~~(c) The city traffic compliance administrator shall compile and maintain complete and accurate records relating to all parking violation notices issued pursuant to Section 9-100-030 and the dispositions thereof. In addition, the city traffic compliance administrator shall make certified reports to the Secretary of State pursuant to Section 6-306.5 of the Illinois Vehicle Code.~~

SECTION 6. Section 9-100-045 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

9-100-045 Notice of violation – Automated speed enforcement system and automated traffic law enforcement system violations.

(a) Subject to subsection (b) of this section, for each violation of Section 9-101-020 or Section 9-102-020, the department of finance shall mail a violation notice to the address of the registered owner of the vehicle as recorded with the Secretary of State within 30 days after the Secretary of State notifies the traffic compliance ~~administer~~ administrator of the owner of such vehicle, but in no event later than 90 days after the violation; provided that if the vehicle is leased and the lessor has provided the name and address of the lessee in compliance with Section 9-100-140(c), the department of finance shall mail a violation notice to the lessee of the vehicle within 30 days after the lessor notifies the traffic compliance ~~administer~~ administrator of the name and address of lessee, but in no even later than 210 days after the violation. The notice shall include all applicable information required in Sections 11-208.3, 11-208.6 and 11-208.8 of the Illinois Vehicle Code, 625 ILCS 5/11-208.3, 5/11-208.6 and 5/11-208.8.

(b) (1) No citation for a violation of Section 9-101-020 shall be issued until after the expiration of 30 days after the installation of a new automated speed enforcement system on a roadway. For any violation of Section 9-101-020 occurring during such 30-day period, the department of finance shall, within 30 days after receiving information about the registered owner of the vehicle from the Secretary of State, mail a warning notice to the registered owner of the vehicle used in the commission of the violation; provided that if the vehicle is leased and the lessor has provided the name and address of the lessee pursuant to Section 9-100-140(c), the department of finance shall mail a warning notice to the lessee of the vehicle within 30 days after the lessor notifies the traffic compliance ~~administer~~ administrator of the name and address of the lessee. The warning shall advise such owner or lessee that the vehicle was used in the commission of a violation of Section 9-101-020 and any further violations of the section will result in the issuance of a citation.

(2) In addition to the warning notice provided in subsection (b)(1), for the first violation of Section 9-101-020, the department of finance shall, within 30 days after receiving information about the registered owner of the vehicle from the Secretary of State, mail a warning notice to the registered owner of the vehicle used in the commission of the violation; provided that if the vehicle is leased and the lessor has provided the name and address of the lessee in compliance with Section9-100-140(c), the department of finance shall mail a warning to the lessee of the vehicle within 30 days after the lessor notifies the traffic compliance ~~administer~~ administrator of the name and address of lessee. The warning notice shall advise such owner or lessee that the vehicle was used in the commission of a violation of Section 9-101-020 and any further violations of the section will result in the issuance of a citation. After the first warning notice issued to the owner or lessee pursuant to this subsection (b)(2), the department of finance shall issue a notice of violation in compliance with subsection (a).

(Omitted text is unaffected by this ordinance)

SECTION 7. Chapter 9-100 of the Municipal Code of Chicago is hereby amended by inserting a new Section 9-100-055, underscored as follows:

9-100-055 Requests for administrative adjudication.

(a) A person may request an administrative adjudication under section 9-100-070 or 9-100-080 to contest a violation based on one or more of the applicable grounds by timely:

(1) mailing the request;

(2) delivering the request in-person; or

(3) filing an electronic request.

(b) A request shall be deemed timely if the request is filed or delivered, in the form and format prescribed in rules, to the address or electronic location, whichever is applicable, indicated on the notice and:

(1) if filed by mail, the request is postmarked within seven or twenty-one days, whichever is applicable, of the notice of violation; or

(2) if filed electronically or in-person, the request is electronically submitted or delivered in-person within seven or twenty-one days, whichever is applicable, of the notice of violation.

SECTION 8. Section 9-100-060 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

9-100-060 Grounds for <u>contesting a violation</u> ~~adjudication by mail or administrative hearing~~.

(a) Except as otherwise provided in subsection (d) of this section, a person charged with a parking<u>, standing</u> or compliance violation may contest the charge through an <u>administrative</u> adjudication ~~by mail~~ ~~or at an administrative hearing~~ limited to one or more of the following grounds with appropriate evidence to support:

(Omitted text is unaffected by this ordinance)

(3) that the relevant signs prohibiting or restricting parking <u>or standing</u> were missing or obscured;

(4) that the relevant parking meter was inoperable or malfunctioned through no fault of the respondent;

(5) that the facts alleged in the ~~parking or compliance~~ violation notice are inconsistent or do not support a finding that the specified regulation was violated;

(Omitted text is unaffected by this ordinance)

(b) A person charged with violating Section 9-101-020 or Section 9-102-020 may contest the charge through an <u>administrative</u> adjudication ~~by mail or at an administrative hearing~~ limited to one or more of the following applicable grounds with appropriate evidence to support:

(Omitted text is unaffected by this ordinance)

~~(d) Compliance violations involving the use of mobile, cellular, analog wireless or digital telephones under Section 9-76-230 may not be contested through an adjudication by mail~~.

SECTION 9. Section 9-100-070 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

9-100-070 <u>Administrative Correspondence Hearing</u> ~~Adjudication by mail~~ – Procedure.

(a) ~~Administrative hearings~~ <u>An administrative correspondence hearing</u> to review the materials submitted <u>by the respondent and the city</u> ~~for the adjudication~~ ~~by mail~~ shall be held by an administrative law officer appointed by the ~~city~~ traffic compliance administrator and conducted in accordance with this section.

(b) The respondent may contest a violation based on one or more of the applicable grounds ~~provided in Section 9-100-060,~~ by-submitting a request for an administrative correspondence hearing in compliance with this chapter.~~mailing the request at the to the department of finance~~. The request shall include the following materials and information: the notice of violation, the full name, address and telephone number(s) of the respondent; the make, model and year of the vehicle; any documentary evidence that rebuts the charge; and a written statement signed by the respondent setting forth facts relevant to establishing a defense to the charge. A ~~photocopy~~ copy of any documentary evidence submitted by any party shall be accepted as the equivalent of the original document.

(c) No violation may be established except upon proof by a preponderance of the evidence; provided, however, that a ~~parking or compliance~~ violation notice, or a copy thereof, issued in accordance with Section 9-100-030, or a notice of violation ~~of an automated speed enforcement system or of an automated traffic law enforcement system~~ issued in accordance with Section 9-100-045 shall be prima facie evidence of the correctness of the facts specified therein.

(d) Upon review of the materials submitted ~~in accordance with subsection (b) herein~~, the administrative law officer shall enter a determination of no liability or of liability in the amount of the fine for the relevant violation as provided in Section 9-100-020. Upon issuance, such determination shall constitute a final determination for purposes of judicial review under the Administrative Review Law of Illinois.

SECTION 10. Section 9-100-080 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

9-100-080 Administrative in-person hearings – Procedure.

(a) The respondent may request an administrative in-person hearing to contest a violation. ~~Administrative hearings~~ The administrative in-person hearing ~~for the adjudication of parking, compliance, automated speed enforcement system or automated traffic law enforcement system violations~~ shall be held before an administrative law officer appointed by the ~~city~~ traffic compliance administrator and conducted in accordance with this section.

(b) The respondent may ~~appear pro se~~ or, at his own expense, be represented by an attorney. An attorney who appears on behalf of any ~~person~~ respondent shall file with the administrative law officer a written appearance on a form provided by the ~~city~~ traffic compliance administrator for such purpose.

(Omitted text is unaffected by this ordinance)

(e) No violation may be established except upon proof by a preponderance of the evidence; provided, however, that a ~~parking or compliance~~ violation notice, or a copy thereof, issued and signed in accordance with Section 9-100-030 or a notice of violation ~~of an automated speed enforcement system or an automated traffic law enforcement system~~ issued in accordance with Section 9-100-045 shall be prima facie evidence of the correctness of the facts specified therein.

(Omitted text is unaffected by this ordinance)

(g) The ~~city~~ traffic compliance administrator shall cause a record to be made of each hearing, and recording devices may be used for such purpose.

SECTION 11. Section 9-100-090 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

9-100-090 Hearing – Determination of liability or of no liability – Petition.

(Omitted text is unaffected by this ordinance)

(b) If a person fails to respond to the violation notice or any second notice of violation required by section 9-100-050(d)(1), a determination of liability shall be entered against the respondent ~~pursuant to Section 9-100-050(d)~~ and shall be served upon the respondent in accordance with Section 9-100-050(f). Such determination shall become final for purposes of judicial review under the Administrative Review Law of Illinois upon the denial of, or the expiration of the time in which to file, a timely petition to set aside the determination as provided in subsection (c) of this section.

(c) Within 21 days from the issuance of a determination of liability pursuant to subsection (b) herein, the person against whom the determination was entered may petition the ~~city~~ traffic compliance administrator by appearing in-person, at the location specified in the determination, to set aside the determination; provided, however, the grounds for the petition shall be limited to: (1) the ~~person~~ <u>petitioner</u> not having been the owner or lessee of the cited vehicle on the date the ~~parking~~ violation <u>occurred</u> ~~notice was first issued~~; (2) the ~~person~~ <u>petitioner</u> having already paid the fine or penalty for the ~~parking~~ violation in question; or (3) <u>if the traffic compliance administrator determines that the petitioner's failure to appear was for good cause; provided that a determination of liability shall be set aside at any time if the person establishes that the</u>

petitioner was not provided with proper service of process, ~~excusable failure, based upon criteria established by the city traffic compliance administrator, to appear at or request a new date for a hearing~~. The petitioner shall appear with appropriate evidence~~, pursuant to Section 9-100-060,~~ so that if the petition is granted, he is prepared to proceed immediately with a hearing on the merits.

SECTION 12. Section 9-100-130 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

9-100-130 Driver's license suspension.

(a) When a person has failed to pay any fine or penalty due and owing pursuant to this chapter on ten or more parking, standing, or compliance violations, or five or more automated traffic law enforcement system or automated speed enforcement system violations, or combination thereof, the ~~city~~ traffic compliance administrator shall cause a notice of impending driver's license suspension to be sent, in accordance with Section 9-100-050(f). The notice shall state that failure to pay the amount owing within 45 days of the date of the notice will result in the ~~city's~~ city notifying the Secretary of State that the person is eligible for initiation of suspension proceedings pursuant to Section 6-306.5 of the Illinois Vehicle Code.

(b) If a person sent a notice pursuant to subsection (a) fails to pay the amount owing within the time stated on the notice, the ~~city~~ traffic compliance administrator may file with the Secretary of State a certified report, in accordance with Section 6-306.5(c) of the Illinois Vehicle Code, that the person is eligible for initiation of suspension proceedings. The ~~city~~ traffic compliance administrator shall assess a $20.00 filing fee against the person named in the certified report to reimburse the city for the expense of preparing and filing the certified report ~~with the Secretary of State~~.

(c) A person named in a certified report filed pursuant to subsection (b) may, within 21 days of the date of the notice sent by the Secretary of State pursuant to Section 6-306.5(b) of the Illinois Vehicle Code, file with the ~~city~~ traffic compliance administrator a written statement and supporting documentation to challenge the report; provided, however, the grounds for such challenge shall be limited to: (1) the person ~~not having been~~ was not the owner or lessee of the vehicle or vehicles receiving ~~ten or more parking or compliance violation notices or five or more automated red light~~ the prerequisite number of violations on the date or dates such notices were issued; or (2) the person ~~having~~ already paid the fine and penalty for the ~~ten or more violations or five or more automated red light~~ the prerequisite number of violations indicated on the report. The ~~city~~ traffic compliance administrator shall send notice of the decision on the challenge of the report after receipt thereof.

(d) If a person named in a certified report has paid the previously reported fine or penalty or if the report is determined by the ~~city~~ traffic compliance administrator to be in error, or if the person has entered into a payment plan pursuant to which the ~~City~~ city has agreed to terminate the suspension, the ~~city~~ traffic compliance administrator shall notify the Secretary of State in accordance with Section 6-306.5(d) of the Illinois Vehicle Code. A certified copy of such notification shall be given, upon request and at no charge, to the person named therein. Whenever any person is more than 14 days in default of a payment plan pursuant to which a suspension has been terminated, the ~~city~~ traffic compliance administrator shall send a certified report to the Secretary of State in accordance with Section 6-306.5 of the Illinois Vehicle Code.

SECTION 13. Section 9-100-150 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

9-100-150 Owner of vehicle not liable for violations when in custody of valet.

(a) ~~In accordance with Section 4-232-080(b) of this Code, no~~ <u>No</u> ~~person who is the~~ owner of a vehicle shall be liable for ~~a violation of~~ any parking<u>, standing</u> ~~or~~ compliance, <u>automated traffic law enforcement system, or automated speed enforcement system violation</u> ~~regulation of this chapter~~ involving such vehicle during the period that such vehicle was in the custody of a valet parking service, if upon receipt of a notice of violation sent within 120 days of the violation he shall, within 60 days thereafter, provide to the ~~city~~ traffic compliance administrator the valet parking receipt required by Section 4-232-080(d) of this Code or a clearly legible copy thereof.

~~(b) Upon receipt of the valet parking receipt or copy and upon being satisfied that it is genuine and not altered and that the violation took place while the vehicle was in the custody of the valet parking service, as shown by the times indicated on the receipt, the city traffic compliance administrator shall cause a notice of violation to be sent to the valet parking service as provided for in Section 9-100-050(d).~~

ARTICLE II.
LOADING ZONES

SECTION 1. Section 9-64-160 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

9-64-160 Curb loading zones.

(a) <u>(1) The commissioner is authorized to determine the location of a permanent or temporary curb loading zone upon an application by an owner, agent or lessee of any building or</u>

parcel of property seeking a designation for a curb loading zone, and shall place and maintain appropriate signage indicating the zones and the hours during which standing, stopping or parking is restricted. In making the determination, the commissioner shall consider: whether the location of the proposed curb loading zone would (i) interfere with or impede the flow of pedestrian or vehicular traffic, or ingress or egress from any surrounding building or property; or (ii) further public convenience or safety. The application shall be in a form and format prescribed by the commissioner. The applicant shall pay a non-refundable application fee of $55.00 at the time the application is submitted. Prior to the approval or disapproval of an application, the commissioner shall notify the affected alderman and solicit a recommendation based on the alderman's analysis of any relevant factors.

(2) The commissioner ~~of transportation~~ is authorized~~, subject to the approval of the city council,~~ to determine, upon the commissioner's initiative, the location of permanent or temporary curb loading zones, and shall place and maintain appropriate ~~signs~~ signage indicating the zones and the hours during which standing, stopping or parking is restricted. In making the determination, the commissioner shall consider whether the location of a proposed curb loading zone would further public convenience or necessity. ~~The commissioner of transportation is authorized to modify the duration of parking restrictions for curb loading zones located within the central business district, south of the south line of West Kinzie Street between Halsted Street and the Chicago River, and south of the south bank of the Chicago River between West Kinzie Street and Lake Michigan, to limit the restriction on standing or parking to Mondays through Fridays or Mondays through Saturdays, upon 20-day prior notice to the alderman of the affected ward. No such modification shall take effect until the commissioner has erected appropriate signs indicating the days of the week or hours of the day during which parking in such zone is restricted~~.

(b) It shall be unlawful to park, stand or stop any vehicle in any place designated as a curb loading zone during the days of the week or hours of the day when the restrictions applicable to such zones are in effect except~~,~~;

(i) for the expeditious loading and pick-up or unloading and delivery of materials from commercial vehicles;

(ii) ~~and then~~ for a period not to exceed the time limitation posted on the signage ~~thirty minutes~~; and

(iii) while the vehicle's hazard indicator lights are flashing.

~~provided~~ Provided that~~, however,~~ the operator of a motor vehicle of the first division may stand in a curb loading zone for the purpose of and while actually engaged in the expeditious loading or unloading of passengers when such standing does not interfere with any vehicle used for the transportation of materials which is waiting to enter or about to enter such zone.

(c) The commissioner ~~of transportation~~ is authorized to issue special permits to allow the backing of a vehicle to the curb for the purpose of loading or unloading merchandise or materials subject to the terms and conditions of such permits. Such permit may be issued to the owner of the vehicle and shall grant to such person the privileges as therein stated and authorized therein, provided that such permit shall be either in the possession of the operator or on the vehicle at the time such vehicle is backed against the curb to take on or discharge a load. It shall be unlawful for any permittee or other person to violate any of the special terms or conditions of any such permit.

(d) The comptroller may issue a curb loading zone permit to the owner or lessee of a passenger vehicle normally used to transport property in the furtherance of a commercial or industrial enterprise in accordance with this subsection. Application for ~~a loading zone~~ such permit shall be made to the comptroller on forms provided for that purpose. The application shall indicate: the applicant's name, address and occupation; the name, address, telephone number and nature of the commercial or industrial enterprise served by the vehicle; the state license number of the vehicle for which the permit is sought; the types of property typically carried in the vehicle; and such other information as the comptroller may require. The applicant shall sign the application and submit it with a semiannual fee of $125.00. If the applicant is a corporation, the application may be signed by an officer of the applicant; if the applicant is a partnership, a partner may sign the application. If the application discloses that the vehicle meets the requirements of this subsection, the comptroller shall issue the ~~loading zone~~ permit. The permit shall include the name of the commercial or industrial enterprise and the state vehicle license of the vehicle. A valid ~~loading zone~~ permit displayed in the lower left corner of the windshield of the vehicle qualifies the vehicle as a commercial vehicle for purposes of subsection (b) of this section. Each permit issued under this subsection shall expire six calendar months after its issuance. No such permit shall be transferable.

(e) (1) The commissioner is authorized to: (i) modify the duration of parking, standing or stopping restrictions, provided that no such modification shall take effect until the commissioner has installed appropriate signage indicating the modified parking restrictions; (ii) amend the length of or hours of operation of a curb loading zone; or (iii) remove the designation as a curb loading zone.

(2) Any curb loading zone previously established by ordinance pursuant to this section shall be subject to this section.

(f) Not less than annually, the commissioner shall make a report to the city council on all new installations, modifications, and removals of curb loading zones during the period.

SECTION 2. Section 9-68-030 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

9-68-030 Loading zones and prohibited parking spaces.

(a) No ~~sign~~ signage shall be ~~erected~~ installed by the commissioner ~~of transportation~~ upon the ~~special~~ request of the owner, agent or lessee of any building or parcel of property for the ~~specific~~ ~~purpose of designating~~ designation of a loading zone or prohibited parking space ~~in front of the entrance to such building, or in front of the property upon which such building is located~~, until the owner, agent or lessee has paid to the comptroller the following:

(1) For a loading zone or prohibited parking~~,~~ space located in the central business district ~~as that term is defined in section 9-4-010~~: (i) an annual fee of $500.00 for up to 20 linear feet of curb space used, which fee shall include the ~~erection~~ installation of the signage; ~~and~~ (ii) an annual fee of $50.00 per linear foot of each foot of curb space used in excess of 20 feet; and (iii) any other direct cost incurred by the city for the installation of the signage.

(2) For a loading zone or prohibited parking space located outside of the central business district: (i) an annual fee of $110.00 for up to 20 linear feet of curb space used, which fee shall include the ~~erection~~ installation of the signage; ~~and~~ (ii) an annual fee of $50.00 per linear foot of each foot of curb space used in excess of 20 fee; and (iii) any other direct cost incurred by the city for the installation of the signage.

(3) No fee shall be charged for a loading zone or prohibited parking, space in front of any public building including, but not limited to, any Chicago Public School or City College of Chicago.

(b) If the owner, agent or lessee does not desire to continue maintenance of the ~~a sign~~ signage ~~erected~~ installed under this section, he shall notify the commissioner ~~of transportation~~ in writing at least 30 days prior to the last day of the current annual period. If the owner, agent or lessee fails either to give such notice or to remit the appropriate fees for the next annual period prior to the termination of the current annual period, the commissioner ~~of transportation~~ shall remove such ~~sign~~ signage subject to the procedures contained in subsection (c) herein.

(c) The commissioner ~~of transportation~~ shall cause a notice to be sent to the owner, agent or lessee informing such person ~~hat~~ that the ~~sign or signs~~ signage will be removed unless the annual maintenance fee is paid within 30 days from the date the notice is mailed. The commissioner shall not authorize the ~~erection~~ installation of ~~a~~ new ~~sign~~ signage at a location ~~for a period of three years~~ after the removal of any ~~sign~~ signage pursuant to this subsection unless payment of the fee for ~~erection~~ installation, annual surcharge and any prior unpaid maintenance fees owed to the city is paid ~~by such owner, agent or lessee has been made~~ prior to or at the time of application for ~~erection~~ installation of a new ~~sign~~ signage.

(d) The commissioner ~~of transportation~~ may temporarily or permanently remove any ~~sign~~ signage ~~erected~~ installed pursuant to this section whenever public convenience or necessity warrants after providing 15 days notice to the owner, agent or lessee, if any, who is paying annual fees for the ~~sign~~ signage.

(e) (1) The fees set forth in subsection (a) of this section, and the term "prohibited parking space" as used in this section, shall not apply to parking spaces for persons with disabilities. The fees applicable to disability-related parking are set forth in Section 9-64-050.

(2) For purposes of this section, the term "loading zone" means a curb loading zone established pursuant to section 9-64-160

(f) When in the judgment of the comptroller and commissioner, it would be more appropriate and expeditious for the comptroller to collect the fees provided in this section, the commissioner may delegate the collection of such fees to the comptroller.

SECTION 3. Section 10-20-420 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

10-20-420 Permit classes and fees.

(a) Permit classes and fees for the establishment and maintenance of driveways under this article shall be as follows:

(Omitted text is unaffected by this ordinance)

(d) For a driveway located:

(1) in the central business district	(i) $500.00 for signage installation plus any additional direct cost incurred by the city for the installation; and
	(ii) $500.00 annual maintenance fee.
(2) outside of the central business district	(i) $110.00 for signage installation plus any additional direct cost incurred by the city for the installation; and
	(ii) $110.00 annual maintenance fee.

(~~d~~ e) Any driveway permit fee, along with any associated interest and penalty imposed in accordance with Section 10-20-450 of this Code, shall be paid to the department of finance.

(e f) Driveway permit fees shall be paid and driveway permits shall be renewed as provided by rules and regulations promulgated by the comptroller.

ARTICLE III.
BOOTING, IMPOUNDMENT AND EARLY PAYMENT PLANS

SECTION 1. Section 2-14-132 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

2-14-132 Impoundment.

(a) (1) Whenever the owner of a vehicle seized and impounded pursuant to Sections 3-46-076, 3-56-155, 4-68-195, 9-80-220, 9-112-640 or 9-114-420 of this Code (for purposes of this section, the "status-related offense sections"), or Sections 7-24-225, 7-24-226, 7-28-390, 7-28-440, 7-38-115(c-5), 8-4-130, 8-8-060, 8-20-070, 9-12-090, 9-32-040, 9-76-145, 9-80-225, 9-80-240, 9-92-035, 10-8-480(c), 11-4-1410, 11-4-1500 or 15-20-270 of this Code (for purposes of this section, the "use-related offense sections") requests a preliminary hearing in person and in writing at the department of administrative hearings, within 15 days after the vehicle is seized and impounded, an administrative law officer of the department of administrative hearings shall conduct such preliminary hearing within 48 hours of request, excluding Saturdays, Sundays and legal holidays, unless the vehicle was seized and impounded pursuant to Section 7-24-225 and the department of police determines that it must retain custody of the vehicle under the applicable state or federal forfeiture law. If, after the hearing, the administrative law officer determines that there is probable cause to believe that the vehicle was used in a violation of this Code for which seizure and impoundment applies, or, if the impoundment is pursuant to Section 9-92-035, that the subject vehicle is eligible for impoundment under that section, the administrative law officer shall order the continued impoundment of the vehicle as provided in this section unless the owner of the vehicle pays to the city the amount of the administrative penalty prescribed for the code violation plus fees for towing and storing the vehicle.

(2) ~~If the vehicle is also subject to immobilization for unpaid parking and/or compliance violations,~~ In addition to any amount due under subsection (a)(1), prior to the release of a vehicle, the owner of the vehicle ~~must~~ shall also pay ~~the~~ all amounts due for all ~~such~~ outstanding ~~violations~~ final determinations for parking, standing, compliance, automated traffic law enforcement system or automated speed enforcement system violations incurred by the owner, including all related collection costs and attorney's fees authorized under section 1-19-020 ~~prior to the release of the vehicle~~.

(3) If the administrative law officer determines there is no such probable cause, or, if the impoundment is pursuant to Section 9-92-035, that the subject vehicle has previously been determined not to be eligible for impoundment under that section, the vehicle will be returned without penalty or other fees.

(b ~~2~~) (1) Within ten days after a vehicle is seized and impounded the department of streets and sanitation or other appropriate department shall notify by certified mail the owner of record (other than a lessee who does not hold title to the vehicle), the person who was found to be in control of the vehicle at the time of the alleged violation, and any lienholder of record, of the owner's right to request a hearing before the department of administrative hearings to challenge whether a violation of this Code for which seizure and impoundment applies has occurred or, if the impoundment is pursuant to Section 9-92-035, whether the subject vehicle is eligible for impoundment under that section. In the case where an owner of record is a lessee who does not hold title to the vehicle, the notice shall be mailed to such lessee within ten days after the department of streets and sanitation receives a ~~photocopy~~ copy or other satisfactory evidence of the vehicle lease or rental agreement, indicating the name, address, and driver's license number of the lessee pursuant to subsection (i ~~9~~). However, no such notice need be sent to the owner of record if the owner is personally served with the notice within ten days after the vehicle is seized and impounded, and the owner acknowledges receipt of the notice in writing. A copy of the notice shall be forwarded to the department of administrative hearings. The notice shall state the penalties that may be imposed if no hearing is requested, including that a vehicle not released by payment of the penalty and fees and remaining in the city pound may be sold or disposed of by the city in accordance with applicable law.

(2) The owner of record seeking a hearing must file a written request for a hearing with the department of administrative hearings no later than 15 days after notice was mailed or otherwise given under this subsection. The hearing date must be no more than 30 days after a request for a hearing has been filed.

(3) (A) If, after the hearing, the administrative law officer determines by a preponderance of the evidence that the vehicle was used in the violation, or, if the impoundment is pursuant to Section 9-92-035, that the subject vehicle was properly impounded under that section, the administrative law officer shall enter an order finding the owner of record liable to the city for the amount of the administrative penalty prescribed for the violation, plus towing and storage fees.

(B) If, after a hearing, the administrative law officer does not determine by a preponderance of the evidence that the vehicle was used in such a violation, or, if the impoundment is pursuant to Section 9-92-035, that the subject vehicle was not eligible for impoundment under that section, the administrative law officer shall enter an order finding for the owner and for the return of the vehicle or previously paid penalty and fees; provided that if the vehicle was seized and impounded pursuant to Section 7-24-225, the vehicle shall not be returned unless and until the city receives notice from the appropriate state, or where applicable, federal officials that (i) forfeiture proceedings will not be instituted; or (ii) forfeiture proceedings have concluded and there is a settlement or a court order providing that the vehicle shall be returned to the owner of record.

(4) If the owner of record requests a hearing but fails to appear at the hearing or fails to request a hearing in a timely manner, the owner of record shall be deemed to have waived his or her right to a hearing and an administrative law officer of the department of administrative hearings shall enter a default order in favor of the city in the amount of the administrative penalty prescribed for the violation, plus towing and storage fees. However, if the owner: (i) redeemed the vehicle by payment of the appropriate penalty and fees, and (ii) was notified of the owner's right to request a hearing, and (iii) failed to timely request a hearing, then the payment shall be deemed an acknowledgment of liability and no adjudication shall be required.

(5) For the purposes of this section and those sections ~~of this Code~~ referenced in subsection (a ~~1~~) ~~of this section~~, the terms "seizure and impoundment" and "seized and impounded" shall be deemed to also refer to a vehicle that a police officer or other authorized city agent or employee determines is subject to impoundment because there is probable cause to believe it was used in violation of one or more of those sections ~~of the code~~ listed in subsection (a ~~1~~) ~~of this section~~, regardless of whether the vehicle is actually towed to and held at a city facility.

(c ~~3~~) (1) An administrative penalty, plus towing and storage fees, imposed pursuant to this section shall constitute a debt due and owing to the city which may be enforced pursuant to Section 2-14-103 or in any other manner provided by law. Any amounts paid pursuant to this section shall be applied to the penalty. Except as provided otherwise in this section, a vehicle shall continue to be impounded until:

(~~1~~ A) the payment of the administrative penalty, plus any applicable towing and storage fees, plus all amounts due for outstanding final determinations of parking, standing ~~and/or~~ compliance, automated traffic law enforcement system or automated speed enforcement system violations ~~(if the vehicle is also subject to immobilization for unpaid final determinations of parking and/or compliance violations)~~ incurred by the owner, including all related collection costs and attorney's fees authorized under section 1-19-020. ~~, is paid to the city,~~ Upon payment, ~~in which case~~ possession of the vehicle shall be given to the person who is legally entitled to possess the vehicle; or
(~~2~~ B) the vehicle is sold or otherwise disposed of to satisfy a judgment or enforce a lien as provided by law.

(2) Notwithstanding any other provision of this section, whenever a person with a lien of record against a vehicle impounded under this section has commenced foreclosure proceedings, possession of the vehicle shall be given to that person if he ~~or she~~ pays the applicable towing and storage fees and agrees in writing to refund to the city the net proceeds of any foreclosure sale, less any amounts necessary to pay all lien holders of record, up to the total amount of penalties imposed under this section.

(3) Notwithstanding any other provision of this section, no vehicle that was seized and impounded pursuant to Section 7-24-225 shall be returned to the record owner unless and until the city has received notice from the appropriate state, or where applicable, federal officials that (i) forfeiture proceedings will not be instituted; or (ii) forfeiture proceedings have concluded and there is a settlement or a court order providing that the vehicle shall be returned to the owner of record.

(d ~~4~~) Any motor vehicle that is not reclaimed within ten days after the expiration of the time during which the owner of record may seek judicial review of the city's action under this section, or, if judicial review is sought, the time at which a final judgment is rendered in favor of the city, or the time a final administrative decision is rendered against any owner of record who is in default may be disposed of as an unclaimed vehicle as provided by law; provided that, if the vehicle was seized and impounded pursuant to Section 7-24-225 and proceedings have been instituted under state or federal drug asset forfeiture laws, the vehicle may not be disposed of by the city except as consistent with those proceedings.

(e ~~5~~) As used in this section, the "owner of record" of a vehicle means the record title holder and includes, for purposes of enforcing Section 3-46-076, the "license holder of a ground transportation vehicle" as that term is defined in Chapter 3-46. For purposes of this section and the sections of the Municipal Code ~~of Chicago~~ enumerated in subsection (~~1~~ a) of this section, "owner of record" also includes the lessee of the vehicle.

(f ~~6~~) Fees for towing and storage of a vehicle under this section shall be the same as those charged pursuant to Chapter 9-92 of this Code.

(g ~~7~~) In a hearing on the propriety of impoundment under Section 7-24-226, any sworn or affirmed report, including a report prepared in compliance with Section 11-501.1 of the Illinois Vehicle Code, that (~~a~~ 1) is prepared in the performance of a law enforcement officer's duties and (~~b~~ 2) sufficiently describes the circumstances leading to the impoundment, shall be admissible evidence of the vehicle owner's liability under Section 7-24-226 ~~of this Code~~, and shall support a finding of the vehicle owner's liability under Section 7-24-226, unless rebutted by clear and convincing evidence.

(h ~~8~~) For purposes of the section, a vehicle is not considered to have been used in a violation that would render the vehicle eligible for towing if: (1) the vehicle used in the violation was stolen at the time and the theft was reported to the appropriate police authorities within 24 hours after the theft was discovered or reasonably should have been discovered; (2) the vehicle was operating as a common carrier and the violation occurred without the knowledge of the person in control of the vehicle; or (3) the alleged owner provides adequate proof that the vehicle had been sold to another person prior to the violation.

(i ~~9~~) (1 ~~A~~) Notwithstanding any provision of this section to the contrary, a lessor (except where the lessee holds title to the vehicle) asserting his ~~or her~~ right to possession of a vehicle impounded pursuant to one or more of the use-related offense sections set forth in ~~paragraph (1)~~ subsection (a) may obtain immediate release of such vehicle by paying the applicable towing and storage fees provided in subsection (~~6~~ f) of this section and agreeing in writing to refund to the city the net proceeds of any sale, less any amounts necessary to pay all lien holders of record, up to the total amount of any outstanding penalties imposed under subsection (c)(1); and submitting a ~~photocopy~~ copy or other satisfactory evidence of the vehicle lease or rental agreement, indicating the lessee's name, address and driver's license number. The requirements of subsection (~~3~~ c) of this section regarding the payment of final determinations of parking, standing, ~~and/or~~ compliance, automated traffic law enforcement system or automated speed enforcement system violations shall apply to ~~such~~ a lessor only ~~to the extent of~~ if the lessor is liable for such outstanding final determinations ~~of parking, and/or compliance violations for which the lessor is legally liable with respect to such impounded vehicle~~. The city shall refund the towing and storage fees to such lessor if the city recovers such fees from the lessee, or if the towing is ultimately determined to be improper or erroneous, or if the lessee is otherwise determined not to be liable for such fees.

(2 ~~B~~) No person who is the lessor of a vehicle pursuant to a written vehicle lease or rental agreement shall be liable for administrative penalties and fines set forth in one or more of the use-related offense sections set forth in ~~paragraph~~ subsection (a)(1) involving such vehicle during the period of the lease or rental agreement, if the lessor provides to the department of streets and sanitation or police, either prior to or within 30 days of the receipt of a notice of impoundment, a ~~photocopy~~ copy or other evidence of the vehicle lease or rental agreement, indicating the name, address, and driver's license number of the lessee. If such penalty, fine or fee has already been imposed on the lessor, it shall be abated by the city upon receipt of such ~~photocopy~~ copy or other evidence within the time frame provided herein.

(j ~~10~~) When an authorized employee or agent of the city ~~City of Chicago~~ has probable cause to believe that a vehicle is subject to seizure and impoundment pursuant to any one or more of the code sections set forth in subsection (a)(1) of this section, he shall affix a notice to the vehicle in a conspicuous place. Such notice shall warn that the vehicle is subject to seizure for purposes of impoundment. The notice shall also provide a warning that removal or relocation of the vehicle by any person other than the city ~~City of Chicago~~ or its authorized agents is unlawful.

It shall be unlawful for anyone other than an authorized agent of the city to remove or relocate any vehicle that has been determined to be subject to impoundment and which bears a warning notice that the vehicle is subject to seizure for purposes of impoundment. The owner of record of such vehicle, and any person who removes or relocates such vehicle in violation of this subsection, shall be subject to a penalty of no less than $1,000.00 and no more ~~that~~ than $2,000.00 for such violation. This offense shall be a strict liability offense as to the vehicle's owner of record. Anyone who removes a vehicle sticker affixed to a vehicle pursuant to this section before such vehicle is relocated to a city facility shall be subject to a fine of no less ~~that~~ than $500.00 and no more than $1,000.00.

(k ~~11~~) Notwithstanding any other provision of this section, no impounded vehicle shall be released and operated on the public ways of the city without a current state registration plate registered to the impounded vehicle and unless the vehicle is covered by a liability insurance policy. In addition, if an impounded vehicle is required to be licensed under Chapter 3-56 of this Code, no such vehicle shall be released without a valid City of Chicago wheel tax license emblem. The owner of an impounded rental or commercial motor vehicle may meet the wheel tax license emblem requirement of this subsection by presenting proof of ownership of the impounded rental or commercial motor vehicle and a receipt issued by the office of the city clerk showing that the owner has purchased wheel tax license emblems for the owner's rental or commercial motor vehicles in accordance with Chapter 3-56 of this Code.

SECTION 2. Section 3-56-155 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

3-56-155 Counterfeit wheel tax license emblems – Impoundment.

(Omitted text is unaffected by this ordinance)

(c) The notice provisions of subsection (~~2~~ b) of Section 2-14-132 shall apply whenever a motor vehicle is seized and impounded pursuant to this section.

SECTION 3. Section 9-80-220 of the Municipal Code of Chicago is hereby amended by adding the language underscored and by deleting the language struck through, as follows:

9-80-220 False, stolen or altered temporary registration permits.

(Omitted text is unaffected by this ordinance)

The notice provisions of subsection (~~2~~ b) of Section 2-14-132 shall apply whenever a motor vehicle is seized and impounded pursuant to this section.

SECTION 4. Section 9-92-080 of the Municipal Code of Chicago is hereby amended by adding the language underscored and by deleting the language struck through, as follows:

9-92-080 Release procedure for impounded vehicles.

(a) Unless a vehicle is held pursuant to applicable state, federal or any other law, or a court order or warrant that authorizes the continued impoundment of the vehicle, the owner or other person entitled to possession of a vehicle impounded pursuant to Section 9-92-030 may obtain immediate release of the vehicle by paying the full amount of the applicable towing and storage fees, as provided in subsection (b), plus all amounts due for outstanding final determinations of parking, standing, ~~and/or~~ compliance, automated traffic law enforcement system or automated speed enforcement system violations incurred by the owner, including all related collection costs and attorney's fees authorized under section 1-19-020 ~~(if the vehicle is also subject to immobilization for unpaid final determinations of parking and/or compliance violations)~~. Regardless of whether the owner or other person entitled to possession obtains immediate release of the vehicle through making full payment, such person may request a hearing before the department of administrative hearings to be held in accordance with Section 2-14-135 of this Code.

(b) The owner or other person entitled to possession of a vehicle lawfully impounded pursuant to Section 9-92-030 or Section 9-100-120 shall pay a fee of $150.00, or $250.00 if the vehicle has a gross weight of 8,000 pounds or more, to cover the cost of the towing and a fee of $20.00 per day for the first five days and $35.00 per day thereafter, or $60.00 per day for the first five days and $100.00 per day thereafter if the vehicle has a gross weight of 8,000 pounds or more, to cover the cost of storage, provided that no fees shall be assessed for any tow or storage with respect to a tow which has been determined to be erroneous.

~~(c) In addition to paying the applicable towing and storage fees provided in subsection (b) of this section, the owner or other person entitled to possession of a lawfully impounded vehicle shall also pay all fines and penalties remaining due on each final determination of parking violation liability issued to such person prior to the release of the impounded vehicle, plus all amounts due for outstanding final determinations of parking and/or compliance violations (if the vehicle is also subject to immobilization for unpaid final determinations of parking and/or compliance violations).~~

(~~d~~ c) A lienholder asserting its right to possession of an impounded vehicle pursuant to its conditional sales agreement may obtain immediate release of such vehicle by: (1) paying the applicable towing and storage fees provided in subsection (b) of this section and agreeing in writing to refund to the city the net proceeds of any foreclosure sale, less any amounts necessary to pay all lien holders of record, up to the total amount of any outstanding penalties imposed under subsection (a); ~~and~~ (2) submitting a ~~photocopy~~ copy of the conditional sales agreement and title certificate~~,~~; (3) submitting an affidavit stating that the purchaser is in default of the agreement; and (4) submitting an indemnification certificate executed by an authorized agent of the lienholder. ~~The requirements of subsection (c) of this section shall not apply to a lienholder asserting its right to possession of an impounded vehicle as provided herein.~~

(~~e~~ d) The requirements of subsection (~~c~~ a) ~~of this section~~ shall apply to a lessor referred to in Section 2-14-132 (~~9~~ i) of this Code only to the extent of such outstanding final determinations of parking, standing or ~~and/or~~ compliance, automated traffic law enforcement system or automated speed enforcement system violations for which the lessor is legally liable with respect to such impounded vehicle.

(~~f~~ e) Notwithstanding any other provision of this section, no impounded vehicle shall be released and operated on the public ways of the city without a current state registration plate registered to the impounded vehicle and unless the vehicle is covered by a liability insurance policy. In addition, if an impounded vehicle is required to be licensed under Chapter 3-56 of this Code, no such vehicle shall be released without a valid City of Chicago wheel tax license emblem. The owner of an impounded rental or commercial motor vehicle may meet the wheel tax license emblem requirement of this subsection by presenting proof of ownership of the impounded rental or commercial motor vehicle and a receipt issued by the office of the city clerk showing that the owner has purchased wheel tax license emblems for the owner's rental or commercial motor vehicles in accordance with Chapter 3-56 of this Code.

SECTION 5. Section 9-100-010 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

9-100-010 Purpose – Scope – Adoption of rules and regulations.

(a) The purpose of this chapter is to provide for the administrative adjudication of violations of ordinances defining parking, standing, compliance, automated speed enforcement system, and automated traffic law enforcement system violations ~~and regulating vehicular standing and parking within the city~~, and to establish a fair and efficient system for the enforcement of such ordinances. The administrative adjudication system set forth in this chapter is established pursuant to Division 2.1 of the Illinois Municipal Code and Sections 11-208.3, 11-208.6 and 11-208.8 of the Illinois Vehicle Code.

(b) The comptroller shall serve ex officio as the city's ~~city~~ traffic compliance administrator and in that capacity is authorized to:

(i) adopt, distribute, and process parking, standing, compliance, ~~and~~ automated traffic law enforcement system and automated speed enforcement system violation notices and additional notices, collect money paid as fines and penalties for ~~violations of~~ parking, compliance ~~and~~ automated ~~red light~~ traffic law enforcement system, and automated speed enforcement system violations ~~red light~~ ~~ordinances~~;

(ii) establish procedures necessary for the prompt, fair and efficient operation of the administrative adjudication system; and

(iii) adopt rules and regulations pertaining to: the ~~hearing~~ administrative adjudication process, the selection and appointment of administrative law officers, the content of forms and procedures, and the daily operation of the administrative adjudication of parking, standing, compliance, ~~and~~ automated ~~red light~~ traffic law enforcement system, and automated speed enforcement system violations ~~program~~.

(c) The traffic compliance administrator may delegate to the department of administrative hearings his ~~or her~~ authority to appoint administrative law officers, to adopt rules and regulations pertaining to administrative ~~hearing~~ adjudication proceedings and to conduct administrative adjudication ~~hearing~~ proceedings, including the functions of the traffic compliance administrator set forth in Sections 9-100-070(a); 9-100-080(a), (b) and (g); 9-100-090(c); 9-100-130(c); and subsection (b)(iii) of this section.

(d) Subject to the availability of duly appropriated funds, the traffic compliance administrator is authorized to enter into service contracts with vendors to be selected by the traffic compliance administrator for the purpose of receiving self-release immobilization devices lawfully removed pursuant to approval by the traffic compliance administrator. Such vendors may receive the lawfully removed self-release immobilization devices directly or through subcontractors to be selected by the contractors, subject to the approval of the traffic compliance administrator. The services contract may contain such terms as the traffic compliance administrator deems necessary to effectuate the purpose of this subsection.

The traffic compliance administrator is authorized to adopt rules for the proper administration and enforcement of this subsection.

SECTION 6. Section 9-100-050 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

9-100-050 Determination of liability.

