



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 4/13/2016

Section 1a - Mayoral Introductions

File #	Title	Sponsor(s)	Committee Referral
Agreement(s) - Intergovernmental			
1	O2016-2685	Intergovernmental agreement with Cook County for use of City surplus equipment by Cook County Sheriff	Emanuel (Mayor) Budget
2	O2016-3340	Intergovernmental agreement with Board of Trustees of University of Illinois for lease of property at 1713 S Ashland Ave	Emanuel (Mayor) Housing
Agreement(s) - Miscellaneous			
3	O2016-3222	Agreement with Chicago Lakeside Development LLC for exchange of real estate for maintainance of Triangle Park	Emanuel (Mayor) Housing
Appointment(s)			
4	A2016-25	Appointment of Mark D. Davids as member of Special Service Area No. 1-2015, State Street Commission	Emanuel (Mayor) Finance
5	A2016-26	Appointment of Simone E. Freeman as member of Special Service Area No. 19, Howard Street Commission	Emanuel (Mayor) Finance
6	A2016-27	Appointment of Alan J. Goldberg, Christopher M. Johnson, and Dorothy L. Milne as members of Special Service Area No. 24, Clark Street Commission	Emanuel (Mayor) Finance
7	A2016-28	Appointment of Scott Floersheimer as member of Special Service Area No. 29-2014	Emanuel (Mayor) Finance
8	A2016-29	Appointment of Matthew S. Bogovich as member of Special Service Area No. 33, Wicker Park and Bucktown Commission	Emanuel (Mayor) Finance
9	A2016-30	Appointment of Gregory B. Smith as member of Special Service Area No. 42, 71st/Stony Commission	Emanuel (Mayor) Finance
10	A2016-31	Appointment of Sarah A. Frick as member of Special Service Area No. 63, West Humboldt Park Commission	Emanuel (Mayor) Finance
11	A2016-32	Appointment of Cathy L. Kriegeras as member of Special Service Area No. 63, West Humboldt Park Commission	Emanuel (Mayor) Finance
12	A2016-33	Appointment of Patricia G. Perez as member of Chicago Public Library Board	Emanuel (Mayor) Budget
13	A2016-34	Appointment of Barrett Murphy as Commissioner of Water Management	Emanuel (Mayor) Budget

Legislation Referred to Committees at the Chicago City Council Meeting

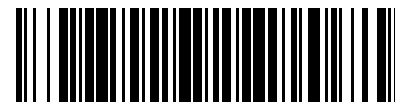
4/13/2016

Section 1a - Mayoral Introductions

	File #	Title	Sponsor(s)	Committee Referral	
14	A2016-36	Appointment of Juan C. Linares as member of Chicago Low Income Housing Trust Fund Board	Emanuel (Mayor)	Housing	
15	A2016-38	Appointment of Alicia Tate-Nadeau as Executive Director of Emergency Management and Communications	Emanuel (Mayor)	Public Safety	
16	A2016-40	Appointment of Johnny L. Miller as member of Chicago Transit Board	Emanuel (Mayor)	Transportation	
17	A2016-41	Appointment of Lucino Sotelo as member of Chicago Plan Commission	Emanuel (Mayor)	Zoning	
Fund 925 Amendment(s)					
18	O2016-2675	Annual Appropriation Ordinance Year 2016 amendment within Fund No. 925 for Department of Family and Support Services	Emanuel (Mayor)	Budget	
Municipal Code Amendment(s)					
19	O2016-2617	Amendment of Municipal Code Titles 1, 2, 4, 7, 9, 11, 13, 15, 17 and 18 concerning provisions governing Fire Department	Emanuel (Mayor)	Budget	
20	O2016-2700	Amendment of Title 16 of Municipal Code by adding New Chapter 16-14 and modifying various sections of Titles 2 and 17 related to establishment of Neighborhood Opportunity fund	Emanuel (Mayor) Solis (25) Dowell (3) Mitts (37) Scott, Jr. (24) Harris (8) Burnett (27)	Zoning	
Reappointment(s)					
21	A2016-35	Reappointment of Robert Buford as member of Community Development Commission	Emanuel (Mayor)	Economic	
22	A2016-37	Reappointment of Deborah E. Bennett, Sol A. Flores and Gabriela Roman as members of Chicago Low Income Housing Trust Fund Board	Emanuel (Mayor)	Housing	
23	A2016-39	Reappointment of Matin Laird Koldyke as commissioner of Chicago Park District Board	Emanuel (Mayor)	Special Events	
24	A2016-42	Reappointment of Leslie F. Bond, Jr. and Linda A. Searl as members of Chicago Plan Commission	Emanuel (Mayor)	Zoning	
Sale of City-owned Property					
25	O2016-3304	Sale of City-owned property within Roseland, Pullman and Austin community areas to Local Initiatives Support Corporation pursuant to Large Lot Program	Emanuel (Mayor)	Housing	Redacted Record



City of Chicago



O2016-2685

Office of the City Clerk

Document Tracking Sheet

Meeting Date:	4/13/2016
Sponsor(s):	Emanuel (Mayor)
Type:	Ordinance
Title:	Intergovernmental agreement with Cook County for use of City surplus equipment by Cook County Sheriff
Committee(s) Assignment:	Committee on Budget and Government Operations



OFFICE OF THE MAYOR
CITY OF CHICAGO

RAHM EMANUEL
MAYOR

April 13, 2016

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

Ladies and Gentlemen:

At the request of the Commissioner of Fleet and Facility Management, I transmit herewith an ordinance authorizing the execution of a lease agreement with the Cook County Sheriff.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,

Mayor

ORDINANCE

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

SECTION 1: On behalf of the City of Chicago, the Commissioner of the Department of Fleet and Facility Management and the Commissioner of the Department of Streets and Sanitation are authorized to execute an Intergovernmental Agreement with the County of Cook (the "County") for the lease of surplus equipment for use by the County sheriff's office; such Intergovernmental Agreement to be approved as to form and legality by the Corporation Counsel in substantially the following form:

**Intergovernmental Agreement for the Lease of Surplus Equipment
By and Between
The City of Chicago
And
County of Cook of Illinois**

This Intergovernmental Agreement for the Lease of Surplus Equipment (the "Agreement") is made and entered into as of _____, 2016 (the "Effective Date") by and between the City of Chicago (the "City"), a municipal corporation and home rule unit of government under Article VII, Section 6 (a) of the 1970 Constitution of the State of Illinois, by and through its Department of Fleet and Facility Management ("2FM") and Department of Streets and Sanitation ("Streets and San"), and the County of Cook ("County"), a body politic and corporate and home rule unit of government under the Constitution and laws of the State of Illinois, by and through the Cook County Sheriff's Office ("Sheriff's Office").

Recitals

WHEREAS, the Constitution of the State of Illinois, 1970, Article VII, Section 10, authorizes units of local government to contact or otherwise associate among themselves in any manner not prohibited by law or ordinance; and

WHEREAS, the provisions of the Intergovernmental Cooperation Act, (5ILCS 220/1 et seq.), authorize and encourage intergovernmental cooperation; and

WHEREAS, the County and the City are units of government within the meaning of the Constitution of the State of Illinois, 1970 Article VII, Section 10, having power and authority to enter into an intergovernmental agreement; and

WHEREAS, the Sheriff's Office operates an alternative sentencing program called the Sheriff's Work Alternative Program ("SWAP"), in which participants are court ordered to participate in community service projects including cleaning parks, viaducts and streets; and

WHEREAS, the Sheriff's Office has provided Streets and San with at least two (2) crews of SWAP participants, seven (7) days a week, excluding County holidays, since 1989, to work on various public works projects within the corporate boundaries of the City, without any payment from the City or Streets and San; and

WHEREAS the Sheriff's Office operates another alternative sentencing program called the Restoring Neighborhoods Workforce Program ("RENEW"), in which participants deconstruct, clear and secure vacant and abandoned properties in Cook County, which are often hotbeds of criminal activity; and

WHEREAS, the Sheriff's Office is in need of the exclusive use of two backhoes and a woodchipper for RENEW; and

WHEREAS, 2FM agrees to provide the Sheriff's Office with two surplus backhoes and a woodchipper for use in the RENEW program in exchange for continued use of the SWAP crews for Streets and San projects.

NOW THEREFORE, in consideration of promises and the mutual agreements contained herein and for other good and valuable consideration, the parties hereby agree as follows:

1. Recitals. The recitals set forth above are hereby incorporated herein by reference and made a part hereof.
2. Term. The term of this Agreement shall begin on the Effective Date noted above and remain effective for a term of one (1) year, and shall renew automatically for one (1) additional year unless terminated by either party. The County or the City may terminate this agreement at any time, upon thirty (30) days written notice to either party.
3. County's Use of the Equipment
 - a. Lease. Subject to the conditions described in this Agreement, 2FM hereby agrees to lease and deliver the following equipment:

Two (2) Case 580 Super M Loader Backhoes

One (1) 12 Inch Capacity Disc-Style Woodchipper

(collectively, the "Equipment").

The Equipment shall be in good working order. The Sheriff's Office will pick up the Equipment at 2FM's maintenance facility located at 10101 S Stony Island, Chicago, IL ("101st Maintenance Facility"). The Sheriff's Office shall be permitted to use the Equipment on SWAP and RENEW projects, at the Sheriff's Office's sole discretion, within corporate boundaries of the County. The Sheriff's Office also agrees not to place any Sheriff's Office decals on the Equipment for the duration of this Agreement. While in the Sheriff's Office's possession, the Equipment will be operated by a heavy machine operator. The Equipment is, and shall at all times be and remain, the property of the City; and the County and Sheriff's Office shall have no right, interest or title to the Equipment, except as set forth in this Agreement.

- b. Maintenance. 2FM shall provide general preventative maintenance and as needed repairs for the Equipment. While the Equipment is being serviced, 2FM will use best efforts to find equivalent equipment within the City's spare fleet, subject to the approval of Streets and San, for temporary use by the Sheriff's Office. Depending on the scope of the required maintenance 2FM may direct the Sheriff's Office to bring the Equipment to 2FM's 101st Maintenance Facility or another 2FM maintenance facility as may be geographically convenient. If the Equipment is not mobile 2FM will, at its discretion, provide Road Service or arrange for the Equipment to be towed to a 2FM maintenance facility. The Sheriff's Office agrees to bring the Equipment to 2FM's 101st Maintenance Facility, in a timely manner, for routine preventative maintenance when requested by 2FM. In the event 2FM determines, in its sole discretion, the repair of the Equipment is not cost-effective 2FM will use best efforts to identify equivalent replacement Equipment within the City's spare fleet subject to the approval of Streets and San.

- c. Training. Streets and San shall train Sheriff's Office personnel in the proper operation of the Equipment.
- 4. Streets and San Assignment Procedures: The Sheriff's Office shall assign SWAP participants to perform services for Streets and San pursuant to the following procedures, terms and conditions:
 - a. Streets and San shall, by Wednesday of each week during the term of the Agreement, provide a weekly schedule of locations for the SWAP participants to work ("Project Locations") during the following week.
 - b. The weekly schedule provided by Streets and San shall not request the presence of SWAP participants at more than two (2) Project Locations.
 - c. The Sheriff's Office shall deliver one crew of a minimum of ten (10) SWAP participants to each Project Location by 8:20 a.m. on the scheduled morning and shall transport the SWAP participants to arrive back to their Sheriff's Office reporting locations by 2:30 p.m., unless a security issue arises. The determination of whether a security issue has arisen shall be in the sole discretion of the Sheriff's Office.
 - d. The Sheriff's Office shall transport and supervise SWAP participants while participating in SWAP at the Project Locations. Streets and San shall have no responsibility for the supervision of SWAP participants. Each Project Location must have restrooms or portable toilets available prior to the SWAP participants' arrival and the SWAP participants shall be allowed to use such restrooms or portable toilets prior to the start of and during the workday.
 - e. Each Project Location must have an accessible source of potable water.
 - f. A Streets and San employee and/or agent shall meet the Sheriff's Office staff at the Project Location, direct the Sheriff's Office staff as to what services are needed at the subject Project Location, and provide any and all necessary tools/supplies.
 - g. SWAP participants shall be assigned to the Project Locations, but shall be afforded work indoors in the event the outdoor temperature is equal to or less than twenty (20) degrees Fahrenheit, or equal to or greater than ninety (90) degrees Fahrenheit. Additionally, indoor work will be afforded in the event that there is a severe weather advisory in effect, or whenever the weather causes outside work to be otherwise impractical.
 - h. Streets and San employees and/or agents shall not directly interact with or direct the SWAP participants unless such assistance is requested by Sheriff's Office staff.
 - i. Streets and San shall permit the Sheriff's Office to use Streets and San's refuse collection and gardening tools ("Tools") and garbage bags for the SWAP crews' special projects pursuant to this Agreement. The Sheriff's Office shall return unused Tools upon completion of the project.

5. Liability. The Sheriff's Office shall be responsible for acts and omissions of its employees and agents in operating the Equipment, and for the activities of the SWAP crews in the Project Locations.
6. Compensation. The City shall charge no monetary price to the County for this transaction. In consideration of the lease of the Equipment, the Sheriff's Office hereby agrees to continue to provide a minimum of two (2) crews with a minimum of ten (10) SWAP participants, seven (7) days a week, excluding County holidays, to Streets and San designated projects
7. Termination. When and if the Sheriff's Office decides that it no longer wants or needs the Equipment described above and decides to cancel this Agreement and surrender possession of the Equipment for whatever reason, the Sheriff's Office will first notify the City in writing of its decision to cancel this Agreement and deliver the Equipment to 2FM's 101st Maintenance Facility within seven (7) days of providing such notice of termination.
8. Governing Law and Venue. This Agreement shall be interpreted under, and governed by, the laws of the State of Illinois, without regard to conflicts of laws principles. Any claim, suit, action, or proceeding brought in connection with this Agreement shall be in the Circuit Court of Cook County and each Party hereby irrevocably consents to the personal and subject matter jurisdiction of such court and waives any claim that such court does not constitute a convenient and appropriate venue for such claims, suits, actions, or proceedings.
9. Assignment. This Agreement may not be assigned by either of the Parties.
10. Severability. The provisions of this Agreement are severable and the unenforceability of any provision of this Agreement shall not affect the enforceability of any other provisions hereof.
11. Entire Agreement. This Agreement, including any referenced documents or exhibits, constitutes the entire agreement of the Parties with respect to the matters contained herein. No modification of or amendment to this Agreement shall be effective unless such modification or amendment is in writing and signed by both Parties hereto.
12. Force Majeure. Neither the County nor the City shall be liable for failing to fulfill any obligation under this Agreement to the extent any such failure is caused by any event beyond such Party's control and which event is not caused by such Party's fault or negligence. Such events shall include but not be limited to acts of God, acts of war, fires, lightning, floods, epidemics or riots.
13. Time of the Essence. The obligations of the Parties as set forth in this Agreement shall be performed in a timely manner.
14. Notice. For purposes of this Agreement notice shall be as follow:

To the City of Chicago:

Deputy Commissioner
Bureau of Asset Management
Department of Fleet and Facility Management

30 N. LaSalle, Room 300
Chicago IL 60602

AND

Commissioner
Department of Streets and Sanitation
121 North LaSalle, Room 1107
Chicago IL 60602

To the County:

General Counsel
Cook County Sheriff's Office
Daley Center
50 W. Washington – Room 702
Chicago, IL 60602

15. Counterparts. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original instrument and all of which together shall constitute one and the same instrument. A facsimile, electronic, or photocopy signature shall have the same legal effect as an original signature.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the County of Cook, and City of Chicago have caused this IGA to be executed.

COOK COUNTY EXECUTION: The undersigned, on behalf of the County of Cook, Illinois, a body politic and corporate of the State of Illinois, hereby accept the foregoing Intergovernmental Agreement:

Toni Preckwinkle
President, Cook County Board of Commissioners

ATTEST:

Honorable David Orr
Cook County Clerk

Dated: _____

ACKNOWLEDGED:

Thomas Dart
Cook County Sheriff

Approved as to form:

Assistant State's Attorney

CITY OF CHICAGO EXECUTION: The undersigned, on behalf of the City of Chicago, a body politic and corporate of the State of Illinois, hereby accept the foregoing Intergovernmental Agreement:

CITY OF CHICAGO, DEPARTMENT OF STREETS AND SANITATION

By: _____
Charles L. Williams
Commissioner
Department of Streets and Sanitation

CITY OF CHICAGO, DEPARTMENT OF FLEET AND FACILITY MANAGEMENT

By: _____
David Reynolds
Commissioner
Department of Fleet and Facility Management

**Lease of Surplus Equipment
County of Cook**

SECTION 2: This Ordinance shall be effective from and after the date of its passage and approval.



City of Chicago



O2016-3340

Office of the City Clerk

Document Tracking Sheet

Meeting Date:	4/13/2016
Sponsor(s):	Emanuel (Mayor)
Type:	Ordinance
Title:	Intergovernmental agreement with Board of Trustees of the University of Illinois for lease of property at 1713 S Ashland Ave
Committee(s) Assignment:	Committee on Housing and Real Estate



H59

OFFICE OF THE MAYOR
CITY OF CHICAGO

RAHM EMANUEL
MAYOR

April 13, 2016

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

Ladies and Gentlemen:

At the request of the Commissioner of Fleet and Facility Management, I transmit herewith ordinances authorizing the execution of lease agreements.

Your favorable consideration of these ordinances will be appreciated.

Very truly yours,

Mayor

ORDINANCE

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

SECTION 1: On behalf of the City of Chicago as Landlord, the Commissioner of the Department of Fleet and Facility Management is authorized to execute an Intergovernmental Agreement with The Board of Trustees of the University of Illinois, as Tenant, for occupancy of 6,400 square feet of clinical office space, located at the Lower West Side Neighborhood Health Clinic at 1713 South Ashland Avenue, to be used as a health clinic; such Lease to be approved as to form and legality by the Corporation Counsel in substantially the following form:

INTERGOVERNMENTAL AGREEMENT

THIS INTERGOVERNMENTAL AGREEMENT (the "IGA") is made and entered into effective on the 1st day of August, 2016, or on such other date as the University may take possession of the Premises ("**Commencement Date**") by and between the **CITY OF CHICAGO**, an Illinois Municipal Corporation and Home Rule Unit of Government (hereinafter referred to as "**Landlord**" or "**City**") and **THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS**, a body corporate and politic of the State of Illinois (hereinafter referred to as "**Tenant**" or "**University**").

RECITALS

WHEREAS, the City is the owner of the real property commonly known as 1713 South Ashland Avenue, Chicago, Cook County, Illinois, which is improved with a one story building ("**Building**") used as the Lower West Side Neighborhood Health Clinic; and

WHEREAS, the Lower West Side community wishes for the University to operate a medical clinic at the Lower West Side Neighborhood Health Clinic and the University has an interest in operating the clinic; and

WHEREAS, the City has agreed to lease to the University, and the University has agreed to lease from the City, approximately 6,400 square feet of clinical and general medical and administrative office space located on the first floor of the Building (the "**Premises**") together with access to an adjacent parking lot all as legally described on **Exhibit A** and as depicted on **Exhibit B** attached hereto; and

WHEREAS, the University's use of the Premises to deliver primary care, maternal health, and preventative medical services will improve the overall quality of affordable health services available to area residents.

NOW THEREFORE, in consideration of the covenants, terms, and conditions set forth herein, the parties hereto agree and covenant as follows:

SECTION 1. GRANT

1.1 Grant. Landlord hereby leases to Tenant, and Tenant hereby leases from Landlord, the following described premises situated in the City of Chicago, County of Cook, State of Illinois, to wit:

Approximately 6,400 square feet of space on the first floor of the Building, located on that certain parcel of real estate more commonly known as 1713 South Ashland Avenue, Chicago, Illinois, (part of PINs 17-20-302-001, -005, -006, -009, and -043) .

SECTION 2. TERM

2.1 Term. The term of this IGA (the “**Term**”) shall begin on the Commencement Date and shall end on December 31, 2022, unless sooner terminated as set forth in this IGA. Notwithstanding anything to the contrary in this IGA, the Commencement Date shall be the date on which the University takes possession of the Premises.

SECTION 3. RENT, TAXES, AND UTILITIES

3.1 Rent. Tenant shall pay base rent for the Premises in the amount of One Dollar (\$1.00) for the entire Term, with the receipt and sufficiency of said sum hereby acknowledged by both parties. The term “Rent” as used herein means the base rent of \$1.00 plus all other payments due under this IGA of any kind or nature.

3.2 Taxes. Tenant acknowledges that Premises are exempt from leasehold, real estate, and other property taxes. Tenant shall pay when due any leasehold, real estate, and other property taxes assessed or levied on the Premises where attributable to Tenant’s use of the Premises, if and only to the extent required by applicable law. Tenant shall pay such amounts and Tenant shall provide Landlord with proof of such payment within ten (10) days of such payment. Tenant further acknowledges that real estate taxes are one (1) year in arrears in Cook County and that as a result Tenant shall be responsible for satisfaction of leasehold, real estate, and other property taxes assessed or levied on the Premises on account of Tenant’s use for at least one year after Tenant vacates the Premises. Tenant’s failure to pay any such taxes shall constitute a default under this IGA. Notwithstanding the foregoing, nothing herein shall preclude Tenant from contesting any charge or tax levied against the Premises based upon University’s status as a public body corporate and politic of the State of Illinois or any other exemption, claim or defense. The failure of Tenant to pay such taxes during the pendency of the contest shall not constitute a default under this IGA. Tenant’s tax responsibilities under this section shall survive the expiration, cancellation, or termination of this IGA.

3.3 Operating Costs. Tenant shall reimburse Landlord’s Operating Costs for the Premises as delineated pursuant to Section 3.3.a below beginning on the Commencement Date as reimbursement for Landlord’s costs to operate the Building and the Premises.

a. Calculation of Operating Costs. Tenant shall pay for Operating Costs (as hereinafter defined) incurred by Landlord with regards to Tenant’s “Proportionate Use” of the Building. This Proportionate Use shall be based on the square footage occupied by Tenant divided by the Building’s total square footage. The Building’s total square footage is approximately 13,968 square feet and Tenant’s leasehold is approximately 6,400 square feet, which comprises 45.8% of the Building’s total square footage. “Operating Costs” shall be based on Tenant’s 45.8% Proportionate Use. Operating Costs shall include (i) all utilities (including, but not limited to gas, electricity, and water), (ii) security services for the Building (not the Premises), (iii) landscaping and snow removal, (iv) common area maintenance and maintenance of the building envelope, roof, and structural components, (v) maintenance of electrical, plumbing, and HVAC systems, and

(vi) Tenant's allocable share of other costs incurred by Landlord in operating and maintaining the Building (excluding (a) any capital repairs or improvements that may be required, (b) repairs required by casualty, or (c) costs that are specific and isolated to other tenants' space within the Building). Tenant shall separately contract for custodial services, telephone services, and other communication services at the Premises. For 2016, Tenant's Operating Costs are estimated to be, and Tenant shall initially pay, \$1,461.88 per month (subject to subsequent accounting and adjustment which may serve to increase or decrease these estimated Operating Costs for 2016 and/or subsequent years). An estimate of 2016 Operating Costs is set forth in Exhibit C attached hereto.

b. Reimbursement Procedure. Each calendar year and as soon as Landlord can secure data for the prior year's operating costs, Landlord shall provide Tenant with the estimate of the annual estimated Operating Costs for such year. Tenant shall pay to Landlord, one-twelfth (1/12) of such amount in equal monthly installments, on the first day of each month during such year following billing by Landlord. Once full data becomes available, Landlord shall provide Tenant with the actual Operating Costs for the previous year and a statement with reasonable supporting documentation as to whether Tenant has underpaid or overpaid said Operating Costs. In the event Tenant's payments during the previous calendar year are less than the actual Operating Costs due from Tenant, such underpayment shall be included in Tenant's subsequent monthly installment(s) of Operating Costs spread out for the remainder of the year, or, if said underpayment shall have been made in the last year of the Term, Tenant shall remit said underpayment to Landlord within thirty (30) days. If Tenant's installments during the previous calendar year are more than the actual Operating Costs due from Tenant, Landlord shall credit said amount against Tenant's subsequent monthly installment(s) of Operating Costs for the remainder of the year, or, if said overpayment shall have been made in the last year of the Term, Landlord shall refund said overpayment to Tenant within thirty (30) days.

Operating Costs shall be paid to Landlord at the Department of Finance, Warrants for Collection, City Hall, 121 North LaSalle, Room 107, Chicago, Illinois 60602 or at such place as Landlord may from time to time, hereby designate in writing to Tenant. Landlord shall invoice Tenant for such Operating Costs on a monthly basis. In the event that Tenant does not receive such invoice from Landlord, Tenant shall contact Landlord. Landlord's failure to invoice Tenant for Operating Costs or other expenses does not constitute a waiver of any such charges.

3.4 Accord and Satisfaction. No payment by Tenant or receipt by Landlord of a lesser amount than any installment or payment of the Rent or any amounts due hereunder shall be deemed to be other than on account of the amount due, and no endorsement of statement or any check or any letter accompanying any check or payment of Rent shall be deemed an accord and satisfaction. Landlord may accept such check or payment without prejudice as to Landlord's right to recover the balance of such installment or payment or to pursue any other remedies available to Landlord.

SECTION 4. CONDITION AND ENJOYMENT OF PREMISES, ALTERATIONS, ADDITIONS, AND PARKING

4.1 Satisfaction with Condition. Tenant agrees that Tenant has inspected the Premises and all related areas and grounds and that Tenant is satisfied with the physical condition thereof and accepts the Premises in its "As-Is" condition as of the Commencement Date.

4.2 Covenant of Quiet Enjoyment. Landlord covenants and agrees that Tenant, upon paying the Rent and upon observing and keeping the covenants, agreements, and conditions of this IGA on its part to be kept, observed, and performed, shall lawfully occupy and enjoy the Premises (subject to the provisions of this IGA) during the Term without hindrance or molestation by Landlord.