(a) A person on whom a violation notice has been served pursuant to Section 9-100-030 or Section 9-100-045 shall within seven days from the date of a parking, standing or compliance violation notice, or within 21 days of an automated speed enforcement system or automated traffic law enforcement system violation notice: (1) pay the indicated fine; or~~,~~ (2) in the manner indicated on the notice, ~~either (2) submit the materials set forth in Section 9-100-070 to obtain an adjudication by mail; or (3)~~ request an administrative ~~hearing~~ adjudication as set forth in Section 9-100-070 or Section 9-100-080 to contest the charged violation. ~~A response by mail shall be deemed timely if postmarked within seven or 21 days, whichever is applicable, of the issuance of the notice of violation.~~

(b) If the respondent submits documentary evidence to obtain an ~~adjudication by mail~~ administrative correspondence hearing ~~pursuant to~~ in compliance with Section 9-100-070, the ~~city~~ traffic compliance administrator shall send the respondent a copy of the administrative law officer's determination in accordance with subsection (f) herein.

(c) If the respondent requests an administrative in-person hearing ~~to contest the cited violation~~ pursuant to Section 9-100-080, the ~~city~~ traffic compliance administrator shall notify the respondent in writing of the location and time available for a hearing in accordance with subsection (f) herein.

Where a respondent who has requested an administrative in-person hearing either fails to pay the indicated fine prior to the hearing or appear at a hearing, a determination of liability shall be entered in the amount of the fine indicated on the notice of violation. ~~Failure to pay the fine within 25 days of issuance of a determination of liability will result in the imposition of a late payment penalty pursuant to subsection (e) herein. Upon the occurrence of a final determination of liability, any unpaid fine or penalty will constitute a debt due and owing the city. The city~~

~~traffic compliance administrator will cause a notice of hearing providing this information to be sent to the respondent in accordance with subsection (f) herein~~.

(d) (1) If no response is made to a parking, standing or compliance violation notice in accordance with subsection (a) of this section, the ~~city~~ traffic compliance administrator shall cause a second notice of a parking, standing or compliance violation to be sent to the respondent in accordance with subsection (f) herein; provided however, in those instances where an eligible participant pays the fine indicated under an early payment installment pursuant to section 9-100-105 prior to a second notice being sent, the traffic administrator shall still send the second notice in compliance with this subsection . The notice shall specify the date and location of the violation, the make and state registration number of the cited vehicle, the code provision violated, the applicable fine, and the time and manner in which the respondent may obtain an administrative adjudication ~~by mail~~ to contest the violation. If the respondent requests an administrative in-person hearing to contest the cited violation, the ~~city~~ traffic compliance administrator will cause a notice of hearing to be sent to the respondent as provided in subsection (c) herein.

~~If,~~ Subject to subsection (d)(3), if, within 14 days from the date of the violation notice required by this subsection (d)(1), the respondent fails to: (i) pay the indicated fine~~,~~; ~~submit documentary evidence to obtain~~, (ii) request an administrative adjudication ~~by mail, or request a hearing to contest the charged violation within 14 days from the date of the violation notice required by this subsection (d)(1),~~; or (iii) prove compliance as provided in subsection (a)(7) of Section 9-100-060, a determination of liability shall be entered in the amount of the fine indicated on the notice of violation. ~~Failure to pay the fine within 25 days of issuance of the determination of liability will result in the imposition of a late payment penalty pursuant to subsection (e) herein. Upon the occurrence of a final determination of liability, any unpaid fine or penalty will constitute a debt due and owing the city~~. The second notice of violation shall provide the above information.

(2) ~~If~~ Subject to subsection (d)(3), if a respondent issued an automated traffic law enforcement system or automated speed enforcement system violation notice pursuant to subsection (a) fails to pay the indicated fine, ~~submit documentary evidence to obtain an adjudication by mail~~, or request an administrative adjudication ~~hearing to contest the charged violation~~ within 21 days from the date of the violation notice, a determination of liability shall be entered in the amount of the fine indicated on the notice of violation. ~~Failure to pay the fine within 25 days of issuance of the determination of liability will result in the imposition of a late payment penalty pursuant to subsection (e) herein. Upon the occurrence of a final determination of liability, any unpaid fine or penalty will constitute a debt due and owing the city.~~

(3) A determination of liability shall not be entered against any eligible participant paying the indicated fine under an early payment installment pursuant to section 9-100-105 unless the eligible participant defaults on the early payment installment plan. In the event of such a default, a determination of liability shall be entered against the eligible participant in accordance with this section.

(e) Failure by any respondent to pay the fine within 25 days of issuance of a determination of liability for a violation will automatically subject the respondent to a penalty for late payment; provided that an eligible participant paying the indicated fine under an early payment installment plan pursuant to section 9-100-105 shall not be subject to the late payment, unless the eligible participant defaults on the early payment installment plan. In the event of such a default, the eligible participant shall be subject to the late payment in accordance with this section.

The penalty for late payment shall be an amount equal to the amount of the fine for the relevant violation.

(Omitted text is unaffected by this ordinance)

SECTION 7. Section 9-100-100 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

9-100-100 Notice of final determination.

(a) If any fine or penalty is owing and unpaid after a determination of liability under this chapter has become final and the respondent has exhausted or failed to exhaust judicial procedures for review, the ~~city~~ traffic compliance administrator shall cause a notice of final determination of liability to be sent to the respondent in accordance with Section 9-100-050(f); provided that the traffic compliance administrator shall not send a notice of final determination to an eligible participant paying the indicated fine under an early payment installment plan pursuant to section 9-100-105, unless the eligible participant defaults on the early payment installment plan. In the event of a default, the traffic compliance administrator shall send a notice of final determination to the eligible participant in accordance with this section.

(b) Any fine and penalty, if applicable, remaining unpaid after the notice of final determination of liability is sent shall constitute a debt due and owing the city which may be enforced in the manner set forth in Section 2-14-103 of this Code. Failure of the respondent to pay such fine or penalty within 14 days of the date of the notice may result in, if applicable: (1) the immobilization of the person's vehicle for failure to pay fines or penalties pursuant to section 9-100-120 ~~for three or more parking or compliance violations and~~ or (2) the suspension of the person's driver's license for failure to pay fines or penalties pursuant to section 9-100-130 ~~for ten or more parking violations~~.

~~(c) The city shall withdraw a violation notice, following reasonable collection efforts, when such notice was issued to a scale registered owner who is deceased at the time collection efforts are undertaken.~~

SECTION 8. Section 9-100-101 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

9-100-101 Installment payment plans.

(a) The traffic compliance administrator may establish a program allowing the payment of parking, standing, compliance, or automated speed enforcement system or automated traffic law enforcement system penalties, administrative fees, and related collection costs or attorney's fees pursuant to Section 1-19-020 or 1-19-030, in installments under the following conditions:

(Omitted text is unaffected by this ordinance)

(2) (A) Except as provided in paragraph (B) of this subsection, an installment plan may not have a scheduled duration of more than 6 months, and shall require one payment due per month on a day specified in the executed plan.

(B) (I) Except as otherwise provided in subparagraphs (II) and (III) of this paragraph (a)(2)(B), the duration may exceed 6 months but may not exceed 12 months for installment plans negotiated and executed for: (i) vehicle owners whose maximum amount of combined liability for fines and penalties ~~parking, compliance~~, administrative fees, and any related collection costs and attorney's fees pursuant to Section 1-19-020 or Section 1-19-030 exceeds $500.00; or (ii) vehicle owners who are qualifying hardship participants.

(Omitted text is unaffected by this ordinance)

(3) The minimum initial payment under any installment plan shall be:

(A) For vehicle owners prior to: (i) the vehicle being immobilized or impounded; or (ii) the vehicle owner's driver's license being suspended pursuant to Sec. 5/6-306.5 of the Illinois Vehicle Code, ~~25 percent of~~ an amount which the traffic compliance administrator deems appropriate for the vehicle owner's combined liability for ~~parking, compliance, and automated speed enforcement system or automated traffic law enforcement system~~ fines and penalties, plus accrued penalties and fees under Section 9-100-120(h) and for immobilization, impoundment, towing and storage to date.

(B) For all other vehicle owners after vehicle immobilization or impoundment, or after the owner's driver's license has been suspended pursuant to Sec. 5/6-306.5 of the Illinois Vehicle Code, 50 percent of the vehicle owner's combined liability for ~~parking, compliance, and automated speed enforcement system or automated traffic law enforcement system~~ fines and penalties, plus accrued penalties and fees under Section 9-100-120(h) and for immobilization, impoundment, towing and storage to date.

(Omitted text is unaffected by this ordinance)

(6) Every installment plan shall be in a form prescribed by the traffic compliance administrator, and shall state the total indebtedness, the amount of the initial installment, the amount of each subsequent installment and the date each is due, the penalty for delinquency under the installment plan, and such other provisions as the traffic compliance administrator may determine. The installment plan shall also require the vehicle owner to pay every parking, standing, ~~violation fine, every~~ compliance ~~fine~~, ~~and~~ automated traffic law enforcement system and automated speed enforcement system ~~camera~~ fine that becomes final during the term of the installment plan. The initial installment shall be paid when the plan is executed. Upon execution of the agreement and payment of the initial installment, and as long as the vehicle owner is in compliance with the installment plan, the vehicle owner's vehicles shall not be subject to immobilization and impoundment for failure to pay the ~~parking, compliance, and~~ ~~automated camera~~ fines and penalties described in the installment.

(Omitted text is unaffected by this ordinance)

SECTION 9. Chapter 9-100 of the Municipal Code of Chicago is hereby amended by inserting a new Section 9-100-105 underscored, as follows:

9-100-105 Early Payment Installment Plans.

(a) For purposes of this section, the following definitions apply:

"Default" means the non-payment or underpayment of a monthly amount due from an eligible participant under an early payment installment plan.

"Eligible participant" means a person who was issued a notice: (i) under section 9-100-030 or a second notice for a parking, standing or compliance violation under section 9-100-050(d)(1); or (ii) under section 9-100-045 for an automated speed enforcement system or automated traffic law enforcement system violation, but has not been issued a notice of final determination for such violation.

"Eligible violation" means a parking, standing, compliance, or automated speed enforcement system or automated traffic law enforcement system violation.

(b) The traffic compliance administrator may establish a program in compliance with this chapter for early payment installment plans for the payment of eligible violation fines by eligible participants.

(c) The early payment installment plan shall include the following conditions:

(1) the plan has a scheduled duration of 90 days or less;

(2) the plan requires one payment per month on a day specified in the executed plan and the monthly payments are in equal amounts; and

(3) the down payment is equal to the first monthly installment payment.

(d) Upon defaulting on an early payment installment plan, the eligible participant shall not be eligible to enter into an early payment installment plan for any other eligible violation for a period of 12 months after the default.

(e) In the event an eligible participant defaults on an early payment installment plan, including any underpayment of the monthly amount due, the traffic compliance shall, no earlier than 25 days after the default, issue a determination of liability or a notice of final determination, whichever is applicable, in accordance with this chapter.

(f) The traffic compliance administrator may promulgate rules to administer this section.

SECTION 10. Section 9-100-110 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

9-100-110 ~~City-owned vehicles~~ Liability of city employees for certain violations.

(~~1~~ a) A city officer or employee ~~Officers and employees of the City of Chicago~~ shall be held personally liable for all amounts, including all fines, related collection costs and attorney's fees, due for final determinations of parking and standing violation notices served either upon city vehicles assigned to ~~their~~ his possession or use or upon his ~~or her~~ personally owned automobile authorized to be used in the performance of his ~~or her~~ official duties unless:

> (~~a~~ 1) The officer or employee certifies that the vehicle was in use for the performance of official city business during an emergency or during an official investigation at the time of the alleged violation;
>
> (~~b~~ 2) The head of the respective city department, agency or office concludes that the statements contained in the certificate are accurate, and recommends to the budget director that the liability for the alleged violation be released; and
>
> (~~c~~ 3) The budget director approves the release of such officer or employee from personal liability for the alleged violation.

If the budget director approves the release of personal liability for the alleged violation, the ~~parking~~ violation notice shall be withdrawn. The budget director shall submit quarterly reports to the city council, detailing by department, agency or office, the number and nature of approved releases from personal liability for parking violation notices served upon city vehicles and privately owned vehicles authorized to be used in the performance of official city business.

To expedite enforcement of this section, where the registered owner or lessee of a vehicle served with a violation notice is the city ~~City of Chicago~~, the ~~city~~ traffic compliance administrator shall notify the department, agency or office to which the vehicle is assigned.

(~~2~~ b) It shall not be a defense to a compliance violation involving the personal vehicle of an officer or employee of the city ~~City of Chicago~~ that the officer or employee was using the vehicle for official government business at the time of the alleged violation. A compliance violation issued pursuant to Section 9-64-125, 9-76-160 or 9-76-220 involving a city-owned vehicle may be withdrawn pursuant to this section, if:

(~~a~~ 1) The officer or employee possessing or using the vehicle at the time of the alleged violation certifies that the vehicle was in use for the performance of official city business during an emergency or during an official investigation at the time of the alleged violation;

(~~b~~ 2) The head of the respective city department, agency or office concludes that the statements contained in the certificate are accurate, and recommends to the budget director that the liability for the alleged violation be released; and

(~~c~~ 3) The budget director approves the release of liability for the alleged violation.

If the budget director approves the release of liability for the alleged violation, the compliance violation notice shall be withdrawn. The budget director shall submit quarterly reports to the city council, detailing by department, agency or office, the number and nature of approved releases from liability for compliance violation notices served upon city vehicles used in the performance of official city business.

SECTION 11. Section 9-100-111 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

9-100-111 Officers and employees of ~~federal, state and county~~ law enforcement agencies.

(~~1~~ a) Officers and employees of law enforcement agencies ~~of federal, state and county government~~ may request a release of liability for the alleged parking and standing violation subject to the following conditions:

(~~a~~ 1) The officer or employee certifies that the vehicle was in use for the performance of official government or business during an emergency or during an official investigation at the time of the alleged violation;

(~~b~~ 2) The head of the respective government agency, or a designee chosen by such person concludes that the statements contained in the certificate are accurate and submits a written request to the budget director that the liability for the alleged violation be released; and

(~~c~~ 3) The budget director approves the release of liability for the alleged ~~parking~~ violation.

If the budget director approves the release of personal liability for the alleged violation, the ~~parking~~ violation notice shall be withdrawn. The budget director shall submit quarterly reports to the city council, detailing by department, agency or office, the number and nature of approved releases from personal liability for parking violation notices served upon city vehicles and privately owned vehicles authorized to be used in the performance of official city business.

To expedite enforcement of this section, where the registered owner or lessee of a vehicle served with a violation notice is the City of Chicago, the ~~city~~ traffic compliance administrator shall notify the department, agency or office to which the vehicle is assigned.

(~~2~~ b) A compliance violation issued pursuant to Section 9-64-125, 9-76-160 or 9-76-220 involving a vehicle owned by a law enforcement agency ~~of federal, state or county government~~ may be withdrawn pursuant to this section, if:

(~~a~~ 1) The officer or employee possessing or using the vehicle at the time of the alleged violation certifies that the vehicle was in use for the performance of official government business during an emergency or during an official investigation at the time of the alleged violation;

(~~b~~ 2) The head of the respective government agency, or a designee, chosen by such person concludes that the statements contained in the certificate are accurate and submits a written request to the budget director that the liability for the alleged violation be released; and

(~~c~~ 3) The budget director approves the release of liability for the alleged violation.

If the budget director approves the release of liability for the alleged violation, the ~~compliance~~ violation notice shall be withdrawn. The budget director shall submit quarterly reports to the city council, detailing by department, agency or office, the number and nature of approved releases from liability for compliance violation notices served upon city vehicles used in the performance of official city business.

For the purposes of this section "law enforcement agency" means an agency that is vested by federal, state or local law or ordinance with police powers.

SECTION 12. Section 9-100-120 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

9-100-120 Immobilization program.

(a) The ~~city~~ traffic compliance administrator is hereby authorized to direct and supervise a program of vehicle immobilization for the purpose of enforcing the parking, standing, compliance, ~~and~~ automated traffic law enforcement system, or automated speed enforcement system ordinances of the traffic code. The program of vehicle immobilization shall provide for immobilizing any eligible vehicle located on the public way or any city-owned property by placement of a restraint in such a manner as to prevent its operation or if the eligible vehicle is parked or left in violation of any provision of the traffic code for which such vehicle is subject to an immediate tow pursuant to Section 9-92-030, or in any place where it constitutes an obstruction or hazard, or where it impedes city workers during such operations as snow removal, the ~~city~~ traffic compliance administrator may cause the eligible vehicle to be towed to a city vehicle pound or relocated to a legal parking place and there restrained. As part of the immobilization program, the traffic compliance administrator may also establish a procedure for a self-release immobilization device which may be removed by the registered owner, or his designee, in compliance with any applicable rule promulgated by the traffic compliance administrator.

(b) When the registered owner of a vehicle has accumulated (i) three or more final determinations of liability or (ii) two ~~notices~~ final determinations which are more than one year past the date of issuance, for parking, standing, compliance, ~~a violation of an~~ automated traffic law enforcement system, or ~~a violation of an~~ automated speed enforcement system violation, or a violation of Section 9-105-020, in any combination, for which the fines, penalties, administrative fees provided for in Section 9-100-101, or related collection costs and attorney's fees pursuant to Section 1-19-020 or Section 1-19-030 , if applicable, have not been paid in full, the ~~city~~ traffic compliance administrator shall cause a notice of impending vehicle immobilization to be sent, in accordance with Section 9-100-050(f). The notice of impending vehicle immobilization shall state the name and address of the registered owner, the state registration number of the vehicle or vehicles registered to such owner, and the serial numbers of parking, standing, compliance, ~~or~~ automated traffic law enforcement system or automated speed enforcement system ~~camera~~ violation notices which have resulted in final determination of liability or which are more than one year past the date of issuance for which the fines or penalties remain unpaid. Failure to pay the fines and penalties owed within 21 days from the date of the notice will result in the inclusion of the state registration number of the vehicle or vehicles of such owner on an immobilization list. A person may challenge the validity of the notice of impending vehicle immobilization by requesting a hearing and appearing in-person to submit evidence which would conclusively disprove liability within 21 days of the date of the notice. Documentary evidence which would conclusively disprove liability shall be based on the following grounds:

(1) That all fines and penalties for the violations cited in the notice have been paid in full;

(2) That the registered owner has not accumulated three or more final determinations, or two notices which are more than one year past the date of issuance, of parking, standing, compliance, automated speed enforcement system violation, or automated traffic law enforcement system violation liability which were unpaid at the time the notice of impending vehicle immobilization was issued; or

(3) In the case of a violation of Section 9-102-020, Section 9-101-020, or Section 9-105-020, that the registered owner has not been issued a final determination of liability under Section 9-100-100 or Section 9-105-060.

(c) Upon immobilization of an eligible vehicle, a notice shall be affixed to the vehicle in a conspicuous space. Such notice shall (i) warn that the vehicle is immobilized and that any attempt to remove the vehicle may result in its damage; (ii) state that the unauthorized removal of or damage to the immobilizing ~~restraint~~ device is a violation of Sections 16-1 and 21-1 of the Illinois Criminal Code; (iii) provide information specifying how release of the immobilizing ~~restraint~~ device may be had; (iv) state how the registered owner may obtain an immobilization hearing; (v) state that if the ~~restraint~~ immobilizing device has not been released within 24 hours of its placement, the ~~restraint~~ device shall be released and the vehicle towed and impounded, and (vi) provide information specifying how the registered owner may request an additional 15 days to retrieve his ~~or her~~ vehicle if impounded.

(d) The owner of an immobilized vehicle or other authorized person may secure the release of the vehicle by paying the applicable immobilization, towing and storage fees ~~provided in subsection (g) herein~~, and all amounts, including any fines, penalties, administrative fees provided for in Section 9-100-101, and related collection costs and attorney's fees pursuant to Section 1-19-020 or Section 1-19-030, remaining due on each final determination for liability issued to the owner ~~such person~~.

(e) The owner of an immobilized vehicle shall have the right to a hearing to determine whether the immobilization or any subsequent towing was erroneous, if the owner files a written request for a hearing with the ~~city~~ traffic compliance administrator within 21 days after immobilization or within 21 days of the date of the notice sent pursuant to subsection (f) herein, whichever is later. Hearings requested pursuant to this subsection shall be conducted by an administrative law officer upon receipt of a written request for a hearing. The determination of the administrative law officer regarding the validity of the immobilization shall become final for the purpose of judicial review under the Administrative Review Law of Illinois upon issuance.

(f) Within ten days after a vehicle has been impounded, a notice of impoundment shall be sent by certified mail to the address of the registered owner as listed with the Secretary of State, and to any lienholder of record. The notice shall state ~~(i)~~ that: (i) the owner has the right to request a ~~post-mobilization~~ post-immobilization and post-towing hearing as provided in subsection (e) herein; and (ii) ~~that~~ if the vehicle is not claimed within 21 days from the date of notice, the vehicle may be sold or otherwise disposed of in the manner prescribed by Section 4-208 of the Illinois Vehicle Code; provided, however, that the registered owner may request from the department of streets and sanitation one extension of 15 days before a vehicle is sold or otherwise disposed of. The department of streets and sanitation shall honor such a request and shall not sell or otherwise dispose of a vehicle during the 15-day extension period.

(g) The fee for immobilization shall be \$400.00 for a truck tractor, semi-trailer or trailer, and \$~~60.00~~ 100.00 for any other type of vehicle, and the fee for towing subsequent to immobilization shall be as set forth in Section 9-92-080(b), provided that no fees shall be assessed for any immobilization or tow which has been determined to be erroneous.

(h) (1) It ~~shall be~~ is unlawful to remove, disable or damage any vehicle immobilization device, or to relocate or tow any vehicle restrained by an immobilization device without the approval of the ~~city~~ traffic compliance administrator. The registered owner of the immobilized vehicle and any person who relocates an immobilized vehicle or removes, disables or damages an immobilization device in violation of this subsection shall each be subject to a penalty of $1,000.00 for such violation for a truck tractor, semitrailer or trailer, and $750.00 for such violation for any other type of vehicle.

(2) The owner of the immobilized vehicle and any person authorized by the traffic compliance administrator to remove any self-release immobilization device who fails to return such device to a location designated by the traffic compliance administrator within seven days shall be fined $50.00 for each day the person fails to return such device; provided that the total fine under this subsection shall not exceed $1,000 if the vehicle immobilized was a truck tractor, semitrailer or trailer, and $750.00 for any other type of vehicle.

(3) No person shall be found liable for violating both subsections (h)(1) and (h)(2) for the same incident.

(4) ~~As to the registered owner, the~~ The offenses described in this subsection (h) shall be strict liability offenses as to the owner.

ARTICLE IV.
DEBT RELIEF

SECTION 1. This ordinance shall be known and may be cited as the "City of Chicago Debt Relief Ordinance of 2015."

SECTION 2. As used in this ordinance:

"Administrative hearing violation" means a violation of the Code, other than for a tax or eligible vehicle violation, for which a fine, and related interest, penalties, costs, and fees, excluding restitution, have been imposed by the Department of Administrative Hearings.

"City" means the City of Chicago, Illinois.

"Code" means the Municipal Code of Chicago.

"Collection costs" means the expenses and time incurred by the City or its agents to collect any debt.

"Comptroller" means the comptroller for the City.

"Debt Relief Period" means the period from November 15, 2015 up to and including December 31, 2015.

"Department" means the Department of Finance of the City.

"Eligible vehicle violation" means a parking, standing, compliance, automated speed enforcement system, or automated traffic law enforcement system violation for which a fine was imposed on or before December 31, 2011 by the Department of Administrative Hearings.

"Pay," when referring to payments to the City specifically required to qualify for debt relief, means to make payment affirmatively by cash, credit card, check or other means, but does not include payment made by garnishment or pursuant to other legal process.

"Tax" means any sum, other than interest, penalties or fines, payable pursuant to a revenue measure imposed under any of the chapters of the Code or under any other ordinance passed by the city council and paid or remitted directly to the Department. The term "tax" shall not include regulatory, compensation or franchise fees, or special assessments, and shall not include the cigarette tax, the automatic amusement device tax, wheel tax license fees, the Chicago Transit Authority portion of the real property transfer tax, or the Metropolitan Pier and Exposition Authority airport departure tax.

"Taxpayer" means any person required to pay any tax and upon whom the legal incidence of the tax is placed.

"Tax collector" means any person required to collect and remit any tax, or any person who collects a tax, whether or not required to do so.

"Taxable period" means any period of time for which any tax is imposed by and owed to the City.

"Unregistered taxpayer or unregistered tax collector" means any taxpayer or tax collector who is not registered with the Department for a tax.

SECTION 3. The Department shall establish a debt relief program pursuant to this ordinance. The debt relief program shall provide for relief as provided in this ordinance only if the taxpayer, tax collector or other debtor complies with the applicable requirements of the program during the debt relief period. The Department may promulgate such rules and regulations as are necessary to implement the provisions of this ordinance.

SECTION 4. The debt relief program shall be comprised of the following components:

A. Unregistered taxpayer or unregistered tax collector relief. Whenever any eligible unregistered taxpayer or unregistered tax collector applies for relief and pays during the debt relief period all taxes owed for taxable periods ending on or before December 31, 2011: (1) the Department shall not seek to collect any interest or penalties on those taxes; and (2) the City shall not seek criminal prosecution for any taxes owed prior to the debt relief period. Relief under this subsection is not available with respect to any tax: (i) at issue in a case currently pending at the Department of Administrative Hearings or a court of competent jurisdiction; or (ii) as to which the City has obtained an order from the Department of Administrative Hearings or a judgment from a court of competent jurisdiction.

B. Final tax assessment relief. Whenever an eligible taxpayer or tax collector applies for relief and pays during the debt relief period the entire amount of the tax portion of an assessment that was issued by the Department for taxable periods ending on or before December 31, 2011 and that has become final: (1) the Department shall not seek to collect any interest or penalties on those taxes; and (2) the City shall not seek criminal prosecution for the failure to have paid those taxes. Relief under this subsection is not available with respect to any tax: (i) at issue in a case currently pending at the Department of Administrative Hearings or a court of competent jurisdiction; or (ii) as to which the City has obtained an order from the Department of Administrative Hearings or a judgment from a court of competent jurisdiction.

C. Real property transfer tax relief. Whenever an eligible transferor, transferee, or other party who has acquired or accepted liability for the City's real property transfer tax due to the act or omission of that party or another, applies for relief and pays during the debt relief period the balance due of real property transfer tax owed to the City for any transfer occurring on or before December 31, 2011: (1) the Department shall not seek to collect any interest or penalties on those taxes; and (2) the City shall not seek criminal prosecution for the failure to have paid those taxes. Relief under this subsection is not available with respect to any tax: (i) at issue in a case currently pending at the Department of Administrative Hearings or a court of competent jurisdiction; or (ii) as to which the City has obtained an order from the Department of Administrative Hearings or a judgment from a court of competent jurisdiction.

D. Administrative hearing violation relief. Whenever any person pays during the debt relief period the full amount of a fine imposed on or before December 31, 2011 for an administrative hearing violation: (1) the Department shall waive all applicable late penalties, interest and collection costs for that violation; and (2) the City shall not seek civil or criminal prosecution for the failure to have paid any fines, interest or penalties for that violation. Relief under this subsection is not available:

(a) to any debt for an administrative hearing violation which the City has: (i) commenced a case in a court of competent jurisdiction or administrative proceedings for the collection of the debt; or (ii) obtained an order from the Department of Administrative Hearings or a judgment from a court of competent jurisdiction for the collection of the debt; or

(b) to any debt for any specific administrative hearing violation fine or penalty for which a person, as of November 15, 2015, is paying such fine in installments.

E. Eligible vehicle violation relief. Whenever any person pays during the debt relief period the full amount of a fine imposed on or before December 31, 2011 for an eligible vehicle violation: (1) the Department shall waive all applicable late penalties, interest and collection costs for that violation; and (2) the City shall not seek civil or criminal prosecution for the failure to have paid any fines, interest or penalties for that violation; provided that for any eligible vehicle violation which is a parking violation, if the fine for such violation was imposed between the period of February 13, 2009 and December 31, 2011, the minimum amount of the debt to be paid shall be $25.00. Relief under this subsection is not available:

(a) to any debt for an eligible vehicle violation which the City has: (i) commenced a case in a court of competent jurisdiction or administrative proceedings for the collection of the debt; or (ii) has obtained an order from the Department of Administrative Hearings or a judgment from a court of competent jurisdiction for collection of the debt; or

(b) to any vehicle owner who, as of November 15, 2015, is paying fines for an eligible violation in installments pursuant to section 9-100-101 of the Code.

SECTION 5. Relief shall be granted only if all of the applicable relief conditions set forth in this ordinance are satisfied by the taxpayer, tax collector or other debtor, including the accurate reporting of all taxes to be paid under the debt relief; provided, however, that tax returns filed under a good-faith interpretation of the applicable tax ordinance, which are not clearly inconsistent with the ordinance, shall not constitute a failure to report and pay all taxes within the meaning of this ordinance.

SECTION 6. Relief under this program shall not be available to any person who is a party to any criminal investigation or to any civil or criminal litigation which is pending in any circuit court, appellate court or the Supreme Court of the State of Illinois, or the Department of Administrative Hearings, concerning fraudulent conduct in relation to any debt owed to the City.

ARTICLE V.
TOBACCO LICENSEES

SECTION 1. Section 4-64-180 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and inserting the language underscored, as follows:

4-64-180 Prohibited locations.

(a) No person shall sell, give away, barter, exchange or otherwise deal in tobacco products, tobacco product samples or tobacco accessories ~~at any place located within 100 feet~~ at any location that has a property line within 100 feet of the property line of any building or other location used primarily as a school, child care facility, or for the education or recreation of children under 18 years of age.

(b) No person shall sell, give away, barter, exchange, or otherwise deal in flavored tobacco products, samples of such products, or accessories for such products at any location that has a property line within 500 feet of the property line of any public, private, or parochial elementary, middle, or secondary school located in the City of Chicago. This subsection does not apply to retail tobacco stores. For purposes of this subsection, "retail tobacco store" has the meaning ascribed to the term in Section 7-32-010.

SECTION 2. Section 4-64-191 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and inserting the language underscored, as follows:

4-64-191 Certain transactions prohibited.

No person shall sell, offer for sale, barter, or expose for sale any tobacco product except in its original factory-wrapped package. No person shall sell, offer for sale, barter, or expose for sale any cigarettes in a package containing fewer than 20 cigarettes.

Violations of this section ~~involving 40 or fewer cigarettes, or any amount of any tobacco product other than cigarettes,~~ shall be punishable by a fine of ~~$1,000.00~~ not less than $1,000.00 nor more than $2,500.00 for the first offense, and ~~$2,000~~ not less than $2,500.00 nor more than $5,000.00 for each subsequent offense occurring within a period of 24 months. ~~Violations of this section involving more than 40 cigarettes shall be punishable by a fine of $25.00 per cigarette for the first offense and $50.00 per cigarette for each subsequent offense.~~

SECTION 3. Section 4-64-240 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and inserting the language underscored, as follows:

4-64-240 ~~Suspension, revocation and nonrenewal~~ Revocation of licenses.

(a) ~~Knowing or repeated~~ If a person commits any combination of three or more violations within any 24-month period of ~~any provision of~~ Sections ~~4-64-100, 4-64-101,~~ 3-42-020, 3-42-025, 3-42-060, 3-42-100, 4-64-132, 4-64-150, 4-64-180, ~~4-64-181,~~ 4-64-190, 4-64-191, ~~4-64-200, 4-64-205,~~ 4-64-210, and 4-64-220 ~~by a licensee shall be grounds for revocation or suspension of such license~~, the commissioner shall revoke that person's licenses. For purposes of this section~~,~~: (1) "licenses" includes any and all licenses issued by any officer, department, or agency of the City of Chicago required for retail or other business operations at the location at which the ~~offense~~ violations occurred, and includes, but is not limited to, retail tobacco licenses; (2) multiple violations occurring on the same date shall be deemed a single violation; and (3) the term "violation" means any final disposition against the licensee on a charge brought pursuant to one of the Code provisions listed above, including, but not limited to, any finding of liability after adjudication on the merits, any default finding of liability, any uncontested finding of liability, any negotiated pre-hearing settlement of the charge, and any voluntary payment of the fine corresponding to the charge. A person subject to revocation pursuant to this subsection shall be entitled to the process described in Section 4-4-280, with the condition that any revocation hearing shall be limited to the issue of whether the licensee's record accurately reflects the existence of a sufficient number of violations to support the revocation decision; the licensee shall not be permitted to challenge the violations themselves, nor any underlying facts asserted or determined therein.

(b) When any license issued pursuant to this chapter ~~shall have been~~ is revoked for any cause, no retail tobacco dealer's license or tobacco product sampler's license shall be granted to such person for any premises for a period of ~~one~~ four years thereafter. In the case of a legal entity, all ~~owners, officers and directors of the entity~~ persons who have a substantial ownership or controlling interest in the entity shall be subject to the prohibition ~~of~~ in this subsection. For purpose of this subsection, "substantial ownership or controlling interest" shall have the meaning ascribed to that phrase in subsection 4-4-289(b) of this Code.

(c) When any license issued pursuant to this chapter ~~shall have been~~ is revoked for any cause, no license shall be granted ~~to any person~~ for the period of one year thereafter for conducting the business of selling tobacco in the premises described in such revoked license unless the revocation order was entered as to the licensee only.

SECTION 4. Chapter 4-64 of the Municipal Code of Chicago is hereby amended by inserting a new Section 4-64-245, as follows:

4-64-245 Nonrenewal of licenses.

(a) If a retail tobacco licensee commits any combination of three or more violations within any 24-month period of Sections 3-42-020, 3-42-025, 3-42-060, 3-42-100, 4-64-132, 4-64-150, 4-64-180, 4-64-190, 4-64-191, 4-64-210, and 4-64-220, the licensee shall be subject to nonrenewal of the license. The commissioner may decline to renew such license, subject to the procedure described in subsection 4-64-245(b). For purposes of this section, multiple violations occurring on the same date shall be deemed a single violation, and the term "violation" means any final disposition against the licensee on a charge brought pursuant to one of the Code provisions listed above, including, but not limited to, any finding of liability after adjudication on the merits of the charge, any default finding of liability, any uncontested finding of liability, any negotiated pre-hearing settlement of the charge, and any voluntary payment of the fine corresponding to the charge.

(b) In the event of a nonrenewal decision pursuant to subsection 4-64-245(a), the commissioner shall notify the licensee in writing of the basis for that decision. The commissioner shall send such notice to the licensee no later than 45 days before the date the license is scheduled to expire. Within 10 days after such notice is mailed, the licensee may make a written request to the commissioner for a hearing. A notice of hearing shall be mailed within 10 days of receipt of the request for hearing, providing at least 5 days' notice before the hearing date. The hearing shall be limited to the issue of whether the licensee's record accurately reflects the existence of a sufficient number of violations to support nonrenewal; the licensee shall not be permitted to challenge the violations themselves, nor any underlying facts asserted or determined therein. The commissioner shall issue a ruling in a timely manner following the hearing, which shall constitute a final determination for purposes of judicial review. If the commissioner does not provide notice of nonrenewal at least 45 days prior to the date the license is scheduled to expire, and has not issued a ruling by that date, the expiration of the license shall be stayed pending the ruling.

SECTION 5. Chapter 4-64 of the Municipal Code of Chicago is hereby amended by inserting a new Section 4-64-246, as follows:

4-64-246 Effect of nonrenewal.

(a) Any person whose retail tobacco license is not renewed pursuant to Section 4-64-245 shall, for a period of one year following the expiration date of such license, be ineligible for the issuance of a new retail tobacco license at the same location.

(b) Any person who has a substantial ownership or controlling interest in an entity whose retail tobacco license is not renewed pursuant to Section 4-64-245 shall, for a period of one year following the expiration date of such license, be ineligible for the issuance of a new retail tobacco license at the same location. This ineligibility shall also apply to the issuance of a new retail tobacco license to any other entity in which the disqualified person has a substantial ownership or controlling interest. As used in this section, "substantial ownership or controlling interest" means: (1) ownership of 25% or more of the entity, or, if the entity is a corporation, ownership of 25% or more voting shares of stock; or (2) occupation as a principal officer, member of the board of directors, or manager of the entity.

(c) The parent, child, sibling, spouse, or domestic partner of a person who is ineligible for the issuance of a retail tobacco license under subsection (a) or (b) of this section shall, during that period of ineligibility, be ineligible for the issuance of a new retail tobacco license at the same location as the licensed premises that was subject to the nonrenewal causing the ineligibility under subsection (a) or (b).

SECTION 6. Section 4-64-330 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and inserting the language underscored, as follows:

4-64-330 ~~In general~~ Fines.

(a) Alleged violations of the provisions of Sections 3-42-060, 3-42-100, 4-64-100, 4-64-101, 4-64-131, 4-64-132, 4-64-140, 4-64-150, 4-64-160, 4-64-170, 4-64-180, 4-64-181, ~~4-64-200, 4-64-205,~~ and 4-64-220~~, and Sections 3-42-060 and 3-42-100~~ shall be adjudicated by the ~~c~~Circuit ~~c~~Court of Cook County~~ or~~, the department of administrative hearings~~ pursuant to citation~~, or the commissioner. Penalties shall be as prescribed in this section, notwithstanding any other general penalty provision in this Code.

(b) In addition to any other penalty provided by law, any person convicted of a first offense for violating any of the Code provisions referenced in subsection (a) of this section shall be ~~punishable~~ punished by a fine of not less than ~~$100.00 and not~~ $200.00 nor more than ~~$500.00~~ $1,000.00. Any person convicted of a second offense within a ~~two year~~ 24-month period ~~under the foregoing section~~ for violating any of the Code provisions referenced in subsection 4-64-330(a) shall be punished for such offense by a fine of not less than $250.00 ~~and not~~ nor more than ~~$500.00~~ $1,000.00. Any person convicted of more than two offenses within a ~~two year~~ 24-month period ~~under the foregoing sections~~ for violating any of the Code provisions referenced in subsection 4-34-330(a) shall be punished ~~for such offense~~ by a fine of not less than $500.00 ~~and not~~ nor more than $1,000.00 for each additional offense.

SECTION 7. Section 4-64-331 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and inserting the language underscored, as follows:

4-64-331 *Underage tobacco violations* – Civil penalty.

(a) The commissioner of business affairs and consumer protection may institute an action with the department of administrative hearings in order to determine liability and seek penalties for violations of ~~the provisions of~~ Sections 4-64-190 and 4-64-210 ~~of this chapter~~ (which shall hereinafter be referred to collectively as "underage tobacco violations").

(b) Every act or omission which constitutes an underage tobacco violation by an officer, director, manager, or other agent or employee of any person licensed pursuant to this chapter shall be deemed to be the act of such licensee, and such licensee shall be liable for all penalties and sanctions provided by this section in the same manner as if such act or omission had been done or omitted by the licensee personally.

(c) Any person who ~~commits an underage tobacco violation under~~ violates Section 4-64-190 shall be liable for a civil penalty of not less than $1,000.00 nor more than $2,000.00 for the first violation~~;~~ ~~$2,000.00~~, and not less than $2,500.00 nor more than $5,000.00 for ~~the second and~~ each subsequent ~~violations~~ violation that occurs within ~~two years; and the person's~~

~~retail tobacco license shall be revoked for the third offense within two years~~ 24 months after the first violation. ~~A person who commits any other underage tobacco violation~~ Any person who violates Section 4-64-210 shall be liable for a civil penalty of $200.00.

(d) Any civil penalty remaining unpaid after the determination of underage tobacco violation liability has become final for purposes of judicial review shall constitute a debt due and owing the city.

~~(e) If any person commits three or more violations of Section 4-64-210 within a two-year period, the department of business affairs and consumer protection shall have the discretion to revoke or suspend any license issued to that person pursuant to this chapter.~~

ARTICLE VI.
INSURANCE AND INDEMNIFICATION

SECTION 1. Section 4-6-060 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

4-6-060 Tattooing, body piercing and tanning facilities.

(Omitted text is unaffected by this ordinance)

(b) *Application – Additional information required.* In addition to the requirements set forth in Section 4-4-050, an application for, and, if requested, a renewal of, a regulated business license to engage in the business of tattooing, body piercing or tanning facility shall be accompanied by the following information:

(1) ~~a certificate~~ proof of insurance, as required under subsection (c)(1) of this section.

(c) *Legal duties.* Each licensee engaged in the business of tattooing, body piercing or tanning facility shall have a duty to:

(1) obtain commercial general liability insurance, with limits of not less than $300,000.00 per occurrence, for bodily injury and property damage arising in any way from the issuance of the license. The policy of insurance required under this section shall (i) be issued by an insurer authorized to insure in Illinois; (ii) name the City of Chicago as additional insured on a primary, noncontributory basis for any liability arising directly or indirectly from the licensee's operations; and (iii) include a provision requiring 30 days' advance notice to the commissioner of health prior to cancellation or lapse of the policy. The licensee shall maintain the insurance required under this subsection in full force and effect throughout the duration of the license period. ~~A copy of such certificate~~ Proof of insurance shall be kept on the licensed premises, and, upon request by any authorized city official, shall be made available for inspection by such

authorized city official. A single violation of this subsection may result in license revocation in accordance with the requirements set forth in Section 4-4-280;

(Omitted text is unaffected by this ordinance)

SECTION 2. Section 4-6-080 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

4-6-080 Adult family care center.

(Omitted text is unaffected by this ordinance)

(c) *Legal duties.* Each licensee engaged in the business of adult family care center shall have a duty to:

(Omitted text is unaffected by this ordinance)

(2) obtain commercial general liability insurance, with limits of not less than $300,000.00 per occurrence, for bodily injury and property damage arising in any way from the issuance of the license. The policy of insurance required under this section shall (i) be issued by an insurer authorized to insure in Illinois; (ii) name the City of Chicago as additional insured <u>on a primary, noncontributory basis for any liability arising directly or indirectly from the licensee's operations</u>; and (iii) include a provision requiring 30 days' advance notice to the commissioner prior to cancellation or lapse of the policy. The licensee shall maintain the insurance required under this subsection in full force and effect throughout the duration of the license period. ~~A copy of such certificate~~ <u>Proof</u> of insurance shall be kept on the licensed premises, and, upon request by any authorized city official, shall be made available for inspection by such authorized city official. A single violation of this subsection may result in license revocation in accordance with the requirements set forth in Section 4-4-280;

(Omitted text is unaffected by this ordinance)

SECTION 3. Section 4-6-190 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

4-6-190 Board-up company.

(Omitted text is unaffected by this ordinance)

(b) *Application – Additional information required.* In addition to the requirements set forth in Section 4-4-050, an application for, and, if requested, renewal of, a regulated business license to engage in the business of board-up company shall be accompanied by the following information:

(Omitted text is unaffected by this ordinance)

(4) ~~a certificate~~ proof of insurance, as required by subsection (e)(1) of this section.

(Omitted text is unaffected by this ordinance)

(e) *Legal duties.* Each licensee engaged in the business of board-up company shall have a duty to:

(1) maintain in full force and effect at all times throughout the duration of the license period commercial general liability insurance with limits of not less than $300,000.00 per occurrence, combined single limit, for bodily injury and property damage arising in any way from the issuance of the license. The policy of insurance required under this section shall (i) be issued by an insurer authorized to insure in Illinois; (ii) name the City of Chicago as an additional insured on a primary, noncontributory basis for any liability arising directly or indirectly from the licensee's operations; and (iii) include a provision requiring 30 days' advance notice to the commissioner prior to cancellation or lapse of the policy. Proof of insurance shall be kept on the licensed premises, and, upon request by any authorized city official, shall be made available for inspection by such authorized city official. A single violation of this subsection shall result in suspension or revocation of the board-up company regulated business license in accordance with Section 4-4-280;

(Omitted text is unaffected by this ordinance)

SECTION 4. Section 4-6-230 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

4-6-230 Booting of motor vehicles.

(Omitted text is unaffected by this ordinance)

(f) *Legal duties.* Each licensee engaged in the business of booting of motor vehicles shall have a duty to:

(1) maintain in full force and effect at all times throughout the duration of the license period commercial general liability insurance, with limits of not less than $500,000.00 per person and not less than $1,000,000.00 per incident, arising in any way from the issuance of a license. The policy of insurance required under this subsection shall (i) be issued by an insurer

authorized to insure in the State of Illinois; (ii) name the City of Chicago as additional insured on a primary, noncontributory basis for any liability arising directly or indirectly from the licensee's operations; and (iii) include a provision requiring 30 days' advance notice to the commissioner prior to cancellation or lapse of the policy. ~~A copy of such certificate~~ Proof of insurance shall be kept on the licensed premises, and, upon request by any authorized city official, shall be made available for inspection by such authorized city official;

(Omitted text is unaffected by this ordinance)

SECTION 5. Section 4-6-250 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, as follows:

4-6-250 Expediter company.

(Omitted text is unaffected by this ordinance)

(d) *Legal duties.* Each licensee engaged in the business of expediter company shall have a duty to:

(Omitted text is unaffected by this ordinance)

(3) obtain commercial general liability insurance with limits of not less than $300,000.00, per occurrence, for bodily injury and property damage arising in any way from the issuance of the license. Each policy of insurance required under this section shall: (1) be issued by an insurer authorized to insure in Illinois; (2) name the City of Chicago as additional insured insured on a primary, noncontributory basis for any liability arising directly or indirectly from the licensee's operations; and (3) include a provision requiring 30 days' advance notice to the commissioner prior to cancellation or lapse of the policy. The licensee shall maintain the insurance required under this section in full force and effect for the duration of the license period;

(Omitted text is unaffected by this ordinance)

SECTION 6. Section 4-6-260 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, as follows:

4-6-260 Expediter/natural person.

(Omitted text is unaffected by this ordinance)

(d) *Legal duties*. Each licensee engaged in the business of expediter shall have a duty to:

(Omitted text is unaffected by this ordinance)

(3) if the expediter is a sole proprietor, obtain commercial general liability insurance with limits of not less than $300,000.00, per occurrence, for bodily injury and property damage arising in any way from the issuance of the license. Each policy of insurance required under this section shall: (1) be issued by an insurer authorized to insure in Illinois; (2) name the City of Chicago as additional insured on a primary, noncontributory basis for any liability arising directly or indirectly from the licensee's operations; and (3) include a provision requiring 30 days' advance notice to the commissioner prior to cancellation or lapse of the policy. The licensee shall maintain the insurance required under this section in full force and effect for the duration of the license period;

(Omitted text is unaffected by this ordinance)

SECTION 7. Section 4-6-280 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

4-6-280 Home repair.

(Omitted text is unaffected by this ordinance)

(d) *Legal duties*. Any licensee engaged in the business of home repair shall have a duty to:

(1) obtain commercial general liability insurance, with limits of not less than $300,000.00 per occurrence, for bodily injury and property damage arising in any way from the issuance of the license. The policy of insurance required under this subsection shall (i) be issued by an insurer authorized to insure in the State of Illinois; (ii) name the City of Chicago as an additional insured on a primary, noncontributory basis for any liability arising directly or indirectly from the licensee's operations; and (iii) include a provision requiring 30 days' advance notice to the commissioner prior to cancellation or lapse of the policy. The licensee shall maintain the insurance required under this subsection in full force and effect throughout the duration of the license period. ~~A copy of such certificate~~ Proof of insurance shall be kept on the licensed premises, and, upon request by any authorized city official, shall be made available for inspection by such authorized city official. A single violation of this subsection may result in license suspension or revocation in accordance with the requirements set forth in Section 4-4-280;

(Omitted text is unaffected by this ordinance)

SECTION 8. Section 4-6-290 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, as follows:

4-6-290 Bed-and-breakfast establishment.

(Omitted text is unaffected by this ordinance)

(c) *Application – Additional information required.* In addition to the requirements set forth in Section 4-4-050, an application for, and, if requested, renewal of, a regulated business license to engage in the business of bed-and-breakfast establishment shall be accompanied by the following information:

(1) ~~a certificate~~ proof of insurance, as required under subsection (f)(1) of this section;

(Omitted text is unaffected by this ordinance)

SECTION 9. Section 4-6-300 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

4-6-300 Vacation rentals.

(Omitted text is unaffected by this ordinance)

(b) *Application – Additional information required.* In addition to the requirements set forth in Section 4-4-050, an application for, and, if requested, a renewal of, a regulated business license authorizing the owner of a dwelling unit to rent or lease such dwelling unit as a vacation rental shall be accompanied by the following information:

(Omitted text is unaffected by this ordinance)

(8) ~~a certificate~~ proof of insurance, as required under subsection (f)(1) of this section.

(Omitted text is unaffected by this ordinance)

(f) *Legal duties.* Any licensee engaged in the business of vacation rental shall have a duty to:

(1) obtain (i) homeowner's fire, hazard and liability insurance; and (ii) ~~general~~ commercial general liability insurance, with limits of not less than $1,000,000.00 per occurrence, combined single limit, for bodily injury, personal injury and property damage arising in any way from the issuance of the license or activities conducted pursuant to the license. The licensee

shall maintain the insurance required under this subsection (f)(1) in full force and effect for the duration of the license period;

(Omitted text is unaffected by this ordinance)

SECTION 10. Section 4-8-036 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

4-8-036 License – Application and category– Mobile food vendors.

(a) In addition to the general application requirements,

(Omitted text is unaffected by this ordinance)

(4) an applicant for a mobile food vendor license who will use a propane tank or natural gas in the mobile food vehicle shall produce proof to the commissioner of business affairs and consumer protection that ~~he~~ such applicant has obtained ~~general~~ commercial general liability insurance for liability arising in any way from the issuance of the license or activities conducted pursuant to the license with limits of not less than $350,000.00 per occurrence, combined single limit, for bodily injury and property damage ~~arising in any way from the issuance of the license or activities conducted pursuant to the license~~. The insurance policy required under this subsection shall: (1) be issued by an insurer authorized to insure in Illinois; (2) name the City of Chicago as additional insured on a primary, noncontributory basis for any liability arising directly or indirectly from the licensee's operations; and (3) include a provision requiring 30 days' advance notice to the commissioner of business affairs and consumer protection prior to cancellation or lapse of the policy. If a mobile food vendor license is issued to such applicant, such licensee shall maintain the insurance required under this subsection in full force and effect for the duration of the license period. The licensee shall also keep proof of the required insurance in the mobile food vehicle at all times when the vehicle is in use and, upon demand, shall produce such proof for inspection by an authorized city official. Failure to comply with the requirements of this section shall be grounds for the suspension or revocation of the license.

(Omitted text is unaffected by this ordinance)

SECTION 11. Section 4-28-040 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

4-28-040 License – Application.

An application for a drain layer's license shall be made to the commissioner on a form supplied by the department, and shall be accompanied by the following:

(Omitted text is unaffected by this ordinance)

(4) ~~a certificate~~ proof of insurance as required by Section 4-28-060;

(Omitted text is unaffected by this ordinance)

SECTION 12. Section 4-28-060 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

4-28-060 Insurance – Required.

Each applicant for a drain layer's license shall furnish ~~a certificate~~ proof of insurance evidencing ~~general~~ commercial general liability insurance with limits of not less than $300,000.00 per occurrence, combined single limit, for bodily injury, personal injury, and property damage arising in any way from the issuance of the license or activities conducted pursuant to the license. Every insurance policy required by this section shall require 30 days advance notice to the commissioner prior to cancellation, and shall name the City of Chicago as an additional insured on a primary, noncontributory basis for any liability arising directly or indirectly from the licensee's operations.

(Omitted text is unaffected by this ordinance)

SECTION 13. Section 4-36-090 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

4-36-090 Proof of insurance – Required.

Prior to the issuance of a general contractor license, each applicant shall furnish ~~a certificate~~ proof of insurance, issued by an insurer authorized to insure in Illinois with a credit rating of B+ or higher by A.M. Best Company, evidencing commercial general liability insurance, as follows:

(Omitted text is unaffected by this ordinance)

Each policy of insurance required under this section shall name the City of Chicago as an additional insured on a primary, noncontributory basis arising directly or indirectly from the licensee's operations.

SECTION 14. Section 4-36-120 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

4-36-120 Duties.

A licensee under this chapter shall have the following duties:

(Omitted text is unaffected by this ordinance)

(F) To keep a copy of ~~the certificate~~ proof of insurance, as required under Section 4-36-090, at the following locations: (1) the licensee's principal office or place of business, as identified in the license application; and (2) each construction site within the city managed or controlled by the licensee. Upon request, ~~such copy of the certificate~~ proof of insurance shall be made available for inspection by any city inspector or other authorized city official.

(Omitted text is unaffected by this ordinance)

SECTION 15. Section 4-68-150 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

4-68-150 Insurance.

Every ambulance owner shall maintain in full force and effect at all times throughout the duration of the license period ~~public~~ commercial general liability and commercial automobile liability ~~property damage~~ insurance and workmen's compensation insurance for employees with insurers approved by the Illinois Department of Insurance, authorized to transact insurance business in the State of Illinois, and qualified to assure the risks for amounts hereinafter set forth under the laws of the State of Illinois, to secure payments of any loss or damage resulting from an occurrence arising out of or caused by the operation or use of any of the ambulances belonging to the licensee. The ~~public~~ commercial general liability insurance policy ~~or contract~~ may cover one or more ambulance vehicles, but each ambulance shall be insured for the sum of at least $350,000.00 combined single limit coverage per occurrence. Every insurance policy ~~or contract~~ for such insurance shall name the City of Chicago as an additional insured on a primary, noncontributory basis for any liability arising directly or indirectly from the licensee's operations, and shall provide for the payment and satisfaction of any final judgment rendered against the owner, or any person driving any insured vehicle, and that suit may be brought in any court of competent jurisdiction upon such policy or contract by any person having claims arising from the operation or use of such ambulances; it shall contain a description of each ambulance vehicle insured, manufacturer's name and serial number, the State license number, and the ambulance-operating license number.

~~In lieu of an insurance policy or contract, a surety bond or bonds with a corporate surety or sureties authorized to do business under the laws of the State of Illinois may be accepted by the department of business affairs and consumer protection, for all or any part of such insurance, provided that each bond shall be conditioned for the payment and satisfaction of any final judgment, in conformity with the provisions of an insurance policy required by this section.~~

All insurance policies~~, contracts or surety bonds~~ required by this section or copies thereof certified by the insurers ~~or sureties~~ shall be filed with the department of business affairs and consumer protection, and no insurance ~~or bond~~ shall be subject to cancellation or lapse, except on 30 days previous notice to the department of business affairs and consumer protection. If any insurance ~~or bond~~ is canceled or permitted to lapse for any reason, the department of business affairs and consumer protection shall suspend the license for the ambulance affected for a period not to exceed 30 days, to permit the insurance ~~or bond~~ to be supplied in compliance with the provisions of this section. If such other insurance ~~or bond~~ is not supplied within the period of suspension of the license, the mayor shall revoke the certificate of inspection for such ambulance.

(Omitted text is unaffected by this ordinance)

SECTION 16. Section 4-75-080 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

4-75-080 Insurance – Required.

Each licensee under this chapter shall furnish ~~a certificate~~ <u>proof</u> of insurance, evidencing commercial general liability insurance, with limits of not less than $300,000.00 per occurrence, combined single limit, for bodily injury, personal injury, and property damage arising in any way from the issuance of a license under this chapter. Each policy of insurance required under this section shall be (1) issued by an insurer authorized to insure in the State of Illinois; (2) name the City of Chicago as an additional insured <u>on a primary, noncontributory basis for any liability arising directly or indirectly from the licensee's operations</u>; and (3) include a provision requiring 30 days' advance notice to the commissioner prior to cancellation or lapse of the policy. The licensee shall maintain the insurance required under this section in full force and effect throughout the duration of the license period. Upon request by any authorized city official, a ~~copy of such certificate~~ <u>proof</u> of insurance shall be made available for inspection by such city official.

SECTION 17. Section 4-83-070 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

4-83-070 Insurance – Required.

(a) Any person who owns or operates any heliport within the city, other than a heliport owned or operated by a governmental entity, shall carry or cause to be carried commercial general liability insurance, with limits of not less than $5,000,000.00 per occurrence for bodily injury, personal injury and property damage, insuring against all liabilities, judgments, costs, damages and expenses which may accrue against, be charged to or be recovered from such owner or operator by reason of or on account of damage to the property of, injury to or the death of any person arising in any way from use and occupancy of and operations at such heliport by such owner, operator or other person. The insurance required under this section shall (1) be issued by an insurer authorized to do business in the State of Illinois, and (2) name the City of Chicago as an additional insured on a primary, noncontributory basis <u>for any liability arising directly or indirectly from the licensee's operations</u> ~~to apply with respect to use, occupancy or operations performed by or on behalf of such owner or operator of a heliport for which the City has issued a license under this chapter~~.

(b) Any person who owns or operates any heliport within the city shall be required at all times to keep on site at such heliport current and valid proof of insurance meeting the requirements of subsection (a) of this section. Upon request by any city inspector or authorized city official, such person shall make ~~such certificate~~ <u>proof</u> of insurance available for inspection by such inspector or city official.

SECTION 18. Section 4-156-600 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

4-156-600 License – Application – Deadline.

An application for an indoor special event license shall be made to the commissioner, on a form supplied by the department. For a Class B license, application must be made at least 60 days before the event is held.

The application shall be accompanied by the following:

(Omitted text is unaffected by this ordinance)

(f) ~~a certificate~~ <u>proof</u> of insurance, as required by Section 4-156-620;

(Omitted text is unaffected by this ordinance)

SECTION 19. Section 4-156-620 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

4-156-620 Insurance – Required.

(a) Prior to the issuance of any indoor special event license, each applicant shall furnish ~~a certificate~~ proof of insurance, issued by an insurer authorized to insure in Illinois, evidencing commercial general liability insurance, with limits of not less than $300,000.00 per occurrence for bodily injury and property damage arising in any way from the issuance of the license. Each policy of insurance required under this section shall include a provision requiring 30 days advance notice to the commissioner prior to cancellation or lapse of the policy, and shall name the City of Chicago as additional insured on a primary, noncontributory basis for any liability arising directly or indirectly from the licensee's operations.

(Omitted text is unaffected by this ordinance)

SECTION 20. Section 4-232-070 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

4-232-070 Issuance conditions.

(Omitted text is unaffected by this ordinance)

(b) No valet parking operator license, or renewal thereof, shall be issued unless the applicant provides proof to the commissioner that he has obtained commercial general liability insurance covering all locations at which he operates or seeks to operate in the minimum amounts of $1,000,000.00 per occurrence for ~~public~~ liability, $1,000,000.00 per occurrence for property damage, and $1,000,000.00 per occurrence for garage keepers' legal liability.

(Omitted text is unaffected by this ordinance)

The applicant ~~must~~ shall provide ~~a certificate~~ proof of insurance to the commissioner. This certificate must be made available, by the commissioner, to the public for the duration of the license.

(Omitted text is unaffected by this ordinance)

SECTION 21. Section 9-72-070 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

9-72-070 Special permits.

(Omitted text is unaffected by this ordinance)

(d) (1) The executive director shall not issue any permit unless the applicant has furnished ~~a certificate~~ proof of insurance naming the city as additional insured on a primary, noncontributory basis for any liability arising directly or indirectly from the permittee's operations for the amount of $1,000,000.00 so as to save the city harmless from any claim, loss or damage that may result from the granting of the permit or that may arise from or on account of any work done thereunder.

(2) Apart from and separate from any insurance requirement under this section, the applicant shall indemnify, defend and hold the City of Chicago and its assignees and employees harmless from all losses, damages, injuries, claims, demands and expenses arising from the granting of the permit or that may arise from or on account of any work done thereunder. As a condition of the permit the grantee shall: (i) ~~agree to~~ assume all responsibility for any injury to persons or damage to public or private property; (ii) ~~agree to~~ indemnify, defend and hold the city harmless from all suits, claims, damages, or proceeding of any kind for injury to persons or damage to public or private property caused, in whole or part, by the operation of the vehicle in violation of any term or condition of the permit; and (iii) restore at his own cost, to a condition satisfactory to the executive director, any pavement, subway, tunnel, sewer, pipe, conduits, public utility, or any other public property that may be injured by reason of the operation of the vehicle under such permit.

(Omitted text is unaffected by this ordinance)

SECTION 22. Section 9-72-090 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through, as follows:

9-72-090 Deposits for compliance violations.

(Omitted text is unaffected by this ordinance)

(c) As a condition of any bond permitted under subsection (b), the owner and operator of the truck shall ~~agree to~~ indemnify and hold the city harmless from all suits, claims, damages, or proceedings of any kind for injury to persons or damage to public or private property caused, in whole or part, by the operation of the vehicle in violation of any weight limitations imposed by this chapter, or any term or condition of a permit issued under 9-72-070.

SECTION 23. Section 9-108-080 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

9-108-080 Insurance – Required.

(Omitted text is unaffected by this ordinance)

(b) Each applicant for the issuance or renewal of a horse-drawn carriage license shall provide proof that the owner has ~~public~~ <u>commercial general</u> liability and property damage insurance, issued by an insurer authorized to insure in Illinois, to secure payment by the owner of any final judgment or settlement of any claim against the owner, operators, employees, or lessees of the owner's horse- drawn carriage business resulting from any occurrence arising out of or caused by the operation or use of any of the owner's horse-drawn carriage(s). Every insurance policy or contract for such insurance shall name the city as an additional insured <u>on a primary, noncontributory basis for any liability arising directly or indirectly from the licensee's operations</u>.

(Omitted text is unaffected by this ordinance)

SECTION 24. Section 9-110-080 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

9-110-080 Insurance – Required.

(Omitted text is unaffected by this ordinance)

(b) Each applicant for the issuance or renewal of a pedicab license shall provide proof that the applicant has ~~public~~ <u>commercial general</u> liability and property damage insurance, issued by an insurer authorized to insure in Illinois, to secure payment by the applicant of any final judgment or settlement of any claim against the applicant, chauffeurs, employees, or lessees of the applicant's pedicab business resulting from any occurrence arising out of or caused by the operation or use of any of the applicant's pedicab(s). Every insurance policy or contract for such insurance shall name the city as an additional insured <u>on a primary, noncontributory basis for any liability arising directly or indirectly from the licensee's operations</u>.

(Omitted text is unaffected by this ordinance)

<u>(e) A licensee's failure to comply with this section may result in the revocation or suspension of his pedicab license.</u>

SECTION 25. Section 9-112-330 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

9-112-330 Insurance.

(a) Every licensee must comply with all insurance requirements mandated by Federal, State and City laws. Licensees ~~must~~ shall carry ~~public~~ commercial general liability and property damage insurance and, where applicable, workers compensation insurance, from an insurance company authorized to do business in the State of Illinois, and qualified under the laws of Illinois to assume the risk in the amounts hereinafter set forth, to secure payment by the licensee, his agents, employees or lessees of any final judgment or settlement of any claim against them resulting from any occurrence caused by or arising out of the operation or use of any of the licensee's vehicles.

Every insurance policy issued shall list the City of Chicago as an additional insured on a primary, noncontributory basis for any liability arising directly or indirectly from the licensee's operations.

(1) Liability insurance: Each ~~public~~ commercial general liability insurance policy shall provide at least the following minimum coverage for each taxicab: $350,000.00 combined single limit coverage per occurrence.

(Omitted text is unaffected by this ordinance)

SECTION 26. Section 9-114-170 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

9-114-170 Insurance.

(a) Every licensee ~~must~~ shall comply with all insurance requirements mandated by Federal, State and City law. Licensees must carry ~~public~~ commercial general liability and property damage insurance and, where applicable, workers compensation insurance, from an insurance company authorized to do business in the State of Illinois, and qualified under the laws of Illinois to assume the risk in the amounts hereinafter set forth, to secure payment by the licensee, or his agents, employees or lessees of any final judgment or settlement of any claim against them resulting from any occurrence caused by or arising out of the operation or use of any of the licensee's public passenger vehicles.

Every insurance policy issued shall list the City of Chicago as an additional insured on a primary, noncontributory basis for any liability arising directly or indirectly from the licensee's operations.

(Omitted text is unaffected by this ordinance)

(d) The insurance policies required in this section shall be (i) available to cover claims as specified in this section regardless of whether a driver maintains insurance adequate to cover any portion of the claim; (ii) disclosed on the licensee's Internet-enabled application and website in the form of ~~a certificate of insurance~~ endorsement pages from the insurance company, and (iii) maintained in force at all times that the transportation network provider offers or provides transportation network service.

(Omitted text is unaffected by this ordinance)

SECTION 27. Section 10-8-330 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

10-8-330 Parade.

(Omitted text is unaffected by this ordinance)

(m) For large parades, the commissioner shall require, as a condition of the permit, that the parade organizer~~: (1)~~ obtain a $1,000,000.00 commercial general liability insurance policy, naming the city as an additional insured on a primary, noncontributory basis for any liability arising directly or indirectly from the permittee's operations~~;~~. ~~(2)~~ In addition to the requirements stated above, and apart from and separate from any insurance requirement under this section, the permittee shall indemnify, defend and hold harmless the City of Chicago and its assignees and employees against any additional or uncovered third party claims against the city arising out of or caused by the parade; and ~~(3)~~ agree to reimburse the city for any damage to the public way or to city property arising out of or caused by the parade.

(Omitted text is unaffected by this ordinance)

SECTION 28. Section 10-8-335 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

10-8-335 Outdoor special events.

Omitted text is unaffected by this ordinance)

(c) An application for a special event permit must be made to the department no later than 45 days prior to the date the event is scheduled to begin unless the department determines that the reasons for the delay were beyond the reasonable control of the applicant. Unless the special event is to be conducted in January or February, applications must be filed in the calendar year in which the event is to take place. If the event is to take place in January or February, the application must be filed no earlier than one year prior to the event. Each application submitted by the sponsor of an outdoor special event shall be accompanied by a nonrefundable processing fee of $35.00. The application shall include the following information:

(Omitted text is unaffected by this ordinance)

(8) the proof of insurance and agreement to indemnify, defend and hold harmless required by subsections (n) and (o), respectively;

(Omitted text is unaffected by this ordinance)

(n) No permit shall be issued until the applicant has supplied to the department ~~a certificate~~ proof of insurance evidencing ~~general~~ commercial general liability insurance, with limits of not less than $1,000,000, naming the city as an additional insured on a primary, noncontributory basis for any liability arising directly or indirectly from the permittee's operations.

(Omitted text is unaffected by this ordinance)

(o) In addition to the requirements stated above, and apart from and separate from any insurance requirement under this section, the applicant ~~must~~ shall agree in writing to indemnify, defend and hold the City of Chicago and its assignees and employees harmless from all losses, damages, injuries, claims, demands and expenses arising out of the operation of the special event or the condition, maintenance and use of public property.

(Omitted text is unaffected by this ordinance)

SECTION 29. Section 10-8-340 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

10-8-340 Donation of promotional decorative lightpole banners and decorations.

(Omitted text is unaffected by this ordinance)

c. No professional banner company may hang any banner or other decoration on any city lightpole until it has furnished the commissioner with ~~an original certificate~~ proof of insurance, which must evidence that the company has procured commercial liability insurance or the equivalent thereof with limits of not less than $1,000,000.00 per occurrence~~, combined single limit~~ for bodily injury, personal injury, and property damage, which shall cover any damage caused by the hanging, maintenance or removal of the banners or other decoration on city lightpoles. The City of Chicago shall be named as an additional insured~~;~~ on a primary, non-contributory basis for any liability arising directly or indirectly from the permittee's operations ~~without recourse or right of contribution~~. Upon receipt of ~~the certificate~~ proof of insurance, the commissioner ~~will~~ shall transmit a copy of such proof to the department of finance risk manager.

d. ~~The~~ In addition to the requirements stated above, the donor shall indemnify, defend and hold the city, and its officers, agents, assignees ~~an~~ and employees, harmless from any and all claims arising out of the placement of, maintenance of, use of or removal of banners or other decoration, including without limitation any claims relating to banners (or structures upon which they are hung) falling on people or property.

(Omitted text is unaffected by this ordinance)

SECTION 30. Section 10-20-115 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

10-20-115 Insurance required for license.

No public way work license shall be issued pursuant to this article until the applicant for such license shall first have obtained commercial general liability insurance ~~of any kind whatsoever which the city~~ and has presented to the commissioner of transportation proof of such insurance against any liability, loss or claim arising out of the issuance of the license, or out of work performed pursuant to the license. Such insurance shall be issued by an insurer authorized to do business in Illinois, shall be in an amount no less than $1,000,000.00 per occurrence and shall name the City of Chicago, its officers, employees and agents as additional insured on a primary, noncontributory basis for any liability arising directly or indirectly from the licensee's operations. The insurance policy shall provide for 30 days written notice to the commissioner of transportation prior to any lapse, cancellation or change in coverage. The insurance shall be maintained in effect at all times during the term of the license. In lieu of the insurance requirements stated above, and apart from and separate from any insurance requirement under this section, ~~The~~ the commissioner of transportation in his or her discretion may require, instead of such insurance, any alternative form of indemnity, protection or security that ~~he or she~~ the commissioner deems necessary to accomplish the above-described purposes.

SECTION 31. Section 10-20-410 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

10-20-410 Permit application – Insurance required.

No use of public way permit for a driveway shall be issued until a written application ~~therefor~~ for such permit has been made by the owner or, with the consent of the owner, by a long-term leaseholder of the property to which the proposed driveway is to be connected, ~~to~~ and such application ~~the commissioner~~ and ~~the certificate~~ proof of insurance ~~herein provided for~~ has been filed with the commissioner in conformity with section 10-20-415.

SECTION 32. Section 10-20-415 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

10-20-415 Application – Insurance – Notice – Appeal.

(Omitted text is unaffected by this ordinance)

(b) Plans and specifications of such driveway, in accordance with standard specifications established by the commissioner, shall be submitted to the commissioner and shall be accompanied by proof of insurance against any liability, loss or claim arising out of the issuance of the permit, or out of the permitted disturbance of the public way or part thereof. Such insurance shall be issued by an insurer authorized to do business in Illinois, shall name the ~~city~~ City of Chicago, its officers, employees and agents as additional insured on a primary, noncontributory basis for any liability arising directly or indirectly from the permittee's operations and shall be in an amount no less than $250,000.00 per occurrence for a Class A use of public way permit (as defined in Section 10-20-420), and in an amount no less than $1,000,000.00 per occurrence for a Class B use of public way permit (as defined in Section 10-20-420). The insurance policy shall be kept in force throughout the life of said permit, and if at any time during the life of said permit said insurance shall not be in full force, then the authority and privileges herein granted shall thereupon cease. With respect to a Class B use of public way permit (as defined in Section 10-20-420), the insurance policy shall provide for written notice to the commissioner within 30 days of any lapse, cancellation or change in coverage. In lieu of the insurance requirements stated above, and apart from and separate from any insurance requirement under this section, ~~The~~ the commissioner in his or her discretion may require, instead of such insurance, any alternative form of indemnity, protection or security that ~~he or she~~ the commissioner deems necessary to accomplish the above-described purposes.

(c) In addition to the requirements stated above, and apart from and separate from any insurance requirement under this section, every ~~Every~~ application for a use of public way permit for a driveway shall provide that, as a condition for receiving the permit, the applicant shall indemnify, defend, and hold ~~keep and save~~ harmless the city against all liabilities, judgments, costs, damages and expenses which may in any way come against said city in consequence of the granting of said permit, or which may accrue against, be charged to or recovered from said city from, or by reason, or on account of any act or thing done by the grantee by virtue of the authority given in said permit, or by reason or on account of any defect in the construction or design of said driveway or by reason or on account of the failure to maintain said driveway in good condition and repair and free and clear of snow, ice or obstruction of any kind.

(Omitted text is unaffected by this ordinance)

SECTION 33. Section 10-20-510 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

10-20-510 Nonstandard surface material.

(a) No part of the top or wearing surface of any sidewalk in any public way in the city shall be composed of any nonstandard surface; provided, however, that upon the filing with the commissioner of transportation of ~~(1)~~ proof of insurance against any liability, loss or claim arising by reason or on account of any defect in the construction or design of a sidewalk incorporating a nonstandard surface, or by reason or on account of the failure to maintain said sidewalk in good condition and repair, such insurance to be issued by an insurer authorized to do business in Illinois and in an amount no less than $1,000,000.00 per occurrence~~, and (2) a maintenance and indemnification agreement in a form satisfactory to the commissioner of transportation, such agreement to be conditioned to indemnify, keep and save harmless the city against all liabilities, judgments, costs, damages and expenses which may in any way come against said city by reason or on account of such construction or of any defect in the construction of said sidewalk or by reason or on account of the failure to maintain said sidewalk in good condition and repair, nothing in this paragraph shall be held to apply to any nonstandard surface approved by the commissioner of transportation.~~ The above-described insurance (1) shall name the City of Chicago, its officers, employees and agents as additional insured~~,~~ on a primary, noncontributory basis for any liability arising directly or indirectly from the permittee's operations, and (2) shall provide for written notice to the commissioner of transportation within 30 days of any lapse, cancellation or change in coverage, and (3) shall be kept in force as long as said sidewalk shall exist in the form described in this section.~~, and if~~ If at any time while said sidewalk exists in this form, such insurance shall not be in full force, then the authority and privileges herein granted shall thereupon cease.

(b) In addition to the requirements stated above, and apart from and separate from any insurance requirement under this section, as a condition for permitting the installation of a non-standard sidewalk, the applicant shall indemnify, defend, and hold harmless the city against all liabilities, judgments, costs, damages and expenses which may in any way come against said city by reason or on account of such construction or of any defect in the construction of said sidewalk or by reason or on account of the failure to maintain said sidewalk in good condition and repair; provided, however, that nothing in this paragraph shall be held to apply to any nonstandard surface approved by the commissioner of transportation. The commissioner of transportation in his or her discretion may require, instead of such insurance, any alternative form of indemnity, protection or security that ~~he or she~~ the commissioner deems necessary to accomplish the above-described purposes.

(c) In addition to, and apart from and separate from, the requirements stated above, the initial grantee, and the initial grantee's successors, of the right to install a non-standard sidewalk surface shall maintain the sidewalk in good condition and repair.

(d) The initial grantee, and the initial grantee's successors, of the right to install a non-standard sidewalk surface shall inform the commissioner of transportation within 30 days of any transfer of the property adjacent to the non-standard sidewalk and shall further inform the commissioner of the name and contact information of the initial grantee's successor.

(e) The initial grantee, and the initial grantee's successors, of the right to install a non-standard sidewalk surface shall inform, in writing with a copy to the commissioner of transportation, the purchaser of the property of the obligation to maintain and insure the non-standard sidewalk consistent with the provisions of this section.

(f) Any nonstandard surface as part of the top or wearing surface of any sidewalk in any public way authorized pursuant to this section shall not require the issuance of a public way use permit pursuant to Section 10-28-010.

SECTION 34. Section 10-28-015 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

10-28-015 Public way use permits – Application and issuance.

(Omitted text is unaffected by this ordinance)

(e) All public way use permits shall be subject to the following:

(Omitted text is unaffected by this ordinance)

(5) The permittee shall furnish to the department, prior to issuance of the public way use permit, ~~a certificate~~ proof of insurance evidencing coverage in an amount not less than $1,000,000.00, combined single limit, with the insurance covering all liability, both public liability and property damage, that may result from issuance of the permit or use of the public way. The ~~certificate of~~ insurance shall name the city and its agents and employees as additional insureds on a primary, non-contributory basis for any liability arising directly or indirectly from

the permittee's operations and shall also clearly indicate that the public way use being permitted is covered by the insurance policy. Every policy required shall require 30 days advance notice to the commissioner prior to cancellation. ~~Certificates renewing~~ Proof of renewal of such insurance coverage ~~must~~ shall be furnished to the department no later than 30 days prior to the expiration of the policy. The insurance coverage shall be maintained at all times by the permittee until: (i) the public way use authorized by the permit is removed; (ii) the public way is restored to the satisfaction of the commissioner of transportation; and (iii) all fees due the city have been paid.

(Omitted text is unaffected by this ordinance)

(6) ~~The~~ Apart from and separate from any insurance requirement under this section, the permittee shall indemnify, defend, keep and save harmless the city, its agents and employees against all claims, liabilities, judgments, costs, damages and other expenses which may in any way arise or accrue against, be charged to or recovered from the city, its agents or employees in consequence of the permission given by the public way use permit, or any act or thing done or omitted or neglected to be done by the permittee, its agents or employees in and about the construction, reconstruction, maintenance, operation, use or removal of the authorized public way uses and structures or appliances thereof, operation or restoration of the public way as required, including those arising from any personal injuries or deaths or damage or destruction of property.

(Omitted text is unaffected by this ordinance)

SECTION 35. Section 10-28-281.2 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

10-28-281.2 Permit required.

(Omitted text is unaffected by this ordinance)

(D) An application for a permit issued pursuant to this section shall contain (1) the name of the applicant; (2) the name, address and telephone number of the owner of the building requiring the obstruction and, if applicable, the provider of the construction canopy; (3) the location of the proposed obstruction; (4) the purpose of the obstruction; (5) whether the obstruction is (a) for the alteration, maintenance or repair of a building's exterior facade; (b) for exterior work conducted pursuant to the City's critical examination program, Sections 13-196-033 through 13-196-037; (c) for demolition; (d) for new construction; or (e) for any other type of construction or maintenance; (6) the proposed commencement date and the estimated duration of the obstruction; and (7) evidence of a ~~public~~ commercial general liability insurance policy issued by an insurer authorized to transact business in Illinois, in an amount not less than $1,000,000.00 and naming the City of Chicago as additional insured on a primary, noncontributory basis for any liability arising directly or indirectly from the permittee's operations.

(Omitted text is unaffected by this ordinance)

SECTION 36. Section 10-28-660 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, as follows:

10-28-660 Permit – Application – Conditions.

(Omitted text is unaffected by this ordinance)

(c) Each contractor shall provide proof to the commissioner that ~~he~~ such contractor has obtained liability insurance in connection with all of ~~his~~ the contractor's advertising benches, naming the City of Chicago as additional insured on a primary, noncontributory basis for any liability arising directly or indirectly from the permittee's operations. The aggregate amount of the insurance shall be an amount determined by the city comptroller, office of risk management, to be sufficient to cover all potential liability arising from the placement of the advertising benches.

(Omitted text is unaffected by this ordinance)

SECTION 37. Section 7-28-710 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

10-28-710 Benches without advertising – Benches prohibited when.

(a) Any governmental or private entity or other person, other than the City of Chicago or its agencies, which seeks to place or maintain on the public way any bench which does not contain advertisements, slogans or messages, shall apply to the commissioner for a permit for each such bench. The commissioner shall waive all application and permit fees, and all bond, license and insurance requirements. It shall be a condition for the issuance of any such permit that the entity or other person ~~agree to save and~~ hold the City of Chicago harmless, and defend and indemnify the city for any loss or expense in connection with any such benches placed, including any expense to remove or repaint any benches in violation of this section or in connection with the defense of any claim against the city arising from the presence of the bench upon the public way. No bench placed pursuant to this section may contain any advertisement, slogan or message, and any bench so placed which subsequently exhibits any advertisement, slogan or message is in violation of this ordinance. Any bench installed pursuant to this subsection shall comply with the provisions of Sections 10-28-670 and 10-28-680.

(Omitted text is unaffected by this ordinance)

SECTION 38. Section 10-28-794 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

10-28-794 Permit – Liability insurance.

(a) No permit for installment or erection of a refuse compactor or grease container on the public way shall be issued unless the applicant provides proof to the commissioner that the applicant has obtained liability insurance, naming the City of Chicago as an additional insured, on a primary, noncontributory basis for ~~against~~ any loss, claim, casualty or liability arising from the erection, maintenance or use of the refuse compactor. The insurance shall be in an amount determined by the city comptroller, office of risk management, to be sufficient to cover all such liabilities, and shall not be subject to cancellation except upon 30 days' advance written notice to the commissioner. The insurance shall commence from the erection of the refuse compactor and shall remain in effect as long as the refuse compactor or grease container remains on the public way.

(b) As an additional condition, apart from and separate from any insurance requirement under this section, to the issuance of the permit, the owner of the building(s) or structure(s) served by a refuse compactor or grease container located on the public way ~~must also agree in writing to~~ shall indemnify, defend and hold the City of Chicago, its agents, officers and employees harmless from all losses, damages, injuries, claims, demands and expenses arising out of the erection, maintenance and use of the refuse compactor or grease container.

SECTION 39. Section 7-28-799 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

10-28-799 Dumpsters/roll off boxes on the public way.

(Omitted text is unaffected by this ordinance)

(B) *Permit required.* It shall be unlawful for any provider to place or maintain a dumpster on the public way unless such provider shall first obtain a dumpster permit. The department of transportation shall send by facsimile transmission a copy of the dumpster permit to the ward superintendent of the affected ward. A provider obtaining a valid dumpster permit pursuant to this section shall not be required to also obtain the permit required ~~by Section 13-32-140~~ under Article V-A of Chapter 10-28 of the Code for such dumpster.

(Omitted text is unaffected by this ordinance)

(D) *Insurance.* No dumpster permit shall be issued until the applicant for such permit shall first have presented to the commissioner of transportation proof of insurance against any liability, loss or claim arising out of the issuance of dumpster permits, or out of the placement, presence, use, maintenance or removal of the dumpsters. Such insurance shall be issued by an insurer authorized to do business in Illinois, shall be in an amount no less than $1,000,000.00 and shall name the City of Chicago, its officers, employees and agents as additional insured on a primary, noncontributory basis for any liability arising directly or indirectly from the permittee's operations. The insurance policy shall provide for 30 days written notice to the commissioner of transportation prior to any lapse, cancellation or change in coverage. The insurance shall be maintained in effect at all times that the dumpster remains on the public way.

(Omitted text is unaffected by this ordinance)

(F) *Alternative form of indemnity, protection or security.* In lieu of and apart from any insurance requirement under this section, upon ~~Upon~~ good cause shown, the commissioner of transportation, in his or her discretion, may require, instead of such insurance and letter of credit, any alternative form of indemnity, protection or security that ~~he or she~~ the commissioner deems necessary to accomplish the above described purposes and that would indemnify, defend and hold the city, and its officers, agents and employees, harmless from any and all claims arising or related to the placement of the dumpster or the permittee's operations.

(Omitted text is unaffected by this ordinance)

SECTION 40. Section 10-28-815 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

10-28-815 Insurance required.

Each applicant for a sidewalk café permit shall furnish ~~a certificate~~ proof of insurance evidencing commercial general liability insurance with limits of not less than $500,000.00 per occurrence, $1,000,000.00 in the aggregate combined single limit, for bodily injury, personal injury and property damage liability. The insurance shall provide for 30 days prior written notice to be given to the City of Chicago if coverage is substantially changed, canceled or non-renewed.

The City of Chicago shall be named as an additional insured on a primary, noncontributory basis for any liability arising directly or indirectly from the operations of a sidewalk café. ~~; and~~ Apart from and separate from any insurance requirement under this section, the permittee shall indemnify, defend and hold the city harmless from any loss that results directly or indirectly from the permit issuance.

(Omitted text is unaffected by this ordinance)

Each sidewalk café permittee shall maintain the insurance coverage required under this section for the duration of the sidewalk café permit. ~~The certificate(s)~~ Proof of insurance shall be presented to the commissioner prior to the issuance of a permit under this article. Failure of the permittee to maintain the insurance required by this section shall result in the revocation of the sidewalk café permit.

SECTION 41. Section 10-32-080 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

10-32-080 Issuance of permit.

No permit shall issue for any work on a parkway unless:

(a) The application therefor is complete;

(b) The applicant or permittee ~~agrees, in writing, to~~ shall indemnify, defend and hold harmless the City of Chicago, its officers, agents, attorneys and employees from any and all liability or claims arising from or relating to the granting of a permit and/or the performance of the work for which the permit is sought; and

(c) The person who is to perform the work presents to the commissioner ~~a certificate or other~~ proof of liability insurance in the minimum amount of $50,000.00 for bodily injury and $100,000.00 for property damage, naming the City of Chicago as additional insured.

SECTION 42. Section 10-40-091 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

10-40-091 Insurance requirements.

No person shall rent a vessel within the harbor, or provide fishing, entertainment or passenger services on a vessel within the harbor, for monetary or other consideration, without first (1) obtaining commercial general liability or equivalent insurance, issued by an insurer authorized to insure risks in Illinois, in an amount and form approved by the risk manager in the department of finance; and (2) filing with the commissioner of transportation ~~an original certificate~~ proof of the required insurance.~~; and (3) filing with the commissioner of transportation an executed agreement, in a form approved by the corporation counsel, to hold harmless the City of Chicago, its officers, employees and agents from any and all claims, suits or damages arising from~~ In addition to the requirements stated above, and apart from and separate from any insurance requirement under this section, any person providing any of the services above-mentioned shall indemnify, defend and hold the City of Chicago and its assignees and employees harmless from all losses, damages, injuries, claims, demands and expenses arising out of the person's use of the harbor, rental of vessels and providing of services described in this section. The risk manager shall not approve any form of insurance under this section unless (1) the City of Chicago is named as an additional insured on a primary, noncontributory basis for ~~against~~ any liability or claim arising directly or indirectly from the person's use of the harbor, rental of vessels and providing of services described in this section; and (2) the policy of insurance requires at least 30 days prior notice of cancellation to every insured.

SECTION 43. Section 11-12-650 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

11-12-650 Application.

Application for such service shall be made to the commissioner on a form prescribed by said commissioner. The application shall contain the name and address of the applicant, the location and description of the premises to be served, the quantity of water desired, and the period of time during which such service is desired, and the applicant shall in said application covenant and agree (1) to bear the entire cost of installing, operating, maintaining and repairing all connections and private supply pipes, shutoff rod or valve boxes and valve basins, roundway stopcock or valves, meter or meters and meter basins or vaults or other appliances deemed necessary by the commissioner in connection with supplying such water service; (2) to allow the city and its representatives to make at all reasonable times tests for tightness of piping in the applicant's mains and connections; (3) to comply with all sanitary regulations of the city to safeguard the water supply; (4) to prevent excess use and waste of water; (5) to use city water exclusively; (6) not to resell or furnish water to any other person, and not to permit any connection to be made to applicant's main; (7) to abide by and conform to all of the provisions of Chapter 11-8 of this Code as though the same had been incorporated into and made a part of said application and made applicable to the supplying of city water to private persons or corporations for premises located beyond the corporate limits of the city, and to obey all rules and regulations regarding water service to the applicant's premises as are promulgated by the commissioner from time to time; (8) to install on the applicant's premises water mains and connections of the same size, type and durability as in the judgment of the commissioner are required and are provided for by provisions of this Code applicable to users of city water within the city limits; (9) that all water mains and connections laid by applicant shall become the property of the city, without cost or expense to the city, in the event the territory within which applicant's premises are located should be annexed to the City of Chicago, so as to permit the use of such mains and connections by the city as part of its municipal water system; (10) to construct, maintain and operate such water storage facilities as may from time to time be required by the commissioner. Such application shall be signed by the applicant and acknowledged before a notary public or other officer authorized to administer oaths, and if the applicant is a corporation it shall be duly signed and acknowledged by the corporate officers authorized to execute the same~~; and (11)~~. In addition to the requirements stated above, and apart from and separate from any insurance requirement under this section, the applicant shall indemnify, defend and hold the City of Chicago and its assignees and employees harmless from all losses, damages, injuries, claims, demands and expenses arising from or ~~to indemnify and hold the city harmless for failure of supply and for any and all damage~~ caused by the making of the connection and the furnishing of such water supply.