4.3 Tenant's Duty to Maintain Premises. Tenant shall, at Tenant's expense, keep the Premises in a condition of good repair and order, and in compliance with all applicable provisions of the Municipal Code of Chicago. If Tenant shall refuse or neglect to make needed repairs within fifteen (15) days after written notice thereof sent by Landlord, unless such repair cannot be remedied within fifteen (15) days, and Tenant shall have commenced and is diligently pursuing all necessary action to remedy such repair, Landlord, at Landlord's option, is authorized to either make such repairs and Tenant will, within thirty (30) business days of demand, reimburse Landlord for the reasonable cost thereof, or Landlord can immediately terminate this IGA by providing the Tenant with written notice thereof. Landlord shall have the right of access to the Premises for the purpose of inspecting and making repairs to the Premises, provided that, except in the case of emergencies, Landlord shall first give notice to Tenant of its desire to enter the Premises and will schedule its entry so as to minimize any interference with Tenant's use of the Premises.

4.4 Maintenance of the Building. Landlord shall take reasonable and reasonably prompt efforts to maintain the Building and all of its structural elements and mechanical systems (including the Building envelope, roof, HVAC, plumbing, and electrical systems) in condition of good repair and order, and in compliance with all applicable provisions of the Municipal Code of Chicago. Tenant shall notify Landlord regarding any issues with maintenance of the Building.

4.5 Use of the Premises. Tenant shall use the Premises only as a medical clinic. Tenant shall not use the Premises in a manner that would violate any laws, ordinances, orders, rules, regulations, and requirements of all federal, state and municipal governmental departments (collectively – the "Laws") which may be applicable to the Premises or to the use or manner of use of the Premises. Tenant further covenants not to do or suffer any waste or damage, comply in all respects with the Laws and requirements of all federal, state, and municipal governmental departments which may be applicable to the Premises or to the use or manner of use of the Premises.

4.6 Alterations, Additions and Improvements. Tenant may not make alterations, additions, or improvements to the Premises without the prior written approval of the

Commissioner of the Department of Fleet and Facility Management. All alterations, additions, and improvements shall be in full compliance with the applicable Laws. Landlord shall not be obligated to pay for any alterations, additions, or improvements to the Premises.

4.7 Access to Parking Lot. Tenant shall have non-exclusive access to the Building's parking lot on a first-come first-served basis. Such use of the parking lot shall be subject to all rules in place, or hereinafter in place, governing the parking lot.

4.8 Signage. University may place exterior and interior signage on the Premises and/or Building. Such signage and placement must be approved in writing by the Commissioner of the Department of Fleet and Facility Management, such approval not to be unreasonably withheld, conditioned, or delayed.

SECTION 5. ASSIGNMENT, SUBLEASE, AND LIENS

5.1 Assignment and Sublease. Tenant shall not assign this IGA in whole or in part, or sublet or license the Premises or any part thereof, without Landlord's prior written consent.

5.2 Tenant's Covenant against Encumbering Title. Tenant shall not do any act which shall in any way encumber the fee simple estate of Landlord in and to the Premises, nor shall the interest or estate of Landlord in the Premises be in any way subject to any claim by way of lien or encumbrance, whether by operation of law or by virtue of any express or implied contract by Tenant. Any claim to, or lien upon, the Premises arising from any act or omission of Tenant shall accrue only against the leasehold estate of Tenant and shall be subject to and subordinate to the paramount title and rights of Landlord in and to the Premises.

5.3 Tenant's Covenant against Liens. Tenant shall not permit the Premises to become subject to any mechanic's, laborer's, or materialmen's liens on account of labor or material furnished to Tenant or claimed to have been furnished to Tenant. In case of any such lien attaching, Tenant shall immediately pay and remove such lien or furnish security or indemnify Landlord in a manner satisfactory to Landlord in its sole discretion to protect Landlord against any defense or expense arising from such lien. Except during any period in which Tenant appeals any judgment or obtains a rehearing of any such lien, or in the event judgment is stayed, Tenant shall immediately pay any judgment rendered against Tenant, with all proper costs and charges, and shall have the lien released and any judgment satisfied. If Tenant fails to pay and remove any lien or contest such lien in accordance herewith, Landlord, at its election, may pay and satisfy same, and all sums so paid by Landlord shall become immediately due and payable by Tenant, with interest from the date of payment at the rate set at 12% per annum provided that such rate shall not be deemed usurious by any Federal, State, or Local law.

SECTION 6. INSURANCE AND LIABILITY

6.1 Self-Insurance. Tenant shall secure insurance coverages for each of the insurance requirements as incorporated herein under this Section 6 or Tenant may self-insure for the same types and amounts.

6.2 Insurance. Tenant shall procure and maintain at all times, at Tenant's own expense, or cause to be maintained at the expense of service providers, as applicable, at all times during the Term, the insurance coverages and requirements specified below, insuring all operations related to the IGA. The kind and amounts of insurance required are as follows:

(a) Worker's Compensation and Employer's Liability. Workers Compensation as prescribed by applicable law, covering all employees who are to provide a service under this IGA, and Employer's Liability Insurance with limits of not less than \$500,000 each accident, illness or disease.

(b) Commercial General Liability (Primary and Umbrella). Commercial General Liability Insurance or equivalent, with limits of not less than \$3,000,000 per occurrence, for bodily injury, personal injury, and property damage liability. Coverage shall include the following: All premises and operations, products/completed operations, defense, separation of insureds, and contractual liability (not to include Endorsement CG 21 39 or equivalent).

The City of Chicago shall be named as a contracting party under the University's self-insurance program for purposes of this Section 6.2 only. The contracting party coverage shall not have any language under the policy such as, but not limited to, Tenant's sole negligence or the contracting party's vicarious liability. Tenant's liability insurance shall be primary without right of contribution by any other insurance or self-insurance maintained by or available to the City.

(c) Automobile Liability Insurance (Primary and Umbrella). When any motor vehicles (owned, non-owned and hired) are used in connection with the IGA, Tenant shall provide and maintain Automobile Liability Insurance with limits of not less than \$1,000,000 per occurrence for bodily injury and property damage.

(d) Medical Professional Liability. Medical Professional Liability coverage with limits of not less than \$5,000,000 including prior acts coverage, such instances covering Tenant against any claim made against Tenant arising out of a medical incident involving the rendering of or a failure to render professional services, whether caused by an error, omission or act of the Tenant, of any person employed or contracted by Tenant for whose actions or omissions Tenant is legally liable. The policy shall have an extended reporting period of two (2) years. When policies are renewed or replaced the policy retroactive date must coincide with or precede the start of work. Upon City's request, Tenant shall provide City with copies of the professional licenses and/or certificates for each of the professionals performing services in the Premises.

Landlord shall not be responsible for any loss or damage personal property (including, but not limited to materials, equipment, tools and supplies), owned, rented or used by Tenant.

6.3 Other Terms of Insurance. Tenant will furnish the City of Chicago, Department of Fleet and Facility Management, Office of Real Estate Management, 30 North LaSalle Street, Suite 300, Chicago, Illinois 60602, original Certificates of Insurance evidencing the required coverage to be in force on the date of this IGA, and Renewal Certificates of Insurance, or such similar evidence, if the coverages have an expiration or renewal date occurring during the Term. Tenant shall submit evidence of insurance prior to execution of the IGA. The receipt of any certificate does not constitute agreement by Landlord that the insurance requirements in this IGA have been fully met or that the insurance policies indicated on the certificate are in compliance with all requirements in the IGA. The failure of Landlord to obtain certificates or other insurance evidence from Tenant shall not be deemed to be a waiver by Landlord. Non-conforming insurance shall not relieve Tenant of the obligation to provide insurance as specified herein. Nonfulfillment of the insurance conditions may constitute a violation of the IGA and the Landlord retains the right to terminate or suspend the IGA until proper evidence of insurance is provided.

The Tenant shall provide for 30 days prior written notice to be given to the Landlord in the event coverage is substantially changed, cancelled, or non-renewed.

Any and all deductibles or self-insured retentions on referenced insurance coverages shall be borne by Tenant.

Tenant hereby agrees that its insurers, and/or Tenant's self-insurance program, shall waive any right of subrogation which any insurer of Tenant may acquire against the Landlord by virtue of the payment of any loss under the insurance. Upon request by Landlord, Tenant agrees to obtain any endorsement that may be necessary to affect this waiver of subrogation, but this provision applies regardless of whether or not the Landlord has received a waiver of subrogation endorsement from the insurer(s).

Tenant expressly understands and agrees that any coverages and limits furnished by Tenant shall in no way limit the Tenant's liabilities and responsibilities specified in this IGA or by law.

Tenant expressly understands and agrees that its insurance is primary and any insurance or self-insurance programs maintained by the Landlord shall not contribute with insurance provided by Tenant.

The required insurance coverages and limits to be carried shall not be reduced by any limitations expressed in this IGA.

If Tenant maintains higher limits than the minimums shown above, Landlord shall be entitled to coverage for the higher limits maintained by Tenant. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to the Landlord to the extent of Landlord's loss.

The Tenant must require all contractors or subcontractors to provide the insurance required herein, or Tenant may provide the coverages for contractors or subcontractors. All contractors and subcontractors are subject to the same insurance requirements of Tenant unless otherwise specified in this IGA. Tenant must ensure that Landlord is an additional insured on an Endorsement CG-2010 of the insurance required from contractors and subcontractors.

Notwithstanding any provision to the contrary, the City of Chicago, Department of Finance, Office of Risk Management, maintains the rights to modify, delete, alter or change these requirements at any time during the Term of IGA.

6.4 Liability. It is understood and agreed that neither party to this IGA shall be legally liable for any negligence or wrongful act either of omission or commission chargeable to the other unless such liability is imposed by law and that this IGA shall not be construed as seeking either to enlarge or diminish any obligation or duty owed by one party against the other or against third parties. Tenant shall be responsible for all loss or damage to business property (including but not limited to materials, equipment, tools and supplies), owned or rented, by Tenant.

SECTION 7. CONFLICT OF INTEREST AND GOVERNMENTAL ETHICS

7.1 Conflict of Interest. No official or employee of the City of Chicago, nor any member of any board, commission or agency of the City of Chicago, shall have any financial interest (as defined in Chapter 2-156 of the Municipal Code of Chicago), either direct or indirect, in the Premises. No such official, employee, or member shall participate in making or in any way attempt to use his or her position to influence any City governmental decision or action with respect to this IGA.

7.2 Duty to Comply with Governmental Ethics Ordinance. Landlord and Tenant shall comply with Chapter 2-156 of the Municipal Code of Chicago, "Governmental Ethics," including, but not limited to, section 2-156-120, which states that no payment, gratuity, or offer of employment shall be made in connection with any City of Chicago contract as an inducement for the award of that contract or order. Any contract or lease negotiated, entered into, or performed in violation of any of the provisions of Chapter 2-156 shall be voidable in the sole discretion of the City.

SECTION 8. ADDITIONAL RESPONSIBILITIES OF TENANT

8.1 Custodial Services. Tenant shall provide and pay for custodial services and shall be responsible for keeping the Premises clean and free of debris. Tenant shall provide and pay for any exterminator service whenever such services are reasonably necessary.

8.2 Scavenger/Dumpster Services. Tenant shall provide and pay for scavenger/dumpster services for the Premises.

8.3 Security. Tenant shall provide and pay for security and/or alarm services for the Premises.

8.4 Maintenance of Premises. Tenant shall maintain the interior of the Premises, including fixtures located within the Premises, such as sinks, toilets, and light fixtures.

8.5 Fire Protection. Tenant shall provide and maintain smoke detectors, carbon monoxide detectors, and fire extinguishers in the Premises at all times as required by applicable Laws.

8.6 Repairs for Tenant Negligence, Vandalism, or Misuse. Tenant shall not destroy, deface, damage, impair, nor remove any part of the Premises or facilities, equipment or appurtenances, unless approved as part of an alteration, addition, or improvement under this IGA. Tenant shall assume all responsibility for any repairs to the Premises necessitated by the negligence, vandalism, or misuse of the Premises or equipment therein by Tenant's employees, invitees, agents, contractors or clients where Tenant's clients are in the Premises and/or Building to receive services provided by the Tenant.

8.7 Hazardous Substances. Tenant shall not use or store any Hazardous Substances (defined below) on the Premises, except those routinely found in a medical clinic. Tenant shall promptly notify the Landlord if Tenant discovers any Hazardous Substances on the Premises. Tenant shall dispose of all medical wastes at Tenant's cost and in accordance with any applicable Laws. As used in this IGA, the term "Hazardous Substances" shall mean any toxic substance, hazardous material, hazardous chemical or hazardous, toxic or dangerous waste defined or qualifying as such in (or for the purposes of) any Environmental Laws (as defined hereunder), or any pollutant, toxic vapor, or contaminant, and shall include, but not be limited to, polychlorinated biphenyls (PCBs), crude oil, any fraction thereof, or refined petroleum products such as oil, gasoline, or other petroleum-based fuels, lead paint, asbestos or asbestos-containing materials, urea formaldehyde, any radioactive material or by-product material, radon and mold. "Environmental Laws" shall mean any and all Laws, permits and other requirements or guidelines of governmental authorities applicable to the Premises and relating to the regulation and protection of human health, safety, the environment, natural resources or to any Hazardous Substances, including without limitation, any Laws requiring the filing of reports and notices relating to Hazardous Substances.

8.8 Permits. For any activity which Tenant desires to conduct on the Premises in which a license or permit is required, said license or permit must be obtained by Tenant prior to using the Premises for such activity. The Department of Fleet and Facility Management must be notified of any such license or permit. Failure to obtain a required license or permit shall constitute a material breach of the terms of this IGA. Tenant understands that this IGA shall in no way act as a substitute for any other permitting or approvals that may be required to undertake any activities on the Premises.

8.9 Full Liability. Tenant assumes full legal and financial responsibility and liability for any and all use of the Premises by Tenant, Tenant's employees, invitees, agents, contractors

or clients where Tenant's clients are in the Premises and/or Building to receive services provided by the Tenant.

8.10 Condition at Termination. Upon the termination of this IGA, Tenant shall surrender the Premises to the Landlord in the same or better condition to the condition of the Premises at the beginning of Tenant's occupancy of the Premises. Tenant shall remove all equipment and/or materials placed on the Premises by Tenant or anyone acting by or under Tenant. Said removal shall be without cost to Landlord.

8.11 No Alcoholic Beverages. Tenant agrees that alcoholic beverages shall not be sold, given away, or consumed on the Premises.

8.12 Illegal Activity. Tenant shall not perform or permit any practice that is illegal or injurious to the Premises or unreasonably disturbs other tenants.

8.13 Non-Discrimination. Tenant agrees that Tenant shall not discriminate on the basis of race, color, sex, gender identity, age, religion, disability, national origin, ancestry, immigration status, sexual orientation, marital status, parental status, military discharge status, or source of income in the use or occupancy of the Premises.

SECTION 9. MISCELLANEOUS

9.1 Notice. All notices, demands and requests which may be or are required to be given demanded or requested by either party to the other shall be in writing. All notices, demands and requests by Tenant to Landlord shall be delivered by national overnight courier or shall be sent by United States registered or certified mail, return receipt requested, postage prepaid addressed to Landlord as follows:

City of Chicago
Department of Fleet and Facility Management
Office of Real Estate Management
30 North LaSalle Street, Suite 300
Chicago, Illinois 60602

or at such other place as Landlord may from time to time designate by written notice to Tenant. All notices, demands, and requests by Landlord to Tenant shall be delivered by a national overnight courier or shall be sent by United States registered or certified mail, return receipt requested, postage prepaid, addressed to Tenant as follows:

University of Illinois
Office of University Counsel
405 Administrative Office Building
1737 West Polk Street
Chicago, IL 60612

With copy to: University of Illinois
Real Estate Planning Services
Office of Business and Financial Services
809 S. Marshfield Ave (MC078)
Chicago, IL 60612

and to Tenant at the Premises, or at such other place as Tenant may from time to time designate by written notice to Landlord. Any notice, demand or request which shall be served upon Tenant by Landlord, or upon Landlord by Tenant, in the manner aforesaid, shall be deemed to be sufficiently served or given for all purposes hereunder at the time such notice, demand or request shall be mailed.

9.2 Partial Invalidity. If any covenant, condition, provision, term or agreement of this IGA shall, to any extent, be held invalid or unenforceable, the remaining covenants, conditions, provisions, terms and agreements of this IGA shall not be affected thereby, but each covenant, condition, provision, term or agreement of this IGA shall be valid and in force to the fullest extent permitted by law.

9.3 Governing Law. This IGA shall be construed and be enforceable in accordance with the laws of the State of Illinois. Notwithstanding anything to the contrary contained in this IGA, University shall not be deemed to have waived University's sovereign immunity under the laws and Constitution of the State of Illinois for any purpose whatsoever, and University hereby expressly reserves all rights and defenses afforded and available to it as a public body, corporate and politic, of the State.

9.4 Entire Agreement. All preliminary and contemporaneous negotiations are merged into and incorporated in this IGA. This IGA contains the entire agreement between the parties and shall not be modified or amended in any manner except by an instrument in writing executed by the parties hereto.

9.5 Captions and Section Numbers. The captions and section numbers appearing in this IGA are inserted only as a matter of convenience and in no way define, limit, construe or describe the scope or intent of such sections of this IGA nor in any way affect this IGA.

9.6 Binding Effect of IGA. The covenants, agreements, and obligations contained in this IGA shall extend to, bind, and inure to the benefit of the parties hereto and their legal representatives, heirs, successors, and assigns, and is subject to no contingencies or conditions except as specifically provided herein.

9.7 Time is of the Essence. Time is of the essence of this IGA and of each and every provision hereof.

9.8 No Principal/Agent or Partnership Relationship. Nothing contained in this IGA shall be deemed or construed by the parties hereto nor by any third party as creating the

relationship of principal and agent or of partnership or of joint venture between the parties hereto.

9.9 Authorization to Execute IGA. The parties executing this IGA hereby represent and warrant that they are the duly authorized and acting representatives of Landlord and Tenant respectively.

9.10 Termination of IGA. At any time one (1) year after the Commencement Date, and subject to Section 9.14, Landlord and Tenant shall have the right to terminate this IGA for convenience without penalty by providing the other party with ninety (90) days prior written notice.

9.11 Damage or Destruction. If the Premises and/or Building are damaged or destroyed or a casualty to such extent that Tenant cannot continue, occupy or conduct its normal business therein, or if, in Landlord or Tenant's opinion, the Premises and/or Building are rendered unusable, either Landlord or Tenant shall have the option to declare this IGA terminated as of the date of such damage or destruction by giving the other party written notice of such exercise. If either party exercises this option, Tenant shall cease operations immediately and the Operating Costs shall be apportioned as of the date of such damage or destruction. Landlord shall repay to Tenant any prepaid Operating Costs.

9.12 Holding Over. Any holding over by Tenant shall be construed to be a tenancy from month to month beginning on January 1, 2023 and the Rent shall be at the same rate as set forth in Section 3.1 of this IGA. During such holding over all other provisions of this IGA shall remain in full force and effect.

9.13 Force Majeure. When a period of time is provided in this IGA for either party to do or perform any act or thing, the party shall not be liable or responsible for any delays due to strikes, lockouts, casualties, acts of God, wars, governmental regulation or control, and other causes beyond the reasonable control of the party, and in any such event the time period shall be extended for the amount of time the party is so delayed.

9.14 Tenant Default. Tenant must adhere to all provisions of this IGA. Failure of Tenant to adhere to all provisions of this IGA will result in default. In the event of such default, Landlord will notify Tenant in writing as to the circumstances giving rise to such default. Upon written receipt of such notice, Tenant must cure such default within ten (10) business days. If Tenant does not cure such default within ten (10) business days, Landlord may cancel this IGA with five (5) days written notice.

9.15 No Brokers. The Department of Fleet and Facility Management, Office of Real Estate Management, does not use brokers, tenant representatives, or other finders. Tenant warrants to Landlord that no broker, landlord or tenant representative, or other finder (a) introduced Tenant to Landlord, (b) assisted Tenant in the negotiation of this IGA, or (c) dealt with Tenant on Tenant's behalf in connection with the Premises or this IGA. Under no circumstances shall Tenant make any payments due hereunder to any broker(s).

9.16 Access to Parking Lot. Tenant shall have non-exclusive access to the rear parking lot of the Building on a first-come first-served basis. Such use of the rear parking lot shall be subject to all rules in place, or hereinafter in place, governing the access to the rear parking lot.

9.17 Amendments. From time to time, the parties hereto may amend this IGA without City Council approval with respect to any provisions reasonably related to Tenant's use of the Premises and/or Landlord's administration of this IGA, including, but not limited to, amendments to permit the expansion of Tenant's Premises. Provided, however, that such amendment(s) shall not serve to extend the Term hereof nor serve, in the sole opinion of the Landlord, to otherwise materially alter the essential provisions contained herein. Such amendment(s) shall be in writing, shall establish the factual background necessitating such alteration, shall set forth the terms and conditions of such modification, and shall be duly executed by both Landlord and Tenant. Such amendment(s) shall only take effect upon execution by both parties. Upon execution, such amendment(s) shall become a part of this IGA and all other provisions of this IGA shall otherwise remain in full force and effect.

9.18 Compliance with Law; No Required Referrals. Each party expressly acknowledges that the compensation to be paid pursuant to this IGA has been paid, and that any changes to this IGA, will be the result of arms' length negotiations between the parties, and that the compensation in this IGA has not been determined in a manner that takes into account the volume or value of referrals or business otherwise generated between the parties (or any individuals or entities related to the parties). Neither party to this IGA, nor any of their respective affiliates, employees, or agents shall be required to make any referrals to the other. The parties shall and intend to comply with all applicable laws including but not limited to 42 C.F.R. §1001.952(w).

9.19 Availability of Funds. This IGA is subject to termination and cancellation without any penalty, accelerated payment, or other recoupment mechanism as provided herein in any fiscal year for which the Illinois General Assembly, the Board of Trustees of the University of Illinois, or Federal funding source fails to make an adequate appropriation to make payments under the terms of this IGA.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

IN WITNESS WHEREOF, the parties have executed this IGA as of the date first written above.

LANDLORD:

CITY OF CHICAGO,
an Illinois Municipal Corporation and Home Rule Unit of Government

DEPARTMENT OF FLEET AND FACILITY MANAGEMENT

By: _____
Commissioner

APPROVED AS TO FORM AND LEGALITY:

BY: THE DEPARTMENT OF LAW

By: _____
Deputy Corporation Counsel
Real Estate Division

TENANT:

THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS,
A body corporate and politic of the State of Illinois

By: _____

Print Name: _____

Title: _____

EXHIBIT A

LEGAL DESCRIPTION OF LAND UNDERLYING THE BUILDING IN WHICH THE
PREMISES ARE LOCATED

LOTS 62 TO 71, BOTH INCLUSIVE, IN THE SUBDIVISION OF BLOCK 4 OF JOHNSTON
& LEE SUBDIVISION OF THE SW ¼ OF SECTION 20, TOWNSHIP 39 NORTH, RANGE
14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PINS: 17-20-302-001
 17-20-302-043
 17-20-302-005
 17-20-302-006
 17-20-302-009

ADDRESS: 1713 South Ashland

EXHIBIT B

DEPICTION OF PREMISES

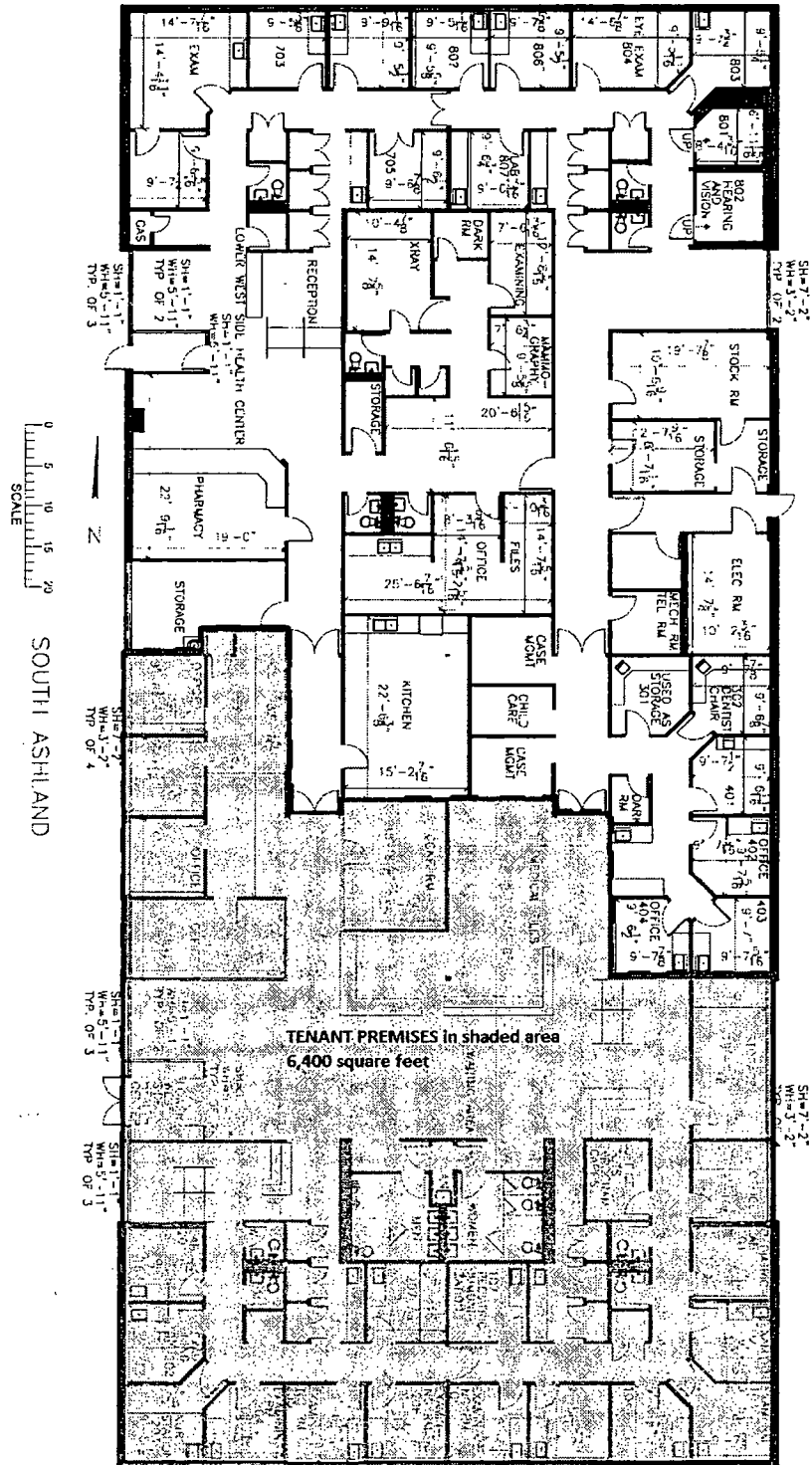


EXHIBIT C

ESTIMATED OPERATING COSTS FOR 2016 (2015 Data)

*1713 South Ashland Avenue
Lower West Side Neighborhood Health Clinic*

<u>Items</u>	<u>Building Amounts (13,968 Sq. Ft.)</u>
Electricity	\$20,618.10
Gas	\$ 5,335.33
Other Operating Costs w/o janitorial & energy efficiency services	\$12,333.14
Total Annual Costs	\$38,286.57

University of Illinois Space = 6,400 sq. ft. (45.8%)

Remainder of Building = 8,166 sq. ft. (55.2%)

(\$38,286.57 Building Costs) X (0.458) = \$17,542.53 (Premises Operating Costs)

Total Monthly Operating Costs (\$17,705.90/12) = **\$1,461.88**

1713 S. Ashland Ave.
Lease No. 20334

SECTION 2: This Ordinance shall be effective from and after the date of its
passage and approval.