SECTION 44. Section 13-20-090 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

13-20-090 Inspection of amusement park devices – Permits – Fees.

(Omitted text is unaffected by this ordinance)

Every permit application for a mechanical amusement riding device shall be accompanied by ~~a certificate~~ proof of comprehensive general liability and property damage insurance, which will name ~~as an additional insured~~ the City of Chicago, its officers and employees, as an additional insured on a primary, noncontributory basis in an amount of $500,000.00 for any one person and $1,000,000.00 for any one accident, which shall ~~and~~ be filed with the building commissioner and the city comptroller. The applicant or permittee shall maintain such insurance policy in full force and effect at all times during the permit period. Each policy shall include a provision to the effect that it shall not be subject to cancellation, reduction in the amounts of its liabilities, or other material change until notice thereof has been received in writing by the city comptroller, not less than 30 days prior to such action. Failure to maintain insurance coverage as required by this section shall result in the revocation of the mechanical amusement riding device permit.

(Omitted text is unaffected by this ordinance)

Every permit application for a mechanical amusement riding device shall be accompanied by a letter from the organization sponsoring the carnival, a letter from the owners of the property where the rides are to be located, an alderman's letter of permission, ~~and~~ a description of the toilet facilities,~~; also a street permit when a mechanical amusement riding device is to be located upon a public way, as required in Sections 10-28-590 through 10-28-640 of this Code~~ and, if applicable, a public way use permit for use of the public way.

(Omitted text is unaffected by this ordinance)

SECTION 45. Section 13-20-700 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

13-20-700 Posting of bonds.

(a) *Bond required.* Every person in the business of erecting, maintaining, or removing signs or structures shall submit to the building commissioner, a bond, with surety to be approved by the building commissioner in the penal sum of $25,000.00 conditioned that such person shall faithfully comply with all provisions and requirements of this chapter with respect to the alteration, location and safety and for the payment of the original permit fees required by this article; and ~~conditioned further to~~ shall indemnify, ~~save and keep~~ defend and hold the City of Chicago, its officials, and employees harmless from any claims, damages, liabilities, losses, actions, suits, or judgments which may be presented, sustained, brought, or obtained against the City of Chicago, any of its officials, or employees because of the maintenance, alteration, or removal of any electric sign, signboards, or structure, or by reason of any accident, caused by or resulting therefrom.

(b) *Annual bond.* An individual annual $15,000.00 bond for each sign shall be required on subsections (8) and (9) of Section 18-27-600.28. (Roof signs and pole signs over 24 feet (610 mm) in height.) In lieu of such individual annual bond, any person, firm, or corporation owning, leasing, erecting, maintaining, or removing any sign or signs within the description of these subsections may file with the building commissioner ~~a certificate~~ proof of insurance issued by any casualty company authorized to do business in the State of Illinois ~~evidencing coverage in favor of~~ adding the City of Chicago, its officials, agents, or servants as an additional insured on a primary, noncontributory basis for any and all claims, demands, or suits for personal injury or property damage where the liability alleged against the City of Chicago for such injury or property damage arises out of the provisions of this article. Such ~~certificate~~ proof of insurance shall provide applicable bodily injury limits of not less than $100,000.00 per person and $300,000.00 per accident and property damage limits of not less than $20,000.00 per accident and shall further provide that the building commissioner be given 30 days notice by the insurer prior to any cancellation of the coverage.

SECTION 46. Section 15-4-330 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-4-330 Bonds.

(Omitted text is unaffected by this ordinance)

For all contractors or others now engaged in, or purporting hereafter to engage in, any activity involving explosives or blasting operations, general liability and property damage insurance shall be required in the amount of $3,000,000.00 per person and $10,000,000.00 per occurrence, for the payment of any loss, damage or injury resulting to persons or property by reason of the use, keeping, sale or transporting of explosives; the city shall be named as additional insured <u>on a primary, non-contributory basis for any liability arising directly or indirectly from the contractor's operations</u>.

SECTION 47. Section 15-4-550 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, as follows:

15-4-550 Fireworks.

The deputy commissioner in charge of the bureau of fire prevention may, upon due application, issue a permit to a properly qualified person for giving a display of fireworks on privately owned property. The applicant shall give written notice to the alderman of the affected ward ten days prior to the date of application for such permit. The application shall be filed with the bureau of fire prevention, and must include: the written consent of the alderman of the affected ward; the written consent of the owner of the property where the applicant proposes to give the display; proof that the applicant is in compliance with all provisions of the Illinois Pyrotechnic Operator Licensing Act, as amended; proof that the applicant is in compliance with the Illinois Fireworks Use Act, as amended; and proof of general liability insurance, in an amount not less than $1,000,000.00, issued by an insurer authorized to insure risks in Illinois. The City of Chicago and its officers and employees shall be named as additional insured <u>on a primary, non-contributory basis for any liability arising directly or indirectly from the permittee's operations</u>. The insurance policy shall provide for notice to the deputy fire commissioner no less than 72 hours prior to cancellation of coverage. If the proposed location of the display is licensed for the retail sale of alcoholic liquor for consumption on the premises, the applicant shall also include proof of the licensee's compliance with Section 6-32(a) of the Illinois Liquor Control Act, as amended. No display of fireworks shall be permitted between the hours of 11:00 P.M. and 6:00 A.M. In no case shall any display of fireworks be conducted unless the site meets safety standards set by the fire department. The fire department shall promulgate such safety standards as needed to determine if a proposed site has the proper safety equipment, personnel and procedures necessary to conduct a fireworks display. The safety standards shall be no less stringent than those adopted by the state fire ~~marshall~~ marshal. The deputy commissioner may impose additional specific conditions related to unique conditions of the property where an indoor display is proposed.

SECTION 48. Section 9-115-090 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

9-115-090 Transportation network provider license – Insurance required.

(Omitted text is unaffected by this ordinance)

(b) Each applicant for the issuance or renewal of a transportation network provider license shall provide proof that the applicant has:

(i) commercial general liability insurance to secure payment by the applicant of any final judgment or settlement of any claim against the applicant or employees of the applicant's transportation network provider business. Such insurance shall ~~be primary and noncontributory;~~ name the City of Chicago as an additional insured on a primary noncontributory basis for any liability arising, directly or indirectly, from the licensee's operations; and shall include a provision requiring 30 days' advance notice to the commissioner prior to cancellation or lapse, or any change of the policy.

(Omitted text is unaffected by this ordinance)

ARTICLE VII.
SNOW REMOVAL

SECTION 1. Section 4-4-310 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

4-4-310 Public ways – Maintenance – Littering prohibited – Snow and ice removal.

(a) Except as otherwise provided in this Code, it shall be unlawful for any licensee to engage in any business on the public way or to use any part of a public way for or in connection with such licensee's business.

(b) It shall be unlawful for any licensee to litter or to permit the accumulation of any paper, rubbish or refuse upon that portion of the public way abutting the licensed premises.

(c) (1) It shall be the duty of each licensee licensed under Title 4 to remove snow and ice, as provided in this section, from the sidewalk ~~in front of~~ abutting the licensed premises and any sidewalk ramps intersecting such sidewalks, creating a clear path of at least five feet in width.

(2) Snow which falls or accumulates between the hours of seven a.m. and seven p.m. shall be removed as soon as practicable, but no later than ten p.m. of the same day. Snow which falls or accumulates overnight between the hours of seven p.m. and seven a.m. shall be removed as soon as practicable, but no later than ten a.m. of the same day.

(3) If snow on the sidewalk is frozen so hard that it cannot be removed without damage to the pavement, the licensee shall, within the time specified for removing the snow, strew, or cause to be strewn, the sidewalk with sand, abrasive material or other products made for the purpose of mitigating slipping hazards and preventing the accumulation of ice, and shall, as soon thereafter as the weather shall permit, thoroughly clean the sidewalk.

(~~2~~4) Any licensee, whether individually or in cooperation with other persons or community groups, who removes snow or ice from the public sidewalk or street shall not, as a result of his acts or omissions in such removal, be liable for civil damages. Provided, however, that this subsection (c)(~~2~~4) shall not apply to any person who violates Section 8-4-120 of this Code, or to acts or omissions amounting to wilful or wanton misconduct in removing such snow or ice.

(d) Upon the issuance or renewal of any license issued under Title 4, the commissioner shall provide the applicant or licensee, as applicable, with information about the provisions of this Code regarding the applicant's or licensee's responsibility for maintaining the public way abutting each business.

SECTION 2. Section 10-8-180 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

10-8-180 Snow and ice removal.

~~Every owner, lessee, tenant, occupant or other person having charge of any building or lot of ground in the city abutting upon any public way or public place shall remove the snow and ice from the sidewalk in front of such building or lot of ground.~~

~~If the sidewalk is of greater width than five feet, it shall not be necessary for such person to remove snow and ice from the same for a space wider than five feet.~~

~~In case the snow and ice on the sidewalk shall be frozen so hard that it cannot be removed without injury to the pavement, the person having charge of any building or lot of ground as aforesaid shall, within the time specified, cause the sidewalk abutting on the said premises to be strewn with ashes, sand, sawdust, or some similar suitable material, and shall, as soon thereafter as the weather shall permit, thoroughly clean said sidewalk.~~

~~The snow which falls or accumulates during the day (excepting Sundays) before four p.m. shall be removed within three hours after the same has fallen or accumulated. The snow which falls or accumulates on Sunday or after four p.m. and during the night on other days shall be removed before ten a.m.~~

(a) Every owner, lessee, tenant, occupant or other person in charge of any building or lot of ground in the city abutting upon any public way or public place shall be responsible for the following as pertains to such building or lot of ground:

1) Remove any snow and ice from any sidewalk abutting such building or lot of ground, and any sidewalk ramps intersecting such sidewalks, creating a clear path of at least 5 feet in width.

2) Snow which falls or accumulates between the hours of seven a.m. and seven p.m. shall be removed as soon as practicable, but no later than ten p.m. of the same day. Snow which falls or accumulates overnight between the hours of seven p.m. and seven a.m. shall be removed as soon as practicable, but no later than ten a.m. of the same day.

3) If snow on the sidewalk is frozen so hard that it cannot be removed without damage to the pavement, the person in charge of any building or lot of ground shall, within the time specified for removing the snow, strew, or cause to be strewn, the sidewalk abutting the building or lot of ground with sand, abrasive material or other products made for the purpose of mitigating slipping hazards and preventing the accumulation of ice, and shall, as soon thereafter as the weather shall permit, thoroughly clean the sidewalk.

(b) Any person who violates this section shall be fined not less than $50.00 nor more than $500.00 for each offense, and each day such offense shall continue shall constitute a distinct and separate offense.

SECTION 3. Section 10-8-190 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, as follows:

10-8-190 Liability for civil damages.

Any person who removes snow or ice from the public sidewalk or street, shall not, as a result of his acts or omissions in such removal, be liable for civil damages. This section does not apply to any person who violates Section 8-4-120 of this Code, or to acts or omissions amounting to wilful or wanton misconduct in such snow or ice removal.

SECTION 4. Section 10-20-545 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

10-20-545 Sidewalk ramps.

In order to eliminate the barrier that curbs pose to ~~the physically handicapped~~ people with disabilities, all new curbs and sidewalks, and all existing curbs or sidewalks which are a part of any new construction or reconstruction at the intersections of sidewalks and streets, sidewalks and alleys, and at other points of major pedestrian flow, shall comply with the following requirement:

(Omitted text is unaffected by this ordinance)

SECTION 5. Section 10-28-030 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

10-28-030 Unlawful to place ice and or snow on public way.

It shall be unlawful for any person to shovel or throw upon the public way any amount of ice or snow which is obstructive to the moving or parking of ~~vehicular traffic~~ any vehicle or the parking of any bicycle at a bicycle parking rack or the moving of any bicycle or which impedes the normal routing of pedestrian ~~traffic.~~ traffic, including access to any bicycle share station, bus stop or train station or building entrance. Any person ~~found in violation of~~ who violates this section shall be fined not less than ~~$25.00~~ $50.00 nor more than ~~$100.00~~ $500.00 for each offense, and each day such offense shall continue shall constitute a distinct and separate offense.

SECTION 6. Section 10-28-760 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, as follows:

10-28-760 Newsracks – Installation; maintenance.

No newsrack shall be placed, installed or maintained:

(Omitted text is not affected by this ordinance)

(l) Within five feet of a bicycle parking rack.

(m) Within five feet of a bicycle share station.

ARTICLE VIII.
RIVERWALK

SECTION 1. Section 2-51-050 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

2-51-050 Commissioner of fleet and facility management – Powers and duties.

The commissioner of fleet and facility management shall have the following duties and responsibilities:

(Omitted text is unaffected by this ordinance)

l. Subject to the approval of the corporation counsel as to form and legality and except as otherwise provided in this subsection, to negotiate and execute on behalf of the city~~,~~ any lease, right-of-entry agreement~~,~~ or other document evidencing an agreement for the use and occupancy of real property ~~which is~~ for a term not to exceed 30 days. Such initial agreement may be extended, renewed or continued for up to an additional ~~60-day period~~ 60 days. Provided, however, that no extension, renewal or continuation of such initial agreement shall extend beyond a totality of 90 days, unless: (1) the agreement is referred to the Chicago City Council for review and full disclosure as to all parties, particulars, events and justifications meriting such extension, renewal or continuation~~; If~~; and (2) the Chicago City Council approves an extension, renewal or continuation of such agreement beyond a totality of 90 days.~~, such extension shall be deemed to be a temporary extension of the agreement. Such temporary extension shall not exceed 90 days in duration. Provided further, that through December 31, 2015, unless otherwise provided by ordinance, the commissioner of fleet and facility management shall have the authority, subject to the approval of the corporation counsel as to form and legality, and after publicly soliciting requests for proposals or qualifications, to negotiate and execute concession agreements on behalf of the city, for a term not to exceed 180 days, for food, beverages, goods and services within the Chicago Riverwalk as defined in Section 2-32-1300(a);~~ Provided, however, that the power of the commissioner to negotiate and execute on behalf of the city any lease, right-of-entry agreement or other agreement for the use and occupancy of real property within the Chicago Riverwalk, including concession agreements for food, beverages, goods and services within the Chicago Riverwalk, shall be governed by Section 10-36-145;

(Omitted text is unaffected by this ordinance)

SECTION 2. Chapter 10-36-145 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

10-36-145 Chicago Riverwalk ~~– Hours of operation~~.

<u>(a) *Definitions.* For purposes of this section, the following definitions shall apply:</u>

<u>"Authorized concession stand" means any concession stand authorized to operate within the Chicago Riverwalk.</u>

<u>"Chicago Riverwalk" has the meaning ascribed to the term in section 2-32-1300(a).</u>

<u>"Commissioner" means the commissioner of fleet and facility management.</u>

~~(a)~~<u>(b)</u> <u>*Hours of operation.*</u> Except as otherwise provided by the commissioner, the Chicago Riverwalk shall be closed to the public between the hours of 11:00 P.M. and 6:00 A.M. The commissioner shall post and maintain permanent signs designating the hours during which public access to the Chicago Riverwalk is prohibited.

~~(b)~~<u>(c)</u> <u>*Violation of hours of operation – Unlawful act – Exceptions.*</u> Except as otherwise provided by the commissioner, it shall be unlawful for any person or vehicle to be in any facility or on the grounds of any part of the Chicago Riverwalk between the hours of 11:00 P.M. and 6:00 A.M. Provided, however, that this prohibition shall not apply to: (i) persons disembarking from a commercial tour boat and passing through the Chicago Riverwalk, without stopping, to the exit nearest to their point of destination; (ii) persons doing work consistent with the operational needs of any licensed venue or authorized concession stand located in any part of the Chicago Riverwalk, or persons entering or exiting the Chicago Riverwalk in conjunction with or upon completion of such work, including, but not limited to, deliverymen, security personnel, repairmen and employees of a licensed venue or authorized concession stand acting within the scope of their employment; (iii) authorized city personnel acting within the scope of their lawful duties; (iv) vehicles doing work consistent with the operational needs of any licensed venue or authorized concession stand located in any part of the Chicago Riverwalk, or vehicles entering or exiting the Chicago Riverwalk in conjunction with or upon completion of such work, including, but not limited to, delivery vehicles and repair vehicles; and (v) police department vehicles, fire department vehicles, emergency vehicles and other vehicles clearly marked as the property of the city. Any person who violates this subsection shall be fined not less than $50.00 nor more than $500.00 for each offense. Each day that a violation continues shall constitute a separate and distinct offense to which a separate fine shall apply.

~~(c) As used in this section:~~

~~"Authorized concession stand" means any concession stand authorized to operate on the Chicago Riverwalk.~~

~~"Chicago Riverwalk" has the meaning ascribed to the term in section 2-32-1300(a).~~

~~"Commissioner" means the commissioner of fleet and facility management.~~

(d) *Concession agreements.* Subject to the approval of the budget director, and of the corporation counsel as to form and legality, the commissioner is authorized, after publicly soliciting proposals, to negotiate and execute on behalf of the city concession agreements for food, beverages, goods and services within the Chicago Riverwalk for a term not to exceed 36 months. The commissioner may extend, renew or continue such initial agreement for two additional consecutive terms of up to 12 months each. Provided, however, that no extension, renewal or continuation of such initial agreement shall extend beyond a totality of 60 months, unless: (1) the agreement is referred to the Chicago City Council for review and full disclosure as to all parties, particulars, events and justifications meriting such extension, renewal or continuation; and (2) the Chicago City Council approves an extension, renewal or continuation of such agreement beyond a totality of 60 months.

(e) *Temporary use agreements.* The commissioner is authorized to enter into use agreements, subject to the approval of the corporation counsel as to form and legality, for the temporary use of space and facilities within the Chicago Riverwalk. The commissioner shall only enter into use agreements that the commissioner determines enhance and are consistent with the unique nature of the Chicago Riverwalk.

The term of any such use agreement shall not exceed 30 days; provided, however, that the commissioner may extend, renew or continue such initial agreement for up to 60 additional consecutive days. No such use agreement shall be for the sponsorship of an event, which shall be governed by subsection (g). Nor shall any such use agreement be for a concession to sell food, beverages, goods or services, which shall be governed by subsection (d); provided, however, that notwithstanding this provision or subsection (d), a use agreement under this subsection may provide for the sale of food, beverages, goods or services that meet the following criteria:

(1) the food, beverages, goods or services must be connected to or promote the temporary use itself, including, but not limited to, the sale of flowers by the vendor during a flower show or the sale of t-shirts or compact disks by the vendor during a concert;

(2) the sale of any food, beverages, goods or services must be incidental to the primary purpose of the use agreement;

(3) the food, beverages, goods or services must not endanger the public health or safety; and

(4) the sale of foods, beverages, goods and services must not conflict with any contractual obligation of the city.

The fees and conditions for use agreements shall be determined by the commissioner, giving consideration to the size and nature of the space, the duration of the event and the unique nature of the Chicago Riverwalk. The commissioner may adopt and enforce rules consistent with this subsection for awarding such use agreements.

(f) *Acceptance of grants and assets.* Subject to the approval of the budget director, the commissioner is authorized to accept grants of funds and other tangible and intangible assets pertaining to the Chicago Riverwalk. In connection with the acceptance of such funds and assets, the commissioner is authorized, subject to the approval of the corporation counsel as to form and legality, to enter into and execute such ancillary agreements on behalf of the city, as may be necessary or appropriate, which agreements may include indemnification by the city and right of entry.

(g) *Agreements for sponsorship of events – Construction of section.* Subject to the approval of the budget director, and of the corporation counsel as to form and legality, the commissioner is authorized to enter into and execute agreements with persons, including, but not limited to, commercial or other business sponsors or media sponsors, for the sponsorship of events within the Chicago Riverwalk for a term not to exceed 36 months. Subject to the approval of the budget director, the commissioner may extend, renew or continue such initial agreement for up to 24 additional consecutive months. The terms and conditions of such agreements shall be determined by the commissioner, giving consideration to the duration and extent of the sponsorship and the nature of the event being sponsored. In those sponsorship agreements entered into directly with a sponsor, in which the sponsor's participation in the event is limited to providing money to the city, and where the sponsor is only represented at the event by signage, or where the sponsor is a governmental entity, the commissioner may elect not to require the sponsor to indemnify the city. All sponsorship agreements shall provide the city the right, with or without cause, to terminate such agreements prior to their expiration date. Provided, however, that with respect to any special event designated as such in the city's special event ordinance for that year that will be held within the Chicago Riverwalk, the provisions of the special event ordinance shall control the sponsorship and production of that special event within the Chicago Riverwalk, and nothing in this section shall be construed to limit or restrict any provision of the city's special events ordinance for the sponsorship and production of such special event.

(h) *Rules. The* commissioner is hereby authorized to adopt and enforce rules to implement this section. Such rules may include, but are not limited to, the following: (1) protecting the health and safety of Chicago Riverwalk patrons and facilities, (2) establishing hours of operation for the Riverwalk and for facilities or venues located within the Chicago Riverwalk, and (3) prohibiting or regulating activities that may unreasonably disrupt pedestrian traffic flow or the quiet enjoyment of Chicago Riverwalk resources. The commissioner may post signs within the Chicago Riverwalk setting forth these rules, as well as directional signs.

(i) *Violation – Penalty.* Except as otherwise provided in this section, and in addition to any other penalty provided by law, any person who violates this section or any rule promulgated thereunder shall be fined not less than $50.00 nor more than $500.00 for each offense. Each day that a violation continues shall constitute a separate and distinct offense.

(j) Chicago *Riverwalk – Revenue.* All revenue received by the city from the sources identified in subsection (b) of Section 2-32-1300 shall be governed by Section 2-32-1300.

ARTICLE IX.
LOOPLINK

PART A: PARKING METER REMOVAL AND INSTALLATION

SECTION 1. The Comptroller of the City of Chicago is directed to remove parking meters at:

- West Washington Street, north side of the street, from North Wacker Drive to North LaSalle Street
- West Madison Street, south side of the street, from Wacker Drive to Wells Street
- West Madison Street, south side of the street, from LaSalle Street to Clark Street
- West Madison Street, south side of the street, from Dearborn Street to State Street
- South Clinton Street, east side of the street, from West Jackson Street to West Adams Street

- South Clinton Street, west side of the street, from West Adams Street to west Monroe Street
- South Canal Street, east side of the street, from West Adams Street to West Madison Street
- North Clark Street, west side of the street, from West Madison Street to West Washington Street

SECTION 2. The Comptroller of the City of Chicago is directed to install parking meters at:

- West Randolph Street, north side of the street, from North Wells Street to North Michigan Avenue
- West Randolph Street, south side of the street, from North Wells Street to North LaSalle Street
- North Clinton Street, west side of the street, from West Madison Street to West Washington Street
- North Clinton Street, east side of the street, from West Madison Street to West Washington Street
- North Canal Street, east side of the street, from West Washington Street to West Randolph Street
- West Monroe Street, south side of the street, from South Wacker Drive to South Franklin Street
- West Monroe Street, south side of the street, from South Wells Street to South Dearborn Street
- West Van Buren Street, north side of the street, from South Clinton Street to South Canal Street

PART B. BUS SHELTER REMOVAL AND INSTALLATION

WHEREAS, The City of Chicago (the "City") is a home rule unit of local government as defined in Section 6(a), Article VII of the 1970 Constitution of the State of Illinois, and, as such, may exercise any power and perform any function pertaining to its government and affairs;

WHEREAS, The City, through its Chicago Department of Transportation ("CDOT"), is responsible for the transportation network that connects communities throughout the City; and

WHEREAS, On June 28, 2002, the City entered into that certain contract ("Agreement") with JCDecaux Chicago, LLC, an Illinois limited liability company (the "Contractor") with respect to the design, fabrication, installation, maintenance, operation, removal and dismantlement of various pieces of street furniture, at no cost to the City, in exchange for the City allowing the Contractor to place advertising on certain types and pieces of street furniture in accordance with an ordinance relating to street furniture which was passed by the City Council of the City of Chicago on June 9, 1999, (Journal of Council Proceedings of the City Council of the City of Chicago; C.J.P., pp 5442-53; June 9, 1999) (See Exhibit 1); and

WHEREAS, Pursuant to the Agreement, street furniture includes bus stop shelters;

WHEREAS, The Contractor is responsible for the maintenance, operation and removal and dismantlement of the City's bus stop shelters installed pursuant to the Agreement, at no cost to the City; and

WHEREAS, The City has allowed the Contractor to place advertising on the bus stop shelters installed pursuant to the Agreement as a revenue generating means; and

WHEREAS, The Contractor's obligation to pay the fees to the City is independent of the Contractor's obligations under the Agreement with respect to the fabrication, installation, maintenance, operation, removal and dismantlement of the bus stop shelters; and

WHEREAS, The Contractor's obligation to pay such fees to the City is independent of the revenues, if any, that the Contractor generates from the sale of advertising on the bus stop shelters; and

WHEREAS, The Contractor has demonstrated that it has the necessary professional experience and expertise to provide the maintenance, operation, removal and dismantlement of the required bus stop shelters; and

WHEREAS, As part of its Central Loop East-West Corridor transportation plan, (commonly referred to as the LoopLink project) to improve traffic in the central business district, the City is reconfiguring certain street lanes to be used as a planned bus transit way; and

WHEREAS, As part of the LoopLink, the City is replacing thirteen (13) Contractor-owned bus shelters on Washington, Madison and Monroe Streets, with eight (8) City-owned bus shelters; and

WHEREAS, Pursuant to Section 4.7(a)(ii) of the Agreement, if the City desires to obtain additional bus stop shelters, the City must give the First Right of Refusal to the Contractor; and

WHEREAS, The Contractor wishes to exercise its First Right of Refusal for the additional bus and the City wishes to accept the Contractor's proposal pursuant to the terms of Exhibit 2; and

WHEREAS, The continued operation of the bus shelters by the Contractor will be a benefit to all the citizens of Chicago.

SECTION 1. The above recitals are incorporated by reference as if fully set forth herein.

SECTION 2. The Mayor or his proxy, upon recommendation of the Commissioner of CDOT ("Commissioner"), is hereby authorized to execute a First Amendment to the Agreement in substantially the form attached hereto as Exhibit 2.

SECTION 3. The Commissioner is authorized to enter into and to execute all documents and perform any and all acts, including promulgation of any standards, rules or regulations, as shall be necessary or advisable to carry out the purpose and intent of this ordinance.

SECTION 4. To the extent that any ordinance, resolution, rule, order or provision of the City, or part thereof, is in conflict with the provisions of this ordinance, the provisions of this ordinance shall control. If any section, paragraph, clause or provision of this ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this ordinance.

EXHIBIT 2

FIRST AMENDMENT TO AGREEMENT

THIS FIRST AMENDMENT TO AGREEMENT (this "Amendment") is entered into as of this ______ day of ________________, 2015 by and between the CITY OF CHICAGO, a municipal corporation and home rule unit of local government existing under the Constitution of the State of Illinois, (the "City") and JCDecaux Chicago, LLC, and Illinois limited liability corporation, (the "Contractor").

RECITALS:

A. The City and the Contractor are parties to that certain Agreement dated as of June 28, 2002, entered into by and between the City and the Contractor with respect to the Coordinated Street Furniture Program Agreement.

B. The City and the Contractor wish to amend certain provisions of the Agreement on the terms and conditions set for below.

NOW, THEREFORE, the parties hereto hereby agree as follows:

C. Amendments.

1. Contractor will assume operation, maintenance, repair, removal, dismantlement and replacement of the eight (8) additional shelters listed in Exhibit 2A, subject to the terms below.

2. For the purposes of this Amendment, bus shelter means, "the entire bus platform, the entire canopy and supporting structures and fixtures, benches, lighting and ramp areas to the crosswalks, including railings and other relevant structures.

3. The maintenance, repair, removal, dismantlement and replacement activities ("Maintenance Activities") will be the responsibility of the Contractor and will be performed in accordance with the Maintenance Standards contained in Exhibit 1D to the Agreement.

4. The security cameras operated by the Office of Emergency Management & Communications ("OEMC") and the bus tracker components and fare equipment operated by the Chicago Transit Authority ("CTA") will continue to be maintained by these third parties.

5. The City will install a snow melt system within the base platform and sidewalk ramps of each shelter; however, the Contractor agrees to maintain clear passageways, regardless of the performance of the melt system.

    - Contractor will immediately notify the City of any major defeats with the snow melt system, as soon as detected.

    - The long-term maintenance and heating of the snow melt system will be the responsibility of the City.

6. The Contractor agrees to provide a credit towards Maintenance Activities for the eight (8) new City-owned shelters equivalent to the cost of maintaining thirteen (13) Contractor-owned shelters. This credit will be referred to as the Annual Maintenance Credit ("AMC"). The AMC will be credited to the City for the maintenance of the City-owned shelters and the City will pay any amounts over the AMC incurred by Contractor in maintaining the eight (8) City-owned shelters. When calculating the costs incurred in maintaining the eight(8) new City-owned shelters the Contractor will include all of its costs, including its internal labor and costs (including but not limited to items such as supplies and vans and all necessary parts for or components of the shelter) and all external subcontractors attributable to maintaining the eight (8) City-owned shelters.

    - The AMC for the eight (8) City-owned shelters will initially be set at $25,350 annually, and each year, beginning in January 2016, the AMC will be adjusted using the Consumer Price Index for All Urban Consumers (CPI-U) in the Chicago-Gary-Kenosha.; and the City will assume any maintenance costs for the City-owned shelters above the AMC;

    - The City may retain an inventory of replacement parts for the City-owned shelters, and the Contractor will first use the City's inventory of parts at no cost to the City;

- The City will make every effort to help facilitate access for the Contractor to all suppliers of parts, components and materials that are part of the construction and fabrication of the City-owned shelters, throughout the term of this Agreement;

- The Contractor will notify and request approval from the City for any large part replacement or maintenance activity that individually exceeds $1,000 and the City will extend the time required under the Agreement for such repair, replacement or maintenance by the additional time that is required by the City to provide such approval.

- The Contractor will provide a quarterly notice to the City as to the cumulative amount of the AMC that has been used for the year.

7. The Contractor will supply, install and maintain four (4) double faced advertising boxes on each of the eight (8) City-owned shelters. For the new City-owned shelters on Washington and Madison streets, the Contractor will make available to the City for non-advertising uses of the City, two (2) faces of an advertising panel. The two (2) faces shall be on the two (2) interior advertising boxes, both facing the opposite direction of the street's traffic flow. The Contractor may utilize the remaining six (6) advertising faces.

D. Full Force and Effect: Except as amended by this Amendment, the Agreement shall continue in full force and effect.

E. Effect Limited. The amendments set forth above shall be limited precisely as written and shall not be deemed to be a waiver or modification of any other term or condition of the Agreement.

F. Counterparts. This Amendment may be executed in one or more counterparts, each of which shall constitute an original but all of which when taken together shall constitute but one agreement.

G. Governing Law: This Amendment shall be deemed to be a contract under, and for all purposes shall be governed by, and construed and interpreted in accordance with, the laws of the State of Illinois.

[Signature page immediately follows]

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be duly executed by their respective authorized officers as of the Amendment date referred to above.

CITY OF CHICAGO

By: ______________________________ ____________, 2015

Title: Commissioner

JCDecaux Chicago, LLC

By: ______________________________ ____________, 2015

Title: ____________________

By: ______________________________ ____________, 2015

Title: ____________________

Exhibit 2A
Location of the Additional Shelters

1. Washington Street, nearside of Franklin Street
2. Washington Street, nearside of LaSalle Street
3. Washington Street, between Clark Street and Dearborn Street
4. Washington Street, farside of State Street
5. Madison Street, nearside of Wabash Street
6. Madison Street, between State Street and Dearborn Street
7. Madison Street, farside of LaSalle Street

8. Madison Street, farside of Franklin Street

ARTICLE X.
MISCELLANEOUS CODE AMENDMENTS AND CORRECTIONS

SECTION 1. Section 1-4-090 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, as follows:

1-4-090 Definitions for Code provisions.

(Omitted text is unaffected by this ordinance)

(l) "Rule" means the whole or part of any statement, communication, standard, procedure or requirement of general applicability, having the force of law, issued by a department or department head pursuant to authority delegated by law to such department or department head that (1) implements or applies law or policy, or (2) prescribes the procedural requirements of a department including an amendment, modification, suspension or repeal of any such statement, communication, standard, procedure or requirement. The term "rule" encompasses any and all references to "rules and regulations" set forth in this Code.

SECTION 2. Section 2-32-210 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

2-32-210 Comptroller – Annual statement requirements.

~~The~~ Each year, no later than October 1st, the comptroller shall ~~make out~~ prepare, and publish on the City of Chicago department of finance website, an annual statement~~, on or before the first day of April, in each year,~~ giving a full and detailed statement of all receipts and expenditures during the preceding fiscal year. Such statement shall also detail the liabilities and resources of the city, and all other things necessary to exhibit its true financial condition. ~~He~~ The comptroller shall submit ~~the same~~ such annual statement to the city council, through the committee on finance, in ~~printed~~ a convenient form, accompanied by the certification of a public accountant, who shall not be connected with the city government, and who has been appointed by the finance committee.

(Omitted text is unaffected by this ordinance)

SECTION 3. Section 2-32-1300 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through, as follows:

2-32-1300 Riverwalk Fund.

(Omitted text is unaffected by this ordinance)

(b) All revenues received by the city from the following sources shall be placed in a single appropriate fund designated by the budget director, in consultation with the comptroller, for the purposes set forth in the 2013 Series Ordinance and/or the General Ordinance:

(1) all revenues received by the city from any license agreement, regardless of nomenclature, executed pursuant to section 4-250-080~~(a)~~ for the licensing of docks for tour boat operations at the following two locations on the main branch of the Chicago River at Michigan Avenue:

(Omitted text is unaffected by this ordinance)

SECTION 4. Section 2-68-030 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

2-68-030 Chief information officer – Powers and duties.

The chief information officer shall have the following duties and responsibilities:

a. to assess the city's data <u>and</u> ~~processing and information processing~~ <u>technology</u> requirements;

b. to advise the mayor and city departments on the effective use of data ~~processing~~ <u>and information</u> technology;

c. to review and approve requests from city departments and agencies for the procurement of data ~~processing equipment~~ and <u>technology goods and</u> services, provided<u>,</u> <u>however,</u> that this provision shall not apply to procurement of such ~~equipment~~ <u>goods</u> or services required by the city council or any of its committees;

d. to train and assist city departments and agencies in the use of data ~~processing equipment~~ <u>and information technology</u>;

e. to operate the city's ~~data processing center and network~~ <u>technology infrastructure</u> for the efficient maintenance of municipal records~~.~~<u>;</u>

f. to contract with information technology companies, at the request of the mayor's office, or of a using department or agency of city government, for the testing and pilot application of hardware, software, peripherals, technology services or any combination of them, in order to determine suitability for use by the requesting department or agency. Contracts for this purpose may be for products or services that are experimental, under development, not yet marketed, or adapted for use by the requesting department or agency. Such contracts shall be subject to approval of the corporation counsel as to form and legality and subject to the approval of the budget director as to funding~~.~~;

g. to participate with the Chicago Board of Education, the Chicago Park District, the Chicago Housing Authority, Community College District Number 508, the Chicago Transit Authority and other governmental agencies in jointly procuring, awarding, executing and purchasing under contracts, and purchasing under contracts already validly entered into by such agencies for computer systems, technology services, computer hardware and software, peripherals and related equipment and services to reduce costs and increase benefits to the participating agencies. Such agreements shall be subject to approval of the chief procurement officer, the approval of the corporation counsel as to form and legality, and the approval of the governing body of the participating agencies, either by specific action or by delegation similar to this subsection~~.~~;

h. to enter into agreements with other government entities regarding shared use of communications and other data transmission infrastructure. Any such agreements shall comply with applicable federal or state restrictions or limitations on shared use~~.~~;

(i) to enter into agreements with the Illinois Secretary of State in order to access, use or share data useful or necessary to the carrying out of City functions. The chief information officer may enter into such agreements, which may include provisions providing indemnification, directly or through a designee, which may include a designee of another city department if the information at issue directly impacts that other department. The chief information officer or his designee is further authorized to execute such other instruments and to perform such acts, including the expenditure of funds subject to appropriation therefor, as shall be necessary or advisable in connection with the implementation of such agreements, including any renewals thereto~~.~~; and

(Omitted text is unaffected by this ordinance)

SECTION 5. Chapter 4-4 of the Municipal Code of Chicago is hereby amended by inserting a new Section 4-4-045, underscored as follows:

4-4-045 Pre-license issuance – Proximity restriction measurement – Application – Fee.

(a) *Proximity restriction measurement --When authorized – Construction of section.* If a proximity restriction applies in connection with any license issued under this Title IV, the person seeking such license (for purposes of this section, "prospective license applicant") may, prior to submitting a license application under Section 4-4-050, file an application with the department, on a form prescribed by the commissioner, requesting the department to measure the radius of the applicable area to determine whether, consistent with the applicable proximity restriction, the license(s) being sought by the prospective license applicant may be issued by the department. Provided, however, that nothing in this section shall be construed to prohibit the department from re-measuring the radius of the applicable area under this section or in connection with the submission of a license application under Section 4-4-050.

(b) *Application – Notice –Duration.* The application for a measurement under this section shall contain the following information: (1) the applicant's name; (2) the license(s) being sought by the applicant; (3) the street number and location of the premises for which the license(s) is being sought; (4) the boundaries of the premises for which the license(s) is being sought; and (5) any other information or documentation that the commissioner may require to conduct the measurement. Within 10 business days of completing such measurement, the commissioner shall notify the applicant in writing of: (i) the results of such measurement, and (ii) whether, based on those results and consistent with the applicable proximity restriction, the license(s) being sought may be issued by the department. Except in the case of a measuring error made by the department, a measurement under this section shall be valid for 60 calendar days after the date of notice, as identified on the face of such notice.

(c) *Non-refundable application fee – Exceptions.* An application under this section shall be accompanied by a non-refundable application fee of $250. Provided, however, that if the license(s) being sought by the prospective license applicant, as set forth in the application submitted under this section, is subsequently issued to such person for the premises and at the location described in such application, the $250 application fee required under this section shall be deducted from the total amount of the license fee(s) required to be paid by such person in connection with the initial issuance of such license(s). Provided further, that if a measuring error made by the department prohibits the department from issuing the requested license(s), the $250 application fee required under this section shall be refunded to the applicant under this section.

SECTION 6. Section 2-102-030 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

2-102-030 Commissioner – Powers and duties.

The commissioner of transportation shall have the following powers and duties:

(Omitted text is unaffected by this ordinance)

(w) To enter into: (i) intergovernmental agreements transferring or otherwise allocating jurisdiction over, and carrying out construction, maintenance and repairs to, public way and other public infrastructure; and (ii) agreements with public utilities and railroads regarding construction, maintenance and repairs that impact their facilities upon or adjacent to public property; and, in connection with agreements entered into under this subsection, to enter into and execute all such other instruments and to perform any and all acts, including the allocation and expenditure of duly appropriated funds, as shall be necessary or advisable in connection with the implementation of such agreements and any renewals thereto. Any such intergovernmental agreement may include provisions providing indemnification. The authority conferred in this subsection shall not include the ceding of governmental ownership of public way or the transfer of title to real estate.

~~(w)~~ (x) The powers and duties conferred in this section shall not apply to the operation, management and maintenance of the Chicago Riverwalk, as defined in Section 2-32-1300(a), which shall be under the jurisdiction of the commissioner of fleet and facility management.

SECTION 7. Section 4-60-073 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

4-60-073 Lakefront venue liquor licenses – Special conditions.

(Omitted text is unaffected by this ordinance)

(b) A Lakefront Venue liquor license shall be subject to all provisions of this chapter with the following exceptions:

(1) Subsections (e) and (f) and the ~~45-day~~ 35-day review period of subsection (h) of Section 4-60-040.

(Omitted text is unaffected by this ordinance)

SECTION 8. Section 4-60-074 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

4-60-074 Riverwalk Venue liquor licenses – Special conditions.

(Omitted text is unaffected by this ordinance)

(d) A Riverwalk Venue liquor licensee shall be subject to all provisions of this chapter with the following exceptions:

(1) Subsections (e) and (f) of Section 4-60-040; the ~~45-day~~ 35-day review period of subsection (h) of Section 4-60-040; and Section 4-60-050.

(Omitted text is unaffected by this ordinance)

SECTION 9. Section 7-12-300 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

7-12-300 Ban of unlicensed possession of animals for slaughter.

No person shall own, keep or otherwise possess for their own food purposes, or slaughter, any animal ~~sheep, goat, pig, cow or the young of such species, poultry, rabbit, dog, cat, or any other animal, intending to use such animal for food purposes~~; provided, however, that this prohibition shall not apply to edible byproducts, such as eggs or milk, produced by an animal.

~~This section is applicable to any cult that kills (sacrifices) animals for any type of ritual, regardless of whether or not the flesh or blood of the animal is to be consumed; except that Kosher slaughtering is exempted from this ordinance.~~

Nothing in this ordinance ~~is to~~ shall be ~~interpreted as prohibiting~~ construed to prohibit any properly licensed establishment from slaughtering for food purposes any animals which are specifically raised for food purposes.

(Omitted text is unaffected by this ordinance)

SECTION 10. Section 7-38-500 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through, as follows:

7-38-500 Unlicensed premises – Slaughtering permitted when.

The slaughtering of animals for food shall not be permitted or conducted in any place in the city other than in a duly licensed slaughterhouse~~, except as authorized in this section~~.

~~Any person desiring to slaughter sheep or goats for a period of only one day in a place not duly licensed as a slaughterhouse shall make application to the department of buildings for a permit for such slaughtering.~~

~~If the department of buildings, upon investigation, shall find that the place where such slaughtering is to be carried on is in a good sanitary condition and the slaughtering can be conducted without causing a nuisance, it may issue a permit to carry on such slaughtering for a period of time not exceeding one day at the place mentioned in said application.~~

~~The fee for such permit shall be $5.00, which fee shall cover the cost of the necessary inspection service.~~

SECTION 11. Section 9-8-010 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

9-8-010 Authorized – Compliance required.

(a) (1) Subject to subsection (a)(2), the commissioner of transportation and the executive director of emergency management and communications are hereby authorized to cause the placement, erection, ~~and~~ maintenance <u>and removal</u> of traffic-control devices as provided in the traffic code, as required to make effective the traffic ordinance of the city, and as necessary to guide and warn traffic. <u>Provided, however, that if city council approval is required to install any traffic control device, city council approval shall also be required to remove such device.</u> The commissioner of transportation and the executive director of emergency management and communications are also authorized to place and maintain temporary traffic-control devices as needed in connection with construction or special events or experimental devices for the purposes of an engineering study; provided, however, <u>that</u> such devices shall not be maintained for longer than 180 days without city council approval. Upon the authorization of the commissioner of transportation or the executive director of emergency management and communications, the actual erection, placement, ~~and~~ maintenance <u>and removal</u> of any traffic-control device shall be performed by the appropriate city department or bureau. All traffic-control devices placed and maintained pursuant to the traffic code shall conform to the manual and specifications approved by the State of Illinois Department of Transportation and shall so far as practicable be uniform as to type and location throughout the city. All traffic-control devices so erected and not inconsistent with the provisions of state law or this Code shall be official traffic-control devices.