City of Chicago



O2016-3222

Office of the City Clerk

Document Tracking Sheet

Meeting Date:	4/13/2016
Sponsor(s):	Emanuel (Mayor)
Type:	Ordinance
Title:	Agreement with Chicago Lakeside Development LLC to exchange real estate for maintenance of Triangle Park
Committee(s) Assignment:	Committee on Housing and Real Estate



1-159

OFFICE OF THE MAYOR
CITY OF CHICAGO

RAHM EMANUEL
MAYOR

April 13, 2016

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

Ladies and Gentlemen:

At the request of the Commissioner of Transportation, I transmit herewith an ordinance authorizing an agreement for a property exchange regarding Lakeside Development.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,

Mayor

ORDINANCE

WHEREAS, the City of Chicago is a home rule unit of government by virtue of the provisions of the Constitution of the State of Illinois of 1970, and as such, may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, the City acquired certain parcels of property from various property owners for use by the City in connection with the US 41 Relocation Project (the "**Project**"); and

WHEREAS, the parcels of property legally described on Exhibit B-1 and shown on Exhibit B-2 attached hereto as Parcel 1 ("**Parcel 1**") and Parcel 2 ("**Parcel 2**") were not used by the City for the Project; and

WHEREAS, Chicago Lakeside Development, LLC, a Delaware limited liability company, (the "**Developer**") is interested in acquiring Parcel 1 and Parcel 2 from the City for the purpose of maintaining a public park ("**Triangle Park**"); and

WHEREAS, in exchange for a quitclaim deed, subject to those certain permitted exceptions in the deed ("**Deed**"), from the City for Parcel 1, and the vacation of Parcel 2, Developer has agreed to dedicate to the City the following parcels of property: (1) a 33-foot wide strip of land legally described on Exhibit A-1 and shown on Exhibit A-2 attached hereto to be improved by the City as 86th Street between South Green Bay Avenue and South Burley Avenue; and (2) a 66-foot wide strip of land legally described on Exhibit C-1 and shown on Exhibit C-2 attached hereto to be improved by the City as 84th Street between South Green Bay Avenue and South Lake Shore Drive (collectively, the "**Dedication Parcels**"); and

WHEREAS, dedication of the Dedication Parcels, the conveyance of Parcel 1 and the vacation of Parcel 2 are collectively defined in this Ordinance as the "**Transaction**". The locations of the parcels in the Transaction are shown in the overall site plan which is Exhibit D attached hereto; and

WHEREAS, a resolution approving the disposition of the City property in the Transaction was approved by the Chicago Plan Commission on May 21, 2105 under Referral Number 15-049-21, which is Exhibit F to this ordinance; and

WHEREAS, by ordinance (the "Original Ordinance") adopted by City Council on January 13, 2016 and published in the Journal of Proceedings of City Council for such date at pages 17008 through 17040, the City Council approved an ordinance relating to the Transaction; and

WHEREAS, the Original Ordinance contains legal descriptions that need to be revised; and

WHEREAS, such revised legal descriptions are contained in this ordinance; and

WHEREAS, the City Council desires to repeal the Original Ordinance; 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 the City Council.

SECTION 2. The City Council hereby repeals the Original Ordinance.

SECTION 3. The City Council hereby approves the conveyance of Parcel 1 to Developer pursuant to the Deed in exchange for the Dedication Parcels. This approval is expressly conditioned upon the City and Developer entering into an agreement to exchange real estate in the Transaction substantially in the form attached hereto as Exhibit E (the "**Agreement to Exchange Real Estate**").

SECTION 4. The Commissioner of the Department of Transportation or her designee is hereby authorized, subject to the approval of the City's Corporation Counsel as to form and legality, to negotiate, execute and deliver the Agreement to Exchange Real Estate, and such other supporting documents as may be necessary or appropriate to carry out and comply with the provisions of the Agreement to Exchange Real Estate, with such changes, amendments, deletions and insertions as shall be approved by the persons executing the Agreement to Exchange Real Estate.

SECTION 5. The vacation of Parcel 2 to Developer, and the dedication of the Dedication Parcels to the City, shall be subject to the approval of the City Council by separate ordinances.

SECTION 6. The Mayor or his proxy are each authorized to execute, and the City Clerk is authorized to attest, a quitclaim deed conveying Parcel 1 to Developer, or

to a land trust of which Developer is the sole beneficiary, or to an entity of which Developer is the sole owner and controlling party, subject to those covenants, conditions and restrictions stated in the Agreement to Exchange Real Estate.

SECTION 7. If any provision of this ordinance is 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 8. This ordinance shall take effect upon its passage and approval.

Exhibit Index

<u>Exhibit Designation</u>	<u>Exhibit Description</u>
A-1	Legal Description of the 86 th Street Dedication Parcel
A-2	Plat of Dedication for the 86 th Street Dedication Parcel
B-1	Legal Description of Parcel 1; Legal Description of Parcel 2
B-2	Plat of Parcel 1 and Parcel 2
C-1	Legal Description of the 84 th Street Dedication Parcel
C-2	Plat of Dedication for the 84 th Street Parcel
D	Overall site plan showing location of parcels in the Transaction
E	Form of Agreement to Exchange Real Estate
F	Plan Commission Resolution

Exhibit "A-1"
(to Ordinance)

Legal Description of the 86th Street Dedication Parcel

THAT PART OF THE SOUTH HALF OF THE SOUTH HALF OF THE SOUTHWEST FRACTIONAL QUARTER OF SECTION 32, TOWNSHIP 38 NORTH, RANGE 15 EAST OF THE THIRD PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EAST LINE OF SOUTH GREEN BAY AVENUE AS DEDICATED BY MARY P.M. PALMERS ADDITION TO CHICAGO RECORDED SEPTEMBER 30, 1882 AS DOCUMENT 423001 AND THE SOUTH LINE OF EAST 86TH STREET AS DEDICATED BY SAID PLAT 423001; THENCE SOUTH 01 DEGREES 20 MINUTES 56 SECONDS EAST, ALONG THE SOUTHERLY EXTENSION OF THE EAST LINE OF SAID SOUTH GREEN BAY AVENUE, 33.00 FEET TO A POINT ON A LINE 33.00 FEET SOUTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID EAST 86TH STREET; THENCE SOUTH 88 DEGREES 20 MINUTES 48 SECONDS WEST, ALONG SAID PARALLEL LINE, 974.06 FEET TO A POINT ON THE EAST LINE OF SOUTH BURLEY AVENUE AS WIDENED BY DEED TO CITY OF CHICAGO RECORDED AUGUST 15 1892 AS DOCUMENT 1716965; THENCE NORTH 01 DEGREES 28 MINUTES 26 SECONDS WEST, ALONG SAID EAST LINE, 33.00 FEET TO THE SOUTH LINE OF SAID DEDICATED EAST 86TH STREET; THENCE NORTH 88 DEGREES 20 MINUTES 48 SECONDS EAST, ALONG SAID SOUTH LINE, 974.13 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

Plat of Dedication – 86th Street Dedication Parcel

CDOT#31-07-14-3655

Exhibit "B-1"
(to Ordinance)

Legal Description of Parcel 1:

THAT PART OF THE WEST 1/2 OF LOT 8 AND ALL OF LOTS 9 AND 10 IN MAHAN'S SUBDIVISION OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 38 NORTH, RANGE 15, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 9, 1889 AS DOCUMENT 1140084, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 10; THENCE NORTH 01 DEGREES 25 MINUTES 07 SECONDS WEST, ALONG THE WEST LINE OF SAID LOT 10, A DISTANCE OF 40.21 FEET; THENCE NORTH 02 DEGREES 50 MINUTES 48 SECONDS EAST, 54.61 FEET; THENCE SOUTH 60 DEGREES 34 MINUTES 36 SECONDS EAST, 65.36 FEET; THENCE SOUTH 64 DEGREES 02 MINUTES 19 SECONDS EAST, 10.97 FEET TO A POINT ON THE EAST LINE OF THE WEST 1/2 OF SAID LOT 8; THENCE SOUTH 01 DEGREES 23 MINUTES 43 SECONDS EAST, ALONG SAID EAST LINE, 55.93 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 8; THENCE SOUTH 88 DEGREES 25 MINUTES 32 SECONDS WEST, ALONG THE SOUTH LINE OF SAID LOTS 8, 9 AND 10, FOR A DISTANCE OF 69.90 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

Legal Description of Parcel 2:

THAT PART OF LOTS 2, 3, 4, 5, 6, 7 AND THE EAST HALF OF LOT 8, IN MAHAN'S SUBDIVISION, DEDICATED FOR PART OF INTERSECTION OF U.S. 41, 79TH STREET AND BRANDON ROAD BY PLAT OF DEDICATION RECORDED MARCH 9, 2006 AS DOCUMENT 0606834023 (PART OF PARCEL OFV0019 THEREIN); AND THAT PART OF THE NORTH HALF OF THE 16-FOOT EAST-WEST ALLEY, SOUTH AND ADJOINING LOTS 1, 2 AND 3, IN MAHAN'S SUBDIVISION BEING A SUBDIVISION OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 38 NORTH, RANGE 15, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 9, 1889 AS DOCUMENT 1140084; MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 10; THENCE NORTH 01 DEGREES 25 MINUTES 07 SECONDS WEST, ALONG THE WEST LINE OF SAID LOT 10, A DISTANCE OF 40.21 FEET; THENCE NORTH 02 DEGREES 50 MINUTES 48 SECONDS EAST, 54.61 FEET; THENCE SOUTH 60 DEGREES 34 MINUTES 36 SECONDS EAST, 65.36 FEET; THENCE SOUTH 64 DEGREES 02 MINUTES 19 SECONDS EAST, 10.97 FEET TO A POINT ON THE WEST LINE OF THE EAST

HALF OF SAID LOT 8, BEING THE POINT OF BEGINNING; THENCE SOUTH 64 DEGREES 02 MINUTES 19 SECONDS EAST, 31.26 FEET TO A POINT OF CURVATURE; THENCE EASTERLY 68.71 FEET, ALONG THE ARC OF A TANGENT CIRCLE TO THE LEFT, HAVING A RADIUS OF 321.00 FEET AND WHOSE CHORD BEARS SOUTH 70 DEGREES 10 MINUTES 16 SECONDS EAST, 68.58 FEET TO A POINT OF TANGENCY; THENCE SOUTH 76 DEGREES 18 MINUTES 12 SECONDS EAST, 61.38 FEET; THENCE SOUTH 71 DEGREES 13 MINUTES 38 SECONDS EAST, 23.84 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH HALF OF SAID 16-FOOT EAST-WEST ALLEY; THENCE SOUTH 88 DEGREES 25 MINUTES 32 SECONDS WEST, ALONG SAID SOUTH LINE, 56.04 FEET TO A POINT ON THE WEST LINE OF THE EAST 78.00 FEET OF SAID 16-FOOT EAST-WEST ALLEY; THENCE NORTH 01 DEGREES 28 MINUTES 02 SECONDS WEST, ALONG SAID WEST LINE, 8.00 FEET TO A POINT ON THE NORTH LINE OF SAID 16-FOOT EAST-WEST ALLEY; THENCE SOUTH 88 DEGREES 25 MINUTES 32 SECONDS WEST, ALONG SAID NORTH LINE, ALSO BEING THE SOUTH LINE OF SAID LOTS 3, 4, 5, 6, 7 AND 8, FOR A DISTANCE OF 117.28 FEET TO A POINT ON THE WEST LINE OF THE EAST HALF OF SAID LOT 8; THENCE NORTH 01 DEGREES 23 MINUTES 43 SECONDS WEST, ALONG SAID EAST LINE, 55.93 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

Exhibit "B-2"
(to Ordinance)

Plat of Survey of Parcel 1 and Parcel 2

EXHIBIT B

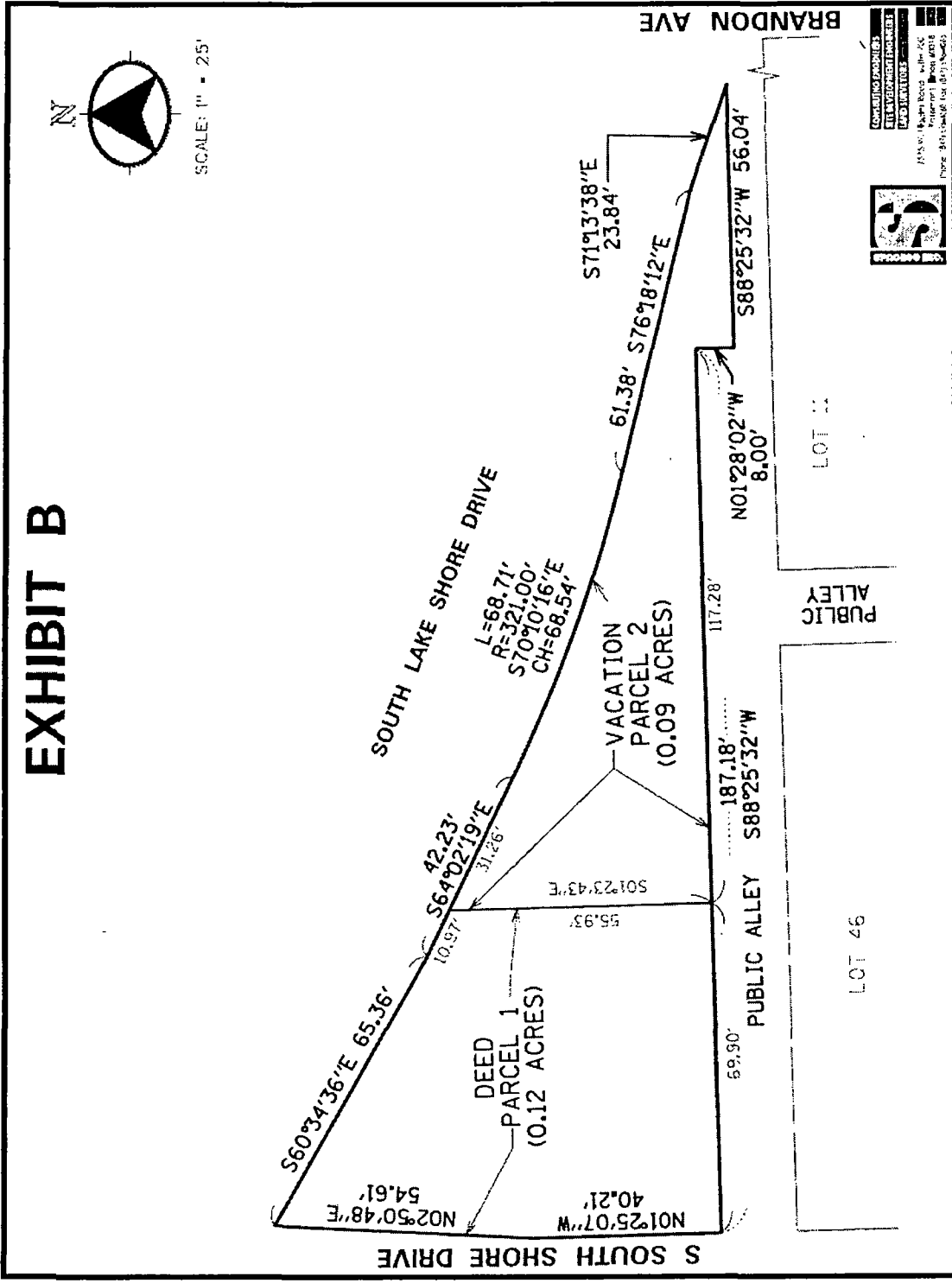


Exhibit "C-1"
(to Ordinance)

Legal Description of – 84th Street Dedication Parcel

THAT PART OF BLOCK 2 IN ILLINOIS STEEL COMPANY'S SOUTH WORKS RE-SUBDIVISION OF LOTS, PIECES AND PARCELS OF LAND IN SECTION 32, TOWNSHIP 38 NORTH, RANGE 15 EAST OF THE THIRD PRINCIPAL MERIDIAN AND IN SECTION 5 NORTH OF THE INDIAN BOUNDARY LINE, TOWNSHIP 37 NORTH, RANGE 15 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 27, 1914 AS DOCUMENT 5384242, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF BLOCK 2 IN ROBERT BERGER'S ADDITION TO HYDE PARK ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 2, 1882 AS DOCUMENT NUMBER 429714; THENCE NORTH 88 DEGREES 24 MINUTES 07 SECONDS EAST, 66.00 FEET TO A POINT ON THE EAST LINE OF SOUTH GREEN BAY AVENUE AS DEDICATED BY DOCUMENT 429714, ALSO BEING THE POINT OF BEGINNING;

THENCE NORTH 88 DEGREES 13 MINUTES 34 SECONDS EAST, 251.88 FEET TO A CORNER ON THE WEST LINE OF SOUTH LAKE SHORE DRIVE, PER PLAT OF HIGHWAYS RECORDED MARCH 9, 2006 AS DOCUMENT 0606834023; THENCE SOUTH 01 DEGREES 34 MINUTES 23 SECONDS EAST, ALONG SAID WEST LINE OF SOUTH LAKE SHORE DRIVE, 66.00 FEET TO A CORNER OF SAID SOUTH LAKE SHORE DRIVE; THENCE SOUTH 88 DEGREES 13 MINUTES 34 SECONDS WEST, 251.98 FEET TO A POINT ON THE EAST LINE OF SAID SOUTH GREEN BAY AVENUE; THENCE NORTH 01 DEGREES 32 MINUTES 19 SECONDS WEST, ALONG SAID EAST LINE, 33.00 FEET; THENCE NORTH 01 DEGREES 25 MINUTES 49 SECONDS WEST, ALONG SAID EAST LINE, 33.00 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

9575 W. Higgins Road, Suite 700
Rosemont, Illinois 60018
Phone: (312) 964-1100 Fax: (312) 964-1101

Exhibit "D"
(to Ordinance)

OVERALL PLAT

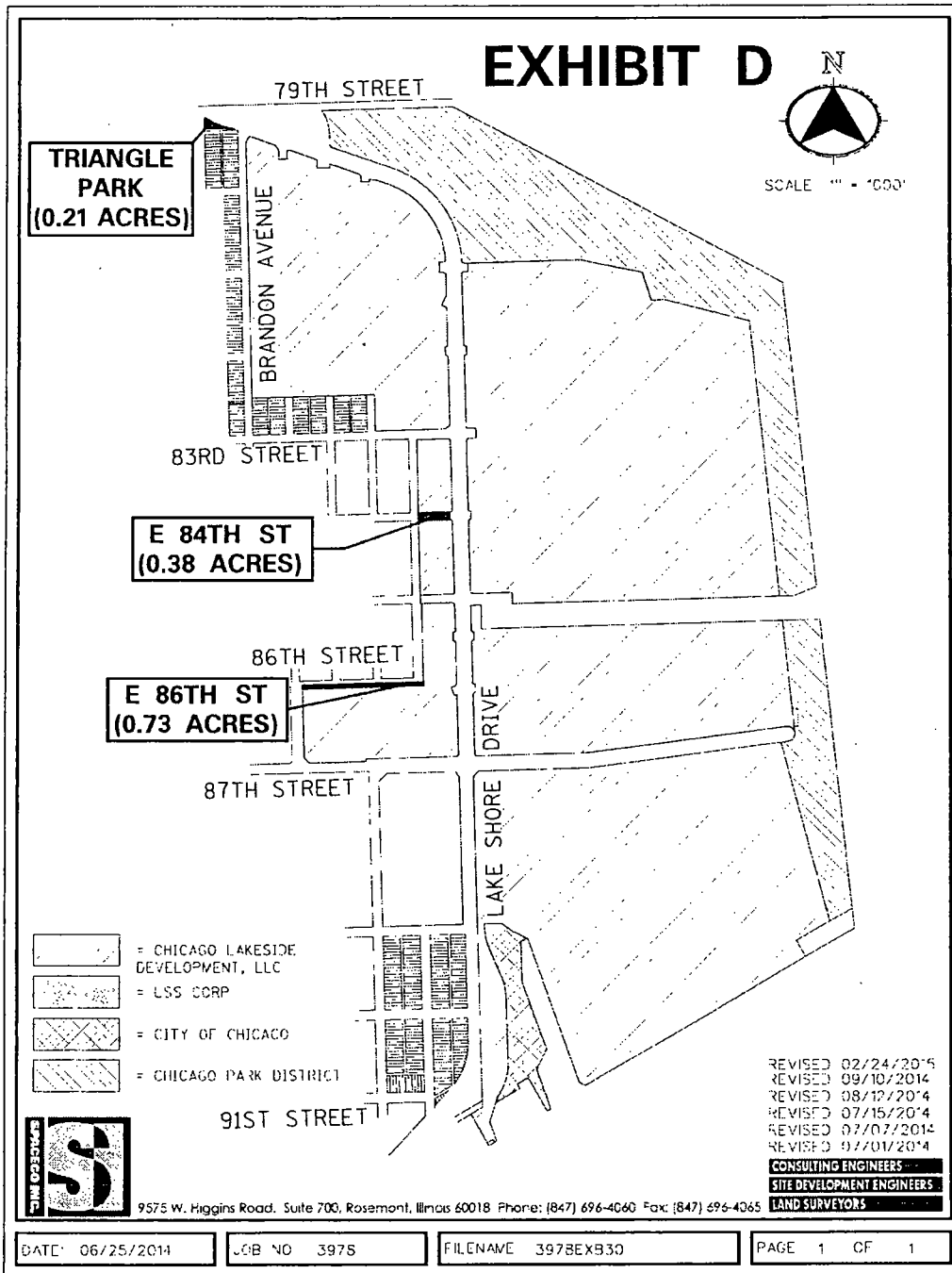


Exhibit "E"
(to Ordinance)

AGREEMENT TO EXCHANGE REAL ESTATE

This AGREEMENT TO EXCHANGE REAL ESTATE ("Agreement") is entered into as of the _____ day of _____, 2016, by and between CHICAGO LAKESIDE DEVELOPMENT, LLC, a Delaware limited liability company ("CLD") and the CITY OF CHICAGO, an Illinois municipal corporation (the "City"), 121 North LaSalle Street, City Hall, Chicago, Illinois 60602 acting through the City's Department of Transportation ("CDOT").

RECITALS:

WHEREAS, the City acquired certain parcels of property from various property owners for use by the City in connection with the US 41 Reconfiguration Project (the "Project"); and

WHEREAS, the parcels of property legally described on the Plat of Survey attached hereto as Exhibit A as Parcel 1 ("Parcel 1") and Parcel 2 ("Parcel 2") were not needed by the City for the Project; and

WHEREAS, CLD is interested in acquiring Parcel 1 and Parcel 2 from the City for the purpose of maintaining a public park on the parcels ("Triangle Park"); and

WHEREAS, in exchange for a deed from the City for Parcel 1, and the vacation of Parcel 2, CLD has offered to dedicate to the City the following parcels of property: (1) a 33-foot wide strip of land legally described on the Plat of Dedication attached hereto as Exhibit B to be improved by the City widening 86th Street between Green Bay Avenue and South Burley Avenue; and (2) a 66-foot wide strip of land legally described on the Plat of Dedication attached hereto as Exhibit C to be improved by the City as 84th Street between South Green Bay Avenue and South Lake Shore Drive (together, the "Dedication Parcels", and collectively with the conveyance of Parcel 1, and the vacation of Parcel 2, the "Transaction");

WHEREAS, by ordinance adopted by the City Council of the City ("City Council"), the City Council approved an ordinance (the "Lakeside Triangle Ordinance") authorizing the City's execution of this Agreement and the conveyance of Parcel 1 to CLD; and

WHEREAS, the vacation of Parcel 2, and the Dedication of 86th Street require the passage of separate ordinances by City Council; and

WHEREAS, by ordinance adopted by City Council on _____, 20__ and published in the Journal of Proceedings of City Council ("Journal") for such date at pages _____ through _____, the City Council approved an ordinance authorizing the dedication of 84th Street (the "84th Street Dedication Ordinance");

WHEREAS, a resolution approving the disposition of City property per the terms of this Agreement and dedication of new rights-of-way as detailed herein was approved by the Chicago Plan Commission on May 21, 2015 under referral number 15-049-21; and

WHEREAS, the obligation of the parties to close the Transaction is conditioned upon the availability of funds and approval of a modified Scope of Work and Grant End Date for the Federally funded "IKE" Community Stabilization Program Grant No. 08357018 for the City of Chicago ("Grant") which have been approved separately and authorized by the Illinois Department of Commerce and Economic Opportunity ("DCEO") as administrator of the CDBG Illinois "IKE" Disaster Recovery Program on behalf of the U.S. Department of Housing and Urban Development on June 25, 2015 and May 13, 2015, respectively.