(Omitted text is unaffected by this ordinance)

SECTION 12. Section 9-76-230 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through, as follows:

9-76-230 Use of mobile telephones.

(Omitted text is unaffected by this ordinance)

~~(d)~~ ~~If any violation of this section is subject to the reporting requirements of Section 6-204 of the Illinois Vehicle Code, as amended, such violation shall be deemed not to be a compliance violation within the meaning of subsection (a) of Section 9-100-020 and the corporation counsel shall institute appropriate proceedings in a court of competent jurisdiction to prosecute such violation.~~

SECTION 13. Section 13-56-160 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, as follows:

13-56-160 Class G-2, moderate hazard industrial units.

Industrial units other than low-hazard industrial units as defined in Section 13-56-150 shall be classified as Class G-2, moderate hazard industrial units. Buildings, or parts thereof, used to distill ethyl alcohol, either as a primary or auxiliary use, shall be classified as a Class G-2, moderate hazard industrial unit.

SECTION 14. Section 15-24-530 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-24-530 Distilling and condensing plants.

(a) ~~All distilling and condensing plants, except~~ Except as otherwise provided in Section 15-24-540 or in subsection (b) of this section, all distilling and condensing plants shall have a clearance of not less than 300 feet in reference to any building or lot line.

(b) Buildings, or parts thereof, used to distill ethyl alcohol, either as a primary or auxiliary use, shall be classified as a Class G-2, moderate hazard industrial unit, and shall have either (1) a clearance of not less than 300 feet in reference to any building or lot line, or (2) at least a four-hour fire-resistive separation to all other uses. In addition, all flammable liquid storage or any dust producing operations shall comply with all applicable city requirements.

SECTION 15. Section 3-56-050 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

3-56-050 Fees – Late fees.

(a) Applicable license fees are as follows; provided, however, that each amount set forth in this subsection "a" shall be adjusted upwards, if applicable, for the term starting ~~in~~ on January 1, 2014 and every two years thereafter by applying to it the rate of inflation over the two-year period ending on the most recent July 1, calculated based on the Consumer Price Index - Urban Wage Earners and Clerical Workers (Chicago All Items) published by the United States Bureau of Labor Statistics, as calculated by the Comptroller, communicated to the Clerk by the Comptroller, and published by the Clerk. Such adjustment shall take place on January 1 of the applicable year, and shall apply the overall rate of inflation, if any, for the two-year period ending on the most recent July 1. Provided further, that the amount of any such adjustment shall be capped at 105% of the fee being adjusted:

(Omitted text is unaffected by this ordinance)

ARTICLE XI.
SEVERABILITY, REPEALER

SECTION 1. The provisions of this ordinance are declared to be separate and severable. The invalidity of any provision of this ordinance, or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

SECTION 2. All ordinances, resolutions, motions or orders inconsistent with this ordinance are hereby repealed to the extent of such conflict.

ARTICLE XII.
EFFECTIVE DATES

SECTIONS 1, 2, 3, 4, 5 and 6 of Article IV of this ordinance (pertaining to Debt Relief) shall take full force and effect upon its passage and approval.

SECTIONS 1, 2, 3, 4, 5 and 6 of Article VII of this ordinance (pertaining to Snow Removal) shall take full force and effect ten days after its passage and publication.

SECTIONS 1 and 2 of Part A of Article IX of this ordinance (pertaining to Looplink) shall take full force and effect upon its passage and approval.

SECTIONS 1, 2, 3 and 4 of Part B of Article IX of this ordinance (pertaining to Looplink) shall take full force and effect upon its passage and approval.

SECTION 11 of Article X of this ordinance (pertaining to Sign Removal), amending Section 9-8-010, is intended to clarify, rather than to change, existing law.

SECTIONS 13 and 14 of Article X of this ordinance (pertaining to Distilleries), amending Sections 13-56-160 and 15-24-530, respectively, shall take full force and effect upon its passage and approval.

The remainder of this ordinance, following its passage and approval, shall take effect on January 1, 2016.

City of Chicago

Office of the City Clerk

Document Tracking Sheet

O2015-7403

Meeting Date:	10/14/2015
Sponsor(s):	Emanuel (Mayor)
Type:	Ordinance
Title:	Amendment of Municipal Code Titles 3, 4, 7, 9, 11 and 13 concerning various fines and fees (2016 Revenue Ordinance)
Committee(s) Assignment:	Committee on Finance

FIN.

OFFICE OF THE MAYOR

CITY OF CHICAGO

RAHM EMANUEL
MAYOR

October 14, 2015

TO THE HONORABLE, THE CITY COUNCIL
OF THE CITY OF CHICAGO

Ladies and Gentlemen:

At the request of the Budget Director, I transmit herewith the Revenue Ordinance for Fiscal Year 2016.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,

Mayor

REVENUE ORDINANCE

WHEREAS, The City of Chicago is a home rule unit of government as defined in Article VII, Section 6 (a) of the Illinois Constitution; and

WHEREAS, As a home rule unit of government, the City of Chicago may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, The management of its finances is a matter pertaining to the government and affairs of the City of Chicago; now, therefore,

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

This ordinance is organized into thirteen Articles, as follows:

Article I	Personal Property Lease Transaction Tax
Article II	Chicago Liquid Nicotine Product Tax
Article III	Property Tax Limitation Ordinance
Article IV	Amusement Tax
Article V	Parking Tax
Article VI	Overweight Truck Permit Fees
Article VII	Uninsured Motorist Regulation
Article VIII	Building Permit Fees
Article IX	Refuse Collection
Article X	Capital Improvement Tax Levy
Article XI	Taxi Rate and TNP Airport Surcharge
Article XII	Severability and Repealer
Article XIII	Effective Date

Article I
Personal Property Lease Transaction Tax

SECTION 1. Chapter 3-32 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, as follows:

3-32-020 Definitions.

When any of the following words or terms are used in this chapter, whether or not capitalized and whether or not used in a conjunctive or connective form, they shall have the meaning or construction ascribed to them in this section:

(Omitted text is unaffected by this ordinance)

l. "Lease" or "rental" means any transfer of the possession or use of personal property, but not title or ownership, to a user for consideration, whether or not designated as a lease, rental, license or by some other term, and includes a "nonpossessory lease".

The term "nonpossessory lease" means a lease or rental wherein use but not possession of the personal property is transferred and includes, but is not limited to, leased time on or use of any and all personal property not otherwise itself rented, such as leased time on or for the use of addressing machines, billboards, calculators, computers, computer software, copying equipment or data processing equipment, whether the time is fully or partially utilized, and specifically includes a "nonpossessory computer lease".

The term "nonpossessory computer lease" means a nonpossessory lease in which the customer obtains access to the provider's computer and uses the computer and its software to input, modify or retrieve data or information, in each case without the intervention (other than de minimis intervention) of personnel acting on behalf of the provider. The term "nonpossessory computer lease" includes, but is not limited to, time sharing or time or other use of a computer with other users. In the case of a nonpossessory computer lease, the location of the terminal or other device by which a user accesses the computer shall be deemed to be the place of lease or rental and the place of use of the computer for purposes of the tax imposed by this chapter.

In the case of a nonpossessory computer lease where the user accesses the provider's computer from a mobile device, the rules set forth in the Illinois Mobile Telecommunications Sourcing Conformity Act ("Act"), 35 ILCS 638, as amended, may be utilized for the purpose of determining which customers and charges are subject to the tax imposed by this chapter. If those rules indicate that the tax applies, it shall be presumed that the tax does apply unless the contrary is established by books, records or other documentary evidence.

The words "lease" or "rental" shall not be construed to include an agreement which constitutes a bona fide conditional sale of personal property. The primary consideration in determining whether an agreement is a conditional sale rather than a lease or rental is whether the lessee under the agreement both is required to make payments the sum of which is at least equal to the lessor's cost of the personal property and, under the terms of the agreement, has the option of taking title to or ownership of the personal property for nominal or no consideration after all payments required under the agreement have been made.

The words "lease" or "rental" shall not be construed to include an agreement which grants certain rights to a person, or the person's agent, to install, remove, operate, improve and maintain, and collect fees from, certain designated parking meters pursuant to a concession agreement.

The words "lease" or "rental" shall include a transfer of the use of software within the meaning of this chapter only if, for purposes of the Illinois Retailers' Occupation Tax and Illinois Use Tax, the software is not "custom" software and the transfer is an exempt license of software.

(Omitted text is unaffected by this ordinance)

M. "Lessor" means any person, including the assignee of any lease or rental agreement, who leases or rents personal property to users or who, directly or indirectly, receives or collects the consideration for the lease or rental of personal property.

(Omitted text is unaffected by this ordinance)

3-32-030 Tax imposed.

(Omitted text is unaffected by this ordinance)

B. The rate of the tax shall be nine percent of the lease or rental price, unless subsection B.1 of this section provides for a lower rate. The tax shall be paid by the lessee at the time of each lease or rental payment, and each tax payment shall be determined by applying the tax rate to the lease or rental payment.

B.1 In the case of the nonpossessory lease of a computer primarily for the purpose of allowing the customer to use the provider's computer and software to input, modify or retrieve data or information that is supplied by the customer, the rate of the tax imposed by this chapter shall be 5.25 percent of the lease or rental price.

(Omitted text is unaffected by this ordinance)

3-32-050 Exempt leases, rentals or uses.

A. Notwithstanding any other provision of this chapter, the following leases, rentals or uses shall be exempt from the tax imposed by this chapter:

(Omitted text is unaffected by this ordinance)

(13) In accordance with the terms of this subsection, and pursuant to procedures to be established by the comptroller, the nonpossessory lease of a computer, where the lessor or lessee is a small new business, as the term "small new business" is defined in this subsection.

(a) For purposes of this subsection, the term "small new business" shall mean a business that (i) holds a valid and current business license issued by the City or another jurisdiction, (ii) during the most recent full calendar year prior to the annual tax year for which the exemption provided by this subsection is sought had under $25 million in gross receipts or sales, as the term "gross receipts or sales" is defined for federal income tax purposes, and (iii) has been in operation for fewer than 60 months. For the purpose of calculating the $25 million limit, gross receipts or sales will be combined if they are received by members of a single unitary business group. For purposes of this subsection, the term "unitary business group" is as defined for Illinois income tax purposes. For the purpose of calculating the 60 month limit, time in operation will be deemed to have begun during the first calendar month in which the business seeking the exemption first received any gross receipts or sales. Also for the purpose of calculating the 60 month limit, time in operation will include any earlier time during which any of the following businesses were in operation (i) another existing business, if that business is a member of the same unitary business group as the business seeking the exemption, (ii) a business that is no longer in operation, but that would be a member of the same unitary business group as the business seeking the exemption, if it were still in operation; (iii) a business whose liabilities would be liabilities of the business seeking the exemption, pursuant to Illinois law concerning successor liability; or (iv) any other business that is reasonably determined by the Comptroller to be substantially similar or a predecessor to the one seeking the exemption, based on factors including, but not limited to, common ownership, management, employees, assets, line of business and location.

(b) A small new business that is the lessor of a nonpossessory computer lease shall not be required to collect tax on its charges for such nonpossessory computer lease.

(c) A small new business that is the lessee of a nonpossessory computer lease shall not be required to pay tax on its charges for such nonpossessory computer lease. To document this exemption, the lessor must obtain from the lessee and retain in its business records a copy of the lessee's lease tax exemption certificate, in a form to be provided by the Comptroller.

(Omitted text is unaffected by this ordinance)

SECTION 2. With regard to the amendments in Section 1 of the Personal Property Lease Transaction Tax portion of this ordinance that amends Section 3-32-020(I) of the Municipal Code, the purpose of said amendment is to eliminate ambiguity and clarify rather than change the law.

Article II
Chicago Liquid Nicotine Product Tax

SECTION 1. Section 3-4-186 of the Municipal Code of Chicago is hereby amended by adding the language underscored, as follows:

3-4-186 Annual returns.

(Omitted text is not affected by this ordinance)

Hotel Accommodation Tax	3-24
Liquid Nicotine Product Tax	3-47

(Omitted text is not affected by this ordinance)

SECTION 2. Title 3 of the Municipal Code of Chicago is hereby amended by adding a new chapter 3-47 underscored, as follows:

CHAPTER 3-47

CHICAGO LIQUID NICOTINE PRODUCT TAX

3-47-010 Title.

This chapter shall be known and cited as the "Chicago Liquid Nicotine Product Tax Ordinance," and the tax herein imposed shall be known and cited as the "Chicago Liquid Nicotine Product Tax."

3-47-020 Definitions.

Whenever any of the following words, terms, or phrases are used in this chapter, they shall have the following meanings:

"Department" means the department of finance of the City.

"Electronic cigarette" has the meaning ascribed to that term in Section 7-32-010 of this Code.

"Liquid nicotine product" means: (1) any electronic cigarette containing liquid, gel, or other solution that contains nicotine; and (2) any other container of liquid, gel, or other solution where the liquid, gel, or other solution (i) contains nicotine and (ii) is intended to be utilized in an electronic cigarette. The term "liquid nicotine product" does not include any product regulated by the United States Food and Drug Administration under Chapter V of the Food, Drug, and Cosmetic Act, 21 U.S.C. § 301 *et seq.*

"Product unit" means each individual liquid nicotine product, without regard to whether the product is sold as a single piece or as multiple pieces within the same package.

"Purchaser" means any person who purchases in a retail sale.

"Retail liquid product nicotine dealer" or "retailer" means any person who engages in the business of the retail sale of liquid nicotine products in the City.

"Retail sale" means any sale to a person for use or consumption, and not for resale.

"Sale" or "purchase" means any transfer of ownership or title or both, any exchange or barter, in any manner or by any means whatsoever for a valuable consideration.

"Wholesale liquid nicotine product dealer" or "wholesaler" means any person who engages in the business of selling or supplying liquid nicotine products to any person for resale in the City.

3-47-030 Tax imposed.

A tax is hereby imposed on the retail sale of liquid nicotine products in the City. This tax shall be paid by the purchaser, and nothing in this chapter shall be construed to impose a tax on the occupation of retail or wholesale liquid nicotine product dealer. The tax shall be imposed at a rate of $1.25 per product unit, plus an additional $0.25 per fluid milliliter of consumable liquid, gel, or other solution contained in the product.

3-47-040 Liability for payment.

The ultimate incidence and liability for payment of the tax imposed by this chapter is to be borne by the purchaser of liquid nicotine product. It shall be a violation of this chapter for a retail liquid nicotine product dealer to fail to include the tax imposed herein in the sale price of the liquid nicotine product, or to otherwise absorb such tax.

3-47-050 Collection.

A. Except as otherwise provided herein, the tax imposed herein shall be collected by each wholesale liquid nicotine product dealer who sells a liquid nicotine product to a retail liquid nicotine product dealer located in the City. The wholesale liquid nicotine product dealer shall remit the tax and file returns in accordance with Section 3-47-060 of this chapter.

B. Any wholesale liquid nicotine product dealer required to remit the tax imposed by this chapter shall collect the tax from each retail liquid nicotine product dealer in the city to whom the sale of a liquid nicotine product is made, and any such retail liquid nicotine product dealer shall in turn then collect the tax from the retail purchaser of said liquid nicotine product.

C. If any retailer receives or otherwise obtains a liquid nicotine product upon which the tax imposed herein applies and has not been collected by any wholesale liquid nicotine product dealer, then the retailer shall collect such tax and remit it directly to the department in accordance with Section 3-47-060 of this chapter.

D. If a wholesale liquid nicotine product dealer sells a liquid nicotine product to a purchaser for use or consumption and not for resale, such wholesale liquid nicotine product dealer shall collect the tax imposed herein from such purchaser and remit it to the department in the same manner as sales to retail liquid nicotine product dealers.

3-47-060 Tax payments and returns.

A. All tax payments and remittances shall be made in accordance with either Section 3-4-187 (payment of actual tax liabilities) or Section 3-4-188 (payment of estimated taxes) of this Code.

B. All tax returns shall be filed with the department on an annual basis on or before August 15 of each year, in accordance with Sections 3-4-186 and 3-4-189 of this Code.

3-47-070 Returns and payments required upon implementation of the tax and after future tax rate increases.

A. The comptroller is authorized to establish by rule the filing date under this section, which shall be determined based on considerations of administrative efficiency and in no event be later than 24 days after the effective date of this section. The comptroller shall publish in one or more newspapers of general circulation in the city and post on the Department of Finance website a copy of the rule with the filing date a minimum of 10 days before that date occurs.

B. On or before the filing date set in accordance with subsection A of this section, every retail liquid nicotine product dealer shall file with the department, on a form prescribed by the comptroller, a tax return reporting the inventory of liquid nicotine products in the retailer's possession or control for sale in the City on the effective date of this section. The retailer shall include with the tax return any tax due on the inventory of liquid nicotine products in its control and possession for sale in the City for which all applicable tax has not been collected. The retailer shall in turn collect the tax from its retail purchasers.

C. Every retail liquid nicotine product dealer who possesses liquid nicotine products for sale in the City purchased prior to the effective date of a Chicago liquid nicotine products tax increase shall file with the department, on a form prescribed by the comptroller, a tax return attesting to the quantities of such liquid nicotine products in its possession as of the last day prior to the tax increase and remit to the department the amount of tax due as a result of each rate increase. The retailer shall in turn collect the tax from its retail purchasers. Each such tax return and payment due under this subsection shall be filed and received by the department by the 24th day following the effective date of each tax increase.

D. Every retail liquid nicotine product dealer required to file a tax return under subsection B or C of this section who does not file such tax return by its due date, or alternatively does not provide all required information on such tax return, or fails to remit all required tax due computed thereon, shall be subject to a penalty of $100.00 per business location required to be reported on the tax return, in addition to all other penalties and interest that may be due under the Uniform Revenue Procedures Ordinance, Chapter 3-4 of this Code.

E. If the comptroller determines that a person subject to the penalty in subsection D of this section had reasonable cause for paying late, underpaying the applicable tax, or filing a late or incomplete tax return, then the applicable penalty shall be waived.

F. The comptroller, or his or her designee, may at any time during the statute of limitations outlined in Section 3-4-120 of this Code examine the books and records of any person required to file a tax return under this section, and may issue a tax determination and assessment to the person per Section 3-4-160 of this Code, if a determination is made that any amount of tax, penalty, or interest is due.

G. Every person required to file a tax return under subsection B or C of this section who files a complete tax return by its due date and makes timely payment of the amount computed thereon shall be eligible to retain a commission in the amount of one percent of the tax computed due thereon.

3-47-080 Books and records.

Every person required to collect the tax imposed by this chapter shall keep accurate books and records of its business or activity, including original source documents and books of entry denoting the transaction that gave rise, or may have given rise, to the tax liability or any exemption that may be claimed. All such books and records shall be kept in the English language and, at all times during business hours of the day, shall be subject to and available for inspection by the department.

3-47-090 Payment of tax required.

The failure of the wholesale or retail liquid nicotine product dealer to collect the tax herein imposed shall not relieve the purchaser of his duty to pay it. If the wholesale and retail liquid nicotine product dealer fail to collect the tax, the purchaser shall be required to pay it directly to the department in the same manner and form as a retail liquid nicotine product dealer.

3-47-100 Authority to appoint collection agents.

In furtherance of administering this chapter, the comptroller shall have the authority to appoint one or more persons within or without the City as collection agents for the tax herein imposed. This includes the authority to enter into service agreements with public and private entities, and to perform any and all acts, including the expenditure of funds subject to appropriation therefor, as shall be necessary or advisable in connection with such service agreements, including any renewals thereto.

3-47-110 Exemptions.

A. This tax shall not apply to the extent it would violate the United States Constitution or the Constitution of the State of Illinois.

B. It shall be presumed that all sales of liquid nicotine product from wholesale or retail liquid nicotine product dealers are subject to tax under this chapter until the contrary is established. The burden of proving that such is not taxable hereunder shall be upon the person so claiming.

<u>3-47-120 Registration.</u>

<u>Every wholesale liquid nicotine product dealer shall register with the department within 30 days after the date of commencing such business.</u>

<u>3-47-130 Supplementary provisions.</u>

<u>Whenever not inconsistent with the provisions of this chapter, or whenever this chapter is silent, the provisions of the Uniform Revenue Procedures Ordinance, Chapter 3-4 of this Code, as amended, shall apply and supplement this chapter.</u>

<u>3-47-140 Rules and regulations.</u>

<u>The comptroller is authorized to adopt, promulgate, and enforce rules and regulations pertaining to the administration and enforcement of this chapter.</u>

<u>3-47-150 Deposit of funds.</u>

<u>All proceeds resulting from the imposition of this tax, including interest and penalties, shall be deposited in the City's corporate fund.</u>

Article III
Property Tax Limitation Ordinance

SECTION 1. Section 3-92-020 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, as follows:

3-92-020 Definitions.

Whenever used in this chapter, the following words and phrases shall have the following meanings:

(a) "Consumer price index" means the consumer price index for all urban consumers for all items, published by the United States Department of Labor.

(b) "Aggregate levy" means the annual levy of property taxes by the city for all purposes, with the exception of (i) amounts levied for the specific purposes of special service areas <u>or pensions</u> and (ii) those specific amounts levied for the years 2002, 2003 and 2005 to 2030, inclusive, for the benefit of the Chicago School Reform Board of Trustees of the Board of Education of the City of Chicago pursuant to an ordinance adopted by the City Council of the City on September 10, 1997, and (iii) for the purpose of determining the aggregate levies for the year 2008 and subsequent years, amounts levied for public library purposes which are separately stated on tax bills under Section 20-15 of the Property Tax Code 35 ILCS 200/20-15, plus adjustment for new property.

(Omitted text is unaffected by this ordinance)

Article IV
Amusement Tax

SECTION 1. Section 4-156-020 of the Municipal Code of Chicago is hereby amended by adding the language underscored, as follows:

4-156-020 Tax imposed.

(Omitted text is unaffected by this ordinance)

G. It shall be presumed that all amusements are subject to tax under this article until the contrary is established by books, records or other documentary evidence.

<u>G.1. In the case of amusements that are delivered electronically to mobile devices, as in the case of video streaming, audio streaming and on-line games, the rules set forth in the Illinois Mobile Telecommunications Sourcing Conformity Act, 35 ILCS 638, as amended, may be utilized for the purpose of determining which customers and charges are subject to the tax imposed by this chapter. If those rules indicate that the tax applies, it shall be presumed that the tax does apply unless the contrary is established by books, records or other documentary evidence.</u>

(Omitted text is unaffected by this ordinance)

SECTION 2. With regard to the amendments in Section 1 of the Amusement Tax portion of this ordinance, the purpose of said amendment is to eliminate ambiguity and clarify rather than change the law.

Article V
Parking Tax

SECTION 1. Chapter 4-236 of the Municipal Code of Chicago is hereby amended by adding the language underscored and by deleting the language struck through, as follows:

4-236-010 Definitions.

For the purpose of this chapter, whenever any of the following words, terms or definitions are used, they shall have the meaning ascribed to them in this section:

(Omitted text is unaffected by this ordinance)

"Parking lot" or "garage" means any building, structure, premises, enclosure or other place, whether enclosed or not, except a public way, within the City of Chicago, where ~~four or more~~ motor vehicles are stored, housed or parked for hire, charge, fee or other valuable consideration in a condition ready for use, or where rent or compensation is paid to the owner, manager or lessee of the premises for the housing, storing, sheltering, keeping or maintaining of such motor vehicles.

(Omitted text is unaffected by this ordinance)

4-236-020 Tax imposed.

(Omitted text is unaffected by this ordinance)

(c) The tax imposed by this chapter shall not apply to: (i) residential off-street parking of house or apartment tenants or condominiums, wherein an arrangement for such parking is provided in the house or apartment lease or in a separate writing between the landlord and tenant, or if in a condominium between the condominium association and the owner, occupant or guest of a unit, whether the parking charge is payable to the landlord, condominium association, or to the operator of the parking lot or garage; (ii) parking by hospital employees on or in a parking lot or garage that is owned or operated by the hospital for which they work; (iii) parking on or in a parking lot or garage where three or fewer motor vehicles are stored, housed or parked for hire, charge, fee or other valuable consideration, if the operator of the parking lot or garage does not act as the operator of more than a total of three parking spaces located in the City of Chicago.

(Omitted text is unaffected by this ordinance)

~~(g) Hospitals shall be exempt from the collection of any tax from their employees as provided in this chapter.~~

(Omitted text is unaffected by this ordinance)

Article VI
Overweight Truck Permit Fees

SECTION 1. Section 9-72-070 of the Municipal Code of Chicago is hereby amended by adding the language underscored, as follows:

9-72-070 Special permits.

(a) (1) The executive director may, upon application in writing and good cause being shown, issue a special permit authorizing a vehicle or combination of vehicles not in conformity with the size regulations of this chapter or the wheel and axle load and gross weight provisions of Section 15-111 of the Illinois Vehicle Code, to be operated upon any street or highway under the jurisdiction of the city. The fees for permits under this section shall be as provided in Table 9-72-070. All fee payments under this section shall be deposited in an account to be used only for maintenance, repair and upgrading of streets and highways within the city designated under Section 9-72-035.

(omitted text is unaffected by this ordinance)

The fee for an annual permit issued under subsection (a)(2) shall be as set forth in that subsection. Beginning June 1, 2016 and every year thereafter, the fees set forth in this section shall be adjusted upwards, if applicable, by applying to the previous year's fees the rate of inflation, calculated based on the Consumer Price Index - Urban Wage Earners and Clerical Workers (Chicago All Items) published by the United States Bureau of Labor Statistics for the 365-day period ending on the most recent January 1.

Article VII
Uninsured Motorist Regulation

SECTION 1. Chapter 9-80 of the Municipal Code of Chicago is hereby amended by adding a new Section 9-80-250 underscored, as follows:

9-80-250 Operation of uninsured motor vehicle – penalties.

(a) No person shall operate a motor vehicle unless the motor vehicle is covered by a liability insurance policy in accordance with Section 7-601 of the Illinois Vehicle Code, as amended. For purposes of this subsection, any person who fails to comply with a request by a law enforcement officer for display of evidence of insurance, as required under Section 7-602 of the Illinois Vehicle Code, as amended, shall be deemed to be operating an uninsured motor vehicle.

(b) Any person convicted of violating subsection 9-80-250(a) shall be subject to a fine of not less than $500.00 nor more than $1,000.00 for the first and second offenses, and to a fine of $1,000.00 for each subsequent offense. However no person charged with violating subsection 9-80-250(a) shall be convicted if such person produces in court satisfactory evidence that, at the time of the violation, the motor vehicle was covered by a liability insurance policy in accordance with Section 7-601 of the Illinois Vehicle Code, as amended; and a person convicted of a first offense for violating subsection 9-80-250(a) who produces at his or her court appearance satisfactory evidence that the motor vehicle is covered, as of the date of the court appearance, by a liability insurance policy in accordance with Section 7-601 of the Illinois Vehicle Code, as amended, shall pay a fine of $100.00 and receive a disposition of court supervision. The person must, on the date that the period of court supervision is scheduled to terminate, produce satisfactory evidence that the vehicle was covered by the required liability insurance policy during the entire period of court supervision.

Article VIII
Building Permit Fees

SECTION 1. Section 13-32-310 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

13-32-310 Permit fees – Computation.

(a) *Permits requiring plans – Calculation of fee.* If building plans or drawings meeting the requirements of Chapter 13-40 are required under this code in order for a permit to be issued or for any type of work described in Tables (C) or (D) of this section, the permit fee shall be calculated using the following formula:

Construction factor.	×	*Scope of review factor*	×	*Area of work*	=	*Permit fee.*

(Omitted text is unaffected by this ordinance.)

Table 13-32-310(A)

Construction Factor for NEW CONSTRUCTION

Cost of review per square foot area of work

	Construction Classification				
Occupancy Classification Per section 13-56-010	*IA-IC (Non Combustible)*	*II (Non Combustible)*	*III-A (Heavy Timber)*	*III-B, IIIC (Ordinary Construction)*	*IV-A, IV-B (Protected and Non Protected Construction)*
A1 Residential 1 and 2 Family, Private Garages	~~$0.26~~ $0.43	~~$0.24~~ $0.41	~~$0.23~~ $0.39	~~$0.23~~ $0.40	~~$0.21~~ $0.36
A2 Townhouse	~~$0.27~~ $0.46	~~$0.24~~ $0.41	~~$0.24~~ $0.37	~~$0.21~~ $0.41	~~$0.21~~ $0.32
~~A2 Multi-Family, Hotel, Assisted Living~~					
A2 Multi-Family, Hotel, Assisted Living	$0.54	$0.50	$0.46	$0.50	$0.41
~~Low-rise - max 45 feet or 4 stories high~~	~~$0.27~~	~~$0.26~~	~~$0.24~~	~~$0.23~~	~~$0.23~~
~~Mid-rise - over 45 feet and less than 80 feet high~~	~~$0.30~~	~~$0.28~~	~~$0.24~~	~~$0.24~~	~~NP~~
~~High-rise - 80 feet and over~~	~~$0.32~~	~~NP~~	~~$0.29~~	~~NP~~	~~NP~~

B-Hospital, Prison, Nursing Home, Supervised Environment	~~$0.40~~ $0.69	~~$0.35~~ $0.64	~~$0.30~~ $0.56	~~$0.29~~ $0.63	~~$0.27~~ $0.51
C-1 / C-2					
Theater w/ Stage	~~$0.42~~ $0.69	~~$0.37~~ $0.64	~~$0.36~~ $0.59	~~$0.34~~ $0.62	~~$0.34~~ $0.54
Theater w/o Stage	~~$0.39~~ $0.63	~~$0.34~~ $0.58	~~$0.31~~ $0.54	~~$0.31~~ $0.56	NP
C-1 / C-2 Community Halls, Nightclub, Restaurant, Banquet Hall, Libraries, Museums, Churches	~~$0.32~~ $0.56	~~$0.31~~ $0.52	~~$0.29~~ $0.48	~~$0.27~~ $0.49	~~$0.24~~ $0.43
C-3 Schools, Day Care Centers	~~$0.34~~ $0.56	~~$0.30~~ $0.52	~~$0.29~~ $0.47	~~$0.28~~ $0.51	~~$0.25~~ $0.42
D Open Air Assembly	~~$0.33~~ $0.63	~~$0.29~~ $0.58	~~$0.28~~ $0.53	~~$0.25~~ $0.56	~~$0.24~~ $0.48
~~E Business~~					
E Business	$0.55	$0.50	$0.45	$0.48	$0.39
~~Low-Rise & Restaurants < 100 Occupants~~	~~$0.33~~	~~$0.29~~	~~$0.28~~	~~$0.25~~	~~$0.23~~
~~Mid-Rise & High-Rise - over 45 feet high~~	~~$0.33~~	~~NP~~	~~$0.28~~	~~$0.28~~	~~NP~~
F Mercantile	~~$0.24~~ $0.39	~~$0.21~~ $0.36	~~$0.20~~ $0.32	~~$0.18~~ $0.34	~~$0.16~~ $0.28
G-1 Low & Moderate Hazard Industrial	~~$0.20~~ $0.32	~~$0.17~~ $0.29	~~$0.16~~ $0.25	~~$0.16~~ $0.28	~~$0.14~~ $0.21
H-1 Low and Moderate Hazard Storage	~~$0.19~~ $0.35	~~$0.16~~ $0.27	~~$0.15~~ $0.23	~~$0.14~~ $0.25	~~$0.11~~ $0.18
H-3 Garages	~~$0.14~~ $0.23	~~$0.12~~ $0.20	~~$0.11~~ $0.17	~~$0.10~~ $0.19	~~$0.10~~ $0.14
I Hazardous Use Buildings	~~$0.19~~ $0.38	~~$0.16~~ $0.35	~~$0.15~~ $0.31	~~$0.14~~ $0.33	NP
J Miscellaneous Use	~~$0.14~~	~~$0.12~~	~~$0.11~~	~~$0.10~~	~~$0.10~~

Parking Facility, Gasoline Filling Station, Police Station, Fire Station, Porches, Decks	$0.23	$0.20	$0.17	$0.19	$0.14

Note: Structures of mixed occupancy shall be assessed fees based on the square foot area categorized under each occupancy. Common areas in mixed occupancy buildings shall be assessed the same as the majority occupancy. Areas less than 15% of the total building area shall be assessed as part of the majority occupancy. Parking associated with residential building occupancy shall be assessed the same as the residential occupancy if such parking is used exclusively by the building's non-transient residential occupants and their guests.

Note: Only one construction type shall be used for a building. The higher dollar amount will govern.

Note: Porches, decks, balconies, green roofs or similar constructions shall use the Construction Factor associated with the building to which it is attached.

Note: See Table 13-32-310(E) regarding additional fees assessed.

Note: "NP" means not permitted.

Table 13-32-310(B)

Construction Factor for ALTERATIONS/RENOVATIONS/REPAIRS/ ADDITIONS/MOVED BUILDINGS

Cost of review per square foot area of work

	Construction Classification				
Occupancy Classification Per section 13-56-010	*IA-IC (Non Combustible)*	*II (Non Combustible)*	*III-A (Heavy Timber)*	*III-B, IIIC (Ordinary Construction)*	*IV-A, IV-B (Protected and Non Protected Construction)*
A1 Residential 1 and 2 Family, Private Garages	~~$0.47~~ $0.55	~~$0.44~~ $0.52	~~$0.43~~ $0.50	~~$0.41~~ $0.51	~~$0.39~~ $0.46
A2 Townhouse	~~$0.50~~ $0.58	~~$0.44~~ $0.52	~~$0.44~~ $0.47	~~$0.39~~ $0.52	~~$0.39~~ $0.41
~~A2 Multi-Family, Hotel, Assisted Living~~					
A2 Multi-Family, Hotel, Assisted Living	$0.69	$0.64	$0.58	$0.64	$0.52
~~Low-rise - max 45 feet or 4 stories high~~	~~$0.50~~	~~$0.47~~	~~$0.44~~	~~$0.43~~	~~$0.41~~

~~Mid-rise - over 45 feet and less than 80 feet high~~	~~$0.56~~	~~$0.51~~	~~$0.44~~	~~$0.44~~	~~NP~~
~~High-rise - 80 feet and over~~	~~$0.58~~	~~NP~~	~~$0.53~~	~~NP~~	~~NP~~
B-Hospital, Prison, Nursing Home, Supervised Environment	~~$0.72~~ $0.87	~~$0.65~~ $0.81	~~$0.56~~ $0.71	~~$0.52~~ $0.80	~~$0.49~~ $0.64
C-1 / C-2					
Theater w/ Stage	~~$0.77~~ $0.87	~~$0.61~~ $0.81	~~$0.58~~ $0.75	~~$0.63~~ $0.79	~~$0.55~~ $0.69
Theater w/o Stage	~~$0.71~~ $0.80	~~$0.55~~ $0.74	~~$0.51~~ $0.68	~~$0.57~~ $0.71	~~NP~~ $0.54
C-1 / C-2 Community Halls, Nightclub, Restaurant, Banquet Hall, Libraries, Museums, Churches	~~$0.59~~ $0.71	~~$0.50~~ $0.66	~~$0.45~~ $0.60	~~$0.49~~ $0.62	~~$0.39~~ $0.54
C-3 Schools, Day Care Centers	~~$0.63~~ $0.72	~~$0.49~~ $0.66	~~$0.48~~ $0.60	~~$0.49~~ $0.65	~~$0.40~~ $0.53
D Open Air Assembly	~~$0.60~~ $0.79	~~$0.47~~ $0.73	~~$0.45~~ $0.67	~~$0.45~~ $0.71	~~$0.39~~ $0.61
~~E Business~~					
E Business	$0.69	$0.64	$0.57	$0.61	$0.50
~~Low-Rise & Restaurants < 100 Occupants~~	~~$0.61~~	~~$0.53~~	~~$0.51~~	~~$0.46~~	~~$0.42~~
~~Mid-Rise & High-Rise - over 45 feet high~~	~~$0.61~~	~~NP~~	~~$0.51~~	~~$0.51~~	~~NP~~
F Mercantile	~~$0.44~~ $0.50	~~$0.38~~ $0.46	~~$0.36~~ $0.41	~~$0.33~~ $0.43	~~$0.30~~ $0.35
G-1 Low & Moderate Hazard Industrial	~~$0.36~~ $0.41	~~$0.31~~ $0.37	~~$0.30~~ $0.32	~~$0.26~~ $0.35	$0.26
H-1 Low and Moderate Hazard	~~$0.34~~	~~$0.28~~	~~$0.27~~	~~$0.25~~	~~$0.21~~

Storage	$0.44	$0.34	$0.29	$0.32	$0.23
H-3 Garages	~~$0.26~~ $0.29	~~$0.21~~ $0.25	~~$0.20~~ $0.22	~~$0.18~~ $0.24	$0.18
I Hazardous Use Buildings	~~$0.34~~ $0.49	~~$0.29~~ $0.44	~~$0.27~~ $0.39	~~$0.25~~ $0.42	NP
J Miscellaneous Use Parking Facility, Gasoline Filling Station, Police Station, Fire Station, Porches, Decks	$0.26 $0.29	~~$0.21~~ $0.25	$0.20 $0.22	~~$0.19~~ $0.24	$0.19

Note: Structures of mixed occupancy shall be assessed fees based on the square foot area categorized under each occupancy. Common areas in mixed occupancy buildings shall be assessed the same as the majority occupancy. Areas less than 15% of the total building area shall be assessed as part of the majority occupancy. Parking associated with residential building occupancy shall be assessed as the residential occupancy if such parking is used exclusively by the building's non-transient residential occupants and their guests.

Note: Only one construction type shall be used for a building. The higher dollar amount will govern.

Note: Porches, decks, balconies, green roofs or similar constructions shall use the Construction Factor associated with the building to which it is attached.

Note: See Table 13-32-310(F) regarding additional fees assessed.

Note: "NP" means not permitted.

Note: Wrecking permits shall be assessed based on miscellaneous use regardless of actual occupancy.

Table 13-332-310(C)
Scope of Review Factor
NEW CONSTRUCTION

Class per 13-56-010	Occupancy	Multiplier	Description
A	Residential	0.25	Not applicable
		0.5	Detached private garages (min. fee ~~$300~~ $500 in addition to primary residence fees)

		0.75	Residential construction without sprinklers with a maximum of 4 stories or max 3 dwelling units (min. fee ~~$1000~~ $2000)
		1.0	Residential construction with more than 4 stories; or 4 or more dwelling units; or with sprinklers installed,; or mixed occupancy (min. fee of ~~$1500~~ $3000)
B	Institutional	0.25	Not applicable
		0.5	Not applicable
		0.75	Not applicable
		1.0	All new construction (min. fee ~~$1500~~ $2000)
C, D	Large and Small Assembly and Open Air Assembly	0.25	Not applicable
		0.5	Not applicable
		0.75	Not applicable
		1.0	All new construction (min. fee ~~$1500~~ $3000)
E, F	Business and Mercantile	0.25	Not applicable
		0.5	Free-standing kiosks used for retail or business which require review by more than one discipline (min. fee ~~$500~~ $750)
		0.75	Max. 1 story. No sprinklers (min. fee ~~$1500~~ $3000)
		1.0	More than 1 story; or sprinklers installed; or mixed occupancy. (min. fee ~~$1500~~ $3000)
G, H, I	Industrial, Storage, and Hazardous Use	0.25	Not applicable
		0.5	Not applicable
		0.75	Max. 1 story and without sprinklers (min. fee ~~$1000~~ $2000)
		1.0	More than 1 story; or sprinklers installed; or mixed occupancy (min. fee ~~$1500~~ $3000)
		1.25	Facilities with the installation of equipment regulated by the department of health (min. fee ~~$1500~~ $3000)
J	Miscellaneous	0.25	Not applicable

	(see the "stand alone" fees for specific items)	0.5	Trailers and tents - Temporary structures (min. fee ~~$125~~ $250)
		0.75	Max. 1 story; including, but not limited to parking lots, transportation shelters, retaining walls (min. fee ~~$125~~ $250)
		1.0	Any other structure including, but not limited to: station houses, utility plants, cell phone towers and equipment, gas stations, rail stations, etc. (min. fee ~~$1500~~ $3000) platforms, kiosks, bridges, structures not listed n flat fees (min. fee ~~$125~~ $250) mixed occupancy (min. fee based on other occupancy requirements)
Phased Construction			
NA	All Occupancies	0.25	Caissons only, or slurry wall only, or grade beams only (min. fee ~~$300~~ $600)
		0.5	Below grade construction (foundation, including below-grade floors) (min. fee ~~$1500~~ $3000)
		0.75	Structural and Skin (superstructure), or Core and Shell, or Full Building as part of phased construction (min. fee ~~$1500~~ $3000)
		1.0	Full building with only Foundation as a separate phase, with or without first tenant buildout (min. fee ~~$1500~~ $3000)

Note: Correction of violations or work without permits on new construction shall be assessed a Scope of Review factor of 1.0 (Fines in section 13-32-035 are in addition to these permit fees).

Note: If more than one Scope of Review Factor appears to apply because of the diverse scope of work, the higher multiplier shall govern for all areas.

Note: Mixed occupancy will always have a factor of 1.0 for the entire building.