NOW, THEREFORE, in consideration of the mutual obligations and agreements of the parties, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby covenant and agree as follows:

AGREEMENT:

SECTION 1. CONSIDERATION FOR THE EXCHANGE OF PROPERTY.

A. The Recitals stated above constitute an integral part of this Agreement and are hereby incorporated and made a part of this Agreement with the same force and effect as if stated as agreements of the parties.

B. Conveyance of Parcel 1. At Closing, the City agrees to convey to CLD fee simple title to Parcel 1 by quitclaim deed, subject to the terms of this Agreement and to the following exceptions (collectively, the "Permitted Exceptions"):

- (a) the standard exceptions in an ALTA title insurance policy;
- (b) general real estate taxes and any special assessments or other taxes;
- (c) all easements, encroachments, covenants and restrictions of record and not shown of record that will not adversely affect the use and insurability of Parcel 1 for the development of the public park;
- (d) such other title defects as may exist; and

(e) any and all exceptions caused by the acts of CLD or its agents.

The deed shall contain a restrictive covenant that provides that CLD, or its successors and assigns, shall maintain a public park on Parcel 1 for a period of not less than twenty (20) years.

C. Vacation of Parcel 2. At Closing, the City agrees to vacate to CLD Parcel 2, which CLD acknowledges and understands requires the passage of an ordinance by the City Council. CDOT agrees to recommend to the City Council that Parcel 2 be vacated in accordance with the terms of the City's Intergovernmental Vacation Program. The vacation shall be subject to any and all private and public utilities that exist in the right-of-way to be vacated. CLD agrees to maintain a public park on Parcel 2 for a period of not less than twenty (20) years.

D. Dedication of the 86th Street Parcel and the 84th Street Parcel. At Closing, CLD agrees to dedicate to the City the Dedication Parcels in accordance with the terms of the City's Subdivision and Dedication Program. The parties acknowledge and understand that the dedication of the Dedication Parcels requires the passage of ordinances by the City Council accepting the dedications. CLD and the City also acknowledge and agree that additional work may be required in addition to the proposed right-of-way improvements constructed by CDOT under the project known as CDOT Project No. B-3-511 Green Bay, in conjunction with the proposed commercial development to the south, and any such requirements usually and customarily required by the City which have not been performed in connection with the CDOT Project No. B-3-511 shall be established by mutual agreement in the planned development ordinance enacted for the proposed development.

SECTION 2: THE CLOSING.

A. The Closing. Provided the Grant funding remains available for the improvement of the newly dedicated 84th Street right-of-way, the closing of the Transaction (the "Closing") shall take place at the downtown offices of Chicago Title Insurance Company ("Title Company") 10 South LaSalle Street, Suite 3100, Chicago, Illinois 60603, not more than thirty days after the publication of the last of the required City Council ordinances approving the transfer of Parcel 1, the vacation of Parcel 2 and the dedication of the Dedication Parcels and authorizing the execution, delivery and performance of this Agreement, unless the parties agree to an extension.

B. Escrow. Upon the written request of either party, the Closing shall take place in accordance with the provisions of the usual form of deed and money escrow instructions used by the Title Company, with such special instructions as may be required to conform such instructions to this Agreement. In the event of a conflict between the escrow instructions and this Agreement, the terms of this Agreement shall govern. The City shall deposit into the escrow a recordable copy of the quitclaim deed (subject to the Permitted Exceptions), a recordable copy of the plat of vacation for Parcel 2, and such other customary closing documents required by the Title Company. CLD shall deposit into the escrow a recordable copy of the plats of dedication for the Dedication Parcels, and such other customary closing documents required by the Title

Company. CLD shall pay the cost of the escrow and the recording fees for the Dedication Parcels and all recording fees and any water certificate fees required by the City.

C. Title Insurance. CLD shall obtain, at its expense, any title insurance and endorsements it requires for Parcel 1. CLD shall also obtain, at its expense, a title commitment for the Dedication Parcels. CLD shall be responsible for clearing all title objections and paying all real estate taxes and assessments not yet due and owing.

D. Plats of Vacation and Dedication. CLD shall prepare, at its expense, the plat of vacation and the plats of dedication.

E. Possession. The City shall deliver possession of Parcel 1 and Parcel 2 to CLD upon Closing. CLD shall deliver possession of the Dedication Parcels to the City upon Closing.

F. Closing Condition. The obligation of the parties to close the Transaction is subject to confirmation by CDOT that Grant funding remains available for improvement of the 84th Street Dedication. In the event the Grant funding is not satisfied or waived by both the City and CLD on or before the closing date, either party may terminate this Agreement and upon termination, neither party shall have any further obligation to the other.

SECTION 3. CONSTRUCTION AND MAINTENANCE OF TRIANGLE PARK.

A. Construction of Triangle Park. The parties acknowledge that the construction of Triangle Park has been substantially completed by the City, and that water to supply the irrigation system serving Triangle Park is being fed by a City water valve assembly located (approximately) at 7918 S. Lake Shore Drive in the parkway east of Triangle Park and east of South Brandon Avenue, together with supply lines delivering water to the irrigation system. Also, underground conduit(s) providing electricity has been installed by the City under CDOT Project No. B-6-157, U.S. 41 Relocation. The City will continue to provide water for Triangle Park and maintenance of the water valve assembly and supply lines to the point of connection to the irrigation system at Triangle Park, including the annual spring start up and fall shutdown of the water service to the irrigation system, as long as the City is responsible for maintaining the landscaped medians in S. Lake Shore Drive to the east of Triangle Park. Any successor to the City responsible for maintaining the medians shall assume the maintenance obligation of the City with respect to the water valve assembly and supply lines. CLD shall maintain or cause to be maintained the irrigation system at Triangle Park. CLD also agrees to work with the City to perform, or cause to be performed, additional maintenance responsibilities for the irrigation system, which may include spring inspection following the pressurization of the main by the City, and the shut-down

and blow out of the irrigation system at the end of the year, and repairs of any broken parts. CLD shall be responsible for installation of cable, equipment, and connection of the electricity required to illuminate Triangle Park.

B. Maintenance of Triangle Park. CLD shall be responsible for the maintenance of Triangle Park, and agrees to keep Triangle Park, or cause it to be kept, in a safe, sightly and clean condition. The required maintenance shall include, without limitation, removing litter, debris and weeds at least once a week; sweeping the abutting right-of-way; mowing the grass and pruning the plants, shrubs and trees; performing a spring and fall cleanup each year; and removing snow from the sidewalk within Triangle Park. CLD shall also be responsible for maintenance of the irrigation system serving Triangle Park, as previously noted herein. CLD and the City agree that a local community group may be engaged to perform certain maintenance and gardening obligations at Triangle Park, as determined by CLD. Maintenance of Triangle Park

shall also include replacement of plants and other landscaping, if perished. CDOT agrees to enforce any replacement warranty against landscaping companies and nurseries installing plants and other landscaping at Triangle Park which have perished during the warranty period due to contractor negligence or bad material. Any failures which are caused or attributed to work by others in Triangle Park will not be covered. The City and CLD shall confer and establish in good faith a mutually acceptable maintenance program implementing the foregoing requirements.

SECTION 4. REMEDIES.

A. Time is of the Essence. The parties agree that time is of the essence in the performance of their obligations under this Agreement and every provision hereof in which time is an element. No extension of time for the performance of any obligation or act shall be deemed an extension of time for performance of any other obligation or act. If any date for performance falls on a Saturday, Sunday or legal holiday, then the time of such performance shall be extended to the next business day thereafter.

B. Breach. In the event of a default by a party in the performance of its obligations under this Agreement, such party upon written notice from the other shall immediately proceed to cure or remedy such default. In the event that the default has not been cured within a reasonable time, the non-defaulting party may terminate this Agreement by written notice thereof to the other, which shall be the non-defaulting party's sole and exclusive remedy under this Agreement.

C. Waiver and Estoppel. Any delay by either party in instituting or prosecuting any actions or proceedings or otherwise asserting its rights shall not operate as a waiver of such rights or operate to deprive said party of or limit such rights in any way. No waiver made by either party with respect to any specific default by the other party shall be construed, considered or treated as a waiver of the rights of said party with respect to any other defaults of the other party.

SECTION 5. REPRESENTATIONS AND WARRANTIES.

A. Representations and Warranties of CLD. To induce the City to execute this Agreement and perform its obligations hereunder, CLD hereby represents and warrants to the City as follows:

1. To the best of CLD's knowledge, no litigation or proceedings are pending or threatened against CLD or any party controlling or controlled by CLD which could prevent CLD from performing its obligations in accordance with the terms of this Agreement.
2. To the best of CLD's knowledge, the execution, delivery and performance by CLD of this Agreement has not constituted or will not, upon the giving of notice or lapse of time, constitute a breach or default

under any other agreement which may affect the property to which CLD or any party controlling or controlled by CLD is a party or may be bound or affected, or a violation of any law or court order which may affect the property, any part thereof, any interest therein or the use thereof.

3. CLD has full power and authority to execute and deliver this Agreement and perform its obligations set forth herein.
4. To the best of CLD's knowledge, except for mortgages and other liens, if any, which can be satisfied by the payment of money at the Closing, and except for real estate taxes and assessments not due and payable, CLD has not: a) granted, suffered or permitted any lien, claim or encumbrance upon the property or any portion thereof, b) permitted or suffered any levy, attachment, claim or restraint to be made affecting the property, or c) executed any leases for the property which will not be terminated at or before the Closing Date.

B. Representations and Warranties of the City. To induce CLD to execute this Agreement and perform its obligations hereunder, the City hereby represents and warrants to CLD as follows:

1. The execution of this Agreement by the City and the performance of its obligations hereunder have been authorized by an ordinance adopted by the City Council of the City of Chicago.
2. To the best of the City's knowledge, the performance by the City of its obligations hereunder will not violate any other agreement to which the City is a party or any court order or decree by which the City is bound.
3. To the best of the City's knowledge, there is no litigation pending against the City that could prevent the City from performing its obligations in accordance with the terms of this Agreement.

C. Survival of Representations and Warranties. The parties agree that all of their respective representations and warranties set forth in this Section 5 or elsewhere in this Agreement are true as of the date of this Agreement and will be true at all times hereafter, except with respect to matters which have been disclosed in writing to and approved by the other party. The continued accuracy of the representations and warranties shall be a condition precedent to the obligation of the parties to close the transaction contemplated by this Agreement.

SECTION 6. CONFLICT OF INTEREST; CITY'S REPRESENTATIVES NOT INDIVIDUALLY LIABLE.

No agent, official or employee of the City shall have any personal interest, direct or indirect, in this Agreement; nor shall any such agent, official or employee participate in any decision relating to this Agreement which affects his/her personal interest or the

interest of any corporation, partnership or association in which he/she is directly or indirectly interested. No agent, official or employee of the City shall be personally liable to CLD or any successor in interest in the event of any default or breach by the City.

SECTION 7. BUSINESS RELATIONSHIPS.

CLD acknowledges: (A) receipt of a copy of Section 2-156-030 (b) of the Municipal Code of Chicago, (B) that it has read such provision and understands that pursuant to such Section 2-156-030 (b) it is illegal for any elected official of the City, or any person acting at the direction of such official, to contact, either orally or in writing, any other City official or employee with respect to any matter involving any person with whom the elected City official or employee has a "Business Relationship" (as defined in Section 2-156-080 of the Municipal Code of Chicago), or to participate in any discussion in any City Council committee hearing or in any City Council meeting or to vote on any matter involving the person with whom an elected official has a Business Relationship, and (c) notwithstanding anything to the contrary contained in this Agreement, that a violation of Section 2-156-030 (b) by an elected official, or any person acting at the direction of such official, with respect to any transaction contemplated by this Agreement shall be grounds for termination of this Agreement and the transactions contemplated hereby. CLD hereby represents and warrants that no violation of Section 2-156-030 (b) has occurred with respect to this Agreement or the transactions contemplated hereby.

SECTION 8. PATRIOT ACT CERTIFICATION.

CLD represents and warrants that neither CLD nor any Affiliate thereof (as defined in the next paragraph) is listed on any of the following lists maintained by the Office of Foreign Assets Control of the U.S. Department of the Treasury, the Bureau of Industry and Security of the U.S. Department of Commerce or their successors, or on any other list of persons or entities with which the City may not do business under any applicable law, rule, regulation, order or judgment: the Specially Designated Nationals List, the Denied Persons List, the Unverified List, the Entity List and the Debarred List.

As used in the above paragraph, an "Affiliate" shall be deemed to be a person or entity related to CLD that, directly or indirectly, through one or more intermediaries, controls, is controlled by or is under common control with CLD, and a person or entity shall be deemed to be controlled by another person or entity, if controlled in any manner whatsoever that results in control in fact by that other person or entity (or that other person or entity and any persons or entities with whom that other person or entity is acting jointly or in concert), whether directly or indirectly and whether through share ownership, a trust, a contract or otherwise.

SECTION 9. PROHIBITION ON CERTAIN CONTRIBUTIONS-MAYORAL EXECUTIVE ORDER NO. 2011-4.

CLD agrees that CLD, any person or entity who directly or indirectly has an ownership or beneficial interest in CLD of more than 7.5 percent ("Owners"), spouses and domestic partners of such Owners, CLD's contractors (i.e., any person or entity in direct contractual privity with CLD regarding the subject matter of this Agreement) ("Contractors"), any person or entity who directly or indirectly has an ownership or beneficial interest in any Contractor of more than 7.5 percent ("Sub-owners") and spouses and domestic partners of such Sub-owners (CLD and all the other preceding classes of persons and entities are together, the "Identified Parties"), shall not make a contribution of any amount to the Mayor of the City of Chicago (the "Mayor") or to his political fundraising committee (i) after execution of this Agreement by CLD, (ii) after the effective date of execution of this Agreement, while this Agreement or any Other Contract is executory, (iii) during the term of this Agreement or any Other Contract between CLD and the City, or (iv) during any period while an extension of this Agreement or any Other Contract is being sought or negotiated.

CLD agrees that it shall not: (a) coerce, compel or intimidate its employees to make a contribution of any amount to the Mayor or to the Mayor's political fundraising committee; (b) reimburse its employees for a contribution of any amount made to the Mayor or to the Mayor's political fundraising committee; or (c) bundle or solicit others to bundle contributions to the Mayor or to his political fundraising committee.

CLD agrees that the Identified Parties must not engage in any conduct whatsoever designed to intentionally violate this provision or Mayoral Executive Order No. 2011-4 or to entice, direct or solicit others to intentionally violate this provision or Mayoral Executive Order No. 2011-4.

CLD agrees that a violation of, non-compliance with, misrepresentation with respect to, or breach of any covenant or warranty under this provision or violation of Mayoral Executive Order No. 2011-4 constitutes a breach and default under this Agreement, and under any Other Contract unless cured within thirty (30) days after written notice of default from the City, and, if not cured within such cure period (which may be by return of any contribution which violates said Executive Order) shall entitle the City to all remedies under this Agreement, and under any Other Contract, at law and in equity.

If CLD intentionally violates this provision or Mayoral Executive Order No. 2011-4 prior to the closing of this Agreement, the City may elect to decline to close the transaction contemplated by this Agreement.

For purposes of this provision:

"Bundle" means to collect contributions from more than one source, which is then delivered by one person to the Mayor or to his political fundraising committee.

"Other Contract" means any other agreement with the City of Chicago to which CLD is a party that is (i) formed under the authority of chapter 2-92 of the Municipal Code of Chicago; (ii) entered into for the purchase or lease of real or personal property; or (iii) for materials, supplies, equipment or services which are approved or authorized by the City Council of the City of Chicago.

"Contribution" means a "political contribution" as defined in Chapter 2-156 of the Municipal Code of Chicago, as amended.

Individuals are "Domestic Partners" if they satisfy the following criteria:

- (A) they are each other's sole domestic partner, responsible for each other's common welfare; and
- (B) neither party is married; and
- (C) the partners are not related by blood closer than would bar marriage in the State of Illinois; and
- (D) each partner is at least 18 years of age, and the partners are the same sex, and the partners reside at the same residence; and
- (E) two of the following four conditions exist for the partners:
 - 1. The partners have been residing together for at least 12 months.
 - 2. The partners have common or joint ownership of a residence.
 - 3. The partners have at least two of the following arrangements:
 - a. joint ownership of a motor vehicle;
 - b. a joint credit account;
 - c. a joint checking account;
 - d. a lease for a residence identifying both domestic partners as tenants.
 - 4. Each partner identifies the other partner as a primary beneficiary in a will.

"Political fundraising committee" means a "political fundraising committee" as defined in Chapter 2-156 of the Municipal Code of Chicago, as amended.

SECTION 10. [Intentionally omitted.]

SECTION 11. FAILURE TO MAINTAIN ELIGIBILITY TO DO BUSINESS WITH THE CITY.

Prior to Closing, failure by CLD or any controlling person (as defined in Section 1-23-010 of the Municipal Code of Chicago) thereof to maintain eligibility to do business with the City of Chicago as required by Section 1-23-030 of the Municipal Code of Chicago

shall be grounds for termination of this Agreement and the transactions contemplated herein. CLD shall at all times comply with Section 2-154-020 of the Municipal Code of Chicago.

SECTION 12. INSPECTOR GENERAL AND LEGISLATIVE INSPECTOR GENERAL.

It is the duty of CLD and the duty of any bidder, proposer, contractor, subcontractor, and every applicant for certification of eligibility for a City contract or program, and all of CLD's officers, directors, agents, partners, and employees and any such bidder, proposer, contractor, subcontractor or such applicant: (a) to cooperate with the Inspector General in any investigation or hearing undertaken pursuant to Chapter 2-56 of the Municipal Code and (b) to cooperate with the Legislative Inspector General in any investigation undertaken pursuant to Chapter 2-55 of the Municipal Code. CLD represents that it understands and will abide by all provisions of Chapters 2-56 and 2-55 of the Municipal Code and that it will inform subcontractors of this provision and require their compliance.

SECTION 13. WASTE ORDINANCE PROVISIONS.

In accordance with Section 11-4-1600(e) of the Municipal Code of Chicago, CLD warrants and represents that it, and to the best of its knowledge, its contractors and subcontractors, have not violated and are not in violation of any provisions of Section 7-28 or Section 11-4 of the Municipal Code (the "Waste Sections"). During the period while this Agreement is executory, CLD's, any general contractor's or any subcontractor's violation of the Waste Sections, whether or not relating to the performance of this Agreement, constitutes a breach of and an event of default under this Agreement, for which the opportunity to cure, if curable, will be granted only at the sole designation of the Commissioner of CDOT. Such breach and default entitles the City to all remedies under the Amendment, at law or in equity. This Section does not limit CLD's, general contractor's and its subcontractors' duty to comply with all applicable federal, state, county and municipal laws, statutes, ordinances and executive orders, in effect now or later, and whether or not they appear in this Agreement. Non-compliance with these terms and conditions may be used by the City as grounds for the termination of this Agreement, and may further affect CLD's eligibility for future contract awards.

SECTION 14. CITY OF CHICAGO HIRING PLAN.

A. The City is subject to the June 16, 2014 "City of Chicago Hiring Plan" (as amended, the "2014 City Hiring Plan") entered in *Shakman v. Democratic Organization of Cook County*, Case No 69 C 2145 (United States District Court for the Northern District of Illinois). Among other things, the Shakman Accord and the 2014 City Hiring

Plan prohibit the City from hiring persons as governmental employees in non-exempt positions on the basis of political reasons or factors.

B. CLD is aware that City policy prohibits City employees from directing any individual to apply for a position with CLD, either as an employee or as a subcontractor, and from directing CLD to hire an individual as an employee or as a subcontractor. Accordingly, CLD must follow its own hiring and contracting procedures, without being influenced by City employees. Any and all personnel provided by CLD under this Agreement are employees or subcontractors of CLD, not employees of the City of Chicago. This Agreement is not intended to and does not constitute, create, give rise to, or otherwise recognize an employer-employee relationship of any kind between the City and any personnel provided by CLD.

C. CLD will not condition, base, or knowingly prejudice or affect any term or aspect of the employment of any personnel provided under this Agreement, or offer employment to any individual to provide services under this Agreement, based upon or because of any political reason or factor, including, without limitation, any individual's political affiliation, membership in a political organization or party, political support or activity, political financial contributions, promises of such political support, activity or financial contributions, or such individual's political sponsorship or recommendation. For purposes of this Agreement, a political organization or party is an identifiable group or entity that has as its primary purpose the support of or opposition to candidates for elected public office. Individual political activities are the activities of individual persons in support of or in opposition to political organizations or parties or candidates for elected public office.

D. In the event of any communication to CLD by a City employee or City official in violation of paragraph (b) above, or advocating a violation of paragraph (c) above, CLD will, as soon as is reasonably practicable, report such communication to the Hiring Oversight Section of the City's Office of the Inspector General ("IGO Hiring Oversight"), and also to the Commissioner of CDOT. CLD will also cooperate with any inquiries by IGO Hiring Oversight related to this Agreement.

SECTION 15. FOIA AND LOCAL RECORDS ACT COMPLIANCE.

A. FOIA. CLD acknowledges that the City is subject to the Illinois Freedom of Information Act, 5 ILCS 140/1 *et. seq.*, as amended ("FOIA"). The FOIA requires the City to produce records (very broadly defined in the FOIA) in response to a FOIA request in a very short period of time, unless the records requested are exempt under the FOIA. If CLD receives a request from the City to produce records within the scope of FOIA, that would be otherwise required under this Agreement then CLD covenants to comply with such request within two (2) Business Days of the date of such request. Failure by CLD to timely comply with such request will be a breach of this Agreement.

B. Exempt Information. Documents that CLD submits to the City that contain trade secrets and commercial or financial information may be exempt if disclosure would result in competitive harm. However, for documents submitted by CLD to be treated as a trade secret or information that would cause competitive harm, FOIA requires that CLD mark any such documents as "proprietary, privileged or confidential." If CLD marks a document as "proprietary, privileged and confidential", then the City will evaluate whether such document may be withheld under the FOIA. The City, in its discretion, will determine whether a document will be exempted from disclosure, and that determination is subject to review by the Illinois Attorney General's Office and/or the courts.

C. Local Records Act. CLD acknowledges that the City is subject to the Local Records Act, 50 ILCS 205/1 *et seq.*, as amended (the "Local Records Act"). The Local Records Act provides that public records may only be disposed of as provided in the Local Records Act. If requested by the City, CLD covenants to use its best efforts consistently applied to assist the City in its compliance with the Local Records Act concerning records arising under or in connection with this Agreement and the transactions contemplated in the Agreement.

SECTION 16. HEADINGS AND GOVERNING LAW.

The headings of the various sections of this Agreement have been inserted for convenient reference only and shall not in any manner be construed as modifying, amending or affecting in any way the express terms and provisions thereof. This Agreement shall be governed by and construed in accordance with the laws of the State of Illinois.

SECTION 17. ENTIRE AGREEMENT.

This Agreement constitutes the entire agreement between the parties and supersedes and replaces any prior agreements between the parties with respect to the subject matter hereof. This Agreement shall not be modified or amended in any manner other than by supplemental written agreement executed by the parties.

SECTION 18. SEVERABILITY.

If any provision of this Agreement, or any paragraph, sentence, clause, phrase or word, or the application thereof, is held invalid, the remainder of this Agreement shall be construed as if such invalid part were never included herein and this Agreement shall be and remain valid and enforceable to the fullest extent permitted by law.

SECTION 19. NOTICES.

Any notice, demand or communication required or permitted to be given hereunder shall be given in writing at the addresses set forth below by any of the following means: (a) personal service; (b) overnight courier; (c) by email transmission; (d) fax transmission; or (e) registered or certified first class mail, postage prepaid, return receipt requested:

If to CLD:

With a copy to:

If to the City:

Deputy Commissioner
Chicago Department of Transportation
Division of Engineer
30 North LaSalle Street
Suite 400
Chicago, IL 60606
RE: B-3-511/B-6157

With a copy to:

The Corporation Counsel's Office
Real Estate Division
121 North LaSalle Street
Room 600
Chicago, IL 60602

Any notice, demand or communication given pursuant to clause: (a) shall be effective upon receipt; (b) shall be effective upon the next business day following deposit with the overnight delivery company; (c) shall be effective upon the date and time of the email transmission, provided that if the email was transmitted during non-business hours, the effective date and time of the notice shall be the next business day after transmission; (d) shall be effective upon the date and time of the fax transmission, provided that if the

fax was transmitted during non-business hours, the effective date and time of the notice shall be the next business day after transmission; (e) shall be effective two business days after mailing. The parties, by notice given hereunder, may designate any further or different addresses to which subsequent notices, demands or communications shall be given.

SECTION 20. COUNTERPARTS.

This Agreement may be executed in counterparts, each of which shall constitute an original instrument, with the same effect as if all Parties had signed the same document. All such counterparts shall be deemed an original, must be construed together and will constitute one and the same instrument.

SECTION 21. AMENDMENTS.

This Agreement may only be amended by the parties in writing. Such amendment shall become effective upon its execution by the parties.

SECTION 22. SUCCESSORS AND ASSIGNS.

The terms of this Agreement shall be binding upon the City and CLD, and their respective legal representatives, successors, and assigns. Notwithstanding the foregoing, prior to the Closing, neither party may assign its rights hereunder without the prior written consent of the other party.

SECTION 23. OTHER ACTS.

The parties agree to perform such other acts, and to execute, acknowledge and deliver such other instruments, documents and materials as may be reasonably necessary to consummate the transaction contemplated in this Agreement.

{SIGNATURES APPEAR ON THE FOLLOWING PAGE}

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed as of the date first above written.

CHICAGO LAKESIDE DEVELOPMENT, LLC,
a Delaware limited liability company

By: USS LAKESIDE, LLC, its Managing Member

By: UNITED STATES STEEL CORPORATION,
its Sole Member

By: _____
Printed
Name: _____
Title: _____

CITY OF CHICAGO,
an Illinois municipal corporation

By: _____
Rebekah Scheinfeld
Commissioner of Transportation

Approved as to form and legality:

Assistant Corporation Counsel

PLAT OF SURVEY - TRIANGLE PARK



BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 10; THENCE NORTH 01 DEGREES 25 MINUTES 07 SECONDS WEST, ALONG THE WEST LINE OF SAID LOT 10, A DISTANCE OF 40.21 FEET; THENCE NORTH 02 DEGREES 50 MINUTES

48 SECONDS EAST, 54.61 FEET; THENCE SOUTH 60 DEGREES 34 MINUTES 36 SECONDS EAST, 65.36 FEET; THENCE SOUTH 64 DEGREES 02 MINUTES 19 SECONDS EAST, 10.97 FEET TO A POINT ON THE EAST LINE OF THE WEST 1/2 OF SAID LOT 8; THENCE SOUTH 01 DEGREES 23 MINUTES 43 SECONDS EAST, ALONG SAID EAST LINE, 55.93 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 8; THENCE SOUTH 88 DEGREES 25 MINUTES 32 SECONDS WEST, ALONG THE SOUTH LINE OF SAID LOTS 8, 9 AND 10, FOR A DISTANCE OF 69.90 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

LEGAL DESCRIPTION OF PARCEL 2:

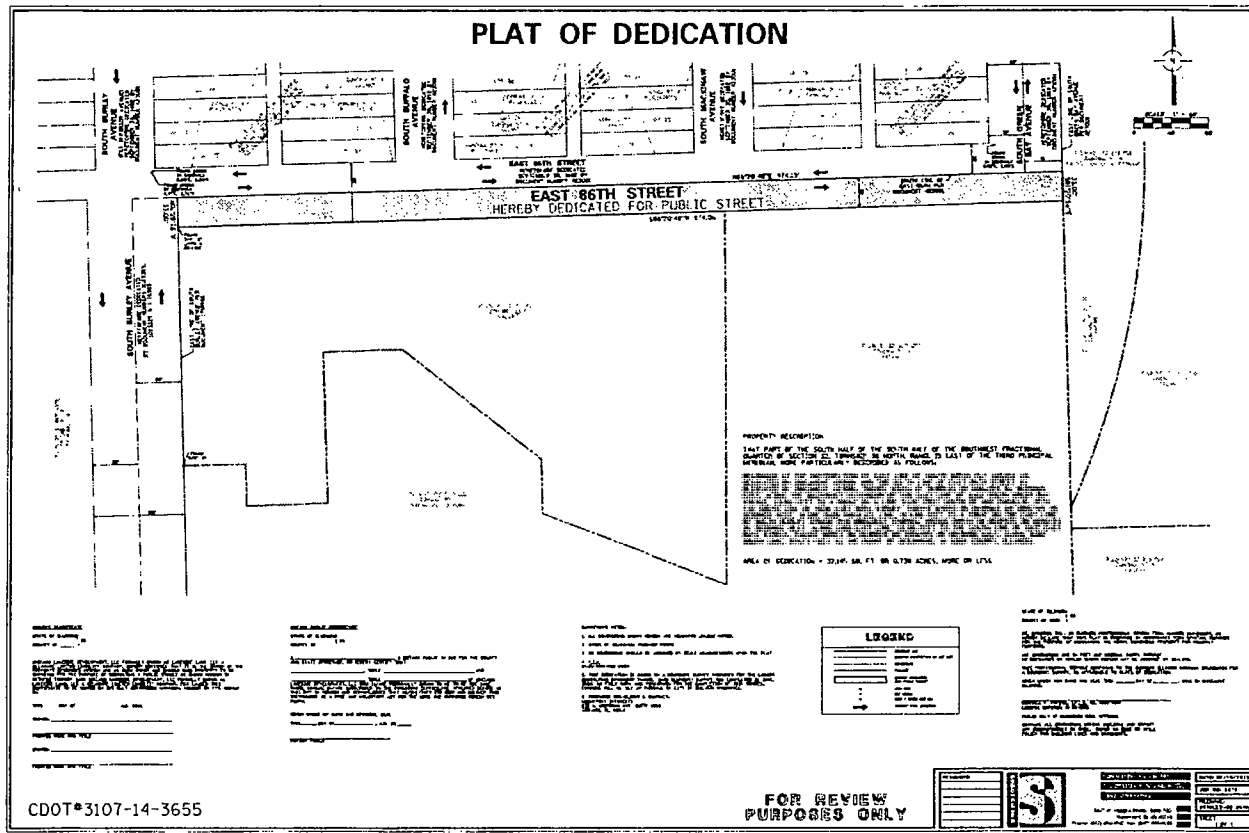
THAT PART OF LOTS 2, 3, 4, 5, 6, 7 AND THE EAST HALF OF LOT 8, IN MAHAN'S SUBDIVISION, DEDICATED FOR PART OF INTERSECTION OF U.S. 41, 79TH STREET AND BRANDON ROAD BY PLAT OF DEDICATION RECORDED MARCH 9, 2006 AS DOCUMENT 0606834023 (PART OF PARCEL OFV0019 THEREIN); AND THAT PART OF THE NORTH HALF OF THE 16-FOOT EAST-WEST ALLEY, SOUTH AND ADJOINING LOTS 1, 2 AND 3, IN MAHAN'S SUBDIVISION BEING A SUBDIVISION OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 38 NORTH, RANGE 15, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING OT THE PLAT THEREOF RECORDED AUGUST 9, 1889 AS DOCUMENT 1140084; MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 10; THENCE NORTH 01 DEGREES 25 MINUTES 07 SECONDS WEST, ALONG THE WEST LINE OF SAID LOT 10, A DISTANCE OF 40.21 FEET; THENCE NORTH 02 DEGREES 50 MINUTES 48 SECONDS EAST, 54.61 FEET; THENCE SOUTH 60 DEGREES 34 MINUTES 36 SECONDS EAST, 65.36 FEET; THENCE SOUTH 64 DEGREES 02 MINUTES 19 SECONDS EAST, 10.97 FEET TO A POINT ON THE WEST LINE OF THE EAST HALF OF SAID LOT 8, BEING THE POINT OF BEGINNING; THENCE SOUTH 64 DEGREES 02 MINUTES 19 SECONDS EAST, 31.26 FEET TO A POINT OF CURVATURE; THENCE EASTERLY 68.71 FEET, ALONG THE ARC OF A TANGENT CIRCLE TO THE LEFT, HAVING A RADIUS OF 321.00 FEET AND WHOSE CHORD BEARS SOUTH 70 DEGREES 10 MINUTES 16 SECONDS EAST, 68.58 FEET TO A POINT OF TANGENCY; THENCE SOUTH 76 DEGREES 18 MINUTES 12 SECONDS EAST, 61.38 FEET; THENCE SOUTH 71 DEGREES 13 MINUTES 38 SECONDS EAST, 23.84 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH HALF OF SAID 16-FOOT EAST-WEST ALLEY; THENCE SOUTH 88 DEGREES 25 MINUTES 32 SECONDS WEST, ALONG SAID SOUTH LINE, 56.04 FEET TO A POINT ON THE WEST LINE OF THE EAST 78.00 FEET OF SAID 16-FOOT EAST-WEST ALLEY; THENCE NORTH 01 DEGREES 28 MINUTES 02 SECONDS WEST, ALONG SAID

WEST LINE, 8.00 FEET TO A POINT ON THE NORTH LINE OF SAID 16-FOOT EAST-WEST ALLEY; THENCE SOUTH 88 DEGREES 25 MINUTES 32 SECONDS WEST, ALONG SAID NORTH LINE, ALSO BEING THE SOUTH LINE OF SAID LOTS 3, 4, 5, 6, 7 AND 8, FOR A DISTANCE OF 117.28 FEET TO A POINT ON THE WEST LINE OF THE EAST HALF OF SAID LOT 8; THENCE NORTH 01 DEGREES 23 MINUTES 43 SECONDS WEST, ALONG SAID EAST LINE, 55.93 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

(Sub) Exhibit "B"
(to Agreement with Chicago Lakeside Development, LLC)

PLAT OF DEDICATION — 86TH STREET



LEGAL DESCRIPTION OF THE 86TH STREET DEDICATION PARCEL

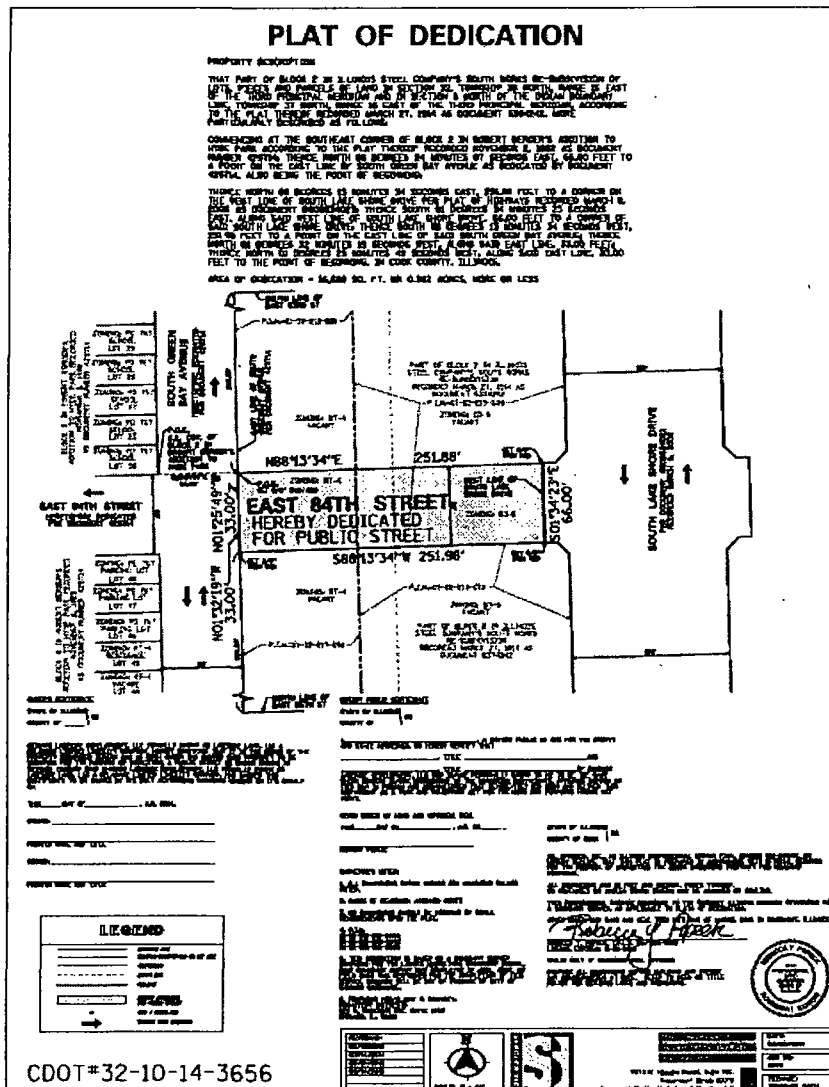
THAT PART OF THE SOUTH HALF OF THE SOUTH HALF OF THE SOUTHWEST FRACTIONAL QUARTER OF SECTION 32, TOWNSHIP 38 NORTH, RANGE 15 EAST OF THE THIRD PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF EAST LINE OF SOUTH GREEN BAY AVENUE AS DEDICATED BY DOCUMENT 423001 AND THE SOUTH LINE OF EAST 86TH STREET AS DEDICATED BY DOCUMENT 423001; THENCE SOUTH 01 DEGREES 20 MINUTES 56 SECONDS EAST, ALONG THE SOUTHERLY EXTENSION OF THE EAST LINE OF SAID SOUTH GREEN BAY AVENUE, 33.00 FEET TO A POINT ON A LINE 33.00 FEET SOUTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID EAST 86TH STREET; THENCE SOUTH 88 DEGREES 20 MINUTES 48 SECONDS WEST, ALONG SAID PARALLEL LINE, 974.06 FEET TO A POINT ON THE EAST LINE OF SOUTH BURLEY AVENUE PER DOCUMENT 1716965; THENCE NORTH 01 DEGREES 28 MINUTES 26 SECONDS WEST, ALONG

SAID EAST LINE, 33.00 FEET TO THE SOUTH LINE OF SAID EAST 86TH STREET;
THENCE NORTH 88 DEGREES 20 MINUTES 48 SECONDS EAST, ALONG SAID
SOUTH LINE, 974.13 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY,
ILLINOIS.

(Sub) Exhibit "C"
(to Agreement with Chicago Lakeside Development, LLC)

PLAT OF DEDICATION - 84TH STREET



LEGAL DESCRIPTION OF THE 84TH STREET DEDICATION PARCEL
THAT PART OF BLOCK 2 IN ILLINOIS STEEL COMPANY'S SOUTH WORKS RE-SUBDIVISION OF LOTS, PIECES AND PARCELS OF LAND IN SECTION 32, TOWNSHIP 38 NORTH, RANGE 15 EAST OF THE THIRD PRINCIPAL MERIDIAN AND IN SECTION 5 NORTH OF THE INDIAN BOUNDARY LINE, TOWNSHIP 37

NORTH, RANGE 15 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 27, 1914 AS DOCUMENT 5384242, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF BLOCK 2 IN ROBERT BERGER'S ADDITION TO HYDE PARK ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 2, 1882 AS DOCUMENT NUMBER 429714; THENCE NORTH 88 DEGREES 24 MINUTES 07 SECONDS EAST, 66.00 FEET TO A POINT ON THE EAST LINE OF SOUTH GREEN BAY AVENUE AS DEDICATED BY DOCUMENT 429714, ALSO BEING THE POINT OF BEGINNING;

THENCE NORTH 88 DEGREES 13 MINUTES 34 SECONDS EAST, 251.88 FEET TO A CORNER ON THE WEST LINE OF SOUTH LAKE SHORE DRIVE PER PLAT OF HIGHWAYS RECORDED MARCH 9, 2006 AS DOCUMENT 0606834023; THENCE SOUTH 01 DEGREES 34 MINUTES 23 SECONDS EAST, ALONG SAID WEST LINE OF SOUTH LAKE SHORE DRIVE, 66.00 FEET TO A CORNER OF SAID SOUTH LAKE SHORE DRIVE; THENCE SOUTH 88 DEGREES 13 MINUTES 34 SECONDS WEST, 251.98 FEET TO A POINT ON THE EAST LINE OF SAID SOUTH GREEN BAY AVENUE; THENCE NORTH 01 DEGREES 32 MINUTES 19 SECONDS WEST, ALONG SAID EAST LINE, 33.00 FEET; THENCE NORTH 01 DEGREES 25 MINUTES 49 SECONDS WEST, ALONG SAID EAST LINE, 33.00 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

(Sub) Exhibit "D"
(to Agreement with Chicago Lakeside Development, LLC)

OVERALL PLAT

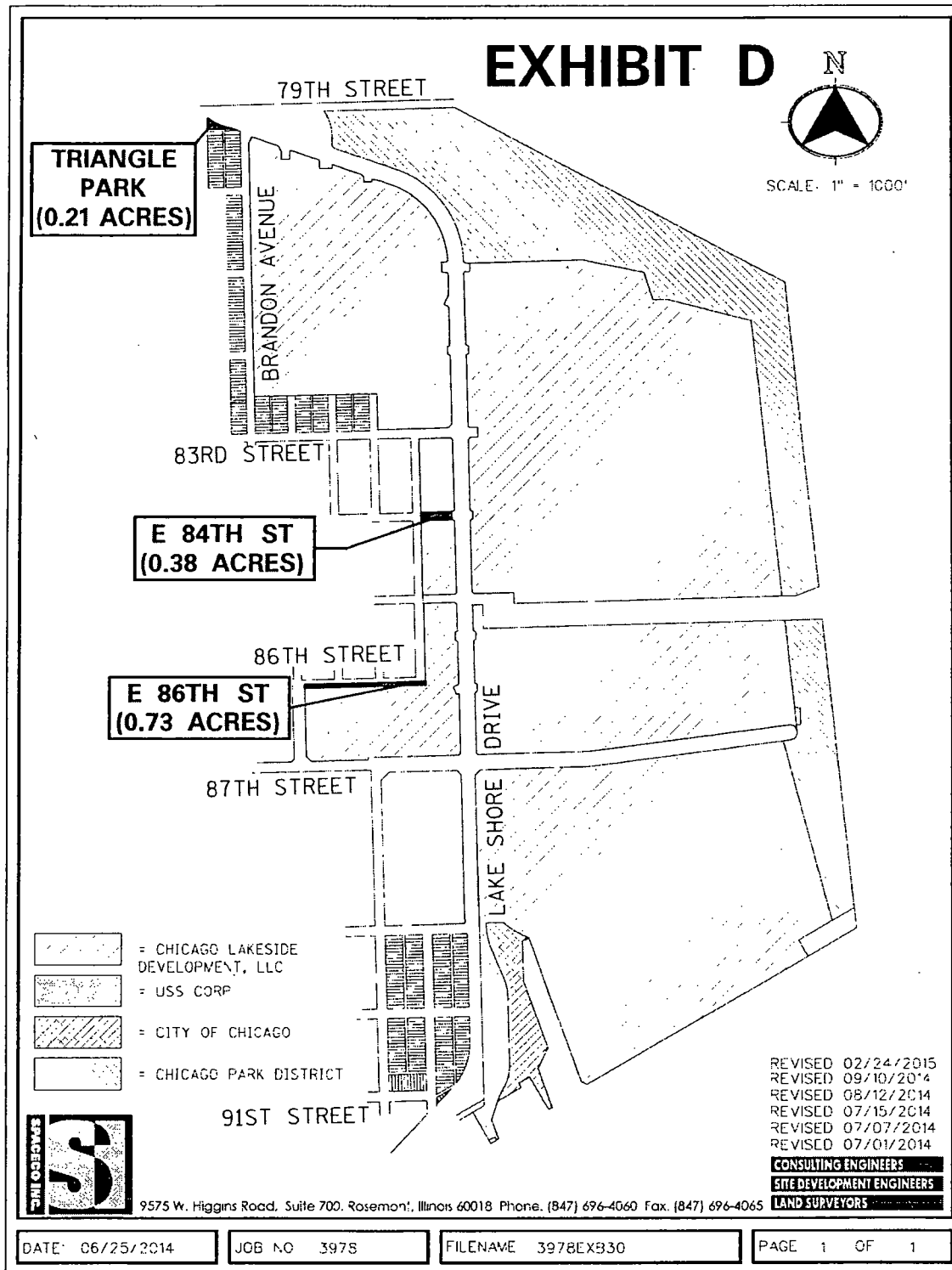


Exhibit "F"
(to Ordinance)
PLAN COMMISSION RESOLUTION



**CHICAGO DEPARTMENT OF TRANSPORTATION
CITY OF CHICAGO**

RESOLUTION

- WHEREAS.** The Department of Transportation ("CDOT") proposes to dispose of property (two (2) parcels), one parcel through a quit claim deed and the second parcel through a right of way vacation, as such parcels are located at 7901 S. South Shore Drive (see Exhibit A) to Lakeside Development, L.L.C. ("Lakeside") in a land swap with Lakeside through a negotiated Real Estate Exchange agreement ("Agreement"), for two (2) other privately owned parcels of property, located at 3330 E. 87th Street, and 8651 S. Burley Avenue, that shall be dedicated as public right-of-ways (see Exhibit D); and
- WHEREAS.** The Department of Transportation proposes to acquire the two (2) privately owned properties located at 3330 E. 87th Street, and 8651 S. Burley Avenue for the dedication as new East 86th Street public right-of-way (see Exhibit B); and to acquire properties located at 8500 S. Green Bay Avenue, and 8301 S. Green Bay Avenue for the dedication as new East 86th Street public right-of-way (see Exhibit C); and
- WHEREAS.** The disposition of the properties will require Lakeside to maintain the site as a public pocket park for at least the next 20 years, as such covenant shall appear in the Agreement; and
- WHEREAS.** The acquisition of the privately owned properties will allow for connection of the street grid to and around S. Lake Shore Drive and promote development of this important lakefront property; and
- WHEREAS.** This proposal has been circulated to various public agencies for review and no objections have been received; and
- WHEREAS.** The Chicago Plan Commission has reviewed the Report of the Department of Transportation which finds this proposal is consistent with the City's policy to return vacant property for private use and development, and for maintenance of existing park land.

NOW THEREFORE, BE IT RESOLVED BY THE CHICAGO PLAN COMMISSION:

THAT the Report and Recommendation of the Department of Transportation be adopted and said proposed disposition of two parcels of City owned property located at, 7901 S. South Shore Drive (see Exhibit A) in a land swap with Lakeside Development, L.L.C. through a negotiated Real Estate Exchange agreement, in exchange for privately owned properties located at (1) 3330 E. 87th Street, 8651 S. Burley Avenue for the dedication as new East 86th Street public right-of-way (see Exhibit B); and (2) located at 8500 S. Green Bay Avenue, and 8301 S. Green Bay Avenue for the dedication as new East 86th Street public right-of-way (see Exhibit C), be approved; and

THAT if the property is not disposed of by the City within one (1) year from the date of this Resolution, the property shall be referred back to the Chicago Plan Commission for consideration prior to disposition.

Adopted, May 21, 2015



Andrew J. Mooney
Secretary
Chicago Plan Commission

Referral Number: 15-049-21



City of Chicago



A2016-25

Office of the City Clerk

Document Tracking Sheet

Meeting Date:	4/13/2016
Sponsor(s):	Emanuel (Mayor)
Type:	Appointment
Title:	Appointment of Mark D. Davids as member of Special Service Area No. 1-2015, State Street Commission
Committee(s) Assignment:	Committee on Finance



Fix

OFFICE OF THE MAYOR
CITY OF CHICAGO

RAHM EMANUEL
MAYOR

April 13, 2016

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

Ladies and Gentlemen:

I have appointed Mark D. Davids as a member of Special Service Area No. 1-2015, the State Street Commission, for a term effective immediately and expiring January 13, 2019.

Your favorable consideration of this appointment will be appreciated.

Very truly yours,

Mayor



City of Chicago



A2016-26

Office of the City Clerk

Document Tracking Sheet

Meeting Date:	4/13/2016
Sponsor(s):	Emanuel (Mayor)
Type:	Appointment
Title:	Appointment of Simone E. Freeman as member of Special Service Area No. 19, Howard Street Commission
Committee(s) Assignment:	Committee on Finance



OFFICE OF THE MAYOR
CITY OF CHICAGO

RAHM EMANUEL
MAYOR

April 13, 2016

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

Ladies and Gentlemen:

I have reappointed Simone E. Freeman as a member of Special Service Area No. 19, the Howard Street Commission, for a term effective immediately and expiring June 13, 2018.

Your favorable consideration of these appointment will be appreciated.

Very truly yours,

Mayor



City of Chicago



A2016-27

Office of the City Clerk

Document Tracking Sheet

Meeting Date:	4/13/2016
Sponsor(s):	Emanuel (Mayor)
Type:	Appointment
Title:	Appointment of Alan J. Goldberg, Christopher M. Johnson, and Dorothy L. Milne as members of Special Service Area No. 24, Clark Street Commission
Committee(s) Assignment:	Committee on Finance

F 14



OFFICE OF THE MAYOR
CITY OF CHICAGO

RAHM EMANUEL
MAYOR

April 13, 2016

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

Ladies and Gentlemen:

I have reappointed Alan J. Goldberg, Christopher M. Johnson, and Dorothy L. Milne as members of Special Service Area No. 24, the Clark Street Commission, for terms effective immediately and expiring January 15, 2018.

Your favorable consideration of these appointments will be appreciated.

Very truly yours,

Mayor



City of Chicago



A2016-28

Office of the City Clerk

Document Tracking Sheet

Meeting Date:	4/13/2016
Sponsor(s):	Emanuel (Mayor)
Type:	Appointment
Title:	Appointment of Scott Floersheimer as member of Special Service Area No. 29-2014
Committee(s) Assignment:	Committee on Finance



OFFICE OF THE MAYOR
CITY OF CHICAGO

RAHM EMANUEL
MAYOR

April 13, 2016

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

Ladies and Gentlemen:

I have appointed Scott Floersheimer as a member of Special Service Area No. 29-2014, for a term effective immediately and expiring January 21, 2018.

Your favorable consideration of this appointment will be appreciated.

Very truly yours,

Mayor



City of Chicago



A2016-29

Office of the City Clerk

Document Tracking Sheet

Meeting Date:	4/13/2016
Sponsor(s):	Emanuel (Mayor)
Type:	Appointment
Title:	Appointment of Matthew S. Bogovich as member of Special Service Area No. 33, Wicker Park and Bucktown Commission
Committee(s) Assignment:	Committee on Finance



OFFICE OF THE MAYOR
CITY OF CHICAGO

RAHM EMANUEL
MAYOR

April 13, 2016

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

Ladies and Gentlemen:

I have appointed Matthew S. Bogovich as a member of Special Service Area No. 33, the Wicker Park & Bucktown Commission, for a term effective immediately and expiring September 13, 2017, to succeed Laura A. Weathered, whose term has expired.

Your favorable consideration of this appointment will be appreciated.

Very truly yours,

Mayor



City of Chicago



A2016-30

Office of the City Clerk Document Tracking Sheet

Meeting Date:	4/13/2016
Sponsor(s):	Emanuel (Mayor)
Type:	Appointment
Title:	Appointment of Gregory B. Smith as member of Special Service Area No. 42, 71st/Stony Commission
Committee(s) Assignment:	Committee on Finance



FIN

OFFICE OF THE MAYOR
CITY OF CHICAGO

RAHM EMANUEL
MAYOR

April 13, 2016

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

Ladies and Gentlemen:

I have appointed Gregory B. Smith as a member of Special Service Area No. 42, the 71st/Stony Commission, for a term effective immediately and expiring April 11, 2018, to succeed Vickey D. Hosey, whose term has expired.