Table 13-32-310(D)

Scope of Review Factor

REPAIRS, RENOVATIONS, ALTERATIONS, AND ADDITIONS

Class per 13-56-010	Occupancy	Multiplier	Description
A	Residential	0.25	Repair/replacement of porches and decks (no change of configuration) (min. fee ~~$125~~ $200 per porch)
			Installation/repair/replacement of balconies (min. fee ~~$125~~ $200)
			Interior demolition, including the removal of MEP within fire separations (min. fee ~~$125~~ $200)
			Renovation of existing spaces (any number of dwelling units) (min. fee ~~$300~~ $500)
			Roof repair/replacement with structural member replacement (min. fee ~~$300~~ $500)
			Single discipline MEP work without alteration (min. fee $300)
			Structural repairs as entire scope of work - 3 or less dwelling units (min. fee ~~$300~~ $500)
		0.5	Alterations for buildings with 3 units or less, no mixed occupancy (min. fee ~~$300~~ $500)
			Alterations to 1 unit in buildings with 4 or more units (min. fee ~~$300~~ $500)
			Repair or replacement or renovation of more than one MEP system without alterations (min. fee ~~$300~~ $500)
			Porch, deck or green roof alterations or installation (min. fee ~~$125~~ $200 per porch, deck)
			Balcony installation or repairs or alterations or replacement (min. fee $300)
			Structural repairs as entire scope of work - 4 or more dwelling units (min. fee ~~$750~~ $1500)

			For any scope under this multiplier: No expansion of sprinkler piping. No change to demising walls.
		0.75	Additions in buildings with 3 dwelling units or less (min. fee ~~$300~~ $750)
			Alterations to multiple units up to max 29 units in buildings with 4 or more units (min. fee ~~$125~~ $250 per unit)
			Moving buildings (min. fee ~~$750~~ $1500)
			For any scope under this multiplier: No mixed occupancy in scope. No altering or adding unit demising walls. No expansion of sprinkler piping. No change in the number of dwelling units.
		1.0	Additions to buildings with 4 or more dwelling units (min. fee ~~$1000~~ $2000)
			Alterations between mixed occupancies (min. fee ~~$1000~~ $2000)
			Alterations for 30 units or more (min. fee ~~$125~~ $250 per unit)
			Decrease in the number of dwelling units (min. fee $750)
			~~Change~~ Increase in the number of dwelling units (min. fee ~~$750~~ $1500)
			Project includes expansion of sprinkler piping for any building (min. fee ~~$750~~ $1500)
B	Institutional	0.25	Interior demolition, including the removal of MEP within fire separations (min. fee ~~$125~~ $300)
		0.5	Repairs or replacement or renovations (min. fee ~~$300~~ $500; min. fee $300 for day care)
			Porch, deck, stairs, balconies, or green roof alterations or installation (min. fee ~~$125~~ $200 each)
		0.75	Alterations without expansion of sprinkler piping (min. fee ~~$750~~ $1500)

			Repair or replacement of single MEP system (min. fee ~~$300~~ $500)
			For any scope under this multiplier: No mixed occupancy. No alterations or creation of machine rooms.
		1.0	Alterations with expansion of sprinkler piping, (min. fee ~~$1500~~ $3000)
			Any work requiring alterations to machine rooms (min. fee ~~$1000~~ $2000)
			Repair or replacement of more than one MEP system (min. fee ~~$750~~ $1500)
			Additions (min. fee ~~$1500~~ $3000)
			Any work with mixed occupancy (min. fee ~~$1000~~ $2000)
C, D	Large and Small Assembly and Open Air Assembly	0.25	Interior demolition, including the removal of MEP within fire separations (min. fee ~~$125~~ $300)
			Roof repairs/replacement with structural member replacement (min. fee ~~$300~~ $500)
			Repair or replacement or renovation of single discipline MEP system, no alteration (min. fee ~~$300~~ $500)
			For any scope under this multiplier: No structural work. No expansion of sprinkler piping. No mixed occupancy.
		0.5	Repair or replacement or renovation of more than one MEP system (min. fee ~~$750~~ $1500)
			Porch, deck, stair or green roof alterations or installation (min. fee ~~$125~~ $200 each)
			Balcony installation or repairs or alterations (min. fee ~~$300~~ $500)
			For any scope under this multiplier: No structural work. No expansion of sprinkler piping. No mixed occupancy. No alterations

		0.75	Alterations to small assembly (min. fee ~~$750~~ $1500)
			School alterations (min. fee ~~$300~~ $500)
			Alterations to small assembly existing restaurants. No expansion (min. fee ~~$750~~ $1500)
			For any scope under this multiplier: No structural work. No expansion of sprinkler piping. No changes to mixed occupancy separations.
		1.0	Alterations to large assembly or open air assembly (min. fee ~~$300~~ $500)
			Alterations to occupancy separations (min. fee ~~$300~~ $500)
			Additions or expansion of assembly area (min. fee ~~$750~~ $1500)
			Expansion of restaurants or alterations to large assembly restaurants (min. fee ~~$750~~ $1500)
			Installation of new restaurants (min. fee ~~$1500~~ $3000)
			All structural work (min. fee ~~$750~~ $1500)
			Work in Wrigleyville Rooftop Clubs (min. fee for renovation ~~$300~~ $500, min. fee for alterations ~~$750~~ $1500, min. fee for expansion/additions ~~$1500~~ $3000)
E, F	Business and Mercantile	0.25	Interior demolition, including the removal of MEP within fire separations (min. fee ~~$125~~ $300)
			Roof repairs/replacement with structural member replacement (min. fee ~~$300~~ $500)
			Repair or replacement or renovation of single discipline MEP, no alteration (min. fee~~$300~~ $500)
			For any scope under this multiplier: No structural work. No expansion of sprinkler piping. No mixed occupancy.
		0.5	Sales centers or model units, or first time buildout of a single tenant space (except technology centers) (min. fee ~~$300~~ $750)

			Alterations of one tenant space on one floor including existing technology centers (min. fee ~~$300~~ $750)
			First time tenant buildout except for technology centers (min. fee ~~$300~~ $750)
			Renovations or alterations of common spaces on one floor (min. fee ~~$300~~ $750)
			Repair or replacement of more than one MEP system without alteration (min. fee ~~$300~~ $750)
			Porch, deck, stairs, or green roof alterations or installation (min. fee ~~$125~~ $200)
			Balcony installation or repairs or alterations (min. fee ~~$300~~ $500)
			Structural repairs as entire scope of work (min. fee $750)
			For any scope under this multiplier: No changes to mixed occupancy separations. No new or changed tenant demising walls. No expansion of tenant space.
		0.75	Alterations to multiple tenant spaces or multiple floors, including first time buildouts of multiple tenant spaces (min. fee ~~$750~~ $1500)
			Alterations to common spaces on multiple floors (min. fee min. fee ~~$300~~ $750)
			Alterations to existing restaurants or facilities requiring public health inspections. No expansion of facility (min. fee ~~$300~~ $500)
			Alterations or creation of demising walls to separate tenant spaces (min. fee ~~$750~~ $1500)
			For any scope under this multiplier: No expansion of sprinkler piping. No alteration to mixed occupancy separations.
		1.0	Alterations requiring expansion of sprinkler piping (min. fee

			~~$750~~ $1500)
			New or the expansion of restaurants or facilities requiring inspections by public health (min. fee ~~$750~~ $1500)
			First time technology center build-out (min. fee ~~$1000~~ $2000)
			Alterations including changes to mixed occupancy separations or to fire separations (min. fee ~~$1500~~ $3000)
			All additions (min. fee ~~$750~~ $1500)
G, H, I	Industrial, Storage, and Hazardous Use	0.25	Interior demolition, including the removal of MEP within fire separations (min. fee ~~$125~~ $250)
			Repair/replacement of porches and decks (no change of configuration) (min. fee ~~$125~~ $200 per porch)
			Roof repairs/replacement with structural member replacement (min. fee ~~$300~~ $500)
			Repair or replacement or renovation of single discipline MEP system, no alteration (min. fee ~~$300~~ $500)
			For any scope under this multiplier: No structural work. No expansion of sprinkler piping. No mixed occupancy. No installation of equipment regulated by the department of health.
		0.5	Renovation work (min. fee ~~$300~~ $500)
			Repair or replacement of more than one MEP system without alteration (min. fee $750)
			Installation or alteration of a green roof (min. fee ~~$125~~ $200)
			For any scope under this multiplier: No structural work. No expansion of sprinkler piping. No mixed occupancy. No installation of equipment regulated by the department of health.
			~~No installation of equipment regulated by the department of health.~~

		0.75	Alterations for max one story without expansion of sprinkler piping (min. fee ~~$300~~ $750)
			Alterations with structural work (min. fee ~~$750~~ $1500)
			For any scope under this multiplier: No installation of equipment regulated by the department of health.
		1.0	Alterations to buildings over one story (min. fee ~~$750~~ $1500)
			Additions (min. fee ~~$1000~~ $2000)
			Alterations to the mixed occupancy separations or fire separations or with expansion of sprinkler piping (min. fee ~~$1500~~ $3000)
		1.25	Facilities including the installation of equipment regulated by the department of health (min. fee ~~$1000~~ $2000)
J	Miscellaneous (See the "stand alone" fees for specific items)	0.25	Not applicable
		0.5	Not applicable
		0.75	Alterations to structures that fall under this category for new construction (min. fee ~~$125~~ $250)
		1.0	Alterations to structures that fall under this category and additions for any "J" occupancy (min. fee ~~$300~~ $500)
Phased Construction			
All Occupancies		any	Not applicable
Facade work (Fees in addition to other scope of work fees)			
All occupancies		0.05	Tuckpointing (min. fee ~~$125~~ $300)
		0.10	Window walls and curtain wall repair or replacement (min. fee ~~$300~~ $500)
		0.5	Lintel repair - based on contributing area supported by the lintel (min. fee ~~$125~~ $250)
			Concrete repairs - based on the area of the repairs (min. fee ~~$300~~ $500)

		Parapet rebuilding - based on the height and length of the parapet area of work (min. fee ~~$125~~ $250)
	1.0	Fascia repair or replacement - based on the height and length of the fascia within the scope of work (min. fee ~~$125~~ $250)
		Decorative facade elements, such as terra cotta, sheet metal or modern equivalents - based on the height and length of the area within the scope of work (min. fee ~~$125~~ $250)
Other		
All occupancies	0.25	Not applicable
	~~0.1~~ 0.2	Wrecking (drawings not required) (min. fee ~~$300~~ $500) Wrecking of private garage (min. fee $125)
	0.75	Change of occupancy without an increase in the hazard index number (min. fee ~~$1000~~ $2000)
	1.0	Change of occupancy with an increase in hazard index number (min. fee ~~$1500~~ $3000)

Note: "MEP" means mechanical, electrical and plumbing.

Note: Correction of violations or stop order work or work without permits shall be assessed a Scope of Review factor of 1.0. (Fines in section 13-32-035 are in addition to these permit fees).

Note: If more than one Scope of Review Factor appears to apply because of the diverse scope of work, the higher multiplier shall govern for all areas.

(b) *Stand-alone permits – Flat fee.* Fees for the stand-alone permit types identified in Table 13-32-310(E) shall be assessed in the amount set forth in Table 13-32-310(E), as follows:

Table 13-32-310(E)

FLAT FEES

Type	Description	Drawings required	Zoning fee	Fee
Minor repairs	Repairs/replacement in-kind of minor scopes of work	no	(5)	~~$125~~

				$175
Administrative	For permits addressing administrative issues only, such as changes of owner or contractors, uncollected fees, permit time frame extensions, reprinting permits, or permit reinstatements. Provided, however, that this permit fee shall be in addition to any fines or other fees associated with the administrative request. (See Section 13-32-110 regarding time limits, Section 13-32-120 regarding stop work orders and Section 13-32-290 regarding reinstatement fees)	no	no	~~$50~~ $75
Fences and trash enclosures (3)	Installation of all fences and trash enclosures, all occupancies, any length, any material (fee per each)	(1)	yes	~~$100~~ $150
Roofs	Repair/replacement/recovering of roof without tear-off	no	no	~~$125~~ $175
	Repair/replacement/recovering of roof with tear-off, without structural work	no	no	~~$300~~ $450
	Rooftop structures - tanks, chimneys, supports - installation, alteration or repair	(1)	yes	~~$125~~ $175
Fire (2)	Fire escapes erection, alterations, or repairs on max. 4 story buildings	(1)	yes	~~$100~~ $150
	Fire escapes erection, alterations, or repairs on buildings up to 80-0	(1)	yes	~~$300~~ $450
	Fire escapes erection, alterations, or repairs on buildings over 80-0	(1)	yes	~~$600~~ $900
	Fire detection systems, voice command systems, fire command panel system, exit signs, special locking arrangements, or alarm system review in buildings a max. of 4 stories for installation or renovation within existing buildings	yes	no	~~$100~~ $150
	Fire detection systems, voice command systems, fire command panel system, exit signs, or alarm system	yes	no	~~$500~~ $750

	review in buildings over 4 stories for installation or renovation within existing buildings			
Plumbing	Repair/replacement of hot water heater or plumbing fixtures per single dwelling unit or tenant space. Installation of plumbing fixtures without alteration to piping in the walls.	no	no	~~$50~~ <u>$75</u>
	Repair/replacement of plumbing piping all occupancies per single dwelling unit or tenant space. Repair/replacement of plumbing risers within an existing plumbing chase space, per riser.	(1)(4)	no	~~$100~~ <u>$150</u>
HVAC	Repair/replacement of furnace(s) or boiler(s) or unit heater(s) per single dwelling unit or tenant space (individual equipment), or duct extensions for existing systems (in addition to the equipment fee)	no	no	~~$50~~ <u>$75</u>
	Repair/replacement of residential air conditioning condenser (no mixed occupancy), boiler or furnace per dwelling unit	no	no	~~$50~~ <u>$75</u>
	Repair/replacement in kind of refrigeration equipment (includes chiller, cooling tower, and air handling equipment), boiler or furnace. No change to chiller room required. No other construction.	no (4)	no	~~$200~~ <u>$300</u>
	Installation of new refrigeration equipment for air conditioning per dwelling unit or tenant space (individual equipment)	(1)	yes	~~$50~~ <u>$75</u>
	Installation of new chiller, cooling tower, and air handling equipment serving more than one dwelling unit or tenant space. No other construction. No change to chiller room required.	(1)	yes	~~$400~~ <u>$600</u>
	Installation of new refrigeration equipment to serve food cooling - not part of other construction. Includes associated piping.	(1)	yes	~~$300~~ <u>$450</u>
Electrical	Installation of electrical service only of less than 400 amps	no	no	~~$50~~ <u>$75</u>

	Installation of electrical service only of 400 amps or less than 1000 amps	yes	no	~~$200~~ $300
	Installation of electrical service of 1000 amps or more	yes	no	~~$500~~ $750
	Change of electrical contractor (On-line application)	no	no	~~$50~~ $75
	Installation of low voltage system (telephone, security, cable, media are each separate systems) per floor for multi-family residential or commercial occupancies	no	no	~~$50~~ $75
	Installation of low voltage system (telephone, security, cable, media are each separate systems) per single family residence or townhouse	no	no	~~$50~~ $75
	Installation of power generators, whether required or discretionary - per generator (3)	yes	yes	~~$500~~ $750
	Installation of power generators for residential buildings with three or less dwelling units (no mixed occupancy) (3)	yes	yes	~~$50~~ $75
	Installation of emergency lighting systems 1, 2 or 3	yes	no	~~$75~~ $125
	Installation of electrical systems per 1000 square feet of parking lot or landscape area	yes	no	~~$50~~ $75
	Additional new circuits of 10 circuits or less (per service)	no	no	~~$100~~ $150
	Additional new circuits of 11 circuits up to 20 circuits (per service)	no	no	~~$200~~ $300
	Additional new circuits of 21 circuits up to 40 circuits (per service)	no	no	~~$400~~ $600
	Additional new circuits of 41 circuits up to 80 circuits (per service)	yes	no	~~$1000~~ $1500

	Additional new circuits of 81 circuits or over (per service)	yes	no	~~$1500~~ $2250
	Monthly maintenance permits	no	no	~~$50~~ $75
	Repair or replacement of devices on existing electrical circuits (existing electrical systems) (Additionally includes poles, wires, conductors, lamp posts, festoons, decorative lights)	no	no	~~$50~~ $75
	Temporary electrical service	no	no	~~$100~~ $150
Environment	Installation of equipment regulated by the department of health, per piece of equipment	(1)	(5)	~~$150~~ $225
Elevators, Escalators, moving walks, lifts - (3)	Elevator, or lift serving less than or equal to 20 floors (each)	(1)	no	~~$200~~ $300
	Escalator or moving walk (each)	(1)	no	~~$200~~ $300
	Elevator or lift serving between 21 and 30 floors (each)	(1)	no	~~$300~~ $450
	Elevator or lift serving 31 floors or more (each)	(1)	no	~~$400~~ $600
	Movable stage or orchestra floor	(1)	no	~~$200~~ $300
	Platform lift, inclined wheelchair lifts and stairway chairlifts	(1)	no	~~$100~~ $150
	Automotive lifts - per unit	(1)	yes	~~$125~~ $200
	Vertical reciprocating conveyors	(1)	no	~~$200~~ $300
	Material lifts, loading and truck dock lifts, dumbwaiters	(1)	no	~~$100~~ $150

	Temporary construction towers , personnel, material movers and skip hoists associated with construction sites	yes	no	~~$500~~ $750
	Major repair work (not routine maintenance) per elevator	yes	no	~~$100~~ $150
Miscellaneous	Amusement devices, mechanical riding, sliding, sailing or swinging devices per device - portable, for each installation (including electrical work)	no	yes	$300
	Amusement devices, mechanical riding, sliding, sailing or swinging devices (for purposes of this part of this table collectively referred to as "devices") located on property used or intended to be used for any amusement, as the term "amusement" is defined in Section 4-156-010 of this Code, and provided that the owner, lessee or manager of the property is exempt from obtaining a public place of amusement license pursuant to Section 4-156-300(f) of this Code	no	no	$500 per event for any number of devices from 2 to 7; $1,200 per event for any number of devices from 8 to 14; $300 per device for any number of devices over 14; or $300 for an event that installs no more than one device
	Amusement devices, mechanical riding, sliding, sailing or swinging per device -permanent installation or repair	no	yes	$500
	Antenna, monopoles, and satellite dishes. Installation, alteration, or repair of cell phone tower equipment boxes (fee for each), attached antennas (fee for all)	yes	yes	~~$500~~ $750
	Asbestos removal	See Section 11-4-2170		
	Canopies or marquee - installation, alteration, or repair	yes	yes	~~$100~~ $150

	Construction cranes, hoists and other construction equipment (per piece)	yes	yes	~~$300~~ $450
	Private swimming pools	(1)	yes	~~$100~~ $150
	Sandblasting, grinding, or chemically washing any building, structure, statue or other architectural surface (3)	See Section 11-4-130		
	Scaffolding	no	yes	~~$100~~ $150
	Temporary platforms for public assembly	yes	yes	~~$200~~ $300
	Temporary seating stands	yes	yes	~~$300~~ $450
	Billboards, signboards, roofsigns, ground signs, painted wall signs, flat signs or projecting signs - for erection or alteration, from 0 to 49 square feet, per face (3)	yes	yes	$50
	Billboards, signboards, roofsigns, ground signs, painted wall signs, flat signs or projecting signs - for erection or alteration, from 50 to 99 square feet, per face (3)	yes	yes	$100
	Billboards, signboards, roofsigns, ground signs, painted wall signs, flat signs or projecting signs - for erection or alteration, from 100 to 199 square feet, per face (3)	yes	yes	$200
	Billboards, signboards, roofsigns, ground signs, painted wall signs, flat signs or projecting signs - for erection or alteration, from 200 to 499 square feet, per face (3)	yes	yes	$500
	Billboards, signboards, roofsigns, ground signs, painted wall signs, flat signs or projecting signs - for	yes	yes	$1000

	erection or alteration, 500 sq ft and over, per face (3)			

Note: If more than one discipline is involved in a scope of work that qualifies for flat fees, the total fee will include the fees for each discipline involved as determined by this table, the minor repair fee, and the appropriate zoning fee.

Note: If the scope of work includes equipment regulated by the department of health, the total fee will also include the fees for each discipline involved in the permit process and inspection.

Key to Table:

"(1)" means drawings are required based on the specific project scope and requirements.

"(2)" means fees for sprinkler system and/or standpipe reviews are assessed in Section 15-16-190 and are in addition to the fees set forth in Section 13-22-310(a).

"(3)" means the fee set forth for the stand alone work described in this category shall be assessed in addition to the permit fee generated pursuant to Section 13-32-310(a).

"(4)" means that if drawings are required, the fee will be assessed based on the square footage of the area of work.

"(5)" means that the zoning fee will be required based on the specific equipment and installation location.

"DU" means dwelling units.

SECTION 2. Section 13-32-300 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

13-32-300 Payment to comptroller–When.

(a) (1) ~~Fees~~ Except as otherwise provided in paragraph (2) of this subsection (a), fees for the issuance of permits required by this chapter shall be payable to the ~~comptroller~~ City of Chicago when such permits are issued.

(2) ~~Provided, however, that fees~~ Fees for the issuance of permits under subsection (a) of Section 13-32-310 shall be payable as follows: ~~50 percent at the time of filing plans for review, to defray the cost of reviewing the plans, and not refundable; and the remainder upon issuance of the requested permits.~~ A non-refundable fee of $300 for the issuance of permits required by this chapter shall be payable to the City of Chicago at the time of filing plans or drawings for review, to defray the cost of such review. The remainder of the applicable permit fee shall be payable to the City of Chicago when such permits are issued. Provided, however, that if the total fee for the issuance of permits under subsection (a) of Section 13-32-310 is under $300, the entire permit fee, which shall be non-refundable, shall be payable to the City of Chicago at the time of filing plans or drawings for review, to defray the cost of such review.

(3) Except as otherwise provided in section 13-32-301, no building permit shall be issued by the building commissioner, unless the department of buildings determines that

the following fees have been paid to the ~~department of finance~~ City of Chicago: (1) all applicable permit fees required under this chapter; (2) all applicable zoning fees; and (3) the open space impact fee, if applicable.

(b) The building commissioner is authorized to require a deposit, payable to the ~~comptroller~~ City of Chicago, to schedule any appointment related to the submission of a permit application. The deposit shall be in a sum sufficient to defray the estimated costs of failing to attend a scheduled appointment as determined by the building commissioner, but under no circumstances shall exceed the cost of the permit sought. If the person requesting an appointment attends the appointment as scheduled, the deposit paid by that person pursuant to this subsection shall be credited toward the final permit fee. If the person requesting an appointment fails to attend the appointment as scheduled, (i) the deposit paid by that person pursuant to this subsection shall be forfeited to the City of Chicago, unless the scheduled appointment is cancelled 24 hours in advance of the scheduled appointment, excluding Saturdays, Sundays and legal holidays; and (ii) no new appointment shall be scheduled unless another deposit is paid. The amount of the deposit required by this subsection shall be $150.00

(Omitted text is unaffected by this ordinance)

(d) If, after a permit application is submitted for a project, the owner of record identified in such application seeks to make a design change to the plans accompanying such application and such design change requires plan examiners to reconsider and reanalyze the project's building systems as if the project was newly submitted, the existing permit application shall be deemed to be void, and a new permit application for the project, accompanied by payment of the ~~50% deposit~~ non-refundable fee required under subsection (a)(2) of this section, shall be required for the project identified in such new application. Provided, however, that this subsection shall not apply to any change to plans required as the result of a code correction comment made by a plan examiner designated by the department to review such plans for compliance with the requirements of the Chicago Building Code.

(e) If the project identified in a building permit application is for phased construction of a full foundation only (i.e. a foundation-only project), one structural design change to such foundation will be allowed per permit application without penalty to the applicant. If more than one structural design change to the foundation is made by the applicant, the permit application for such project shall be deemed to be void and a new application for such project, accompanied by payment of the ~~50% deposit~~ non-refundable fee required under subsection (a)(2) of this section, shall be required.

Article IX
Refuse Collection

SECTION 1. Chapter 3-12 of the Municipal Code of Chicago is hereby amended by deleting the language struck through and by adding the language underscored, as follows:

3-12-030 ~~Statement to be rendered~~ Unified statement of charges.

(a) The rates and charges calculated and applied to the billed party shall be added to and separately recited upon a unified statement of charges ~~for water consumption, and sewer use~~. ~~Such~~ The unified statement of charges shall be prepared and sent to the billed party in such time periods as established by the comptroller and shall be subject to section 11-12-480(c). All revenues received in payment of sewer use rates, charges and penalties shall be deposited to the sewer revenue fund. Whenever any sewer use charges shall remain unpaid after the expiration of 30 days from the date of such statement the water supply for the premises so serviced and delinquent shall be subject to termination, and the service shall not be resumed until all sewer bills in arrears shall have been paid, including accrued penalties, and all applicable fees set out in Section 11-12-120 have been paid for termination and resumption of water supply service. The comptroller shall enforce the provisions of this section; provided that the commissioner of water management shall be responsible for the termination or resumption of the water supply service.

(b) For purposes of this chapter, "unified statement of charges" has the same definition ascribed to that term in section 11-12-010.

3-12-050 Senior citizens exempted when.

(a) Persons aged 65 or over, residing in their own residence with separate metered water service or a separate city water assessment for that residential unit, shall be exempt from payment of the sewer service charge for their residence. This exemption shall apply regardless of whether the person is in arrears in the payment of any refuse collection, water or sewer charges for the subject residence.

(Omitted text is unaffected by this ordinance)

3-12-070 Late payment penalty.

(a) A late payment penalty assessed at a monthly rate of one and one-quarter percent shall be imposed on all sewer usage fees billed under Section 3-12-060 for which payment in full is not received within 24 calendar days from the date the bill for such charges ~~therefor~~ was sent as shown by the records of the department of finance and shall be subject to section 11-12-480(c). Where the correctness of a ~~bill~~ rate or charge imposed under this chapter is disputed and where complaint of such incorrectness has been made prior to the time the usual penalty would be imposed, and where the adjusting of such complaint requires additional time, the penalty may be held in abeyance up to and including the tenth day succeeding the resending of such bill.

(b) The rates and charges calculated and applied under Section 3-12-060 shall be recited upon a unified statement of charges ~~for sewer use~~. ~~Such~~ The unified statement of charges shall be prepared and sent to the billed party in such time periods as established by the comptroller. All revenues received in payment of such sewer use rates, charges, and penalties shall be deposited to the sewer revenue fund established under Section 3-12-010. Upon notice from the comptroller to the commissioner of water management that such sewer use charges shall remain unpaid after the expiration of 30 days from the date of such statement, the sewer service for the premises so serviced and delinquent shall be subject to termination by the commissioner of water management, and the service shall not be resumed until all sewer bills in arrears shall have been paid, including accrued penalties, and an amount equal to the actual costs of disconnection and reconnection shall have been paid for termination and resumption of service. Except as otherwise provided herein, the comptroller shall enforce the provisions of this section; provided that the commissioner of water management shall be responsible for termination or resumption of the sewer service.

(Omitted text is unaffected by this ordinance)

3-12-080 City's authority not limited.

Nothing contained in Section 3-12-060~~, in~~ or chapter 1-25 ~~Section 3-12-070~~ shall be deemed to limit the authority of the city to negotiate or fix rates, by contract, with other municipalities for users of the city's system residing in such municipalities~~.~~

SECTION 2. Chapter 7-28 of the Municipal Code of Chicago is hereby amended by adding a new section 7-28-235 underscored, by deleting the language struck through and by adding the language underscored, as follows:

7-28-200 Definitions.

For the purposes of this chapter the following words and terms shall be understood as having the following meanings:

"Ashes" means all ashes of wood, coal and coke; the residue resulting from the combustion of any material or substance, soot, cinders, slag or charcoal.

"Dwelling unit" has the meaning ascribed to that term in section 17-17-0248.

"Garbage" means rejected organic matter, household food, cooking grease or kindred refuse, manure, swill or carrion.

(Omitted text is unaffected by this ordinance)

~~"Living unit" means an apartment used as a single housekeeping unit for one family, or four rooms used for living, sleeping, cooking and eating, by one or more persons.~~

(Omitted text is unaffected by this ordinance)

"Multiple dwelling" means a building that contains 2 or more dwelling units ~~building or a part of a building, designed, intended, or used as an apartment house, apartment hotel, tenement house, condominium, cooperative, single room occupancy hotel, or other use in which there is more than one dwelling.~~

(Omitted text is unaffected by this ordinance)

"Single dwelling" means a building that contain no more than one dwelling unit ~~designed as or intended for, or used as a residence for a single-family, or for a group of persons other than a single-family, when such group does not exceed five in number~~.

"Unified statement of charges" has the same definition ascribed to that term in section 11-12-010.

7-28-220 Duty to provide refuse containers and service.

(Omitted text is unaffected by this ordinance)

The owner or his agent of every multiple dwelling with five or more ~~living~~ dwelling units, if not required to have a compactor under section 7-28-225 at the owner's or his agent's expense shall provide or contract for sufficient commercial refuse containers using a minimum standard of 1/4 cubic yard for each occupied ~~living~~ dwelling unit per week, including container space for recyclable material. The 1/4 cubic yard requirement can be lowered if the multiple dwelling can verify a lower waste generation rate over a period of months. The commissioner of streets and sanitation shall have the authority to promulgate rules and regulations related to the cubic yard verification. If an owner of a multiple dwelling elects to contract for refuse pickup more than one time per week, the minimum cubic yard standard shall decrease accordingly.

(Omitted text is unaffected by this ordinance)

7-28-225 Duty to provide compactors.

It shall be the duty of the owner or occupant of an occupational unit and the owner of a multiple dwelling with five or more ~~living~~ dwelling units with a waste generation of 50 cubic yards per week, excluding recyclable material collected as part of a recycling program, such as recyclable material collected in accordance with Chapter 11-5, to provide or contract for a refuse compactor and collection service with a minimum of once per week collection, except that a compactor shall not be required (i) when there is no suitable location on private property, or (ii) for multiple dwellings with five or more ~~living~~ dwelling units that are only accessible by use of a private driveway, or (iii) if the occupational unit or multiple dwelling receives refuse collection service a minimum of five times per week. If the department of streets and sanitation determines there is a suitable location on the property, but the owner or his agent does not wish to use the space for the compactor, a permit for use of the public way shall be required. If the department of streets and sanitation determines that a compactor may not be placed in the public way, the compactor must be placed on the suitable location on private property. The commissioner of streets and sanitation shall have the authority to promulgate rules and regulations regarding the definition of suitable location and regarding the exclusion of commingled recyclables from the 50 cubic yard weekly refuse amount.

7-28-235 City refuse collection-Fee.

(a) The collection of refuse by the city shall be the exclusive method for refuse collection from the following:

(1) for dwelling units:

(i) a single dwelling;

(ii) a multiple dwelling containing four or fewer dwelling units;

(iii) a townhouse when the refuse container is placed for collection in the public way in compliance with section 7-28-230; or

(iv) a multiple dwelling that is licensed as a bed-and-breakfast establishment pursuant to Section 4-6-290 and contains four or less dwelling units unless the commissioner of streets and sanitation determines that the establishment is producing an unreasonable amount of refuse for a building of its size, notifies the owner or owner's agent of such fact in writing, and provides the owner or owner's agent with an opportunity to correct the problem in a manner prescribed by the commissioner; and

(2) all other premises receiving city refuse collection services as of January 1, 2016; provided that:

(i) after written notification to the owner of such premises, the commissioner may cease city refuse collection from such premises based upon available city resources or operational needs; or

(ii) after written notification to the commissioner of streets and sanitation, an owner of such premises may choose to provide for refuse collection by a license scavenger in compliance with applicable provisions of this code.

(b) The owner of any dwelling unit or premises required to have city refuse collection pursuant to this section shall be responsible for payment of a refuse collection fee of $9.50 per month per dwelling unit or per premises for those premises subject to subsection (a)(2). The billing of refuse collection fee and penalties authorized by this section shall be added to and separately recited upon a unified statement of charges, as that term is defined in section 11-12-010. The unified statement of charges shall be prepared and sent to the billed party in such time periods as established by the comptroller and be subject to section 11-12-480(c).

(c) The refuse collection fee for a person 65 years or older who (i) owns and resides in his own dwelling unit and (ii) receive a Senior Citizen Assessment Freeze Homestead Exemption for that dwelling unit pursuant to 35 ILCS 200/15-172 shall be 50% of the refuse collection fee set forth in subsection (b). The comptroller is authorized to promulgate rules for the administration of this subsection, including any requirements for an application in a form and format prescribed by the comptroller.

(d) A late payment penalty assessed at a monthly rate of one and one-quarter percent shall be imposed on all refuse collection fee for which payment in full is not received within 24 calendar days from the date the unified statement of charges was sent as shown by the records of the department of finance. Where the correctness of a charge imposed under this section is disputed and where complaint of such incorrectness has been made prior to the time the usual penalty would be imposed, and where the adjusting of such complaint requires additional time, the penalty may be held in abeyance up to and including the tenth day succeeding the resending of such bill.

(e) Whenever any refuse collection fee remains unpaid after the expiration of 24 days from the date of the unified statement of charges statement the water supply for the premises shall be subject to termination by the commissioner of water management, and the service shall not be resumed until all accrued refuse collection fees and penalties in arrears has been paid and an amount equal to the actual costs of disconnection and reconnection shall have been paid for termination and resumption of service. The commissioner of water management shall be responsible for termination or resumption of the sewer service.

(f) (1) Unless otherwise provided by law or rule, a full payment certificate for refuse collection charges is required in all transfers of real property whether such transfers are subject to or exempt from the real property transfer tax pursuant to Chapter 3-33 of this Code. In order to obtain a full payment certificate for refuse collection charges, an application with an application fee of $50.00 shall be made to the comptroller. Provided, however, if the property is exempt from the real property transfer tax, the full payment certificate application fee shall not be charged. If a full payment certificate was required and such certificate was not obtained when the real property was transferred, both the transferor and the transferee will be jointly and severally liable for any outstanding refuse collection charges and penalties that have accrued.

(2) Before control of a property subject to the Illinois Condominium Property Act is transferred from the developer to the board of managers, a certificate of payment for full payment of refuse collection charges shall be obtained from the comptroller upon application and payment of an application fee of $50.00. Such certificate of payment shall be obtained within 30 days prior to the election of the first unit owner board of managers. The terms used in this section shall have the same meanings as those in the Illinois Condominium Property Act. Subsequent transfers of a unit within a condominium building subject to this section require a certificate of payment.

Where a townhome or condominium association's assessments include the individual owner's share of the refuse collection charge, the comptroller may issue a certificate of condo or townhome owner payment upon application and payment of an application fee of $50.00.

7-28-240 Refuse removal.

(a) Multiple dwellings. Except for those dwelling units required to have city refuse collection pursuant to section 7-28-235, it ~~It~~ shall be the duty of the owner, or agent thereof, of every multiple dwelling containing 5 or more dwelling units to cause all refuse produced therein to be removed from the buildings at least once each week at such owner's or agent's own cost and expense. ~~Provided, however, that this subsection (a) shall not apply to the following:~~

~~(i) any multiple dwelling containing four or fewer living units, or~~

~~(ii) any townhouse that is in compliance with Section 7-28-230 unless the commissioner of streets and sanitation or the commissioner's designee determines that the townhouse's placement of the refuse containers constitutes a health or safety hazard, notifies the owner or owner's agent of such fact in writing, and provides the owner or owner's agent with an opportunity to correct the hazard in a manner prescribed by the commissioner, or~~

~~(iii) any multiple dwelling that is licensed as a bed-and-breakfast establishment pursuant to Section 4-6-290 and contains four or less living units unless the commissioner of streets and sanitation or the commissioner's designee determines that the establishment is producing an unreasonable amount of refuse for a building of its size, notifies the owner or owner's agent of such fact in writing, and provides the owner or owner's agent with an opportunity to correct the problem in a manner prescribed by the commissioner~~.

~~For purposes of this section only, a change in ownership of a multiple dwelling does not include a change in the mere form of ownership. A transfer of a multiple dwelling does not constitute a change in ownership for purposes of this section where the transfer is either (i) from one person to the person's wholly owned corporation or limited liability company; (ii) from one~~

~~person to a trust in which the person retains the complete beneficial ownership of the dwelling; (iii) from a group of persons to a corporation, limited liability company, trust, partnership, or other legal entity, in which the group of persons retain the same percentage of ownership in the transferee legal entity that they held in the dwelling before the transfer to such legal entity; and (iv) from one entity to a related entity, where the transferor and the transferee are directly or indirectly owned wholly by the same person. For purposes of this section only, the execution of a lease of 30 years or longer shall be deemed a change in ownership~~.

(Omitted text is unaffected by this ordinance)

SECTION 3. Section Chapter 11-12 of the Municipal Code of Chicago is hereby amended by deleting the language struck through and by adding the language underscored, as follows:

11-12-010 Definitions.

For purposes of this chapter, the following definitions shall apply:

(Omitted text is unaffected by this ordinance)

"Premises" means a lot or a part of a lot, a building or a part of a building, or any other parcel or tract of land.

"Unified statement of charges" means the statement sent to the billed party showing amounts due for refuse collection, water and sewer charges assessed or charged under: (i) chapter 11-12 for water taxes, rates or rents, or charges for installation or disconnection of water service; (ii) chapter 3-12 for sewer service and sewerage usage; and (iii) Article II of chapter 7-28 for refuse collection.

11-12-330 Liability for charges.

The owner of a property, location or address where water or water service is supplied shall be responsible for payment for any water or water service supplied. ~~A property owner may request that billing statements be sent in the name of a tenant on the property through the filing of a form provided by the department of finance; however, such billing to a tenant does not relieve the owner of the subject property from liability for unpaid water and sewer charges.~~ Upon a determination that any owner did not timely pay his water or sewer charges, the comptroller may institute collection action with the department of administrative hearings by forwarding a copy of a notice of violation or a notice of hearing, which has been properly served, to the department of administrative hearings. The billing statement, notice of a water service charge or notice of delinquent payment of a water service charge shall be prima facie evidence that the owner identified in the statement or notice shall be liable for such charge and any delinquent payment fee.

11-12-340 Metered service – Billing.

Metered water service shall be billed in such time periods as established by the comptroller. The rates and charges calculated and applied to the billed party shall be added to and separately recited upon a unified statement of charges.

11-12-420 Payment of nonmetered charges.

The water rates or charges as herein or hereafter established, except where the water supply is controlled by meter, shall be billed ~~and paid~~ on a unified statement of charges ~~in advance in such time periods as established by the comptroller.~~

(Omitted text is unaffected by this ordinance)

~~**11-12-470 Cash refunds.**~~

~~In cases occasioning the necessity of a cash refund it shall be the duty of the commissioner to certify to the cause of such refund, and upon presentation of a voucher order of refund in original and duplicate endorsed by the commissioner, the refund shall be paid by the cashier of the department from his petty cash fund. From time to time the cashier shall cause a voucher to be made to reimburse his petty cash fund for the amount paid out by him therefrom for such voucher orders of refund, attaching thereto the properly receipted voucher orders of refund; and thereupon the comptroller shall pay the same, provided the total amount does not exceed the amount appropriated for such purpose; provided further, that any such abovementioned refund shall be paid only to the person who made the payment on account of which such refund is made, or to the duly authorized agent, upon surrender of the receipted bill, cancelled check or other evidence satisfactory to the commissioner, showing payment, or in the event of inability to furnish such evidence after diligent search and inquiry, the chief water assessor may certify to the refund on a duplicate receipt in case the application is accompanied by an affidavit and bond holding the city free from loss occasioned or caused by or on account of any refund so allowed.~~

11-12-480 Delinquent payments.

(a) ~~Whenever any~~ Any water charges ~~shall~~ that remain unpaid after the expiration of 30 days from the date of the bill for such charges ~~statement the water supply for the premises so serviced and delinquent~~ shall be subject to termination, and the service shall not be resumed until all water bills in arrears shall have been paid, including accrued penalties, and all applicable fees set out in Section 11-12-120 have been paid for termination and resumption of water supply service. If, however, at any time that the premises are visited for this purpose they shall be found vacant, so that said cutting off would not be liable to serve the purpose of enforcing collection, said cutting off shall not be mandatory if, because of the shutoff rod box or the stopcock being out of repair, such act entails the expenditure of any sum for labor or material disproportionate to the amount of such delinquent rates.

(b) In any situation where the shutting off of water service is liable to involve the city in litigation, or where the property involved is in the hands of a court, such shutting off may be postponed pending advice from the corporation counsel; or if such shutting off would be productive of public danger, or would create a pestilent situation, or would entail suffering by a great number of persons who are not liable for the payment of the delinquent bill, or where the premises involved are the property of the United States, or the State of Illinois or of any of its political subdivisions, such shutting off may be withheld if in the judgment of the commissioner the withholding of such shutting off best serves the interests of the City of Chicago. In any such situation where the past due service liability exceeds $10,000.00, the owner of the property may also be subject to an additional penalty, to be imposed in a separate hearing, in an amount not less than $50.00 and not more than $500.00 for the delinquency. Each day that a past due service liability exceeds $10,000.00 shall constitute a separate delinquency. In determining whether to impose this additional penalty, the hearing officer may consider all reasons for the failure to make timely payment. The amount of this additional penalty does not include the delinquent amount owed for water service and any applicable late payment penalties, nor does it affect any other remedies of the department pursuant to the provisions of the Municipal Code, including the right to a lien on the subject property.

(c) Whenever a payment is made for charges on a unified statement of charges and such payment does not cover the full amount of the current charges or any unpaid charges from a prior unified statement of charges, any amount paid shall be allocated, pro-rata, first to those charges, including any associated penalties, for which any outstanding city debt is payable solely from charges imposed by this chapter or chapter 3-12 and then to other charges shown on the statement.

Article X
Capital Improvement Tax Levy

SECTION 1. Pursuant to 105 ILCS 5/34-53.5(e), the Chicago City Council hereby approves, by resolution, the capital improvement tax levy made by the Chicago Board of Education, by resolution # 15-0826-RS4, dated August 26, 2015, a certified copy of which was duly delivered to the City Clerk.

Article XI
Taxi rate
TNP Airport Surcharge

SECTION 1. Chapter 3-46 of the Municipal Code of Chicago is hereby amended by deleting the language struck through and by inserting the language underscored, as follows:

3-46-020 Definitions.

When any of the following words or terms are used in this chapter, they shall have the meaning set forth below:

(Omitted text is unaffected by this ordinance)

E. "License holder" means any person holding a license issued by the city under Chapter 9-108, 9-110, 9-112, or 9-114 of this Code, as amended, or any person who has registered or titled a vehicle with any state or the District of Columbia if the vehicle is used to provide ground transportation to passengers. For purposes of this chapter, the phrase "person who has registered or titled a vehicle with any state or the District of Columbia if the vehicle is used to provide ground transportation to passengers" shall include a transportation network vehicle owner.

E.1 "Navy Pier" has the meaning ascribed to the term in 70 ILCS 210/2.

E.2 "McCormick Place" means the complex under the jurisdiction of the Metropolitan Pier and Exposition Authority.

E.3 "Ride accepted" means any ride where a passenger is either picked up or dropped off in the city, or both.

F. "Vehicle" means any vehicle that is self-propelled or horse-drawn and not operated on rails, but does not include motorized wheelchairs. For the purpose of this chapter, the term "vehicle" shall also include pedicabs.

(Omitted text is unaffected by this ordinance)

3-46-030 Tax imposed.

(Omitted text is unaffected by this ordinance)

A. Pursuant to the authority granted by Section 11-42-6 of the Illinois Municipal Code, as amended, 65 ILCS § 5/11-42-6, a tax is imposed on all persons engaged in the occupation of providing ground transportation vehicles for use in the city. The incidence of the tax and the obligation to pay the tax are on the license holder or on any person who is required to be, but is not, a license holder.

B. (1) The rate of the tax shall be in accordance with the following schedule:

(a) For ground transportation vehicles that are ~~taxicabs:~~ taxicabs,

(i) which are licensed or are required to be licensed pursuant to Chapter 9-112 of this Code, ~~$78.00~~ $98.00 for each taxicab for each calendar month during which the taxicab is used in the city to provide ground transportation. This amount shall not be subject to proration;

(ii) which are not required to be licensed pursuant to Chapter 9-112 of this Code, ~~$3.00~~ $3.50 for each taxicab for each day the taxicab is used in the city to provide ground transportation but in no event more than ~~$78.00~~ $98.00 per calendar month.

(b) Except as otherwise provided in subsection (b-1), for ground transportation vehicles, other than taxicabs and pedicabs, with a seating capacity of ten or fewer passengers, $3.50 for each vehicle for each day the vehicle is used in the city to provide ground ~~transportation;~~ transportation.

(b-1) For ground transportation vehicles used in the city to provide transportation network service by transportation network drivers:

(i) engaged with a Class A transportation network provider, (a) $5.40 for every ride that includes a pickup or drop-off, or both, at O'Hare International Airport, Midway International Airport, Navy Pier, or McCormick Place, and (b) in all other cases, $0.40 ~~$0.20~~ per vehicle per ride accepted;

(ii) engaged with a Class B transportation network provider, (a) $5.80 for every ride that includes a pickup or drop-off, or both, at O'Hare International Airport, Midway International Airport, Navy Pier, or McCormick Place, and (b) in all other cases, $0.80 per vehicle per ride accepted.

(c) For ground transportation vehicles with a seating capacity of 11 to 24 passengers, $6.00 for each vehicle for each day the vehicle is used in the city to provide ground ~~transportation;~~ transportation.

(d) For ground transportation vehicles with a seating capacity of more than 24 passengers, $9.00 for each vehicle for each day the vehicle is used in the city to provide ground transportation.

(e) For pedicabs, $1.00 for each pedicab for each day the pedicab is used in the city to provide ground transportation.

(2) For purposes of this subsection (B), it shall be presumed (a) that a taxicab is used in the city during any calendar month in which the taxicab is licensed or required to be licensed pursuant to Chapter 9-112 of this Code, and (b) that the seating capacity of a ground transportation vehicle is the seating capacity designated by the vehicle's manufacturer.