Your favorable consideration of this appointment will be appreciated.

Very truly yours,

Mayor



City of Chicago



A2016-31

Office of the City Clerk

Document Tracking Sheet

Meeting Date:

4/13/2016

Sponsor(s):

Emanuel (Mayor)

Type:

Appointment

Title:

Appointment of Sarah A. Frick as member of Special
Service Area No. 63, West Humboldt Park Commission

Committee(s) Assignment:

Committee on Finance



FW

OFFICE OF THE MAYOR
CITY OF CHICAGO

RAHM EMANUEL
MAYOR

April 13, 2016

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

Ladies and Gentlemen:

I have appointed Sarah A. Frick as a member of Special Service Area No. 63, the West Humboldt Park Commission, for a term effective immediately and expiring July 29, 2018.

Your favorable consideration of this appointment will be appreciated.

Very truly yours,

Mayor



City of Chicago



A2016-32

Office of the City Clerk

Document Tracking Sheet

Meeting Date:	4/13/2016
Sponsor(s):	Emanuel (Mayor)
Type:	Appointment
Title:	Appointment of Cathy L. Kriegeras as member of Special Service Area No. 63, West Humboldt Park Commission
Committee(s) Assignment:	Committee on Finance



OFFICE OF THE MAYOR

CITY OF CHICAGO

RAHM EMANUEL
MAYOR

April 13, 2016

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

Ladies and Gentlemen:

I have appointed Cathy L. Kriegeras as a member of Special Service Area No. 63, the West Humboldt Park Commission, for a term effective immediately and expiring July 29, 2017.

Your favorable consideration of this appointment will be appreciated.

Very truly yours,

Mayor



City of Chicago



A2016-33

Office of the City Clerk

Document Tracking Sheet

Meeting Date:	4/13/2016
Sponsor(s):	Emanuel (Mayor)
Type:	Appointment
Title:	Appointment of Patricia G. Perez as member of Chicago Public Library Board
Committee(s) Assignment:	Committee on Budget and Government Operations



OFFICE OF THE MAYOR
CITY OF CHICAGO

RAHM EMANUEL
MAYOR

April 13, 2016

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

Ladies and Gentlemen:

I have appointed Patricia G. Perez as a member of the Chicago Public Library Board for a term effective immediately and expiring June 30, 2017, to succeed Cristina Benitez, whose term has expired.

Your favorable consideration of this appointment will be appreciated.

Very truly yours,

Mayor



City of Chicago



A2016-34

Office of the City Clerk

Document Tracking Sheet

Meeting Date:	4/13/2016
Sponsor(s):	Emanuel (Mayor)
Type:	Appointment
Title:	Appointment of Barrett Murphy as Commissioner of Water Management
Committee(s) Assignment:	Committee on Budget and Government Operations

BUDGET



OFFICE OF THE MAYOR
CITY OF CHICAGO

RAHM EMANUEL
MAYOR

April 13, 2016

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

Ladies and Gentlemen:

I have appointed Barrett Murphy as Commissioner of Water Management.

Your favorable consideration of this appointment will be appreciated.

Very truly yours,

A handwritten signature in cursive script that reads "Rahm Emanuel".

Mayor



City of Chicago



A2016-36

Office of the City Clerk

Document Tracking Sheet

Meeting Date:	4/13/2016
Sponsor(s):	Emanuel (Mayor)
Type:	Appointment
Title:	Appointment of Juan C. Linares as member of Chicago Low Income Housing Trust Fund Board
Committee(s) Assignment:	Committee on Housing and Real Estate



OFFICE OF THE MAYOR
CITY OF CHICAGO

RAHM EMANUEL
MAYOR

April 13, 2016

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

Ladies and Gentlemen:

I have appointed Juan C. Linares as a member of the Chicago Low Income Housing Trust Fund Board, effective immediately, for the remainder of the current term that will expire on December 31, 2016, followed by a full two-year term to expire December 31, 2018, to succeed Ellen K. Sahli, who has resigned.

Your favorable consideration of this appointment will be appreciated.

Very truly yours,

Mayor



City of Chicago



A2016-38

Office of the City Clerk

Document Tracking Sheet

Meeting Date:	4/13/2016
Sponsor(s):	Emanuel (Mayor)
Type:	Appointment
Title:	Appointment of Alicia Tate-Nadeau as Executive Director of Emergency Management and Communications
Committee(s) Assignment:	Committee on Public Safety



OFFICE OF THE MAYOR
CITY OF CHICAGO

RAHM EMANUEL
MAYOR

April 13, 2016

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

Ladies and Gentlemen:

I have appointed Alicia Tate-Nadeau as Executive Director of Emergency Management and Communications.

Your favorable consideration of this appointment will be appreciated.

Very truly yours,

Mayor



City of Chicago



A2016-40

Office of the City Clerk

Document Tracking Sheet

Meeting Date:	4/13/2016
Sponsor(s):	Emanuel (Mayor)
Type:	Appointment
Title:	Appointment of Johnny L. Miller as member of Chicago Transit Board
Committee(s) Assignment:	Committee on Transportation and Public Way



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OFFICE OF THE MAYOR
CITY OF CHICAGO

RAHM EMANUEL
MAYOR

April 13, 2016

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

Ladies and Gentlemen:

I have appointed Johnny L. Miller as a member of the Chicago Transit Board for a term effective immediately and expiring September 1, 2021, to succeed the late Charles E. Robinson.

Your favorable consideration of this appointment will be appreciated.

Very truly yours,

Mayor



City of Chicago



A2016-41

Office of the City Clerk

Document Tracking Sheet

Meeting Date:	4/13/2016
Sponsor(s):	Emanuel (Mayor)
Type:	Appointment
Title:	Appointment of Lucino Sotelo as member of Chicago Plan Commission.
Committee(s) Assignment:	Committee on Zoning, Landmarks and Building Standards



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OFFICE OF THE MAYOR
CITY OF CHICAGO

RAHM EMANUEL
MAYOR

April 13, 2016

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

Ladies and Gentlemen:

I have appointed Lucino Sotelo as a member of the Plan Commission for a term effective immediately and expiring January 25, 2019, to complete the unexpired term of Juan C. Linares, who has resigned.

Your favorable consideration of this appointment will be appreciated.

Very truly yours,

Mayor



City of Chicago



O2016-2675

Office of the City Clerk

Document Tracking Sheet

Meeting Date:	4/13/2016
Sponsor(s):	Emanuel (Mayor)
Type:	Ordinance
Title:	Annual Appropriation Ordinance Year 2016 amendment within Fund No. 925 for Department of Family and Support Services
Committee(s) Assignment:	Committee on Budget and Government Operations

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OFFICE OF THE MAYOR
CITY OF CHICAGO

RAHM EMANUEL
MAYOR

April 13, 2016

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 Fund 925 Amendment.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,

Mayor

ORDINANCE

WHEREAS, the Annual Appropriation Ordinance for the year 2016 of the City of Chicago (the "City") contains estimates of revenues receivable as grants from agencies of the state and federal governments and public and private agencies; and

WHEREAS, in accordance with Section 8 of the Annual Appropriation Ordinance, the heads of various departments and agencies of the City have applied to agencies of the state and federal governments and public and private agencies for grants to the City for various purposes; and

WHEREAS, the City through its Department of Family and Support Services has been awarded additional federal grant funds in the amount of \$5,000 by the Illinois Department on Aging which shall be used for the Medicare Improvements for Patients and Providers Act Program; now, therefore,

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

SECTION 1. The sum of \$5,000 not previously appropriated, representing new grant awards, is hereby appropriated from Fund 925 - Grant Funds for the year 2016. The Annual Appropriation Ordinance is hereby further amended by striking the words and figures and adding the words and figures indicated in the attached Exhibit A which is hereby made a part hereof.

SECTION 2. To the extent that any 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 3. This ordinance shall be in full force and effect upon its passage and approval.

EXHIBIT A

AMENDMENT TO THE 2016 APPROPRIATION ORDINANCE

CODE	DEPARTMENT AND ITEM	STRIKE AMOUNT	ADD AMOUNT	STRIKE AMOUNT (2016 Total)	ADD AMOUNT (2016 TOTAL) Includes anticipated carryover	STRIKE AMOUNT (2016 Total)	ADD AMOUNT (2016 Total)
ESTIMATE OF GRANT REVENUE FOR 2016							
	Awards from Agencies of the Federal Government	\$1,258,057,000	\$1,258,062,000				
925 - Grant Funds							
Dept #, Dept and Grant Name							
<u>50</u>	<u>Department of Family and Support Services:</u> Summer Jobs Connect	\$ 167,000	\$ 172,000			\$ 167,000	\$ 172,000



City of Chicago



O2016-2617

Office of the City Clerk

Document Tracking Sheet

Meeting Date:	4/13/2016
Sponsor(s):	Emanuel (Mayor)
Type:	Ordinance
Title:	Amendment of Municipal Code Titles 1, 2, 4, 7, 9, 11, 13, 15, 17 and 18 by replacing Chapter 2-36 regarding Department of Fire and modifying related Code provisions
Committee(s) Assignment:	Committee on Budget and Government Operations



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OFFICE OF THE MAYOR
CITY OF CHICAGO

RAHM EMANUEL
MAYOR

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April 13, 2016

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

Ladies and Gentlemen:

At the request of the Fire Commissioner, I transmit herewith an ordinance amending Chapter 2-36 and related provisions of the Municipal Code.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,

Mayor

ORDINANCE

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

SECTION 1. Section 1-4-090 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

1-4-090 Definitions for Code provisions.

(Omitted text is unaffected by this ordinance)

(j) “Fire Code” or “fire regulations of this Code” means ~~Title 15 Chapter 15-4,~~ Chapter 15-8, Article II of Chapter 15-16, Chapter 15-20, Chapter 15-24, and Chapter 15-26 of this Code;

(Omitted text is unaffected by this ordinance)

SECTION 2. Chapter 2-36 of the Municipal Code of Chicago is hereby amended by repealing the existing Chapter 2-36 in its entirety and by inserting in its place a new Chapter 2-36, as follows:

ARTICLE I. ORGANIZATION

2-36-100 Definitions.

As used in this chapter, the following terms shall have the following meanings, unless the context clearly indicates otherwise:

“Fire commissioner” means the commissioner of the fire department or the fire commissioner’s departmental designee.

“Fire department” or “department” means the fire department of the City of Chicago.

“Fire Sprinkler Contractor Licensing Act” means the Fire Sprinkler Contractor Licensing Act, codified at 225 ILCS 317/1 *et seq.*, or its successor act.

“Uniformed service” means the uniformed service of the fire department as set forth in Section 2-36-120.

“Uniformed service incident commander” or “incident commander” means the uniformed service incident commander at the scene of a fire or other emergency or any part thereof.

2-36-110 Department established – Composition.

(a) There is hereby established an executive department of the city which shall be known as the fire department. The fire department shall include the following persons, bureaus and divisions: fire commissioner, deputy fire commissioner in charge of the bureau of operations, deputy fire commissioner in charge of the bureau of fire prevention, deputy fire commissioner in charge of the bureau of administration, deputy fire commissioner in charge of the bureau of logistics, district chief in charge of the division of training, assistant deputy fire commissioner in charge of the division of emergency medical services, and such employees as shall be provided for in the annual appropriation ordinance.

(b) The persons in charge of the bureaus and divisions of the fire department shall be appointed by the fire commissioner according to law. Under the supervision and control of the fire commissioner, such persons and their departmental designees shall perform all duties required by the fire commissioner and under the provisions of this Code.

2-36-120 Membership of the uniformed service.

The following employees of the fire department, namely, the fire commissioner, deputy fire commissioners, all chief officers and all subordinate officers, and all firefighters, fire engineers and paramedics, shall constitute the uniformed service and shall be known and designated as members of the fire department.

ARTICLE II. FIRE COMMISSIONER: POWERS AND DUTIES

2-36-200 Fire Commissioner – Authority.

The fire commissioner, who shall not be subject to active fire duty, shall enforce the fire regulations of this Code and shall manage and control all matters and things pertaining to the fire department and all persons employed therein. The fire commissioner shall be appointed by the mayor, by and with the advice and consent of the city council. Any power or duty under this Code that is conferred upon or otherwise required to be exercised by a deputy fire commissioner or other head of any bureau or division of the fire department, or by any member of the uniformed service, shall also be conferred upon the fire commissioner and may be exercised by the fire commissioner.

2-36-210 Investigation of fire causes.

If the cause of a fire is undetermined or arson is suspected, the fire commissioner shall cause such fire to be investigated and shall refer the matter to the corporation counsel for prosecution or other appropriate legal action. The fire commissioner shall maintain a record of such investigation and of the evidence in each case, or a copy thereof, in his office or in the office of the corporation counsel.

2-36-220 Annual report of fires.

Each year, on or before the first day of March, the fire commissioner shall prepare and submit to the mayor and city council a report identifying: (1) the location of all fires to which the fire department was dispatched that occurred within the city during the preceding fiscal year; and (2) the causes of each such fire, to the extent that such causes can be ascertained; and (3) the number and description of all buildings injured or destroyed as a result of such fires.

2-36-230 Recordkeeping.

The fire commissioner shall maintain, preserve and keep: (1) all books, records and papers that belong to the fire department or that are required by law to be filed with the fire department; and (2) a complete record of all business transactions in the fire department; and (3) a complete record of all property placed in the commissioner's or department's custody or under their charge. Such books, records and papers shall be open, at all times, to inspection by the comptroller, the mayor, and the city council or any member thereof.

2-36-240 Inspection of departmental property.

Once each year, the fire commissioner shall examine the condition of the department's fire apparatus and firehouses. On or before the first day of February of each year, the fire commissioner shall report his findings to the city council.

2-36-250 Firefighters – Continuation of duty during emergency.

In the case of a serious conflagration or other emergency, the fire commissioner shall have the authority to require all members of the uniformed service to be on duty or to continue on duty during the period of such emergency.

2-36-260 Merit roll – Records and awards.

The fire commissioner shall cause an annual record to be kept, which shall be known as the merit roll, identifying the names of all members of the fire department who performed any distinguished act of bravery in the protection of life or property during the annual reporting period. The record shall: (1) specify the details and circumstances of such act; and (2) the names of the witnesses to such act, if any; and (3) all corroborating facts.

On the thirty-first day of December of each year, such record shall be compiled by the fire commissioner, who shall promptly submit said record to the mayor, comptroller, city treasurer and ex officio trustees of the "Harrison Medal" fund and "Tree Medal" fund. The members of the fire department who will be awarded the "Tree Medal" or "Harrison Medal" shall be notified to appear before the trustees to receive the applicable medal.

A ribbon-type medal cast in the design of the Chicago flag, as described in Section 1-8-030 of this Code, shall be awarded to each recipient of the Lambert Tree or Carter Harrison Medals for use by the recipient when in uniform.

A ribbon shall be presented to active duty members of the Chicago Fire Department and Chicago Police Department who have received the Lambert Tree and Carter Harrison Award Medals. All persons receiving these medals shall be presented with a ribbon and a medal.

2-36-270 Interpretation of fire regulations.

(a) The fire commissioner shall interpret the fire regulations of this Code in harmony with the building regulations of this Code, and shall make no interpretation that is inconsistent with, or contrary to, the provisions of the Chicago Building Code or any rules promulgated thereunder.

The fire commissioner shall have full power to interpret the fire regulations of this Code subject to the conditions, modifications and limitations set forth in this section and in Section 15-4-050. Except as otherwise provided in subsection (b) of this section, in case of any difference of opinion between the fire commissioner and the head of any other bureau or department of the city as to the correct interpretation of any fire regulation of this Code, the question shall be submitted to the corporation counsel, who shall provide a legal opinion on the matter as soon as possible, and the opinion of the corporation counsel shall be final in all such cases.

(b) Whenever the fire commissioner issues an order or otherwise makes a decision pertaining to the safety of the occupancy of any building or place or part thereof in a case which is so urgent that the failure to properly carry out such order or decision may endanger life and limb, such order or decision of the fire commissioner shall be final.

2-36-280 Inspection results and other records – Accounting of fees

(a) The fire commissioner shall maintain, or cause to be maintained, a proper record of all inspections conducted by members of the uniformed service pursuant to the requirements of this Code. Such record shall include the following information: (1) the date of such inspections; (2) a summary of violations, if any are found to exist; (3) the date of serving of

notice of violations as required by this Code; and (4) a memorandum of the final disposition of all violations found to exist.

(b) The fire commissioner shall maintain, or cause to be maintained, a proper record of all applications, notices, inspection results, test results or other reports, documents or information of any type that any person, including, but not limited to, any owner or owner's agent or licensee under the Illinois Fire Sprinkler Contractor Licensing Act, submits to the commissioner or department pursuant to the requirements of this Code. The fire commissioner may prescribe the manner and form in which any such information is submitted to the department, which may include an electronic submission using an approved computer application.

(c) The records required under this section shall be open at all times for inspection by the mayor, comptroller, superintendent of police, commissioner of buildings and members of the city council.

(d) The fire commissioner shall maintain in proper books an accurate account of all fees charged in connection with inspections or other operations authorized under this Code and conducted by any bureau of the department, which shall include: (1) the names of the person to whom the fee is charged; (2) the date on which such charge is made; and (3) the amount of each such fee or charge.

2-36-290 Investigation of complaints – Notice of violations.

It shall be the duty of the fire commissioner to examine, or to cause to be examined, any building, structure, or place when any citizen represents that: (1) any fire regulation of this Code is being violated; or (2) any combustible material is being kept in the city in an insecure manner; or (3) any door, stairway, corridor, exit or fire escape in any factory, workshop or place of employment, amusement, education or recreation is obstructed or is not in a safe condition; or (4) any door or exit is kept locked or fastened during the time any such place is occupied or frequented by employees or by the public; or (5) any building, structure or place is occupied or crowded beyond the capacity of its exits; or (6) the heating apparatus, appliances or devices in any building are insecure or dangerous; or (7) any building, structure or place is being maintained in such a manner as to be a fire menace or dangerous in case of fire, panic or accident. If such representation is found to be true, the fire commissioner shall give notice of such fact as provided for in Section 2-36-300 or Section 2-36-310, as applicable.

2-36-300 Fire code violations – Enforcement of corrections.

If it is determined that: (1) any fire regulation of this Code is being violated, or (2) any building, structure or place, or the contents of any building, structure or place, or any appliances or equipment on or within any building structure or place, is in such condition as to be a probable

cause of fire or is likely to endanger life or safety in case of fire, panic or other accidents, the fire commissioner may attempt to secure voluntary correction of any such violation by the property owner by referring such violation to the bureau of fire prevention compliance board, which shall consist of bureau of fire prevention personnel appointed by the deputy fire commissioner of the bureau of fire prevention for that purpose. The fire commissioner, deputy fire commissioner of the bureau of fire prevention, or fire prevention compliance board may give notice in writing either to the property owner, or to the owner's agent for the purpose of managing, controlling or collecting rents, or to any other person managing or controlling such building, structure, or place, of the need to correct the violation by making such changes, alterations or repairs, or by performing such work, or by taking such action as this Code may require to remedy such violation and secure the public safety. Such notice shall contain a date certain by which said code violation must be corrected, which shall, in no event, exceed 15 days from the date of notice. Provided, however, that the fire commissioner, deputy fire commissioner or board may, at any time, refer any such violation to the corporation counsel for prosecution or other appropriate legal action, with or without notice to the property owner, and notwithstanding a referral to the board or the issuance under this section of any notice seeking voluntary compliance.

2-36-310 Issuance of orders, notices and certificates.

The fire commissioner shall sign, or cause to be signed, all orders, notices and certificates which must be issued by the fire department or any bureau or division thereof, and shall keep a record of the same.

The service of any order or notice required by the fire regulations of this Code may be made by depositing a copy thereof in the United States mail. Such order or notice may be addressed to the owner, or to any one of the several owners, of the premises in question, or to any such owner's duly authorized agent, or by delivering a copy thereof to a lessee or any one of several lessees of said premises or any particular part thereof, or by the delivery of a copy thereof to any person of suitable age and discretion in charge or apparently in charge of the premises. In addition, a copy of such order or notice shall be prominently affixed to the exterior of the applicable premises.

2-36-320 Police department aid authorized – Scope.

The fire commissioner shall have the authority to call upon the department of police for aid in enforcing any fire regulation of this Code.

It shall be the duty of the superintendent of police or any member of the police force, when so called upon by the fire commissioner, to act according to the fire commissioner's instructions and to perform such duties as may be required to enforce the fire regulations of this Code.

2-36-330 Plans for new buildings – Examination – Approval conditions.

The fire commissioner shall: (1) examine the plans proposed for (i) all business units one or two stories in height and occupying a ground area of more than 4,000 square feet, (ii) all business units three or more stories in height, (iii) all multiple dwellings containing more than six dwellings, (iv) all institutional buildings, hazardous units, Class 1 garages, theaters, open air assembly units, public assembly units, churches, and schools, and (v) all other buildings and structures occupying a ground area of more than 4,000 square feet or exceeding more than three stories in height; and (2) review and approve such plans for compliance with the fire regulations of this Code. No permit for such buildings or structures shall be issued until such plans have been approved and stamped by the fire commissioner.

2-36-340 Inspection of buildings – Right of entry – Standards.

The fire commissioner is hereby empowered, consistent with the requirements of due process of law, to enter at a reasonable time or in case of emergency any building, structure or premises, whether completed or in the course of construction, for the purpose of determining whether such buildings, structures or premises have been or are being constructed and maintained in accordance with the fire regulations of this Code. In such case, it shall be unlawful for any person to exclude any member of the uniformed service designated for such purpose from any such building, structure or premises.

The fire commissioner shall make, or cause to be made, regular inspections, with sufficient frequency to secure efficient supervision, of: (1) all buildings, structures or places that are used for manufacturing or commercial purposes or that are occupied or frequented by large numbers of people; and (2) all school buildings, public halls, churches, institutional buildings, theaters and multiple dwellings; and (3) all places of amusement, recreation or employment, in order to:

(a) determine the safety of the occupants of such buildings, structures or places in the event of fire, panic or accident;

(b) examine (i) the working order and repair of all doors, fire escapes, and firefighting appliances; (ii) the condition and maintenance of exits, corridors, stairways, and fire escapes and their approaches, with regard to obstructions; (iii) the disposition, quantity, arrangement and protection of stock, combustible material and rubbish, heating devices and ovens, flammable liquids and explosives, with regard to safety from fire; and (iv) the protection of hazardous machinery, appliances and apparatus, with regard to safety from fire; and

(c) ascertain whether the fire regulations of this Code are being enforced.

2-36-350 Structural instabilities.

Upon discovering or otherwise learning of any violation of this Code affecting or potentially affecting the structural stability of any building or structure, the fire commissioner shall: (1) take whatever immediate action is necessary or appropriate to secure the safety of the occupants of such building or structure or of the public; and (2) promptly notify the commissioner of buildings of such fact; and (3) turn the matter over to the building commissioner for supervision and disposal.

2-36-360 Safety clearances.

It shall be the duty of the fire commissioner to inspect any premises that are required under this Code to maintain safety clearances for the purpose of determining compliance with such requirements. In the case of noncompliance, the fire commissioner shall notify the owner, lessee or occupant of such premises of the violation and of the need to correct such violation as provided for in Section 2-36-300 or Section 2-36-310, as applicable.

2-36-370 Buildings with a truss system – Data collection required.

The fire commissioner shall develop, manage and maintain a database of all buildings, located within the city, that are known to contain truss construction systems. On a monthly basis, the fire commissioner shall transmit such data to the office of emergency management and communications, which shall upload the data to its computer-aided dispatch system and provide such information to fire companies upon dispatch.

2-36-380 Overcrowding of premises – Determination and remedies.

The fire commissioner shall close any building, room or space or portion thereof that is used for public purposes or as a place of assembly, including, but not limited to, any public assembly unit, open air assembly unit, hospital, business unit, theater, church or school, if the fire commissioner determines that: (1) any such building, room or space or portion thereof exceeds the maximum occupancy for such area as stated on the maximum occupancy sign issued by the department of buildings pursuant to Section 13-84-410; or (2) any such building, room or space or portion thereof is otherwise occupied by more than the maximum number of persons who may legally occupy such area under the building provisions of this Code; or (3) any occupancy sign required under this Code (i) has not been obtained from the department of buildings, or (ii) is not posted as required under Section 13-84-410, or (iii) has been altered without the approval of the department of buildings; or (4) the floor plan diagram required under Section 13-84-400 is not kept on the premises as required therein; or (5) the building, room or space or portion thereof covered by the occupancy sign has been reconfigured, altered or

changed in a manner that differs significantly from the floor plan diagram approved for such area by the department of buildings pursuant to Section 13-84-400; or (6) continued occupancy of the premises poses an imminent danger to the public health, safety or welfare. If the fire commissioner determines that any such area is occupied by more than the properly certified or lawful number of people, the deputy fire commissioner shall: (a) close said building, room or space; and (b) recommend to the mayor that any license issued for said premises be suspended or revoked; and (c) forward all the facts and evidence pertaining to such matter to the corporation counsel for prosecution or other appropriate legal action.

2-36-390 Fires or emergencies – Authority of fire commissioner and incident commander.

The fire commissioner or uniformed service incident commander shall have the authority to: (1) direct such operation as necessary to extinguish or control any fire; (2) perform any rescue operation; (3) investigate the existence of suspected or reported fires, gas leaks or other hazardous conditions or situations; (4) construct emergency fire breaks; (5) evacuate persons from the area; (6) close, cordon or barricade streets, roads, drives or other public or private access ways; (7) ignite backfires and conduct backfire operations; or (8) take any other action necessary in the reasonable performance of duty or mitigation of the emergency. In the exercise of such power, the fire commissioner or uniformed service incident commander is authorized to: (i) prohibit any person, vehicle, vessel or thing from approaching the scene; or (ii) remove, or to cause to be removed or kept away, from the scene, any vehicle, vessel or thing that could impede or interfere with the operations of the fire department; or (iii) remove, or to cause to be removed or kept away, from the scene, any person who, in the judgment of the fire commissioner or uniformed service incident commander, is not actually and usefully employed in extinguishing such fire, mitigating the emergency or preserving property in the vicinity thereof.