C. (1) To prevent multiple taxation, any person who is licensed, or who is required to be licensed, to operate a ground transportation vehicle used in another municipality may claim a credit against the tax imposed by this chapter equal to any similar occupation tax imposed on the person by the other municipality with respect to such ground transportation vehicle, but only to the extent of the amount of tax properly due and actually paid to the other municipality. The credit may not exceed the amount of the tax imposed by this chapter that otherwise would be due.

(2) This subsection 3-46-030(C) shall not apply in the case of any person who is licensed, or who is required to be licensed, under Chapter 9-108, 9-112, 9-114 or 9-115 of this Code.

(Omitted text is unaffected by this ordinance)

3-46-065 Underserved areas.

A. There is hereby created the Underserved Areas Joint Task Force, which shall consist of a designee of the commissioner of business affairs and consumer protection, a designee of the commissioner of planning and development, and a designee of the comptroller.

The Joint Task Force shall conduct a study to determine which areas are underserved by ground transportation vehicles and therefore should be designated by the commissioner of business affairs and consumer protection as underserved areas for purposes of the tax credit available under this section. The Joint Task Force shall make its initial recommendations for such designations to the commissioner of business affairs and consumer protection no later than 120 days after the effective date of this ordinance, and shall make additional recommendations from time to time as service patterns change.

B. Whenever the commissioner of business affairs and consumer protection determines that recommendations made to her by the Joint Task Force are correct, she shall designate the recommended areas as underserved areas and shall place on file with the city clerk a description of the boundaries of the designated underserved areas. If the commissioner determines that the recommendations are not correct, she shall return the recommendations to the Task Force for further study.

C. (1) Any transportation network provider may claim a credit against the tax imposed by this chapter if during a calendar month one or more of the ground transportation vehicles of its transportation network drivers is used to provide service to or from areas designated as underserved areas under subsection B. The credit shall be 50 percent of the tax imposed by this chapter on each qualified ride during the month; in other words, $.20 per qualified ride for Class A transportation network providers, and $.40 per qualified ride for Class B transportation network providers. For purposes of this subsection, the term "qualified ride" means a ride that includes a pickup or drop-off in an underserved area. A transportation network provider may take the credit provided by this subsection on as much as, but not more than, 15 percent of its total taxable rides during the month. In calculating the maximum monthly tax credit, a transportation network provider shall aggregate all of the taxable rides of all of its transportation network drivers during the month for which a credit is sought.

(2) Any license holder not specified in (C)(1) may claim a credit against the tax imposed by this chapter if during a calendar month one or more of its ground transportation vehicles is used to provide service to or from areas designated as underserved areas under subsection B. The monthly tax credit for any license holder not specified in (C)(1) shall be calculated by multiplying the monthly tax otherwise due for that month by a fraction, the numerator of which shall be the number of taxable ~~trips~~ rides to or from designated underserved areas during the month, and the denominator of which shall be the total number of taxable ~~trips~~ rides during the month. The credit authorized by this subsection (C)(2) shall not exceed ~~50~~ 15 percent of the total tax otherwise due for a month.

D. Upon audit or investigation of a license holder or transportation network provider, any credit claimed by the license holder or transportation network provider shall be disallowed unless the license holder or transportation network provider presents to the department logs or other contemporaneous source documents showing the date, time and locations of origin and destination of every taxable trip made during the month in which the credit is claimed. The credit also shall be disallowed for each month that the license holder or transportation network provider does not timely file a tax return as required by Section 3-46-040 of this chapter.

E. It shall be unlawful for any person to present to the department false documentation to support the credit authorized by this section, and such action shall subject the person to the sanctions contained in Section 3-4-310 of this Code.

F. The credit available under this section shall apply beginning on the first day of the calendar month following the calendar month in which the commissioner of business affairs and consumer protection designates underserved areas under subsection (B).

SECTION 2. Chapter 9-112 of the Municipal Code of Chicago is hereby amended by deleting the language struck through and by inserting the language underscored, as follows:

9-112-150 License fees and terms.

(a) ~~As of the effective date of this ordinance, the licensing term for licenses will be from March 1 of the current year to the last day of February of the subsequent year~~ Licenses shall be issued for a two-year period.

~~(i) One-year taxicab medallion licensing issuance or renewal fee for taxicabs that are not wheelchair accessible is $600.00. The Department will deposit $100.00 of this licensing fee to a fund created to promote accessibility of taxicabs and transportation network vehicles, also known as the "Accessibility Fund."~~

~~(ii) One-year taxicab medallion licensing issuance or renewal fee for wheelchair accessible taxicabs is $500.00. The license must be attached to a wheelchair accessible taxicab vehicle during the entire licensing term.~~

(b) ~~Effective March 1, 2013, the City will initiate a two-year licensing term for licenses issued pursuant to this chapter.~~ The ~~licensing~~ license term for licenses shall be from March 1 of the current year to the last day of February two years subsequent to the current year.

(i) ~~Two-year licensing~~ License issuance or renewal fee is ~~$1,200.00~~ $1,000.00 for taxicabs that are not wheelchair accessible. In addition, as part of the license issuance or renewal fee, a licensee shall pay $22.00 per month to the city's accessibility fund for each taxicab which is not wheelchair-accessible. The licensee may pay the $22.00 per month fee at the same time as the licensee pays the ground transportation tax imposed in Chapter 3-46 of this Code. The Department ~~will~~ shall deposit ~~$200.00~~ the $22.00 per month ~~of this licensing~~ fee to ~~a fund created to promote accessibility of taxicabs and transportation network vehicles, also known as the "Accessibility Fund."~~ the city's accessibility fund.

(ii) ~~Two-year taxicab medallion licensing~~ License issuance or renewal fee for wheelchair accessible taxicabs is $1,000.00. The license must be attached to a wheelchair accessible taxicab vehicle during the entire licensing term.

~~The city will assign the two-year licensing term in order to stagger license renewals by fifty percent of licenses in one year, and the other fifty percent of licenses in the following year.~~

~~All odd numbered licenses expire on the last day of February in odd numbered years, while all even numbered licenses expire on the last day of February in even numbered years.~~

~~In order to phase in the two-year licensing term, on March 1, 2013, the City will assign a two-year term to all odd-numbered licenses and will assign a one-year term to all even numbered licenses. On March 1, 2014, the City will assign a two-year term to all even numbered licenses. Effective March 1, 2014, the one-year licensing term will be terminated.~~

(Omitted text is unaffected by this ordinance)

9-112-230 Tiered lease rate structure.

(Omitted text is unaffected by this ordinance)

(e) Nothing in this section shall be construed to prohibit a lessor of a taxicab from charging a lessee, in addition to the applicable lease rate provided in this section, additional lease rates as provided in this subsection. Any additional lease rate charged pursuant to this subsection shall be included in the lease agreement. Regardless of the number of trips a driver takes during a lease period, the additional lease rate, if charged, shall not be more than: (i) $2.50 for a 12-hour daily lease; (ii) $17.50 for a 12-hour weekly lease; $5.00 for a 24-hour daily lease; or $35.00 for a 24-hour weekly lease. The additional lease rate provided in this subsection is intended for purposes of payment of the city's ground transportation tax and accessibility fund fee by the licensee.

9-112-430 License and other taxicab industry license transfers.

(Omitted text is unaffected by this ordinance)

(g) A nonrefundable ~~transfer~~ administrative fee of $2,500.00 shall be paid by the transferee at the time of application or transfer of the license by the department. ~~The amount of the fee shall be determined as follows:~~

~~(1) if the transfer occurs less than one year after the transferor had acquired the license: 25 (twenty- five) percent of the purchase price or 25 percent of the average market value, whichever is higher;~~

~~(2) if the transfer occurs one year or more but less than two years after the transferor had acquired the license: 10 (ten) percent of the purchase price or 10 percent of the average market value, whichever is higher; or~~

~~(3) if the transfer occurs two or more years after the transferor had acquired the license, or if the transferor is a natural person and the transferee is the transferor's spouse or a natural or legally adopted child of the transferor, or if the transferor is the executor or administrator of the estate of a deceased licensee or the executor or administrator of a deceased person who held 100 percent of the stock or other interest in a corporation which was the licensee and the transferee is not a person adjudged to be the heir of the deceased person, or if the transfer was pursuant to a foreclosure upon a pledged or encumbered license: 5 (five) percent of the purchase price or 5 percent of the average market value, whichever is higher.~~

(h) ~~The average market value shall be an amount determined by the commissioner to be the approximate average purchase price for licenses in arms-length transactions in the previous calendar year~~ [Reserved].

(i) No ~~transfer~~ administrative fee is assessed if the transferor is a natural person and the transferee is a corporation in which the transferor holds 100 percent of the stock; if the transferor is the executor or administrator of the estate of a deceased person who held the license or held 100 percent of the stock in a corporation which held the license and the transferee is the heir of the deceased person; or if the transferee is the legal spouse or child of the deceased transferor and that legal spouse or child is a 50 percent shareholder in the license and the deceased transferor was a 50 percent shareholder in the license.

(Omitted text is unaffected by this ordinance)

9-112-570 Taxicab wheelchair accessible vehicles and centralized wheelchair accessible dispatch.

(a) The commissioner is authorized by rule to regulate wheelchair accessible taxicab vehicles and a centralized dispatch system for wheelchair accessible taxicab vehicles. The commissioner is authorized to assess the costs of such a central dispatch system upon those licensees with wheelchair accessible taxicabs.

(b) (1) Any single licensee that owns or controls 20 or more licenses must place into service wheelchair accessible vehicles as taxicabs on five percent of its taxicab vehicle fleet.

(2) In addition to compliance with subparagraph (b)(1) of this section, any licensee that owns or controls 10 or more taxicab licenses shall have at least 10 percent of its taxicab fleet be wheelchair accessible vehicles by January 1, 2018. ~~, if~~ Effective January 1, 2017, if a licensee subject to this subsection (b)(2) replaces any taxicab vehicle, the replacement vehicle, until the licensee complies with the requirement of this subsection (b)(2), shall be a wheelchair accessible vehicle.

(3) Any licensee that owns or controls 5 or more taxicab licenses shall have a total of at least 25 percent of its taxicab fleet be wheelchair accessible vehicles by January 1, 2022. Effective January 1, 2020, if a licensee subject to this subsection (b)(3) replaces any taxicab vehicle, the replacement vehicle, until the licensee complies with the requirement of this subsection (b)(3), shall be a wheelchair accessible vehicle.

(4) Any licensee that owns or controls 5 or more taxicab licenses shall have a total of at least 30 percent of its taxicab fleet be wheelchair accessible vehicles by January 1, 2025. Effective January 1, 2023, if a licensee subject to this subsection (b)(4) replaces any taxicab vehicle, the replacement vehicle, until the licensee complies with the requirement of this subsection (b)(4), shall be a wheelchair accessible vehicle.

(5) Any licensee that owns or controls 5 or more taxicab licenses shall have a total of at least 50 percent of its taxicab fleet be wheelchair accessible vehicles by January 1, 2030. Effective January 1, 2027, if a licensee subject to this subsection (b)(5) replaces any taxicab vehicle, the replacement vehicle, until the licensee complies with the requirement of this subsection (b)(5), shall be a wheelchair accessible vehicle.

(6) If accessibility fund monies are available, in addition to other uses provided in this Code, they shall be used to reimburse the additional costs associated with purchasing vehicles to be used as taxicabs that are fully wheelchair accessible as provided in the definition of the term "accessibility fund".

(~~3~~7) If a licensee replaces a wheelchair accessible taxicab vehicle, the replacement vehicle shall also be a wheelchair accessible taxicab vehicle.

(Omitted text is unaffected by this ordinance)

9-112-600 Taxicab rates of fare – Revision.

(a) ~~Commencing with the effective date of this Chapter, the~~ The rates of fare for taxicabs shall be as set forth in this section:

For the first 1/9 mile or fraction thereof: Forty-five cents of this initial mileage rate for the first ten taxicab fares which a driver transports per day is hereby designated for payment of workers' compensation insurance.	$~~3.25~~ 2.75
For each additional 1/9 mile or fraction thereof:	~~$ 0.20~~ $0.25
For each 36 seconds of time elapsed:	$ 0.20
For the first additional passenger over the age of 12 years and under the age of 65 years:	$1.00
For each additional passenger, after the first additional passenger, over the age of 12 and under the age of 65 years:	$0.50
For each trip (fee intended for payment of the city's ground transportation tax by the licensee):	$0.40
For each trip (fee intended for payment towards the city's accessibility fund by the licensee):	$0.10
Vomit clean-up fee:	$50.00

(b) Except as otherwise provided in this Chapter, ~~It~~ it is unlawful for any person to demand or collect any fare for taxicab service which is more than the rates established ~~by the ordinance~~ in this section, or for any passenger to refuse payment of the fare so registered.

(Omitted text is unaffected by this ordinance)

(h) In addition to the revision of rates of fare as provided in Section 9-112-600(g) hereof, the council may from time to time impose a surcharge on the rates of fare described in Section 9-112-600(a) hereof, in conformity with the provisions hereinafter set forth.

The city council, through its committee on transportation and public way, shall hold hearings to determine whether a general ordinance authorizing such a surcharge may be necessary due to economic conditions affecting all licenses in general. A surcharge authorized by general ordinance under this section shall be of such duration, not to exceed 60 days, as the council may impose by such general ordinance.

(i) A higher rate than the rate provided in this Section may be charged for a taxicab service dispatched through any Internet-enabled application or digital platform for the provision of prearranged ride services by taxicabs, if:

(1) the dispatcher complies with Section 9-114-265; and
(2) the higher rate is a product of the base rate multiplied by a numeric value.

For purposes of this subsection, "base rate" means a taxi fare calculated pursuant to this section using a taximeter that complies with this chapter, or any other mechanism that meets nationally recognized technical and technological standards applicable to fare amount calculation for providing a prearranged transportation service, as such standards are approved by the city council by ordinance.

SECTION 3. Section 9-114-264 of the Municipal Code of Chicago is hereby amended by deleting the language struck through and by inserting the language underscored, as follows:

9-114-265 Fare rates higher than regular rates.

(a) A licensee licensed under this chapter or Chapter 9-115 of this Code may charge passengers at a higher fare rate than the regular fare rate displayed in the licensee's Internet-enabled application or digital platform, and only if such licensee or such licensee's dispatch complies with all of the following requirements:

(a) A licensee licensed under this chapter or Chapter 9-115 of this Code, or a taxi dispatcher, only as provided in Section 9-112-600(i) of this Code, may charge passengers at a higher fare rate than the regular fare rate displayed in the licensee's Internet-enabled application or digital platform, or, if the dispatched vehicle is a taxicab, at a rate higher rate than the rate provided in Section 9-112-600, only if such licensee or such licensee's dispatch complies with all of the following requirements:

(Omitted text is unaffected by this ordinance)

SECTION 4. Chapter 9-115 of the Municipal Code of Chicago is hereby amended by deleting the language struck through and by inserting the language underscored, as follows:

9-115-140 Transportation network service – Accessibility and accessibility fund.

(Omitted text is unaffected by this ordinance)

(d) In addition to the fees specified in Section 9-115-040, as part of the license issuance or renewal fee, a Class A transportation network provider licensee shall pay $0.10 per vehicle per ride accepted to the city's accessibility fund for each transportation network vehicle registered with the licensee which is not a wheelchair-accessible transportation network vehicle. The licensee may pay the fee provided in this subsection at the same time as the licensee remits the ground transportation tax the licensee collects pursuant to Chapter 3-46 of this Code. Only for purposes of subsections 9-115-140(d) and (e), "ride accepted" means any ride where passengers are either picked up or dropped off in the city, or both.

(e) In addition to the fees specified in Section 9-115-040, as part of the license issuance or renewal fee, a Class B transportation network provider licensee shall pay ~~$100.00 per vehicle per year~~ $0.20 per vehicle per ride accepted to the city's accessibility fund for each transportation network vehicle registered with the licensee which is not a wheelchair-accessible transportation network vehicle. The licensee may pay the fee provided in this subsection at the same time as the licensee remits the ground transportation tax the licensee collects pursuant to Chapter 3-46 of this Code.

(Omitted text is unaffected by this ordinance)

9-115-180 Operating regulations.

(Omitted text is unaffected by this ordinance)

(b) No transportation network driver shall pick up a passenger on any portion of (1) O'Hare International Airport, Midway International Airport or McCormick Place unless the commissioner determines, in duly promulgated rules, following consultation with the commissioner of aviation, that such ~~pick-ups~~ pickups can be accomplished in a manner that preserves security, public safety, the orderly flow of traffic and compliance with ~~the Metropolitan Pier and Exposition Authority Airport Departure Tax Ordinance or payment of an equivalent tax to the city~~ all applicable tax ordinances; and (2) designated taxicab stands or loading zones.

Article XII
Severability and Repealer

SECTION 1. The provisions of this ordinance are declared to be separate and severable. The invalidity of any provision of this ordinance, or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

SECTION 2. All ordinances, resolutions, motions or orders inconsistent with this ordinance are hereby repealed to the extent of such conflict.

Article XIII
Effective Date

SECTION 1. Those provisions in Section 1 and Section 2 of Article I pertaining to the amendments to Section 3-32-020(I) of the Municipal Code shall be effective upon passage and publication.

Those provisions in Section 1 and Section 2 of Article IV pertaining to the Amusement Tax shall be effective upon passage and publication.

Those provisions in Section 2 of Article VIII amending section 13-12-300 of the Municipal Code shall be effective upon passage and publication.

Those provisions in Section 1 of Article XI that amends subsection (b-1) in Section 3-46-030 of the Municipal Code shall take effect upon passage and publication.

Following passage and publication, the remainder of this ordinance shall take effect on January 1, 2016

City of Chicago

Office of the City Clerk

Document Tracking Sheet

A2015-141

Meeting Date:	10/14/2015
Sponsor(s):	Emanuel (Mayor)
Type:	Appointment
Title:	Reppointment of Naderh H. Elrabadi, Stephanie A. Kanter, David J. Mussatt, and Nabeela Rasheed as members of Chicago Commission on Human Relations
Committee(s) Assignment:	Committee on Human Relations

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OFFICE OF THE MAYOR

CITY OF CHICAGO

RAHM EMANUEL
MAYOR

October 14, 2015

TO THE HONORABLE, THE CITY COUNCIL
OF THE CITY OF CHICAGO

Ladies and Gentlemen:

I have reappointed Naderh H. Elrabadi, Stephanie A. Kanter, David J. Mussatt, and Nabeela Rasheed as members of the Chicago Commission on Human Relations for terms effective immediately and extending to July 1, 2018.

Your favorable consideration of these appointments will be appreciated.

Very truly yours,

Mayor

City of Chicago

Office of the City Clerk

Document Tracking Sheet

O2015-7660

Meeting Date:	10/14/2015
Sponsor(s):	Emanuel (Mayor)
Type:	Ordinance
Title:	Sale of City-owned property located in Austin and East Garfield Park Communities under Large Lot Program
Committee(s) Assignment:	Committee on Housing and Real Estate

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OFFICE OF THE MAYOR

CITY OF CHICAGO

RAHM EMANUEL
MAYOR

October 14, 2015

TO THE HONORABLE, THE CITY COUNCIL
OF THE CITY OF CHICAGO

Ladies and Gentlemen:

At the request of the Commissioner of Planning and Development, I transmit herewith an ordinance authorizing the sale of property pursuant to the Large Lot Program.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,

Rahm Emanuel

Mayor

ORDINANCE

WHEREAS, the City of Chicago ("City") is a home rule unit of government under Section 6(a), Article VII of the Constitution of the State of Illinois of 1970 and may exercise any power related to its local governmental affairs; and

WHEREAS, the City has acquired title to numerous parcels of vacant property located throughout the City of Chicago pursuant to its responsibility to protect the health, safety and welfare; and

WHEREAS, many of the City-owned parcels are of minimal value, yet are costly for the City to clean-up and maintain; and

WHEREAS, by ordinance passed by the City Council of the City (the "City Council") on December 10, 2014, the City established the Large Lot Program (codified in Chapter 2-157 of the Municipal Code of Chicago; the "Large Lot Program Ordinance") for the disposition of certain City-owned, vacant parcels, in order to provide local residents greater control over land in their neighborhood and the opportunity to possibly profit from selling those parcels in the future as the areas in which the parcels are located revitalize; and

WHEREAS, it is the City's intention to dispose of those certain City-owned, vacant parcels (i.e., no structures), which are zoned residential, located in the Austin community area and the East Garfield Park community area, and identified in Exhibit A attached hereto (each, a "City Parcel", and collectively, the "City Parcels"); and

WHEREAS, public notice advertising the proposed sale of the City Parcels located in the East Garfield Park community area appeared in the Chicago Sun-Times on July 4, 11, and 18, 2014; and

WHEREAS, public notice advertising the proposed sale of the City Parcels located in the Austin community area appeared in the Chicago Sun-Times on December 11, 18 and 26, 2014; and

WHEREAS, the City's Department of Planning and Development (the "Department") has received applications relating to the disposition of the City Parcels; and

WHEREAS, the Department has evaluated the applications based on the criteria set forth in the Large Lot Program Ordinance; and

WHEREAS, by Resolution No. 15-083-21 adopted by the Plan Commission of the City of Chicago (the "Plan Commission") on September 17, 2015, the Plan Commission recommended the sale of the City Parcels; now, therefore,

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

SECTION 1. The above recitals are expressly adopted herein as the legislative findings of the City Council and incorporated herein and made a part of this ordinance.

SECTION 2. The Mayor or his proxy is authorized to execute, and the City Clerk or Deputy City Clerk is authorized to attest, quitclaim deeds, each such deed conveying a City Parcel to the respective Qualifying Property Owner (as that term is defined in the Large Lot Program Ordinance) selected by the Department, or to a land trust of which the Qualified Property Owner is the sole beneficiary, or to an entity of which the Qualified Property Owner is the sole owner and the controlling party, for the purchase price of One Dollar ($1.00) per City Parcel.

SECTION 3. Any deed conveying a City Parcel to a Qualifying Property Owner may contain such covenants as the Department reasonably deems necessary, including, but not limited to, covenants that require the Qualifying Property Owner for a period of five (5) years commencing on the date on which the City conveys title to such City Parcel to the Qualifying Property Owner (a) to remain in title to the City Parcel and (b) to maintain the City Parcel. The City shall have a right of reverter if the Qualifying Property Owner fails to comply with such covenants. The Department may require the Qualifying Property Owner to execute a reconveyance deed at the time the City conveys the City Parcel, for the purpose of facilitating the City's exercise of its right of reverter, if necessary.

SECTION 4. If any provision of this ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such provision shall not affect any of the other provisions of this ordinance.

SECTION 5. All ordinances, resolutions, motions or orders inconsistent with this ordinance are hereby repealed to the extent of such conflict.

SECTION 6. This ordinance shall take effect immediately upon its passage and approval.

Exhibit A

List of City Parcels

[Attached]

Exhibit A

PIN	Address
13-33-318-019-0000	1703 N LATROBE AVE
13-33-418-041-0000	5114 W CONCORD PL
16-04-321-022-0000	942 N LOCKWOOD AVE
16-04-324-004-0000	843 N CENTRAL AVE
16-04-415-038-0000	908 N LEAMINGTON
16-05-414-024-0000	1032 N. PARKSIDE
16-05-418-029-0000	5938 W IOWA ST
16-05-418-035-0000	5916 W IOWA ST
16-05-422-034-0000	910 N PARKSIDE AVE
16-05-424-014-0000	5919 W IOWA ST
16-08-202-011-0000	5746 W SUPERIOR ST
16-08-206-003-0000	745 N WALLER AVE
16-08-206-014-0000	742 N PARKSIDE AVE
16-08-401-017-0000	330 N. MAYFIELD AVE
16-08-401-018-0000	326 N.MAYFIELD
16-08-401-024-0000	306 N MAYFIELD
16-08-402-001-0000	5843 W LAKE ST
16-08-409-002-0000	243 N MENARD AVE
16-08-409-008-0000	217 N MENARD AVE
16-08-409-004-0000	237 N MENARD AVE
16-08-414-013-0000	156 N MENARD AVE
16-08-416-001-0000	159 N. WALLER AVE.
16-08-416-002-0000	155 N. WALLER
16-08-416-034-0000	5665 W WEST END AVE
16-08-422-021-0000	20 N PARKSIDE
16-09-105-030-0000	734 N LATROBE AVE
16-09-108-001-0000	657 N PINE AVE
16-09-110-015-0000	619 N LONG AVE
16-09-110-036-0000	608 N LOREL

16-09-111-021-0000	5314 WEST OHIO
16-09-115-021-0000	5448 W RACE AVE
16-09-120-050-0000	517 N LOCKWOOD AVE
16-09-124-016-0000	5231 W FERDINAND ST
16-09-204-014-0000	4852 W SUPERIOR ST
16-09-204-015-0000	4848 W SUPERIOR ST
16-09-206-026-0000	4948 W HURON ST
16-09-207-008-0000	4839 W SUPERIOR ST
16-09-207-014-0000	4823 W SUPERIOR ST
16-09-208-024-0000	638 N LEAMINGTON AVE
16-09-209-010-0000	629 N. LEAMINGTON
16-09-214-012-0000	4921 W ERIE ST
16-09-216-012-0000	531 N LARAMIE AVE
16-09-216-019-0000	515 N LARAMIE AVE
16-09-220-035-0000	4926 W RACE AVE
16-09-222-008-0000	4937 W RACE AVE
16-09-229-016-0000	4815 W FERDINAND ST
16-09-229-033-0000	4814 W. HUBBARD ST.
16-09-302-015-0000	322 N LONG AVE
16-09-312-003-0000	231 N LOCKWOOD
16-09-315-029-0000	120 N LOTUS AVE
16-09-316-026-0000	142 N LONG AVE
16-09-317-014-0000	154 N LOREL AVE
16-09-317-031-0000	5331 W WASHINGTON BLVD
16-09-319-018-0000	48 N LOTUS AVE
16-09-323-010-0000	47 N. LOCKWOOD
16-09-403-032-0000	5152 W FULTON ST
16-09-403-037-0000	5136 W FULTON ST
16-10-102-015-0000	4721 W SUPERIOR
16-10-108-041-0000	4706 W RACE
16-11-410-022-0000	3409 W WALNUT ST

16-11-410-023-0000	3407 W WALNUT ST
16-13-303-025-0000	2850 W FLOURNOY ST
16-13-303-026-0000	2848 W FLOURNOY ST
16-13-307-004-0000	2851 W FLOURNOY ST
16-13-307-026-0000	2852 W LEXINGTON ST
16-13-307-033-0000	2836 W LEXINGTON ST
16-15-101-034-0000	4619 W MADISON ST
16-15-113-015-0000	4650 W GLADYS AVE
16-15-113-016-0000	4648 W GLADYS AVE
16-16-101-024-0000	5448 WEST MONROE
16-16-101-025-0000	5446 W MONROE ST
16-16-102-016-0000	5244 W MONROE ST
16-16-104-011-0000	5421 WEST MONROE
16-16-118-029-0000	5321 W VANBUREN
16-16-207-023-0000	5030 W QUINCY ST
16-16-208-020-0000	4817 W ADAMS ST
16-16-221-010-0000	4925 W CONGRESS PKWY
16-16-221-067-0000	4820 W HARRISON ST

City of Chicago

Office of the City Clerk

Document Tracking Sheet

R2015-812

Meeting Date:	10/14/2015
Sponsor(s):	Emanuel (Mayor) Burke (14)
Type:	Resolution
Title:	Call for FDA to reverse its decision approving pediatric opioid use, at request of Commisssioner of Public Health
Committee(s) Assignment:	Committee on Health and Environmental Protection

Health

OFFICE OF THE MAYOR

CITY OF CHICAGO

RAHM EMANUEL
MAYOR

October 14, 2015

TO THE HONORABLE, THE CITY COUNCIL
OF THE CITY OF CHICAGO

Ladies and Gentlemen:

At the request of the Commissioner of Public Health, I transmit herewith, together with Alderman Burke, a resolution regarding a recent FDA decision approving pediatric opioid use.

Your favorable consideration of this resolution will be appreciated.

Very truly yours,

Mayor

RESOLUTION

WHEREAS, in August 2015, the Food and Drug Administration (FDA) approved the use of OxyContin, a dangerous prescription opioid, for pediatric patients ages 11 to 16; and

WHEREAS, the Mayor and the Members of the City Council of the City of Chicago are committed to protecting the health and safety of Chicago's 2.7 million residents, especially children; and

WHEREAS, the United States is facing a growing epidemic of painkiller abuse and overdose deaths; and

WHEREAS, between 1999 and 2013, deaths from prescription opioid overdoses have quadrupled in this country; and

WHEREAS, a growing body of evidence shows that when addicted patients can no longer access prescription opioids, they often turn to heroin; and

WHEREAS, between 2009 and 2011, Chicago saw a 25% increase in the number of opioid-related emergency room visits; and

WHEREAS, the Chicago Fire Department transports up to 15 overdose victims to the emergency room every day, and in the first two days of October 2015, more than 70 Chicago residents overdosed on a batch of heroin that was likely laced with fentanyl; and

WHEREAS, OxyContin, if prescribed or used inappropriately, can lead to addiction, heroin use and overdose, and any consideration of expanding OxyContin's use to youth must factor in this reality; and

WHEREAS, providers who are inexperienced with this medication may see the FDA's action on OxyContin as a general approval to prescribe in situations where it is inappropriate, such as for short-term pain, or pain of mild or moderate intensity, leading to more addiction among youth; and

WHEREAS, the FDA's decision was based in large part on studies performed by the drug's manufacturer, Purdue Pharma—a company with a track record of misrepresentation, such as when it pled guilty in 2007 and agreed to pay some $600 million in fines for misleading regulators, providers and patients about OxyContin's risk; and

WHEREAS, in 2014, the City of Chicago sued Purdue Pharma, among other companies, for misrepresenting the benefits and risks of opioids; now, therefore;

BE IT RESOLVED, that we, the Mayor and Members of the City Council of the City of Chicago, do hereby urge the FDA to reverse its approval of OxyContin use for children between 11 and 16 years of age; and

BE IT FURTHER RESOLVED, that the FDA establish an independent advisory committee that reviews the evidence regarding the safety and efficacy of OxyContin use in pediatric patients and accounts for the context of a nation facing increasing levels of addiction and death due to opioids; and

BE IT FURTHER RESOLVED, that a copy of this Resolution be provided to Senator Dick Durbin, Senator Mark Kirk, and the members of the Chicago delegation in the United States House of Representatives, as a sign of our concern regarding this important issue.

City of Chicago

Office of the City Clerk

Document Tracking Sheet

O2015-7366

Meeting Date:	10/14/2015
Sponsor(s):	Emanuel (Mayor)
Type:	Ordinance
Title:	Scope of services, budget and management agreement for Special Service Area No. 8
Committee(s) Assignment:	Committee on Finance

FIN.

OFFICE OF THE MAYOR

CITY OF CHICAGO

RAHM EMANUEL
MAYOR

October 14, 2015

TO THE HONORABLE, THE CITY COUNCIL
OF THE CITY OF CHICAGO

Ladies and Gentlemen:

At the request of the Commissioner of Planning and Development, I transmit herewith ordinances authorizing a scope of services, budget and management agreement for various Special Service Areas.

Your favorable consideration of these ordinances will be appreciated.

Very truly yours,

Rahm Emanuel

Mayor

ORDINANCE

WHEREAS, special service areas may be established pursuant to Article VII, Sections 6(l) and 7(6) of the Constitution of the State of Illinois, and pursuant to the provisions of the Special Service Area Tax Law, 35 ILCS 200/27-5 et seq., as amended from time to time (the "Act") and pursuant to the Property Tax Code, 35 ILCS 200/1-1 et seq., as amended from time to time; and

WHEREAS, on September 14, 1988, the City Council of the City of Chicago (the "City Council") enacted an ordinance which established an area known and designated as City of Chicago Special Service Area Number 8 and authorized the levy of an annual tax not to exceed an annual rate of forty-one hundredths of one percent (.41%) of the equalized assessed value of the taxable property therein to provide certain special services in and for the Area for a period of 5 years (the "Initial Levy Period") in addition to the services provided by and to the City of Chicago (the "City") generally; and

WHEREAS, the Initial Levy Period expired; and

WHEREAS, on November 17, 1993, the City Council enacted an ordinance which again established a special service area known and designated as City of Chicago Special Service Area Number 8 to provide special services in the area in addition to services provided generally by the City and authorizing a levy of an annual tax not to exceed forty-one hundredths of one percent (.41%) of the equalized assessed value of all property within the area to provide such services for an additional period of 10 years (the "Second Levy Period"); and

WHEREAS, the Second Levy Period has expired; and

WHEREAS, on December 17, 2003, the City Council enacted an ordinance which again established a special service area known and designated as City of Chicago Special Service Area Number 8 (the "Third Area") to provide special services in the Third Area in addition to services provided generally by the City and authorizing a levy of an annual tax not to exceed the sum of forty-one hundredths of one percent (.41%) of the equalized assessed value of the taxable property within the area to provide such services for an additional period of 10 years (the "Third Services Tax"); and

WHEREAS, on November 16, 2011 the City Council enacted an ordinance (the "Establishment Ordinance") which reestablished an area known and designated as City of Chicago Special Service Area Number 8 (the "Area") with reconstituted boundaries, terminated the authorization to levy the Third Services Tax, and authorized the levy of an annual tax, for the period beginning in tax year 2011 through and including tax year 2025, not to exceed an annual rate of forty-one hundredths of one percent (.41%) of the equalized assessed value of the taxable property therein (the "Services Tax") to provide certain special services in and for the Area in addition to the services provided by and to the City of Chicago generally (the "Special Services"); and

WHEREAS, the Establishment Ordinance established the Area as that territory consisting approximately of the area Broadway Street from Diversey Parkway to Grace Street; on Clark Street, from Diversey Parkway to Fletcher on the westside and Belmont Avenue on the eastside; on Halsted Street, from Diversey Parkway to Belmont Avenue; on Belmont Avenue, from Halsted Street to Orchard on the southside of the street and Broadway on the northside of the street; on the northside of Diversey Parkway, from Halsted Street to one parcel west of Sheridan Road; and

WHEREAS, the Special Services authorized in the Establishment Ordinance include, but are not limited to: recruitment of new businesses to the Area, rehabilitation activities, maintenance and beautification activities, new construction, security, coordination of promotional and advertising activities, strategic planning for the Area, and other technical assistance activities to promote commercial and economic development (which may include, but are not limited to, streetscape improvements, strategic transit/parking improvement including parking management studies, and enhanced land use oversight and control initiatives); and

WHEREAS, the Establishment Ordinance provided for the appointment of the Lakeview East Special Service Area Commission (the "Commission") to advise the City Council regarding the amount of the Services Tax to be levied and for the purpose of recommending to the City Council: (1) a yearly budget based upon the cost of providing the Special Services; (2) an entity to serve as a service provider (the "Service Provider"); (3) an agreement between the City and the Service Provider for the provision of Special Services to the Area (the "Service Provider Agreement"); and (4) a budget to be included in the agreement between the City and the Service Provider (the "Budget") (the aforementioned items 1 through 4 shall be known collectively herein as the "Recommendations"); and

WHEREAS, the Commission has been duly appointed and qualified and has heretofore prepared and transmitted to the Commissioner of the Department of Planning and Development (the "Commissioner") its Recommendations to the City Council, including the Budget attached hereto as Exhibit A and hereby made a part hereof; now, therefore,

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. Incorporation of Preambles. The preambles of this ordinance are hereby incorporated into this text as if set out herein in full.

SECTION 2. Appropriations. There is hereby appropriated the following sums in the amounts and for the purposes necessary to provide the Special Services in and for the Area, the estimated amounts of miscellaneous income and the amounts required to be raised by the levy of the Services Tax indicated as follows:

LAKEVIEW EAST SPECIAL SERVICE AREA COMMISSION
SPECIAL SERVICE AREA BUDGET

For the fiscal year commencing January 1, 2016 and ending December 31, 2016.

	EXPENDITURES
Service Provider Agreement for the provision of Special Services	$899,835
TOTAL BUDGET REQUEST	$899,835

SOURCE OF FUNDING
Tax levy at an annual rate not to exceed forty-one hundredths of one percent (.41%)

of the equalized assessed value, of the taxable property within Special Service Area Number 8	$879,835
Carryover funds currently available from prior tax years	$15,000
Late collections received by the City of Chicago attributable to the levy of the Services Tax in prior tax years, along with interest income thereon, if any	$5,000

SECTION 3. Levy of Taxes. There is hereby levied pursuant to the provisions of Article VII, Sections 6(a) and 6(l)(2) of the Constitution of the State of Illinois and pursuant to the provisions of the Act and pursuant to the provisions of the Establishment Ordinance, the sum of $879,835 as the amount of the Services Tax for the tax year 2015.

SECTION 4. Filing. The City Clerk of the City (the "City Clerk") is hereby ordered and directed to file in the Office of the County Clerk of Cook County, Illinois (the "County Clerk") a certified copy of this ordinance on or prior to December 29, 2015, and the County Clerk shall thereafter extend for collection together with all other taxes to be levied by the City of Chicago, the Services Tax herein provided for, said Services Tax to be extended for collection by the County Clerk for the tax year 2015 against all the taxable property within the Area, the amount of the Services Tax herein levied to be in addition to and in excess of all other taxes to be levied and extended against all taxable property within the Area.

SECTION 5. Service Provider Agreement. The Commissioner, or a designee of the Commissioner (each, an "Authorized Officer"), are each hereby authorized, subject to approval by the Corporation Counsel as to form and legality, to enter into, execute and deliver a Service Provider Agreement as authorized herein with Lake View East Chamber of Commerce, an Illinois not-for-profit corporation, as the Service Provider, for a one-year term in a form acceptable to such Authorized Officer, along with such other supporting documents, if any, as may be necessary to carry out and comply with the provisions of the Service Provider Agreement. The Budget shall be attached to the Service Provider Agreement as an exhibit. Upon the execution of the Service Provider Agreement and the receipt of proper documentation the Authorized Officer and the City Comptroller are each hereby authorized to disburse the sums appropriated in Section 2 above to the Service Provider in consideration for the provision of the Special Services described in the Budget. The Department of Planning and Development shall promptly make a copy of the executed Service Provider Agreement readily available for public inspection.

SECTION 6. Enforceability. If any section, paragraph or provision of this ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this ordinance.

SECTION 7. Conflict. This ordinance shall control over any provision of any other ordinance, resolution, motion or order in conflict with this ordinance, to the extent of such conflict.

SECTION 8. Publication. This ordinance shall be published by the City Clerk, in special pamphlet form, and made available in her office for public inspection and distribution to members of the public who may wish to avail themselves of a copy of this ordinance.

SECTION 9. Effective Date. This ordinance shall take effect 10 days after its passage and publication.

EXHIBIT A
Budget

2016 Budget and Services Summary

Chicago Department of Planning and Development

Name:	SSA #8	SSA Chairperson:	Dan Wolf	Agency Contact:	Maureen T. Martino
Service Provider Agency:	Lakeview East Chamber of Commerce	Phone Number:	7733488608	Phone Number:	773-348-8608
SSA Tax Authority Term:	15 year	Email:	danwolf7@msn.com	Email:	maureen@lakevieweast.com
Date:					

2016 BUDGET SUMMARY	2015 Levy	+	Carry Over	+	Late Collections and Interest Income Thereon	=	2016 Budget
CATEGORY							
1 00 Customer Attraction	$ 185,000	+	$ -	+	$ 5,000	=	$ 190,000
2 00 Public Way Aesthetics	$ 331,900	+	$ 15,000	+	$ -	=	$ 346,900
3 00 Sustainability and Public Places	$ 25,400	+	$ -	+	$ -	=	$ 25,400
4 00 Economic/Business Development	$ 27,016	+	$ -	+	$ -	=	$ 27,016
5 00 Safety Programs	$ 31,000	+	$ -	+	$ -	=	$ 31,000
6 00 SSA Management	$ 81,100	+	$ -	+	$ -	=	$ 81,100
7.00 Personnel	$ 168,419	+	$ -	+	$ -		$ 168,419
8.00 Loss Collection: 3.4%	$ 30,000	+	$ -	+	$ -	=	$ 30,000
GRAND TOTAL	$ 879,836	+	$ 15,000	+	$ 6,000	=	$ 899,835

2016 Budget	$ 899,835

LEVY ANALYSIS		
1	Estimated 2015 EAV:	$214,594,143
2	Authorized Tax Rate Cap:	0.410%
3	Estimated 2015 Levy:	$879,835
4	Estimated Tax Rate to Generate 2015 Levy (Estimated 2015 Levy + Estimated 2015 EAV = Est. Tax Rate):	0.410%

2016 BUDGET & SERVICES - SIGNATURE PAGE

SSA #8

Budget & Services Period: January 1, 2016 to December 31, 2016

The 2016 Budget & Services were approved by the SSA Commission

Dan Wolf — DAN WOLF — 8/17/2015

SSA Chairperson Signature — SSA Chairperson Printed Name — Date — Date

CITY OF CHICAGO
ECONOMIC DISCLOSURE STATEMENT
AND AFFIDAVIT

SECTION I -- GENERAL INFORMATION

A. Legal name of the Disclosing Party submitting this EDS. Include d/b/a/ if applicable:

Lakeview East Chamber of Commerce

Check ONE of the following three boxes:

Indicate whether the Disclosing Party submitting this EDS is:

1. [x] the Applicant

   OR

2. [ ] a legal entity holding a direct or indirect interest in the Applicant. State the legal name of the Applicant in which the Disclosing Party holds an interest: ______________________

   OR

3. [ ] a legal entity with a right of control (see Section II.B.1.) State the legal name of the entity in which the Disclosing Party holds a right of control: ______________________

B. Business address of the Disclosing Party: 3138 N. Broadway
Chicago, IL 60657

C. Telephone: 773-348-8608 Fax: 773-348-7409 Email: maureen@lakevieweast.com

D. Name of contact person: Maureen T. Martino

E. Federal Employer Identification No. (if you have one): ______________________

F. Brief description of contract, transaction or other undertaking (referred to below as the "Matter") to which this EDS pertains. (Include project number and location of property, if applicable):

To allow Lakeview East Chamber of Commerce to enter into a service provider agreement with the City of Chicago in order to provide special services within SSA#8.

G. Which City agency or department is requesting this EDS? Dept. of Planning and Development

If the Matter is a contract being handled by the City's Department of Procurement Services, please complete the following:

Specification # ______________________ and Contract # ______________________

SECTION II -- DISCLOSURE OF OWNERSHIP INTERESTS

A. NATURE OF THE DISCLOSING PARTY

1. Indicate the nature of the Disclosing Party:

[ ] Person
[ ] Publicly registered business corporation
[ ] Privately held business corporation
[ ] Sole proprietorship
[ ] General partnership
[ ] Limited partnership
[ ] Trust
[ ] Limited liability company
[ ] Limited liability partnership
[ ] Joint venture
[X] Not-for-profit corporation
(Is the not-for-profit corporation also a 501(c)(3))?
[ ] Yes [X] No
[ ] Other (please specify)

2. For legal entities, the state (or foreign country) of incorporation or organization, if applicable:

Illinois

3. For legal entities not organized in the State of Illinois: Has the organization registered to do business in the State of Illinois as a foreign entity?