2-36-400 Fires or emergencies – Removal, destruction or use of property authorized when.

The fire commissioner or uniformed service incident commander shall have the power to remove, destroy or use, or to cause the removal, destruction or use of, any property whenever, in the fire commissioner's or incident commander's judgment, such removal, destruction or use is necessary to prevent the destruction of property or the spread of fire or the loss of human life.

2-36-410 Fires or emergencies – Power of arrest.

The fire commissioner, uniformed service incident commander, or other member of the uniformed service in command at the scene of a fire or other emergency, or while in charge of fire apparatus, companies or units, shall, at the time the offense is committed or at any time thereafter, have the authority to arrest any person who: (1) is suspected of arson, incendiarism or malicious mischief; or (2) conducts himself in a disorderly manner; or (3) refuses to obey any member of the uniformed service while such member is acting in the discharge of duty; or (4) illegally gives or transmits false alarms; or (5) wilfully, maliciously or negligently causes

damage to fire apparatus or to buildings, structures or premises of any type. The fire commissioner and uniformed service incident commander shall be and are hereby vested with the power and authority of police officers to make arrests as authorized under this section.

2-36-420 Removal of hydrant obstructions.

The fire commissioner may remove any material, or cause the removal of any material, at the risk, cost and expense of the owner of such material or claimant thereto, that obstructs a fire hydrant in violation of Section 11-12-080 of this Code.

2-36-430 Agreements to use buildings for training.

The fire commissioner is authorized to execute agreements with public and private parties permitting structures that are scheduled for demolition or rehabilitation to be used for training by fire department personnel. Any such agreement may include provisions for indemnification in a form approved by the corporation counsel. Before executing any such agreement, the fire commissioner shall obtain confirmation from the alderman of the ward in which the structure is located that the proposed training will not have a detrimental effect on neighboring residents.

2-36-440 Residential safety program.

The fire commissioner may establish, by regulation, an educational program to provide residents of the city with information and advice concerning the identification of potential fire hazards, how to reduce or avoid the risk of fire, how to react to fire, and the consequences of fire. Such program may include the following in any combination: (1) visits to residences at the invitation of the owner or occupant to review conditions and to recommend methods of improvement and remediation; (2) public service announcements; (3) the distribution of literature on fire safety; (4) lectures, presentations or demonstrations at schools or other institutions; (5) the distribution of materials donated for the program; and (6) any other means determined by the fire commissioner to meet the purposes of the program. The program shall be provided free of charge to residents of the city, subject to availability of personnel and materials. The fire commissioner is authorized to solicit and accept contributions of funds, materials, equipment and services for the program, and to use such contributions for that purpose. All such contributions shall be reported on receipt to the city comptroller and to the board of ethics. Members of the uniformed service may be assigned to conduct the program subject to availability.

2-36-450 National Standardized Child Passenger Safety Training Course for public education officers.

The fire commissioner shall establish a Child Passenger Safety Program requiring all of the fire department's public education officers to complete and maintain certification in the

32-hour National Standardized Child Passenger Safety Training Course developed by the National Highway Traffic Safety Administration. Such public education officers shall take the necessary continuing education course(s), as recommended by the national certifying body, to maintain certification as a Child Passenger Safety Technician. The education and any related inspections shall occur at the department's five District Headquarters and at its Public Education Headquarters by appointment only and at the discretion of the Coordinator of Fire Awareness and Public Education. Information regarding the Child Passenger Safety Program shall be made available on the Chicago Fire Department's website and through the City of Chicago's 311 Service Center.

2-36-460 Fire safety seminars and conferences.

The fire commissioner is authorized to organize and present seminars, conferences and other gatherings to educate and inform participants regarding fire safety, fire prevention and other fire-related matters. In furtherance thereof, the fire commissioner is authorized to enter into and execute short-term lease agreements, sponsorship agreements, and such other instruments, any of which may include indemnification provisions, 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 the organization and presentation of such gatherings. The fire commissioner is further authorized to charge a reasonable fee for attendance at such gatherings, and to solicit, accept and use contributions of funds, materials, equipment and services for such gatherings. All such contributions shall be reported on receipt to the city comptroller and to the board of ethics. Personnel of the fire department may be assigned to conduct or otherwise participate in such gatherings subject to availability.

2-36-470 Instruction and training.

The fire commissioner shall assign all members of the bureau of operations to the division of training for such periods in each year as, in the fire commissioner's judgment, may be necessary for such members' proper training.

2-36-480 Agreements related to training.

The fire commissioner is authorized to: (1) negotiate and execute agreements with other governmental units, nonprofit and volunteer groups, and private parties to provide training and curriculum development for members of the fire department or for persons required to be trained by the fire department, or to provide training and testing for prospective members of the department; and (2) enter into and execute all such other instruments 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 the implementation of such agreements, including any renewals thereto, and including provisions providing indemnification.

2-36-490 Agreements related to processing license applications and maintenance of records.

The fire commissioner is authorized enter into a service contract with a service provider to: (1) administer, on the fire department's behalf, licenses and certifications issued by the fire department, including, but not limited to, the (i) fire extinguisher serviceman license issued under Article VII of Chapter 15-4 of this Code, (ii) special fireguard license issued under Section 15-4-680, (iii) special stage fireman or fireguard license issued under Section 15-4-770, (iv) certification as a desk clerk under Article XIII of Chapter 15-4 of this Code, and (v) certification as a life safety director; and (2) maintain, preserve and keep, on the fire department's behalf, the records required to be kept by the fire commissioner under Section 2-36-280. The service contract may contain such terms as the fire commissioner deems necessary or appropriate, including, but not limited to, terms that specify the source and amount of the service provider's compensation. The fire commissioner, either directly or through a service provider, is authorized to charge the chosen service provider a reasonable service fee in order to cover part or all of the City's costs associated with the service contract, including the costs of engaging a service provider. Such contract shall be subject to review by the corporation counsel as to form and legality.

The fire commissioner shall have power to adopt rules for the proper administration and enforcement of the provision of this section.

2-36-500 Agreements related to electronic submission of inspection records and inspection fees.

The fire commissioner, after conducting a competitive solicitation, is authorized to enter into an agreement with an entity that provides and hosts a computer application through which inspectors shall electronically submit to the City: (i) results of mandatory inspections of fire protection equipment, including pump inspections, sprinkler system inspections, and standpipe inspections, as well as (ii) the amount of the inspection fees due the City pertaining to such inspections. The fire commissioner is authorized to designate the entity's computer application as the required method for submission of these records and fees to the City. The costs for the operation and maintenance of the application and the retention of the various records contained therein shall be borne by the inspectors, who may pass on such charges to building owners. The City's contract with the entity shall be on such terms as the fire commissioner deems reasonable. The fire commissioner is authorized to adopt rules to administer and enforce this section.

2-36-510 Uniforms and badges.

(a) The fire commissioner shall adopt rules setting forth the circumstances under which the members of the bureau of operations shall be required, while on active duty, to wear appropriate uniforms, badges and other insignia by which their authority or status may be known.

(b) The issuance of any and all honorary badges shall be at the sole discretion of the fire commissioner.

ARTICLE III. FIRE COMMISSIONER: AUTHORITY TO PROVIDE SPECIAL SERVICES

2-36-600 Service outside the city.

The fire commissioner shall have the power to negotiate and to enter into city contracts with any other municipality, industrial district or owner of property lying within a radius of 100 miles of the city to provide fire protection and emergency services to such municipality, district or owner. Said contract shall include terms for bonding, indemnification, and rates for service and equipment used. All such contracts shall be subject to approval by the corporation counsel as to form and legality and approved by the mayor.

2-36-610 Reciprocal contracts.

The fire commissioner shall have the power to negotiate and to enter into reciprocal contracts and agreements with other municipalities, mutual aid organizations, federal agencies and fire protection districts for mutual aid, training and emergency operations. Such contracts and agreements may authorize the department to accept equipment and manpower from, and to furnish equipment and manpower to, other municipalities, mutual aid organizations, federal agencies and fire protection districts without cost. All such contracts or agreements, which may provide for indemnification, shall be subject to approval by the corporation counsel as to form and legality and approved by the mayor.

2-36-620 Reciprocal contracts for emergency services— Continuation authority.

Pursuant to Section 14 of the Emergency Telephone System Act ("the Act"), and subject to approval by the corporation counsel as to form and legality, the fire commissioner shall have the power to: (1) enter into a joint powers agreement with any public agency as defined in Sections 2.01 or 2.02 of the Act, or to enter into any other form of written cooperative agreement with any such public agency, in connection with the provision of emergency services outside of jurisdictional boundaries; and (2) certify the continuation of such agreements on behalf of the fire department and the city. Copies of such agreements and of the annual certified notification of

continuing agreement required by Section 14 of the Act shall be filed by the fire commissioner, no later than January 31st of each year, with the Illinois Attorney General and the Illinois Commerce Commission as required under Section 15 of the Act.

2-36-630 Pumping out basements – Authorized when.

The fire commissioner shall have the power to use fire apparatus and employees of the fire department to pump out the basement of any building within the corporate limits of the city which has become flooded whenever the fire department is requested to do so by any owner or occupant of such building, if, in the judgment of the fire commissioner, sufficient fire department apparatus and personnel are available and can safely be spared to provide such service at the time the request is made.

2-36-640 Pumping out basements – Rates and charges.

The fee for service rendered by the fire department in pumping out a basement shall be as follows:

For each piece of apparatus and crew used to render such service: The fee shall be set at an amount equal to the cost of all personnel, materials and equipment used in connection with pumping out a basement. The applicable fee shall be computed starting from the time the apparatus and crew leave the firehouse and ending when the apparatus and crew return to the firehouse or otherwise officially return to service, whichever comes first.

2-36-650 Collection of charges.

Within five days after rendering service outside of the city or pumping out a basement, the fire commissioner shall draw a warrant for collection on the city, town, village, corporation, or individual to which such service was rendered for the amount due the city for rendering such service and shall transmit such warrant to the department of finance for collection in the manner provided by law.

2-36-660 Remittance of charges.

When in the mayor's opinion it is justifiable, the mayor shall have the power to remit charges for services rendered by the fire department outside of the city or for pumping out basements.

ARTICLE IV. DEPARTMENT MEMBERSHIP REGULATIONS

2-36-700 Badges.

When in dress uniform, each member of the uniformed service shall wear a suitable badge furnished by the city denoting such member's rank. Any member who loses or destroys such badge shall pay the cost of replacement.

2-36-710 Basic course for firefighters.

Each firefighter, within such firefighter's probationary period, shall complete a basic training course(s) approved by the fire commissioner and shall pass the Office of the State Fire Marshal test for certification at the basic level, as provided for in the Illinois Fire Protection Training Act.

2-36-720 Resignation.

No member of the uniformed service, under penalty of forfeiture of any salary or wages which may be due such member, shall withdraw or resign from the department, except with the permission of the fire commissioner.

2-36-730 Separation from service – Return of property.

Whenever any member of the uniformed service permanently separates from the fire department, such member shall immediately deliver his badge, and all other city property in his possession, to the proper department officer.

2-36-740 Rewards and reward restrictions.

If any award, reward, present or gift is tendered to a member of the uniformed service for meritorious service in discharge of duty rendered by such member, the fire commissioner may permit such member to retain, for such member's own benefit, any such award, reward, present or gift if: (1) prior to its receipt, such member notifies the fire commissioner of the award, reward, present or other gift being tendered; and (2) the retention of such award, reward, present or gift by such member does not violate the Chicago Governmental Ethics Ordinance, Chapter 2-156 of this Code. It shall be cause for removal for any member of the uniformed service to accept, receive or retain any such award, reward, present or other gift without notice to the fire commissioner and without the fire commissioner's permission.

2-36-750 Salary payment during disability.

(a) If any member of the fire department becomes disabled due to injury or sickness, and such disability prevents such member from attending to his duties as a member of the fire department, such member shall, for the duration of 12 months, providing such disability shall last

for that amount of time, or for such portion of twelve months as such disability shall continue, receive his usual salary and such disability shall not be considered as rendering necessary such member's retirement from the uniformed service during such period. The fact of such disability, its nature or cause, and its duration shall be certified to by the department physician or by the production of other evidence satisfactory to the fire commissioner.

(b) Any member of the fire department who receives his usual city salary while such member is disabled shall be prohibited from engaging in any employment other than with the fire department. Any member who violates this subsection (b) shall be subject to the loss of his salary from the fire department while so employed.

(c) No member of the fire department who is on the pension roll or who is receiving any benefit from the pension fund by reason of any disability due to injury or sickness shall be entitled to receive any part of his salary during such time as such member remains on the pension roll or receives any benefit from the pension fund.

2-36-760 Salary payment following death in the line of duty.

The salary of any member of the fire department killed in the line of duty shall continue for a period of one year, commencing from the date of the death of the deceased member of the fire department, and shall be paid out of the specific fund appropriated therefor included in the General Finance Section of the Annual Appropriation Ordinance for the year 1967 and subsequent years to the widow of the deceased member of the fire department, or in the absence of a widow, to the guardian or person standing in loco parentis of such deceased member's dependent minor children, or in the absence of a widow or minor children, to such deceased member's dependent parents who were residents in such deceased member's household at the time of the injury which resulted in such deceased member's death. This section shall be retroactive to January 1, 1965.

2-36-770 Memorial services.

If any member of the uniformed service loses his or her life in the line of duty, a memorial service shall be held outside the main (LaSalle Street) entrance of City Hall, which shall include, as participants, the mayor, fire commissioner, and alderman or aldermen representing the ward(s) in which said member lived and/or worked. During such memorial service, the official City of Chicago flag shall be flown at half-mast, and the name of the deceased member shall be read while Taps are played. Immediately thereafter, said flag shall be lowered and given to the local fire station where said member was assigned, and shall then be presented to the survivors of said member as a tribute to the deceased. In the event of inclement weather, the memorial service may be held in the lobby of City Hall.

**ARTICLE V. GENERALLY APPLICABLE LEGAL DUTIES
AND UNLAWFUL ACTS**

2-36-800 Fires or emergencies – Hindering firefighting activities or equipment – Unlawful act.

(a) No person shall wilfully hinder any police officer or fireman in the performance of his duty at the scene of a fire or other emergency.

(b) No person shall wilfully in any manner injure, deface or destroy any fire engine, fire apparatus or other equipment or property of the fire department belonging to the city.

(c) Any person who violates this section shall be fined not less than \$500.00 nor more than \$1,000.00 for each offense. Each day that a violation continues shall constitute a separate and distinct offense.

2-36-810 Fires or emergencies– Authority to issue orders – Unlawful act.

All persons in the vicinity of a fire or other emergency shall be subject to the orders of the fire commissioner, or uniformed service incident commander, or other member of the uniformed service in charge of removing property from such scene. It shall be unlawful for any person to disobey such an order. Provided, however, that no person who is not a member of the fire department shall be bound to obey any member of the fire department in charge at the scene of a fire or other emergency unless such member is wearing a badge or other insignia indicating his status as a member of the uniformed service or makes his status as a uniformed member known to the person charged with obeying such order. The fire commissioner or uniformed service incident commander shall have the power to arrest any person refusing to obey any lawful order issued in accordance with this section. Any person who refuses to obey such an order shall be fined not less than \$1,000.00 nor more than \$5,000.00, or imprisoned for a term not to exceed six months, or both, for each offense. Each day that a violation continues shall constitute a separate and distinct offense.

2-36-820 Fires or emergencies – Authority to cordon areas – Unlawful act.

The fire commissioner or uniformed service incident commander may cordon the area in the vicinity of any firefighting operation, in order to prevent accidents or interference with the lawful efforts of the department to manage and control such fire or emergency, by placing ropes, barricades or other obstructions across any street, alley, place or private property in such vicinity. It shall be unlawful for any person to enter within any such cordoned area except with the permission of the fire commissioner or uniformed service incident commander. Any person who violates this section shall be fined not less than \$1,000.00 nor more than \$5,000.00, or

imprisoned for a term not to exceed six months, or both, for each offense. Each day that a violation continues shall constitute a separate and distinct offense.

2-36-830 Fires or emergencies – Authority to issue badges for admission – Unlawful act.

(a) The fire commissioner may issue identification to members of the media and to employees of utility companies when the fire commissioner determines that the issuance of such identification is necessary or appropriate to prevent the destruction of property at the scene of a fire or other emergency or to protect the safety or welfare of the general public. The fire commissioner or uniformed service incident commander may, in his discretion, recall any identification so issued.

(b) Any person who exhibits the identification issued under this section shall be admitted within any cordoned area established pursuant to Section 2-36-820. Provided, however, that possession of such identification shall not authorize the person holding such identification to enter a burning building except with the express permission of the fire commissioner or uniformed service incident commander.

(c) The identification issued under this section shall be of distinctive character and different in form and appearance from the identification issued to members of the uniformed service. The fire commissioner shall maintain a register identifying the name and address of any person to whom such identification has been issued and containing any other information that the fire commissioner may reasonably require to identify such person. All expenses incident to the issuance of such identification shall be borne by the applicant for such identification. The identification issued under this section shall be returned to the fire commissioner by the person holding such identification when such person terminates his or her employment with the applicable media or utility company.

(d) It shall be unlawful for any person who is not a member of the media or an employee of a utility company, or who is not otherwise lawfully in possession of any identification issued under this section, to: (1) wear, display or use such identification, or to cause such identification to be worn, displayed or used, at the scene of a fire or other emergency; or (2) fail to return such identification to the fire commissioner upon termination of employment with the applicable media or utility company or upon recall of such identification by the fire commissioner.

(e) It shall be unlawful for any person to enter any burning building without first having obtained express permission to do so from the fire commissioner or from the uniformed service incident commander. Any person who violates this subsection (d) shall be fined not less than \$500.00 nor more than \$1,000.00 for each offense. Each day that a violation continues shall constitute a separate and distinct offense.

2-36-840 Impersonating a fireman – Unlawful act.

It shall be unlawful for any person who is not a member of the fire department, with the intent to defraud or deceive any other person, to impersonate a fireman or officer of the fire department or to falsely represent himself or herself to be a member of the fire department. In addition to any other penalty provided by law, any person who violates this section shall be subject to a fine of not less than \$1,000.00 nor more than \$1,500.00, or imprisonment for a period not to exceed six months, or both, for each offense. Each day that a violation continues shall constitute a separate and distinct offense.

2-36-850 Recovery of property from fire – Unlawful act.

No person shall be entitled to take any property that was saved from fire and is in the possession of the fire department until such person provides the fire commissioner with satisfactory proof of ownership thereof.

SECTION 3. Section 4-4-005 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, as follows:

4-4-005 Definitions.

As used in this Title 4, unless the context clearly indicates otherwise:

(Omitted text is unaffected by this ordinance)

“Fire commissioner” means the commissioner of the fire department of the City of Chicago or the commissioner’s departmental designee.

(Omitted text is unaffected by this ordinance)

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

4-4-300 Hazardous use units.

If a license under Title 4 authorizes a person to engage in any business or to occupy or use any premises, structure or building for any purpose classified as a hazardous use unit under Chapter 13-112 of this Code, the initial issuance of such license, and every extension or renewal thereof, shall require: (1) an inspection by, or caused by, ~~the division marshal in charge of the bureau of fire prevention~~ the fire commissioner; and (2) the approval of ~~such division marshal~~ the fire commissioner. If, as a result of such inspection, ~~the division marshal~~ fire commissioner

determines that such hazardous use unit is in compliance with the requirements of this Code governing hazardous use units, the ~~division-marshal~~ fire commissioner shall issue, or shall cause to be issued, a certificate of compliance and approval. Such certificate shall be subject to revocation for cause at any time by the ~~division-marshal-in-charge-of-the-bureau-of-fire-prevention~~ fire commissioner. Upon notification of the revocation of such certificate, the mayor shall revoke any license conditioned upon said certificate. The provisions of this section shall be construed as remedial and retroactive as well as prospective.

SECTION 5. 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) *Departmental duties – Inspections.*

(Omitted text is unaffected by this ordinance)

(3) Except as otherwise provided in subsection (d)(4) of this section, the department of health, the department of family and support services, ~~the fire department's bureau of fire-prevention~~ department and the department of buildings shall conduct annual inspections of every adult family care center licensed or required to be licensed under this section.

(Omitted text is unaffected by this ordinance)

(d) *License issuance and renewal – Prohibited when.* No regulated business license to engage in the business of adult family care center shall be issued to:

(Omitted text is unaffected by this ordinance)

(4) any applicant or licensee, as applicable, unless, prior to issuance of any initial license, the department of health, ~~the bureau of fire-prevention~~ fire department and the department of buildings inspect the premises to determine whether the center is in compliance with the requirements of this Code and any rules and regulations promulgated thereunder pertaining, respectively, to health and sanitation, fire prevention, and the building provisions of this Code;

(Omitted text is unaffected by this ordinance)

SECTION 6. Section 4-6-090 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

4-6-090 Assisted living establishment.

(Omitted text is unaffected by this ordinance)

(c) *Departmental duties – Inspections.*

(Omitted text is unaffected by this ordinance)

(3) The department of health, ~~the bureau of fire prevention~~ fire department and the department of buildings shall conduct bi-annual inspections of every assisted living establishment licensed or required to be licensed under this chapter.

(Omitted text is unaffected by this ordinance)

(d) *License issuance and renewal – Prohibited when.* No license to engage in the business of assisted living establishment shall be issued to the following persons:

(Omitted text is unaffected by this ordinance)

(2) any applicant or licensee, as applicable, unless, prior to issuance of any initial license to engage in the business of assisted living establishment, the department of health, ~~the bureau of fire prevention~~ fire department and the department of buildings inspect the establishment to determine whether the establishment is in compliance with the requirements of this Code and any rules and regulations promulgated thereunder pertaining, respectively, to health and sanitation, fire prevention and the building provisions of this Code.

SECTION 7. Section 4-6-100 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

4-6-100 Long-term care facility.

(Omitted text is unaffected by this ordinance)

(c) *Departmental duties – Inspections.*

(Omitted text is unaffected by this ordinance)

(3) Except as otherwise provided in subsection (d)(2) of this section, the department of health, ~~the bureau of fire prevention~~ fire department and the department of

buildings shall conduct bi-annual inspections of every long-term care facility licensed or required to be licensed under this chapter.

(Omitted text is unaffected by this ordinance)

(d) *License issuance and renewal – Prohibited when.* No license to engage in the business of long-term care facility shall be issued to the following persons:

(Omitted text is unaffected by this ordinance)

(2) any applicant or licensee, as applicable, unless, prior to issuance of any initial license to engage in the business of long-term care facility, the department of health, ~~the bureau of fire prevention~~ fire department and the department of buildings inspect the premises to determine whether the facility is in compliance with the requirements of this Code and any rules and regulations promulgated thereunder pertaining, respectively, to health and sanitation, fire prevention and the building provisions of this Code.

(Omitted text is unaffected by this ordinance)

SECTION 8. Section 4-6-110 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

4-6-110 Adult family care home.

(Omitted text is unaffected by this ordinance)

(c) *Departmental duties.*

(Omitted text is unaffected by this ordinance)

(3) Except as otherwise provided in subsection (d)(2) of this section, the department of health, ~~the bureau of fire prevention~~ fire department and the department of buildings shall conduct bi-annual inspections of every adult family care home licensed or required to be licensed under this section.

(Omitted text is unaffected by this ordinance)

(d) *License issuance and renewal – Prohibited when.* No license to engage in the business of adult family care home shall be issued to the following persons:

(Omitted text is unaffected by this ordinance)

(2) any applicant or licensee, as applicable, unless, prior to issuance of any initial license to engage in the business of adult family care home, the department of health, ~~the bureau of fire prevention~~ fire department and the department of buildings inspect the adult family care home to determine whether the adult family care home is in compliance with the requirements of this Code and any rules and regulations promulgated thereunder pertaining, respectively, to health and sanitation, fire prevention and the building provisions of this Code.

(Omitted text is unaffected by this ordinance)

SECTION 9. Section 4-6-210 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

4-6-210 Hazardous materials.

(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 use or maintain any hazardous material in connection with any place of business shall be accompanied by the following information:

(Omitted text is unaffected by this ordinance)

(5) any other information that the ~~deputy~~ fire commissioner of ~~the bureau of fire prevention~~, the commissioner of health, the executive director of emergency management and communications or the commissioner of business affairs and consumer protection may require to implement the requirements of this section.

(c) *Departmental duties – Inspections.*

(1) Before any initial license is issued under this section, and, thereafter, as often as the ~~deputy commissioner of the bureau of fire prevention~~ fire commissioner deems necessary, the ~~deputy~~ fire commissioner shall investigate, or cause to be investigated, (i) the place of business described in the license application, (ii) all containers, tanks and buildings where any hazardous material(s) will be stored, (iii) all vehicles that will be used in connection with the business; and (iv) the methods and equipment that will be used in connection with the business, to determine whether such places, equipment or methods are in compliance with the fire prevention provisions of this Code.

(Omitted text is unaffected by this ordinance)

(d) *License issuance and renewal – Prohibited when.* No regulated business license to use or maintain any hazardous material in connection with any place of business shall be issued to the following persons:

(1) any applicant or licensee, as applicable, unless, in the case of an initial license application only, the ~~deputy commissioner of the bureau of fire prevention~~ fire commissioner has conducted, or caused to be conducted, an inspection meeting the requirements set forth in subsection (c)(1) of this section.