[ ] Yes [ ] No [X] N/A

B. IF THE DISCLOSING PARTY IS A LEGAL ENTITY:

1. List below the full names and titles of all executive officers and all directors of the entity. **NOTE:** For not-for-profit corporations, also list below all members, if any, which are legal entities. If there are no such members, write "no members." For trusts, estates or other similar entities, list below the legal titleholder(s).

If the entity is a general partnership, limited partnership, limited liability company, limited liability partnership or joint venture, list below the name and title of each general partner, managing member, manager or any other person or entity that controls the day-to-day management of the Disclosing Party. **NOTE:** Each legal entity listed below must submit an EDS on its own behalf.

Name	Title	
William Shepard	Board President	NONE ARE LEGAL ENTITIES
Jennifer Avila	Vice President	NO MEMBERS
Jerry LoProto	Treasurer	
George Ann Bruscenelli	Secretary	
Maureen T. Martino	Executive Director	

2. Please provide the following information concerning each person or entity having a direct or indirect beneficial interest (including ownership) in excess of 7.5% of the Disclosing Party. Examples of such an interest include shares in a corporation, partnership interest in a partnership or joint venture,

interest of a member or manager in a limited liability company, or interest of a beneficiary of a trust, estate or other similar entity. If none, state "None." **NOTE**: Pursuant to Section 2-154-030 of the Municipal Code of Chicago ("Municipal Code"), the City may require any such additional information from any applicant which is reasonably intended to achieve full disclosure.

Name	Business Address	Percentage Interest in the Disclosing Party
NONE		

SECTION III -- BUSINESS RELATIONSHIPS WITH CITY ELECTED OFFICIALS

Has the Disclosing Party had a "business relationship," as defined in Chapter 2-156 of the Municipal Code, with any City elected official in the 12 months before the date this EDS is signed?

[ ] Yes [x] No

If yes, please identify below the name(s) of such City elected official(s) and describe such relationship(s):

____

____

SECTION IV -- DISCLOSURE OF SUBCONTRACTORS AND OTHER RETAINED PARTIES

The Disclosing Party must disclose the name and business address of each subcontractor, attorney, lobbyist, accountant, consultant and any other person or entity whom the Disclosing Party has retained or expects to retain in connection with the Matter, as well as the nature of the relationship, and the total amount of the fees paid or estimated to be paid. The Disclosing Party is not required to disclose employees who are paid solely through the Disclosing Party's regular payroll.

"Lobbyist" means any person or entity who undertakes to influence any legislative or administrative action on behalf of any person or entity other than: (1) a not-for-profit entity, on an unpaid basis, or (2) himself. "Lobbyist" also means any person or entity any part of whose duties as an employee of another includes undertaking to influence any legislative or administrative action.

If the Disclosing Party is uncertain whether a disclosure is required under this Section, the Disclosing Party must either ask the City whether disclosure is required or make the disclosure.

Name (indicate whether retained or anticipated to be retained)	Business Address	Relationship to Disclosing Party (subcontractor, attorney, lobbyist, etc.)	Fees (indicate whether paid or estimated.) **NOTE:** "hourly rate" or "t.b.d." is not an acceptable response.
Shout Pr and Marketing	1918 S. May Street, Chicago	PR Agency	anticipated Est. $10,000
Patch Landscaping	6107 N. Ravenswood, Chicago	subcontractor/landscaping	retained $70,000
Em Events	417 E. 14th Street, Naperville	artist recruitment	anticipated est. $15,000
Chicago Event Graphics	400 N. Hart, Chicago	subcontractor/banners, streetscape	anticipated Est. $40,000
Pressure Washing Systmes	1615 S. 55th Avenue, Chicago	subcontractor/powerwashing	anticipated Est. $25,000
LaKota Group	212 W. Kinzie, Chicago	planners	anticipated Est. $40,000

(Add sheets if necessary)

A.C.T. Group 6228 N. Broadway, Chicago accountants anticipated Est. $6,000

[ ] Check here if the Disclosing Party has not retained, nor expects to retain, any such persons or entities.

SECTION V -- CERTIFICATIONS

A. COURT-ORDERED CHILD SUPPORT COMPLIANCE

Under Municipal Code Section 2-92-415, substantial owners of business entities that contract with the City must remain in compliance with their child support obligations throughout the contract's term.

Has any person who directly or indirectly owns 10% or more of the Disclosing Party been declared in arrearage on any child support obligations by any Illinois court of competent jurisdiction?

[ ] Yes [ ] No [x] No person directly or indirectly owns 10% or more of the Disclosing Party.

If "Yes," has the person entered into a court-approved agreement for payment of all support owed and is the person in compliance with that agreement?

[ ] Yes [ ] No

B. FURTHER CERTIFICATIONS

1. Pursuant to Municipal Code Chapter 1-23, Article I ("Article I")(which the Applicant should consult for defined terms (e.g., "doing business") and legal requirements), if the Disclosing Party submitting this EDS is the Applicant and is doing business with the City, then the Disclosing Party certifies as follows: (i) neither the Applicant nor any controlling person is currently indicted or charged with, or has admitted guilt of, or has ever been convicted of, or placed under supervision for, any criminal offense involving actual, attempted, or conspiracy to commit bribery, theft, fraud, forgery, perjury, dishonesty or deceit against an officer or employee of the City or any sister agency; and (ii) the Applicant understands and acknowledges that compliance with Article I is a continuing requirement for doing business with the City. NOTE: If Article I applies to the Applicant, the permanent compliance timeframe in Article I supersedes some five-year compliance timeframes in certifications 2 and 3 below.

2. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or entities identified in Section II.B.1. of this EDS:

a. are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from any transactions by any federal, state or local unit of government;

b. have not, within a five-year period preceding the date of this EDS, been convicted of a criminal offense, adjudged guilty, or had a civil judgment rendered against them in connection with: obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; a violation of federal or state antitrust statutes; fraud; embezzlement; theft; forgery; bribery; falsification or destruction of records; making false statements; or receiving stolen property;

c. are not presently indicted for, or criminally or civilly charged by, a governmental entity (federal, state or local) with committing any of the offenses set forth in clause B.2.b. of this Section V;

d. have not, within a five-year period preceding the date of this EDS, had one or more public transactions (federal, state or local) terminated for cause or default; and

e. have not, within a five-year period preceding the date of this EDS, been convicted, adjudged guilty, or found liable in a civil proceeding, or in any criminal or civil action, including actions concerning environmental violations, instituted by the City or by the federal government, any state, or any other unit of local government.

3. The certifications in subparts 3, 4 and 5 concern:

• the Disclosing Party;
• any "Contractor" (meaning any contractor or subcontractor used by the Disclosing Party in connection with the Matter, including but not limited to all persons or legal entities disclosed under Section IV, "Disclosure of Subcontractors and Other Retained Parties");
• any "Affiliated Entity" (meaning a person or entity that, directly or indirectly: controls the Disclosing Party, is controlled by the Disclosing Party, or is, with the Disclosing Party, under common control of another person or entity. Indicia of control include, without limitation: interlocking management or ownership; identity of interests among family members, shared facilities and equipment; common use of employees; or organization of a business entity following the ineligibility of a business entity to do business with federal or state or local government, including the City, using substantially the same management, ownership, or principals as the ineligible entity); with respect to Contractors, the term Affiliated Entity means a person or entity that directly or indirectly controls the Contractor, is controlled by it, or, with the Contractor, is under common control of another person or entity;
• any responsible official of the Disclosing Party, any Contractor or any Affiliated Entity or any other official, agent or employee of the Disclosing Party, any Contractor or any Affiliated Entity, acting pursuant to the direction or authorization of a responsible official of the Disclosing Party, any Contractor or any Affiliated Entity (collectively "Agents").

Neither the Disclosing Party, nor any Contractor, nor any Affiliated Entity of either the Disclosing Party or any Contractor nor any Agents have, during the five years before the date this EDS is signed, or, with respect to a Contractor, an Affiliated Entity, or an Affiliated Entity of a Contractor during the five years before the date of such Contractor's or Affiliated Entity's contract or engagement in connection with the Matter:

a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity;

b. agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise; or

c. made an admission of such conduct described in a. or b. above that is a matter of record, but have not been prosecuted for such conduct; or

d. violated the provisions of Municipal Code Section 2-92-610 (Living Wage Ordinance).

4. Neither the Disclosing Party, Affiliated Entity or Contractor, or any of their employees, officials, agents or partners, is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of (1) bid-rigging in violation of 720 ILCS 5/33E-3; (2) bid-rotating in violation of 720 ILCS 5/33E-4; or (3) any similar offense of any state or of the United States of America that contains the same elements as the offense of bid-rigging or bid-rotating.

5. Neither the Disclosing Party nor any Affiliated Entity is listed on any of the following lists maintained by the Office of Foreign Assets Control of the U.S. Department of the Treasury or the Bureau of Industry and Security of the U.S. Department of Commerce or their successors: the Specially Designated Nationals List, the Denied Persons List, the Unverified List, the Entity List and the Debarred List.

6. The Disclosing Party understands and shall comply with the applicable requirements of Chapters 2-55 (Legislative Inspector General), 2-56 (Inspector General) and 2-156 (Governmental Ethics) of the Municipal Code.

7. If the Disclosing Party is unable to certify to any of the above statements in this Part B (Further Certifications), the Disclosing Party must explain below:

____

____

____

____

If the letters "NA," the word "None," or no response appears on the lines above, it will be conclusively presumed that the Disclosing Party certified to the above statements.

8. To the best of the Disclosing Party's knowledge after reasonable inquiry, the following is a complete list of all current employees of the Disclosing Party who were, at any time during the 12-month period preceding the execution date of this EDS, an employee, or elected or appointed official, of the City of Chicago (if none, indicate with "N/A" or "none").

N/A

9. To the best of the Disclosing Party's knowledge after reasonable inquiry, the following is a complete list of all gifts that the Disclosing Party has given or caused to be given, at any time during the 12-month period preceding the execution date of this EDS, to an employee, or elected or appointed official, of the City of Chicago. For purposes of this statement, a "gift" does not include: (i) anything made generally available to City employees or to the general public, or (ii) food or drink provided in the course of official City business and having a retail value of less than $20 per recipient (if none, indicate with "N/A" or "none"). As to any gift listed below, please also list the name of the City recipient.

N/A

C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION

1. The Disclosing Party certifies that the Disclosing Party (check one)

[ ] is [x] is not

a "financial institution" as defined in Section 2-32-455(b) of the Municipal Code.

2. If the Disclosing Party IS a financial institution, then the Disclosing Party pledges:

"We are not and will not become a predatory lender as defined in Chapter 2-32 of the Municipal Code. We further pledge that none of our affiliates is, and none of them will become, a predatory lender as defined in Chapter 2-32 of the Municipal Code. We understand that becoming a predatory lender or becoming an affiliate of a predatory lender may result in the loss of the privilege of doing business with the City."

If the Disclosing Party is unable to make this pledge because it or any of its affiliates (as defined in Section 2-32-455(b) of the Municipal Code) is a predatory lender within the meaning of Chapter 2-32 of the Municipal Code, explain here (attach additional pages if necessary):

If the letters "NA," the word "None," or no response appears on the lines above, it will be conclusively presumed that the Disclosing Party certified to the above statements.

D. CERTIFICATION REGARDING INTEREST IN CITY BUSINESS

Any words or terms that are defined in Chapter 2-156 of the Municipal Code have the same meanings when used in this Part D.

1. In accordance with Section 2-156-110 of the Municipal Code: Does any official or employee of the City have a financial interest in his or her own name or in the name of any other person or entity in the Matter?

[ ] Yes [X] No

NOTE: If you checked "Yes" to Item D.1., proceed to Items D.2. and D.3. If you checked "No" to Item D.1., proceed to Part E.

2. Unless sold pursuant to a process of competitive bidding, or otherwise permitted, no City elected official or employee shall have a financial interest in his or her own name or in the name of any other person or entity in the purchase of any property that (i) belongs to the City, or (ii) is sold for taxes or assessments, or (iii) is sold by virtue of legal process at the suit of the City (collectively, "City Property Sale"). Compensation for property taken pursuant to the City's eminent domain power does not constitute a financial interest within the meaning of this Part D.

Does the Matter involve a City Property Sale?

[ ] Yes [ ] No

3. If you checked "Yes" to Item D.1., provide the names and business addresses of the City officials or employees having such interest and identify the nature of such interest:

Name	Business Address	Nature of Interest

4. The Disclosing Party further certifies that no prohibited financial interest in the Matter will be acquired by any City official or employee.

E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS

Please check either 1. or 2. below. If the Disclosing Party checks 2., the Disclosing Party must disclose below or in an attachment to this EDS all information required by paragraph 2. Failure to comply with these disclosure requirements may make any contract entered into with the City in connection with the Matter voidable by the City.

_x__1. The Disclosing Party verifies that the Disclosing Party has searched any and all records of the Disclosing Party and any and all predecessor entities regarding records of investments or profits from slavery or slaveholder insurance policies during the slavery era (including insurance policies issued to slaveholders that provided coverage for damage to or injury or death of their slaves), and the Disclosing Party has found no such records.

____2. The Disclosing Party verifies that, as a result of conducting the search in step 1 above, the Disclosing Party has found records of investments or profits from slavery or slaveholder insurance policies. The Disclosing Party verifies that the following constitutes full disclosure of all such records, including the names of any and all slaves or slaveholders described in those records:

____

____

____

____

SECTION VI -- CERTIFICATIONS FOR FEDERALLY FUNDED MATTERS

NOTE: If the Matter is federally funded, complete this Section VI. **If the Matter is not federally funded**, proceed to Section VII. For purposes of this Section VI, tax credits allocated by the City and proceeds of debt obligations of the City are not federal funding.

A. CERTIFICATION REGARDING LOBBYING

1. List below the names of all persons or entities registered under the federal Lobbying Disclosure Act of 1995 who have made lobbying contacts on behalf of the Disclosing Party with respect to the Matter: (Add sheets if necessary):

____

____

____

(If no explanation appears or begins on the lines above, or if the letters "NA" or if the word "None" appear, it will be conclusively presumed that the Disclosing Party means that NO persons or entities registered under the Lobbying Disclosure Act of 1995 have made lobbying contacts on behalf of the Disclosing Party with respect to the Matter.)

2. The Disclosing Party has not spent and will not expend any federally appropriated funds to pay any person or entity listed in Paragraph A.1. above for his or her lobbying activities or to pay any person or entity to influence or attempt to influence an officer or employee of any agency, as defined by applicable federal law, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress, in connection with the award of any federally funded contract, making any federally funded grant or loan, entering into any cooperative agreement, or to extend, continue, renew, amend, or modify any federally funded contract, grant, loan, or cooperative agreement.

3. The Disclosing Party will submit an updated certification at the end of each calendar quarter in which there occurs any event that materially affects the accuracy of the statements and information set forth in paragraphs A.1. and A.2. above.

4. The Disclosing Party certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal Revenue Code of 1986; or (ii) it is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying Activities".

5. If the Disclosing Party is the Applicant, the Disclosing Party must obtain certifications equal in form and substance to paragraphs A.1. through A.4. above from all subcontractors before it awards any subcontract and the Disclosing Party must maintain all such subcontractors' certifications for the duration of the Matter and must make such certifications promptly available to the City upon request.

B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

If the Matter is federally funded, federal regulations require the Applicant and all proposed subcontractors to submit the following information with their bids or in writing at the outset of negotiations.

Is the Disclosing Party the Applicant?

[ ] Yes [ ] No

If "Yes," answer the three questions below:

1. Have you developed and do you have on file affirmative action programs pursuant to applicable federal regulations? (See 41 CFR Part 60-2.)

[ ] Yes [ ] No

2. Have you filed with the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance Programs, or the Equal Employment Opportunity Commission all reports due under the applicable filing requirements?

[ ] Yes [ ] No

3. Have you participated in any previous contracts or subcontracts subject to the equal opportunity clause?

[ ] Yes [ ] No

If you checked "No" to question 1. or 2. above, please provide an explanation:

____

____

SECTION VII -- ACKNOWLEDGMENTS, CONTRACT INCORPORATION, COMPLIANCE, PENALTIES, DISCLOSURE

The Disclosing Party understands and agrees that:

A. The certifications, disclosures, and acknowledgments contained in this EDS will become part of any contract or other agreement between the Applicant and the City in connection with the Matter, whether procurement, City assistance, or other City action, and are material inducements to the City's execution of any contract or taking other action with respect to the Matter. The Disclosing Party understands that it must comply with all statutes, ordinances, and regulations on which this EDS is based.

B. The City's Governmental Ethics and Campaign Financing Ordinances, Chapters 2-156 and 2-164 of the Municipal Code, impose certain duties and obligations on persons or entities seeking City contracts, work, business, or transactions. The full text of these ordinances and a training program is available on line at www.cityofchicago.org/Ethics, and may also be obtained from the City's Board of Ethics, 740 N.

Sedgwick St., Suite 500, Chicago, IL 60610, (312) 744-9660. The Disclosing Party must comply fully with the applicable ordinances.

C. If the City determines that any information provided in this EDS is false, incomplete or inaccurate, any contract or other agreement in connection with which it is submitted may be rescinded or be void or voidable, and the City may pursue any remedies under the contract or agreement (if not rescinded or void), at law, or in equity, including terminating the Disclosing Party's participation in the Matter and/or declining to allow the Disclosing Party to participate in other transactions with the City. Remedies at law for a false statement of material fact may include incarceration and an award to the City of treble damages.

D. It is the City's policy to make this document available to the public on its Internet site and/or upon request. Some or all of the information provided on this EDS and any attachments to this EDS may be made available to the public on the Internet, in response to a Freedom of Information Act request, or otherwise. By completing and signing this EDS, the Disclosing Party waives and releases any possible rights or claims which it may have against the City in connection with the public release of information contained in this EDS and also authorizes the City to verify the accuracy of any information submitted in this EDS.

E. The information provided in this EDS must be kept current. In the event of changes, the Disclosing Party must supplement this EDS up to the time the City takes action on the Matter. If the Matter is a contract being handled by the City's Department of Procurement Services, the Disclosing Party must update this EDS as the contract requires. **NOTE:** With respect to Matters subject to Article I of Chapter 1-23 of the Municipal Code (imposing **PERMANENT INELIGIBILITY** for certain specified offenses), the information provided herein regarding eligibility must be kept current for a longer period, as required by Chapter 1-23 and Section 2-154-020 of the Municipal Code.

The Disclosing Party represents and warrants that:

F.1. The Disclosing Party is not delinquent in the payment of any tax administered by the Illinois Department of Revenue, nor are the Disclosing Party or its Affiliated Entities delinquent in paying any fine, fee, tax or other charge owed to the City. This includes, but is not limited to, all water charges, sewer charges, license fees, parking tickets, property taxes or sales taxes.

F.2 If the Disclosing Party is the Applicant, the Disclosing Party and its Affiliated Entities will not use, nor permit their subcontractors to use, any facility listed by the U.S. E.P.A. on the federal Excluded Parties List System ("EPLS") maintained by the U. S. General Services Administration.

F.3 If the Disclosing Party is the Applicant, the Disclosing Party will obtain from any contractors/subcontractors hired or to be hired in connection with the Matter certifications equal in form and substance to those in F.1. and F.2. above and will not, without the prior written consent of the City, use any such contractor/subcontractor that does not provide such certifications or that the Disclosing Party has reason to believe has not provided or cannot provide truthful certifications.

NOTE: If the Disclosing Party cannot certify as to any of the items in F.1., F.2. or F.3. above, an explanatory statement must be attached to this EDS.

CERTIFICATION

Under penalty of perjury, the person signing below: (1) warrants that he/she is authorized to execute this EDS and Appendix A (if applicable) on behalf of the Disclosing Party, and (2) warrants that all certifications and statements contained in this EDS and Appendix A (if applicable) are true, accurate and complete as of the date furnished to the City.

Lakeview East Chamber of Commerce

(Print or type name of Disclosing Party)

By: Mau Martino
(Sign here)

Maureen T. Martino

(Print or type name of person signing)

Executive Director

(Print or type title of person signing)

Signed and sworn to before me on (date) 9.15.15,
at COOK County, Illinois (state).

Notary Public.

Commission expires:

"OFFICIAL SEAL"
SHIRLEY A. THOMAS
Notary Public, State of Illinois
My Commission Expires May 08, 2016
Commission No 600613

CITY OF CHICAGO
ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT
APPENDIX A

FAMILIAL RELATIONSHIPS WITH ELECTED CITY OFFICIALS AND DEPARTMENT HEADS

This Appendix is to be completed only by (a) the Applicant, and (b) any legal entity which has a direct ownership interest in the Applicant exceeding 7.5 percent. It is not to be completed by any legal entity which has only an indirect ownership interest in the Applicant.

Under Municipal Code Section 2-154-015, the Disclosing Party must disclose whether such Disclosing Party or any "Applicable Party" or any Spouse or Domestic Partner thereof currently has a "familial relationship" with any elected city official or department head. A "familial relationship" exists if, as of the date this EDS is signed, the Disclosing Party or any "Applicable Party" or any Spouse or Domestic Partner thereof is related to the mayor, any alderman, the city clerk, the city treasurer or any city department head as spouse or domestic partner or as any of the following, whether by blood or adoption: parent, child, brother or sister, aunt or uncle, niece or nephew, grandparent, grandchild, father-in-law, mother-in-law, son-in-law, daughter-in-law, stepfather or stepmother, stepson or stepdaughter, stepbrother or stepsister or half-brother or half-sister.

"Applicable Party" means (1) all executive officers of the Disclosing Party listed in Section II.B.1.a., if the Disclosing Party is a corporation; all partners of the Disclosing Party, if the Disclosing Party is a general partnership; all general partners and limited partners of the Disclosing Party, if the Disclosing Party is a limited partnership; all managers, managing members and members of the Disclosing Party, if the Disclosing Party is a limited liability company; (2) all principal officers of the Disclosing Party; and (3) any person having more than a 7.5 percent ownership interest in the Disclosing Party. "Principal officers" means the president, chief operating officer, executive director, chief financial officer, treasurer or secretary of a legal entity or any person exercising similar authority.

Does the Disclosing Party or any "Applicable Party" or any Spouse or Domestic Partner thereof currently have a "familial relationship" with an elected city official or department head?

[ ] Yes [x] No

If yes, please identify below (1) the name and title of such person, (2) the name of the legal entity to which such person is connected; (3) the name and title of the elected city official or department head to whom such person has a familial relationship, and (4) the precise nature of such familial relationship.

____

____

____

CITY OF CHICAGO
ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT
APPENDIX B

BUILDING CODE SCOFFLAW/PROBLEM LANDLORD CERTIFICATION

This Appendix is to be completed only by (a) the Applicant, and (b) any legal entity which has a direct ownership interest in the Applicant exceeding 7.5 percent (an "Owner"). It is not to be completed by any legal entity which has only an indirect ownership interest in the Applicant.

1. Pursuant to Municipal Code Section 2-154-010, is the Applicant or any Owner identified as a building code scofflaw or problem landlord pursuant to Section 2-92-416 of the Municipal Code?

   [ ] Yes [x] No

2. If the Applicant is a legal entity publicly traded on any exchange, is any officer or director of the Applicant identified as a building code scofflaw or problem landlord pursuant to Section 2-92-416 of the Municipal Code?

   [ ] Yes [ ] No [x] Not Applicable

3. If yes to (1) or (2) above, please identify below the name of the person or legal entity identified as a building code scofflaw or problem landlord and the address of the building or buildings to which the pertinent code violations apply.

____

____

____

FILLING OUT THIS APPENDIX B CONSTITUTES ACKNOWLEDGMENT AND AGREEMENT THAT THIS APPENDIX B IS INCORPORATED BY REFERENCE INTO, AND MADE A PART OF, THE ASSOCIATED EDS, AND THAT THE REPRESENTATIONS MADE IN THIS APPENDIX B ARE SUBJECT TO THE CERTIFICATION MADE UNDER PENALTY OF PERJURY ON PAGE 12 OF THE ASSOCIATED EDS.

City of Chicago

O2015-7393

Office of the City Clerk

Document Tracking Sheet

Meeting Date:	10/14/2015
Sponsor(s):	Emanuel (Mayor)
Type:	Ordinance
Title:	Supplemental property tax levy for Year 2015
Committee(s) Assignment:	Committee on Finance

FIN.

OFFICE OF THE MAYOR

CITY OF CHICAGO

RAHM EMANUEL
MAYOR

October 14, 2015

TO THE HONORABLE, THE CITY COUNCIL
OF THE CITY OF CHICAGO

Ladies and Gentlemen:

At the request of the Budget Director, I transmit herewith ordinances authorizing a Supplemental Tax Levy for 2015 and Tax Levies for 2016, 2017 and 2018.

Your favorable consideration of these ordinances will be appreciated.

Very truly yours,

Rahm Emanuel

Mayor

ORDINANCE

WHEREAS, the City of Chicago is a home rule unit of government as defined in Article VII, Section 6 (a) of the Illinois Constitution, and, as such, may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, the City has adopted its annual appropriation ordinance and tax levy for the year 2015, pursuant to its powers granted by the constitution and laws of the State of Illinois; and

WHEREAS, the City has supplemented its annual appropriation ordinance for the year 2015, because it has become necessary to appropriate additional funds for the Policemen's Annuity and Benefit Fund and Firemen's Annuity and Benefit Fund based on the impending increase in employer contributions to these funds mandated by State law; and

WHEREAS, it is now appropriate and in the best interests of the City of Chicago to supplement its tax levy for the year 2015, to become effective as provided herein, in order to provide the requisite increase for the Policemen's Annuity and Benefit Fund of $221,907,000, and for the Firemen's Annuity and Benefit Fund of $96,249,000; and

WHEREAS, it is appropriate that the supplemental tax levy for the year 2015 receive expeditious consideration by the City Council; now, therefore,

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

SECTION 1. The appropriated and levied sums shown below represent totals, meaning the sum of the original and supplemental levy amounts.

SECTION 2. The sum of One Billion, One Hundred Eighty-Six Million, Three Hundred Twelve Thousand Dollars ($1,186,312,000), ascertained by the City Council as the total amount of appropriations heretofore legally made for all corporate purposes to be provided for by the tax levy of the year 2015, as supplemented by this ordinance, is hereby levied for the year 2015 upon all property within the City of Chicago subject to taxation. The purposes for which appropriations have been made and the amounts appropriated for such purposes, respectively, are hereinafter specified in detail in the manner authorized for the annual appropriation ordinance for the year 2015, as supplemented, incorporated by reference into and made a part of this ordinance. The amounts appropriated and levied for each of said purposes, respectively, are set forth below in separate columns.

Appropriations for Expenditures and Amounts Levied for the Fiscal Year Beginning January 1, 2015, and Ending December 31, 2015

Code	Description	Amounts Appropriated	Amounts Levied

Code	Description	Amounts Appropriated	Amounts Levied
	Amounts to be levied in 2015 for the payment of bonds, notes and interest on bonds and notes		
	Bond Redemption and Interest Fund – 0510		
2005.0902	For interest on first lien bonds	$429,495,000	$176,121,600
2005.0912	For payment of bonds	$179,544,000	$179,544,000
2005.096	For loss in collection of taxes	$14,819,000	$14,819,400
	Specific Purposes – Financial		
	Total from Bond Redemption and Interest Fund – 0510	$623,858,000	$370,485,000
	Bond Redemption and Interest Fund – 0509		
2005.0961	For payment of term notes	$19,308,000	$19,308,000
2005.096	For loss in collection of taxes	$805,000	$805,000
	Specific Purposes – Financial		
	Total from Bond Redemption and Interest Fund – 0509	$20,113,000	$20,113,000
Code	**Description**	**Amounts Appropriated**	**Amounts Levied**
	Library Bond Redemption Fund – 0516		
2005.0902	For interest on first lien bonds	$2,706,000	$2,706,000
2005.0912	For payment of bonds	$1,460,000	$1,421,000
2005.096	For loss in collection of taxes	$173,000	$173,000
	Specific Purposes – Financial		
	Total from Library Bond Redemption Fund – 0516	$4,339,000	$4,300,000
Code	**Description**	**Amounts Appropriated**	**Amounts Levied**
	Library Note Redemption and Interest Fund Tender Notes Series B – 0521		
2005.0961	For payment of term notes	$75,994,000	$74,491,000
2005.096	For loss in collection of taxes	$3,104,000	$3,104,000
	Specific Purposes – Financial		
	Total from Library Note Redemption and Interest Fund Tender Notes Series B – 0521	$79,098,000	$77,595,000
	City Colleges Bond Redemption and Interest Fund– 0549		
2005.0902	For interest on first lien bonds	$22,457,000	$22,457,000
2005.0912	For payment of bonds	$12,713,000	$12,713,000

2005.096	For loss in collection of taxes	$1,462,000	$1,462,000
	Specific Purposes – Financial		
	Total from City Colleges Bond Redemption and Interest Fund – 0549	$36,632,000	$36,632,000

Code	Description	Amounts Appropriated	Amounts Levied
	Municipal Employees' Annuity and Benefit Fund – 0681		
2005.0976	For the city's contribution to employees' annuity and benefit fund	$237,400,000	$119,406,000
2005.0976	For the library's contribution to employees' annuity and benefit fund	$5,300,000	$5,300,000
	Specific Purposes – Financial		
	Total from Municipal Employees' Annuity and Benefit Fund– 0681	$242,700,000	$124,706,000

Code	Description	Amounts Appropriated	Amounts Levied
	Laborers' and Retirement Board Employees' Annuity and Benefit Fund – 0682		
2005.0976	For the city's contribution to employees' annuity and benefit fund	$24,019,000	$11,070,000
	Specific Purposes – Financial		
	Total from Laborers' and Retirement Board Employees' Annuity and Benefit Fund– 0682	$24,019,000	$11,070,000

Code	Description	Amounts Appropriated	Amounts Levied
	Policemen's Annuity and Benefit Fund – 0683		
2005.0976	For the city's contribution to employees' annuity and benefit fund	$420,000,000	$361,987,000
	Specific Purposes – Financial		
	Total from Policemen's Annuity and Benefit Fund– 0683	$420,000,000	$361,987,000

Code	Description	Amounts Appropriated	Amounts Levied
	Firemen's Annuity and Benefit Fund – 0684		
2005.0976	For the city's contribution to employees' annuity and benefit fund	$199,000,000	$179,424,000

	Specific Purposes – Financial **Total from Firemen's Annuity and Benefit Fund–0684**	$199,000,000	$179,424,000
Total		$1,649,759,000	$1,186,312,000

SECTION 3. In no event shall the amount levied for any purpose, as set forth in Section 1 hereof, exceed the amount appropriated for such purpose as set forth in the annual appropriation ordinance adopted for the year 2015, as supplemented.

SECTION 4. No later than ten days after its effective date, the City Clerk shall file with the County Clerk of Cook County and the County Clerk of DuPage County certified copies of this ordinance together with copies of the corresponding supplements to the annual appropriation ordinance for the year 2015.

SECTION 5. This ordinance shall be in full force and effect from and after its passage and approval.

City of Chicago

Office of the City Clerk

Document Tracking Sheet

O2015-7395

Meeting Date: 10/14/2015

Sponsor(s): Emanuel (Mayor)

Type: Ordinance

Title: Property tax levy for Year 2016

Committee(s) Assignment: Committee on Finance

FIN.

OFFICE OF THE MAYOR

CITY OF CHICAGO

RAHM EMANUEL
MAYOR

October 14, 2015

TO THE HONORABLE, THE CITY COUNCIL
OF THE CITY OF CHICAGO

Ladies and Gentlemen:

At the request of the Budget Director, I transmit herewith ordinances authorizing a Supplemental Tax Levy for 2015 and Tax Levies for 2016, 2017 and 2018.

Your favorable consideration of these ordinances will be appreciated.

Very truly yours,

Rahm Emanuel

Mayor

ORDINANCE

WHEREAS, the City of Chicago is a home rule unit of government as defined in Article VII, Section 6 (a) of the Illinois Constitution, and, as such, may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, the City has adopted its annual appropriation ordinance for the year 2016, pursuant to its powers granted by the constitution and laws of the State of Illinois; and

WHEREAS, it is now appropriate and in the best interests of the City of Chicago to enact its tax levy for the year 2016, to become effective as provided herein; and

WHEREAS, it is appropriate that the tax levy for the year 2016 receive expeditious consideration by the City Council; now, therefore,

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

SECTION 1. The sum of One Billion, Two Hundred Ninety-Five Million, Eight Hundred Thirty-One Thousand Dollars ($1,295,831,000), ascertained by the City Council as the total amount of appropriations heretofore legally made for all corporate purposes to be provided for by the tax levy of the year 2016, is hereby levied for the year 2016 upon all property within the City of Chicago subject to taxation. The purposes for which appropriations have been made and the amounts appropriated for such purposes, respectively, are hereinafter specified in detail in the manner authorized for the annual appropriation ordinance for the year 2016, annexed to and made a part of this ordinance. The amounts appropriated and levied for each of said purposes, respectively, are set forth below in separate columns.

Appropriations for Expenditures and Amounts Levied for the Fiscal Year Beginning January 1, 2016, and Ending December 31, 2016

Code	Description	Amounts Appropriated	Amounts Levied
	Amounts to be levied in 2016 for the payment of bonds, notes and interest on bonds and notes		
	Bond Redemption and Interest Fund – 0510		
2005.0902	For interest on first lien bonds	$382,983,000	$374,974,000
2005.0912	For payment of bonds	$194,905,000	$0
2005.0960	For loss in collection of taxes	$15,624,000	$15,624,000
	Specific Purposes – Financial		
	Total from Bond Redemption and Interest Fund – 0510	$593,512,000	$390,598,000

Code	Description	Amounts Appropriated	Amounts Levied
	Library Bond Redemption Fund – 0516		
2005.0902	For interest on first lien bonds	$2,662,000	$2,662,000
2005.0912	For payment of bonds	$1,505,000	$1,449,000
2005.096	For loss in collection of taxes	$171,000	$171,000
	Specific Purposes – Financial		
	Total from Library Bond Redemption Fund – 0516	$4,338,000	$4,282,000

Code	Description	Amounts Appropriated	Amounts Levied
	Library Note Redemption and Interest Fund Tender Notes Series B – 0521		
2005.0961	For payment of term notes	$77,145,000	$77,145,000
2005.096	For loss in collection of taxes	$3,214,000	$3,214,000
	Specific Purposes – Financial		
	Total from Library Note Redemption and Interest Fund Tender Notes Series B – 0521	$80,359,000	$80,359,000

	City Colleges Bond Redemption and Interest Fund– 0549		
2005.0902	For interest on first lien bonds	$23,197,000	$23,197,000
2005.0912	For payment of bonds	$11,972,000	$9,976,000
2005.096	For loss in collection of taxes	$1,463,000	$1,463,000
	Specific Purposes – Financial		
	Total from City Colleges Bond Redemption and Interest Fund – 0549	$36,632,000	$34,636,000

Code	Description	Amounts Appropriated	Amounts Levied
	Municipal Employees' Annuity and Benefit Fund – 0681		
2005.0976	For the city's contribution to employees' annuity and benefit fund	$272,414,000	$119,406,000
2005.0976	For the library's contribution to employees' annuity and benefit fund	$5,300,000	$5,300,000
	Specific Purposes – Financial		
	Total from Municipal Employees' Annuity and Benefit Fund– 0681	$277,714,000	$124,706,000

Code	Description	Amounts Appropriated	Amounts Levied
	Laborers' and Retirement Board Employees' Annuity and Benefit Fund – 0682		
2005.0976	For the city's contribution to employees' annuity and benefit fund	$28,536,000	$11,070,000
	Specific Purposes – Financial		
	Total from Laborers' and Retirement Board Employees' Annuity and Benefit Fund– 0682	$28,536,000	$11,070,000

Code	Description	Amounts Appropriated	Amounts Levied
	Policemen's Annuity and Benefit Fund – 0683		
2005.0976	For the city's contribution to employees' annuity and benefit fund	$464,000,000	$455,355,000
	Specific Purposes – Financial		
	Total from Policemen's Annuity and Benefit Fund– 0683	$464,000,000	$455,355,000

Code	Description	Amounts Appropriated	Amounts Levied
	Firemen's Annuity and Benefit Fund – 0684		
2005.0976	For the city's contribution to employees' annuity and benefit fund	$208,000,000	$194,825,000
	Specific Purposes – Financial		
	Total from Firemen's Annuity and Benefit Fund– 0684	$208,000,000	$194,825,000
Total		$1,693,091,000	$1,295,831,000

SECTION 2. In no event shall the amount levied for any purpose, as set forth in Section 1 hereof, exceed the amount appropriated for such purpose as set forth in the annual appropriation ordinance adopted for the year 2016.

SECTION 3. No later than ten days after its effective date, the City Clerk shall file with the County Clerk of Cook County and the County Clerk of DuPage County certified copies of this ordinance together with copies of the annual appropriation ordinance for the year 2016.

SECTION 4. This ordinance shall be in full force and effect from and after its passage and approval.

City of Chicago

Office of the City Clerk

Document Tracking Sheet

O2015-7396

Meeting Date:	10/14/2015
Sponsor(s):	Emanuel (Mayor)
Type:	Ordinance
Title:	Property tax levy for Year 2017
Committee(s) Assignment:	Committee on Finance

FIN.

OFFICE OF THE MAYOR

CITY OF CHICAGO

RAHM EMANUEL
MAYOR

October 14, 2015

TO THE HONORABLE, THE CITY COUNCIL
OF THE CITY OF CHICAGO

Ladies and Gentlemen:

At the request of the Budget Director, I transmit herewith ordinances authorizing a Supplemental Tax Levy for 2015 and Tax Levies for 2016, 2017 and 2018.

Your favorable consideration of these ordinances will be appreciated.

Very truly yours,

Rahm Emanuel

Mayor

ORDINANCE

WHEREAS, the City of Chicago is a home rule unit of government as defined in Article VII, Section 6(a) of the Illinois Constitution, and, as such, may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, the City has established a funding plan for contributions to the Policemen's Annuity and Benefit Fund and Firemen's Annuity and Benefit Fund (the "public safety pensions") for the year 2017 pursuant to its powers granted by the Constitution and laws of the State of Illinois; and

WHEREAS, pursuant to State law, the City will be required to contribute funding for the public safety pensions for 2017 consistent with the amounts levied pursuant to this ordinance, and

WHEREAS, it is now appropriate and in the best interests of the City of Chicago to enact its tax levy related to the public safety pensions for the year 2017, to become effective as provided herein; and

WHEREAS, it is appropriate that the portion of the tax levy related to the public safety pensions for the year 2017 receive expeditious consideration by the City Council; now, therefore,

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

SECTION 1. The sum of Seven Hundred Three Million, Three Hundred Seven Thousand Dollars ($703,307,000), ascertained by the City Council as the total amount of appropriations hereby legally made and anticipated to be required for public safety pensions to be provided for by the tax levy of the year 2017, is hereby levied for the year 2017 upon all property within the City of Chicago subject to taxation. The amounts appropriated and levied for each of said purposes, respectively, are set forth below in separate columns.

Appropriations for Expenditures and Amounts Levied for the Fiscal Year Beginning January 1, 2017, and Ending December 31, 2017

Code	Description	Amounts Appropriated	Amounts Levied
	Amounts to be levied in 2017 for the payment of public safety pensions		
Code	**Description**	**Amounts Appropriated**	**Amounts Levied**
	Policemen's Annuity and Benefit Fund – 0683		

2005.0976	For the city's contribution to employees' annuity and benefit fund	$500,000,000	$490,685,000
	Specific Purposes – Financial		
	Total from Policemen's Annuity and Benefit Fund– 0683	$500,000,000	$490,685,000
Code	**Description**	**Amounts Appropriated**	**Amounts Levied**
	Firemen's Annuity and Benefit Fund – 0684		
2005.0976	For the city's contribution to employees' annuity and benefit fund	$227,000,000	$212,622,000
	Specific Purposes – Financial		
	Total from Firemen's Annuity and Benefit Fund– 0684	$227,000,000	$212,622,000
Total		$727,000,000	$703,307,000

SECTION 2. No later than ten days after its effective date, the City Clerk shall file with the County Clerk of Cook County and the County Clerk of DuPage County certified copies of this ordinance.

SECTION 3. This ordinance shall be in full force and effect from and after its passage and approval.

City of Chicago

Office of the City Clerk

Document Tracking Sheet

O2015-7398

Meeting Date:	10/14/2015
Sponsor(s):	Emanuel (Mayor)
Type:	Ordinance
Title:	Property tax levy for Year 2018
Committee(s) Assignment:	Committee on Finance

FIN.

OFFICE OF THE MAYOR

CITY OF CHICAGO

RAHM EMANUEL
MAYOR

October 14, 2015

TO THE HONORABLE, THE CITY COUNCIL
OF THE CITY OF CHICAGO

Ladies and Gentlemen:

At the request of the Budget Director, I transmit herewith ordinances authorizing a Supplemental Tax Levy for 2015 and Tax Levies for 2016, 2017 and 2018.

Your favorable consideration of these ordinances will be appreciated.

Very truly yours,

Rahm Emanuel

Mayor

ORDINANCE

WHEREAS, the City of Chicago is a home rule unit of government as defined in Article VII, Section 6(a) of the Illinois Constitution, and, as such, may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, the City has established a funding plan for contributions to the Policemen's Annuity and Benefit Fund and Firemen's Annuity and Benefit Fund (the "public safety pensions") for the year 2018 pursuant to its powers granted by the Constitution and laws of the State of Illinois; and

WHEREAS, pursuant to State law, the City will be required to contribute funding for the public safety pensions for 2018 consistent with the amounts levied pursuant to this ordinance, and

WHEREAS, it is now appropriate and in the best interests of the City of Chicago to enact its tax levy related to the public safety pensions for the year 2018, to become effective as provided herein; and

WHEREAS, it is appropriate that the portion of the tax levy related to the public safety pensions for the year 2018 receive expeditious consideration by the City Council; now, therefore,

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

SECTION 1. The sum of Seven Hundred Sixty-Six Million, Seven Hundred Thirty-Seven Thousand Dollars ($766,737,000), ascertained by the City Council as the total amount of appropriations hereby legally made and anticipated to be required for public safety pensions to be provided for by the tax levy of the year 2018, is hereby levied for the year 2018 upon all property within the City of Chicago subject to taxation. The amounts appropriated and levied for each of said purposes, respectively, are set forth below in separate columns.

Appropriations for Expenditures and Amounts Levied for the Fiscal Year Beginning January 1, 2018, and Ending December 31, 2018

Code	Description	Amounts Appropriated	Amounts Levied
	Amounts to be levied in 2018 for the payment of public safety pensions		
Code	**Description**	**Amounts Appropriated**	**Amounts Levied**
	Policemen's Annuity and Benefit Fund – 0683		

Code	Description	Amounts Appropriated	Amounts Levied
2005.0976	For the city's contribution to employees' annuity and benefit fund	$557,000,000	$546,622,000
	Specific Purposes – Financial		
	Total from Policemen's Annuity and Benefit Fund– 0683	$557,000,000	$546,622,000
Code	**Description**	**Amounts Appropriated**	**Amounts Levied**
	Firemen's Annuity and Benefit Fund – 0684		
2005.0976	For the city's contribution to employees' annuity and benefit fund	$235,000,000	$220,115,000
	Specific Purposes – Financial		
	Total from Firemen's Annuity and Benefit Fund– 0684	$235,000,000	$220,115,000
Total		$792,000,000	$766,737,000

SECTION 2. No later than ten days after its effective date, the City Clerk shall file with the County Clerk of Cook County and the County Clerk of DuPage County certified copies of this ordinance.

SECTION 3. This ordinance shall be in full force and effect from and after its passage and approval.