(e) *Legal duties.* Each licensee that uses or maintains any hazardous material in connection with such licensee's business shall have a duty to:

(1) notify the ~~division marshal in charge of the bureau of fire prevention~~ fire commissioner, within seven days of discontinuing the use or maintenance of any hazardous material(s) in quantities sufficient to require a license under this section, of the fact of such discontinuation. The notice required under this subsection shall be in the form of a verified written statement, signed by the licensee or the licensee's agent, attesting to the fact that the licensee is no longer using such hazardous material(s) in quantities sufficient to require a license under this section;

(Omitted text is unaffected by this ordinance)

SECTION 10. Section 4-60-070 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

4-60-070 Issuance authority – Special licenses.

(Omitted text is unaffected by this ordinance)

(b) Any qualified organization licensed and approved for the operation of charitable games under the Illinois Charitable Games Act, Illinois Revised Statutes Chapter 120, Section 1121, et seq. (1985), as amended, may apply to the local liquor control commissioner for a special term liquor license. The local liquor control commissioner may, upon the approval of the ~~bureau of fire prevention fire department~~, issue a special term liquor license to such an organization for the location and for a period not to exceed the actual time specified in the applicant's charitable games license issued by the Illinois Department of Business Affairs and Licensing. Any licensee under this section shall be subject to Sections 4-60-100, except as it may incorporate and impose any requirements for separate licensing, 4-60-110, 4-60-130, 4-60-140, 4-60-150 and 4-60-190 with respect to violations of application sections, and shall be exempt from all others.

(Omitted text is unaffected by this ordinance)

SECTION 11. Section 4-64-030 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

4-64-030 License – Application – Investigation.

(Omitted text is unaffected by this ordinance)

The ~~director of the fire prevention bureau~~ fire commissioner and the commissioner of buildings shall investigate, or cause an investigation to be made of, the premises named and described in the application for the purpose of determining the fitness and suitability of such premises for such business from a sanitary standpoint, and for determining whether or not the said premises comply with all of the provisions of this Code and laws of the ~~state~~ State regulating health, safety and sanitation, so as properly to safeguard the lives and health of the employees engaged therein.

(Omitted text is unaffected by this ordinance)

SECTION 12. Section 4-75-040 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

4-75-040 License issuance and renewal – Prohibited when.

- (a) No license under this chapter shall be issued to the following persons:

(Omitted text is unaffected by this ordinance)

- (6) In the case of an initial application for a license under this chapter, any applicant or licensee, as applicable, unless the ~~bureau of fire prevention~~ fire department and the department of buildings inspect the premises identified in the license application and determine that such premises are in compliance with all applicable requirements of this Code. If the facility identified in the license application is a day care center or child care facility, the department of health shall also inspect such facility for compliance with the requirements of this Code;

(Omitted text is unaffected by this ordinance)

SECTION 13. Section 4-75-160 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

4-75-160 Departmental duties – Annual inspection – Required.

Every facility licensed under this chapter shall be inspected annually by the fire department's ~~bureau of fire prevention department~~ department and the department of buildings. Day care centers may also be inspected by the department of health.

SECTION 14. Section 4-108-120 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

4-108-120 Building and fire regulations – Applicable.

The construction and equipment of filling stations, including tanks, and the requirements for safety clearances around same, shall be made and maintained in accordance with the provisions of this Code regulating buildings and flammable liquids. Filling stations shall be inspected by the ~~division marshal in charge of the bureau of fire prevention or his duly authorized representative~~ fire commissioner at least once every year.

SECTION 15. Section 4-152-090 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

4-152-090 Inspection.

(Omitted text is unaffected by this ordinance)

It shall be the duty of every person licensed under this chapter to comply with the fire regulations of this Code applicable thereto. The ~~director in charge of the bureau of fire prevention~~ fire commissioner shall periodically inspect each such place of business to determine compliance with whether the applicable fire regulations of this Code ~~applicable thereto are being complied with.~~

SECTION 16. Section 4-156-320 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

4-156-320 License – Application – Approval conditions.

(a) Each application and all information required to be furnished in connection therewith or a copy thereof shall be referred for approval to the buildings commissioner, the zoning administrator, and the ~~director in charge of the bureau of fire prevention~~ fire commissioner. The commissioner shall require the following individuals to submit to

fingerprinting in order to determine whether the issuance of the license is prohibited pursuant to Section 4-156-355: the individual applicant; all officers of an applicant corporation; the three members who own the highest percentage interests of an applicant partnership; the general partners of an applicant limited partnership; the three members who own the highest percentage interests and, in the case of a member- managed limited liability company, the manager of an applicant limited liability company, unless the above listed individuals are already named on a valid liquor license or are named in a liquor license application that has been filed and is being processed for the same premises for which the public place of amusement license is sought.

(Omitted text is unaffected by this ordinance)

SECTION 17. Section 4-224-030 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

4-224-030 Inspections.

The person-in-charge of the mechanical inspection section of the department of buildings and the ~~director of the bureau of fire prevention~~ fire commissioner shall visit, or shall cause their respective designee to visit, all manufacturing establishments within the city as often as such person-in-charge or ~~director~~ the fire commissioner shall deem necessary to determine compliance with the applicable provisions of this Chapter 4-224 and Code. If such premises are found to be in violation of any applicable provision of this chapter or Code, the inspecting department shall require such alterations or arrangements to be made as may be necessary to ensure the safety and health of the establishment's employees and compliance with the requirements of this chapter and other applicable provisions of this Code.

SECTION 18. Section 4-232-220 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

4-232-220 Building and fire regulations.

The construction of garages and garage equipment shall be made and shall be maintained in accordance with the building provisions of this Code. All public and accessory garages shall be conducted and operated in accordance with the fire regulations of this Code and shall be inspected by the ~~division marshal in charge of the bureau of fire prevention or his duly authorized representative~~ fire commissioner at least once every six months.

SECTION 19. Section 4-264-080 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

4-264-080 Public nuisance abatement.

It is hereby declared to be a public nuisance, and it shall be unlawful, for any secondhand dealer to permit any debris, rubbish, dirt or refuse to ~~be accumulated~~ accumulate on his licensed premises or to permit any dense smoke, cinders, dust, gas or odor which shall be offensive or prejudicial to the health or dangerous to the life of any person to escape from his licensed premises, ~~and the bureau of fire prevention or any officer designated by the said bureau~~ The fire commissioner shall take necessary action to abate such nuisance.

SECTION 20. Section 4-364-020 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

4-364-020 Inspections required.

Every warehouse or furniture warehouse operated or maintained in the city shall be inspected under and by authority of the ~~division marshal in charge of the bureau of fire prevention~~ fire commissioner at least once every year. Such inspection ~~by the said division marshal~~ shall be made for the purpose of determining whether or not such warehouses comply with all of the laws of the ~~state~~ State and the provisions of this Code relating to fire prevention and public safety in case of fire, and for the purpose of determining if such establishments are so dangerous as to constitute a nuisance or to be a menace to the safety of the public or to adjoining property.

(Omitted text is unaffected by this ordinance)

SECTION 21. Section 4-388-060 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

4-388-060 Special club license – Application – Approval conditions.

(a) Each application and all information required to be furnished in connection therewith or a copy thereof shall be referred to the building commissioner, the zoning administrator, and ~~the deputy fire commissioner in charge of the bureau of fire prevention~~, all of ~~who~~ whom shall conduct an inspection of the building, including the proposed licensed location and all other uses in the building, for compliance with the applicable provisions of the Municipal Code.

(Omitted text is unaffected by this ordinance)

SECTION 22. Section 4-388-075 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

4-388-075 Annual inspections.

The building commissioner and ~~the deputy fire commissioner in charge of the bureau of fire prevention~~ shall conduct an annual inspection of the building, including the special club license location and all other uses in the building, for compliance with the applicable provisions of the Municipal Code. The annual inspection shall be performed within 90 days ~~proceeding~~ preceding the annual effective date of the license.

SECTION 23. Section 4-388-175 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

4-388-175 Miscellaneous requirements.

(Omitted text is unaffected by this ordinance)

(i) (1) Every building in which a special club license is located shall have a written evacuation plan in place. The evacuation plan shall plan for the emergency evacuation of occupants of the building and rooftop club, and include such other information that the ~~deputy commissioner in charge of the bureau of fire prevention~~ fire commissioner shall prescribe in rules and regulations.

(Omitted text is unaffected by this ordinance)

(4) The ~~deputy commissioner in charge of the bureau of fire prevention~~ fire commissioner is authorized to promulgate rules and regulations to effectuate the purposes of this subsection (i). The rules and regulations shall set forth the minimum requirements of the plan, including the designation of required personnel and information required in the plan.

SECTION 24. Section 7-44-010 of the Municipal Code of the City of Chicago is hereby amended by inserting the language underscored, as follows:

7-44-010 Definitions.

For purposes of this chapter:

(Omitted text is unaffected by this ordinance)

“Fire commissioner” means the commissioner of the fire department of the City of Chicago or the commissioner’s departmental designee.

SECTION 25. Section 7-44-050 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

7-44-050 Notice – Required.

No person shall prevent or arrest the development of fungoid growths, disinfect premises or exterminate vermin by means of lethal, toxic, corrosive, flammable or explosive fumes or gases without first notifying the ~~division marshal in charge of the bureau of fire prevention~~ fire commissioner. Such notice shall be delivered to the ~~division marshal~~ fire commissioner not less than 24 hours before any such fumigation process is begun. Such notice shall include the description and address of the premises to be fumigated, the names and addresses of the occupant and owner of said premises and the name and address of the person in charge of such fumigation operations. Such notice shall also state the name and character of the fumigating agent to be employed and the exact time and duration of such process.

SECTION 26. Section 7-44-110 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

7-44-110 Safety measures – Exceptions.

(a) *Safety Measures.* Before the beginning of any fumigation process referred to in Section 7-44-050, all automatic electrical devices shall be removed from service and all fires and open flames shall be extinguished. The premises shall be adequately sealed to prevent escape of the fumigating agent into occupied quarters. Warning placards shall be affixed in a conspicuous manner at each means of ingress to every space undergoing any fumigation. Such placards shall display the words “Dangerous Gases – Keep Out” in letters not less than three inches in height. At the end of every such process of fumigation, it shall be the duty of the person conducting such process to ventilate thoroughly such premises and to notify the ~~division marshal in charge of the bureau of fire prevention~~ fire commissioner that such premises have been ventilated and are safe to enter.

(Omitted text is unaffected by this ordinance)

SECTION 27. Section 9-44-040 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

9-44-040 Tow trucks – Equipment and markings.

(a) No person shall drive or operate a tow truck unless the truck complies with the following:

(Omitted text is unaffected by this ordinance)

(3) Every tow truck shall be equipped with at least one cubic foot of sand or dirt, one broom, one shovel, one trash can and one fully charged fire extinguisher, dry chemical or carbon dioxide with a rating of 4-B-C units or greater and bearing the approval of a laboratory qualified by the ~~Bureau of Fire Prevention~~ fire commissioner or the fire commissioner's departmentally designee for this purpose.

(Omitted text is unaffected by this ordinance)

SECTION 28. Section 11-4-2090 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting, in correct alphabetical order, the language underscored, as follows:

11-4-2090 Definitions.

As used in this article, unless the context requires otherwise:

(a) “Commissioner” shall mean the commissioner of health.

(b) “Contractor” shall mean any person licensed and certified by the State of Illinois to perform storage tank installation, repair, removal or abandonment.

“Fire commissioner” shall mean the commissioner of the fire department of the City of Chicago or the commissioner’s departmental designee.

(c) “Operator” shall mean any person in control of, or having responsibility for, the daily operation of the tank, including activities requiring permits.

(d) “Tank” shall mean any permanent underground tank as defined by this section, and any above ground or enclosed tank greater than 110 gallons in volume and any and all connecting fittings, piping and other ancillary equipment, used or intended to be used for the storage of any regulated flammable liquids, corrosive liquids, oxidizing materials, highly toxic materials or hazardous chemicals in liquid form as provided in chapters 15-24 and 15-28 of this Code.

(e) “Underground storage tank” or “underground tank” shall mean an underground storage tank system as defined by the regulation promulgated by the Office of the State Fire Marshal in Title 41, Section 170.400, of the Illinois Administrative Code.

SECTION 29. Section 11-4-2110 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

11-4-2110 Review and approval of plans and specifications; revocation; permit not transferable.

(a) No permit shall be issued until review and approval of plans and specifications by the commissioner and payment of permit fees. Additionally, no permit shall be issued for the installation of a tank, other than an underground storage tank, before like plan review and approval by the ~~fire prevention bureau of the department of~~ fire commissioner for conformance with the fire provisions of this Code. The permit fee to install, repair, remove, abandon in place, or place any tank out of service shall be \$200 per site, per activity. Any permit issued under this article shall expire in six months from the date it is issued. A permit holder may apply for and receive one or more six-month extensions prior to the expiration of the permit. Each application for an extension must be accompanied by a fee of \$200. If a permit lapses and additional activity is to be undertaken, an application for a new permit, accompanied by the permit fee, must be submitted.

(b) A permit may be revoked by either the commissioner or ~~the fire prevention bureau of the fire department~~ fire commissioner where job site conditions are deemed not to be in compliance with any of the applicable provisions of this Code. No tank or equipment shall be installed, repaired, removed, used or abandoned in place until the installation, material and workmanship have been fully inspected, tested and approved by the commissioner or his representative and ~~the fire prevention bureau of the fire department~~ by the fire commissioner.

(Omitted text is unaffected by this ordinance)

SECTION 30. Section 13-4-010 of the Municipal Code of Chicago is amended, by inserting, in correct alphabetical order, the language underscored, as follows:

13-4-010 Definitions.

For the purpose of this Code, the following terms shall be construed as follows:

(Omitted text is unaffected by this ordinance)

“Fire commissioner” means the commissioner of the fire department of the City of Chicago or the commissioner’s departmental designee.

(Omitted text is unaffected by this ordinance)

SECTION 31. Section 13-36-020 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

13-36-020 Occupancy of public rooms – Number determination – Certification.

The buildings commissioner shall determine the number of persons which every building or room used for public purposes may accommodate according to the provisions of Chapter 13-56 of this Code, and shall certify the same to the ~~bureau of fire prevention~~ fire commissioner and the city clerk. No more than the number so certified shall be allowed in such room at any one time, in any building used for a hospital, business unit, theater, open air assembly unit, public assembly unit, church or school.

SECTION 32. Section 13-48-090 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

13-48-090 Exceptions to area limitations.

(Omitted text is unaffected by this ordinance)

(2) The covered mall area is to be equipped with approved smoke activated smoke and heat venting devices in the roof. The venting area shall be sized to provide one square foot of vent area for each 100 square feet of the largest atrium floor opening, or mechanical exhaust of 2 cfm for each square foot of the largest atrium opening. Minimum size of vent opening shall be ten square feet or 2,000 cfm mechanical exhaust. Location and installation of vents to be approved by the ~~Bureau of Fire Prevention~~ fire commissioner.

(Omitted text is unaffected by this ordinance)

SECTION 33. Section 13-56-010 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

13-56-010 Building classifications – Classes designated.

(Omitted text is unaffected by this ordinance)

Each occupancy class shall include buildings or parts of buildings as hereinafter defined and those of similar character or use. Whenever there is any uncertainty as to the classification of the building, the building commissioner shall consult with the ~~director in charge of the bureau of fire prevention~~ fire commissioner and they shall jointly fix the classification within which it falls according to the relative fire hazard involved.

SECTION 34. Section 13-76-040 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

13-76-040 Combustion detector, sounding device and heat detector system.

(Omitted text is unaffected by this ordinance)

System devices shall be located and installed as approved by the ~~Bureau of Fire Prevention~~ fire commissioner as follows:

(Omitted text is unaffected by this ordinance)

SECTION 35. Section 13-76-050 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

13-76-050 Voice communication systems.

(Omitted text is unaffected by this ordinance)

The two-way fire department communication system may be combined with the one-way system when approved by the ~~Bureau of Fire Prevention~~ fire commissioner.

SECTION 36. Section 13-76-100 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

(Omitted text is unaffected by this ordinance)

(4) Atriums are allowed when provided with automatic smoke and heat venting activated by approved products of combustion detectors. Size of vents shall be calculated as follows:

Where

A = Vent area requires

P	=	Perimeter of atrium
H	=	Distance from atrium floor to first enclosed floor above
D	=	Distance from floor of atrium to roof of atrium minus H

Location and installation of vents to be approved by the ~~Bureau of Fire Prevention~~ fire commissioner;

(Omitted text is unaffected by this ordinance)

SECTION 37. Section 13-76-120 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

13-76-120 Fire protection system – Annual test required.

The entire fire protection system as required by this chapter shall be tested on an annual basis by an individual or organization approved by the ~~Bureau of Fire Prevention~~ fire commissioner. Reports of these tests shall be submitted and approved by the ~~Bureau of Fire Prevention~~ fire commissioner.

SECTION 38. Section 13-84-110 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

13-84-110 Proscenium opening – Type 1 stages.

(Omitted text is unaffected by this ordinance)

(b) *Fire Protection System.*

(Omitted text is unaffected by this ordinance)

(4) Automatic operation of the stage fire protection system shall be by means of approved combination fixed-temperature and rate-of-rise heat detectors located throughout the stage, as approved by the ~~Bureau of Fire Prevention~~ fire commissioner. Manual operation shall be by means of approved electric releases on the stage and in the projection or lighting control booth. Installation shall conform to the requirements of a standard fire alarm system. In addition, a manual nonelectric release shall be provided for the curtain and for the deluge systems at readily accessible locations in the stage.

(Omitted text is unaffected by this ordinance)

SECTION 39. Section 13-84-130 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

13-84-130 Bowling alleys.

(Omitted text is unaffected by this ordinance)

(b) Concealed spaces between a ceiling of a bowling alley and the roof construction immediately above shall comply with the following requirements:

(Omitted text is unaffected by this ordinance)

(2) Each concealed space shall be equipped with fire and explosion vents having a net open area of not less than two percent of the horizontal area of the concealed space. Such fire and explosion vents shall be actuated by a device meeting the approval of the ~~bureau of fire prevention~~ fire commissioner and connected with a local alarm placed in the office of the bowling alley.

(Omitted text is unaffected by this ordinance)

SECTION 40. Section 13-84-140 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

13-84-140 Planning requirements for Type I schools.

(Omitted text is unaffected by this ordinance)

(b) *Fire Department Access Requirements.* Excluding exterior wall areas of auditoriums, assembly halls, field houses, gymnasiums, swimming pools and theater areas, exterior wall areas in Type I schools which exceed 100 linear feet without windows, doorways, or other openings shall be provided with fire department access panels at each floor level spaced at intervals not exceeding 50 feet. Such access panels shall be not less than 32 inches wide and 48 inches high with the bottom of the access panel not over 32 inches above the floor. Panels shall be constructed of materials and installed in such a manner to be readily removed by the fire department. Their construction and installation shall be approved by the ~~division marshal in charge of fire prevention~~ fire commissioner.

SECTION 41. Section 13-84-330 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

13-84-330 Automatic smoke and heat vents – Requirements for lower floor levels.

Exhibition areas on lower floor levels shall be provided with automatic smoke and heat venting at a rate of two cfm per square foot measured at 70 degrees Fahrenheit. Fans for this purpose are to be wired to an emergency power supply and operated by smoke detectors. All smoke detectors shall be approved by Underwriters Laboratories and the ~~Chicago Bureau of Fire Prevention~~ fire commissioner.

SECTION 42. Section 13-96-490 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

13-96-490 Assembly occupancy.

(Omitted text is unaffected by this ordinance)

(g) Exit and emergency lighting shall be provided for all tents exceeding 600 square feet in area that will be in use for 48 hours or longer or have interior partitions. Such tents shall be provided with an emergency lighting system II, ~~as defined in Section 14-48-060.~~ Exit and emergency plans for tents and canopies exceeding 600 square feet in area shall be provided for review by the fire ~~prevention~~ commissioner and electrical inspection ~~bureaus~~ bureau, and shall be approved prior to occupancy and use of the tent or canopy structure.

(Omitted text is unaffected by this ordinance)

(j) Notwithstanding any certificate of fire resistance, the ~~deputy commissioner in charge of the bureau of fire prevention~~ fire commissioner may at any time submit tent or canopy fabric to the field test specified in Chapter ten of N.F.P.A. Standard 701 (1989). Fabric that fails the field test shall not be used in the construction or erection of a tent or canopy.

SECTION 43. Section 13-96-920 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

13-96-920 Sprinkler system.

A standard automatic sprinkler system shall not be required in these facilities except where the vehicle storage area on more than four levels is enclosed on all sides. A standard inside standpipe system, as required by the provisions of this Code shall not be required in these unheated automobile parking facilities: provided, however, that a dry standpipe system, as approved by the division marshal in charge of the bureau of fire prevention fire commissioner, shall be required in such facilities which are in excess of 80 feet in height.

SECTION 44. Section 13-160-261 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

13-160-261 External exit doors – Electronic locking system.

(Omitted text is unaffected by this ordinance)

(b) No electronic locking system shall be installed or operated without the prior approval of the ~~deputy commissioner in charge of the bureau of fire prevention~~ fire commissioner. No approval shall be given until the plans for such system have been reviewed and the operation of such system tested by ~~representatives of the bureau of fire prevention~~ the fire commissioner. The ~~deputy~~ fire commissioner shall determine, based on the size of the facility and configuration of available exit doors, the number and location of doors which shall not be included in the electronic locking system. The ~~deputy~~ fire commissioner shall also determine the appropriate markings for such 24-hour exit doors which may include, but shall not be limited to, a flashing rotating beacon light which is automatically activated when the electronic locking mechanism is engaged and a sign indicating “Fire Exit” is posted in a highly visible space near the rotating beacon light.

(Omitted text is unaffected by this ordinance)

(d) The permitted period during which an electronic door locking system may be engaged shall begin no sooner than one hour after the facility has become incidentally occupied and shall terminate no later than one hour before the facility ceases to be incidentally occupied. The owner, operator, or person in control of such facility shall maintain daily records indicating the period during which the electronic locking device was engaged. Such records shall be subject to ~~the inspection of employees of the bureau of fire prevention~~ by the fire commissioner.

SECTION 45. Section 13-160-269 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

13-160-269 Electromagnetic locking devices.

(Omitted text is unaffected by this ordinance)

(c) ~~Approval~~ Approval. Special locking arrangement incorporating the use of electromagnetic locking devices shall be installed or utilized with the approval of the building

commissioner and ~~the deputy~~ fire commissioner in charge of the ~~fire prevention bureau~~ whose duty it shall be to insure compliance with fire prevention provisions.

SECTION 46. Section 13-160-780 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

13-160-780 Enforcement of Sections 13-160-710 through 13-160-770.

The provisions of Sections 13-160-710 through 13-160-770 shall be enforced by the ~~bureau of fire prevention~~ fire commissioner.

SECTION 47. Section 13-196-084 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

13-196-084 Stairwell re-entry in existing buildings.

(Omitted text is unaffected by this ordinance)

(d) No later than May 1, 2004, the ~~executive director of the department of construction and permits~~ building commissioner and the fire commissioner shall issue guidelines for the approval of stations in buildings where Option 2 described in subsection (a) has been selected.

(Omitted text is unaffected by this ordinance)

SECTION 48. Section 13-196-200 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

13-196-200 Standard fire alarm system requirements.

An approved fire alarm system shall be provided as required in this section.

(a) A standard fire alarm system meeting the requirements of this chapter and Chapter 15-16 of this Code shall be provided in the following occupancies:

(Omitted text is unaffected by this ordinance)

(5) Single-room occupancy buildings: new and existing single-room occupancy buildings two stories or more in height, which are not equipped with a complete automatic sprinkler system, shall be equipped with a Class I fire alarm. The approved standard Class I control equipment may use microprocessor based program-controlled communication circuits when the control equipment is of a type tested and conforming to Underwriters Laboratories standard 864-1991 for the intended use. The stored program (software) installed figuration for such systems shall be incapable of change, except that a manufacturer's authorized technician may make changes for proper system operation when such changes are approved by the ~~deputy commissioner of the fire prevention bureau~~ fire commissioner. Any changes, repairs or maintenance on such systems shall be performed only by or under the direction of a licensed supervising electrician.

(Omitted text is unaffected by this ordinance)

(b) Hotels: Buildings of Type I construction over four stories but not over 80 feet in height shall be equipped with an approved fire alarm system including smoke detectors, heat detectors and water flow alarm devices installed in accordance with NFPA 72A-1985 and annunciated visually and audibly for each individual floor at a fire panel located near a main entrance to the building. A one-way voice communication system controlled from the fire panel location and meeting the requirements of Section 13-196-210(e)(2) of this Code shall be provided. Use of the one-way voice communication system in a fire emergency by other than department of fire personnel shall be prohibited.

(Omitted text is unaffected by this ordinance)

(3) A fire panel consisting of fire alarm controls, annunciator panel, and one-way voice communications system controls shall be provided in a location approved by the ~~bureau of fire prevention~~ fire commissioner. Fire panels installed prior to the passage of this ordinance located on grade level in a readily accessible location shall be accepted.

(4) Plans for all systems to be installed shall be submitted to the ~~bureau of fire prevention~~ fire commissioner for approval and systems used shall meet the approval of the ~~fire prevention bureau~~ fire commissioner.

(Omitted text is unaffected by this ordinance)

(d) The requirements of subsection (a)(5) of this section shall be enforced against all single-room occupancy buildings effective June 30, 1995. All existing single-room occupancy buildings which will require installation of a Class I alarm system shall submit plans to the ~~fire prevention bureau~~ fire commissioner for approval of such system on or before January 1, 1995.

SECTION 49. Section 13-196-205 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

13-196-205 Automatic sprinkler system installation in existing high-rise buildings.

Subject to the exceptions listed below, every existing building exceeding 80 feet in height above grade shall be protected throughout by an approved automatic sprinkler system meeting the requirements of Chapter 15-16 of this Code unless otherwise provided by Section 13-196-207. The owner of each such building shall, no later than September 1, 2005, submit for approval to the ~~bureau of fire prevention~~ fire commissioner a plan for compliance with the requirements of this section. The requirements of this section shall be enforceable against the building owner and against any subsequent owner.

(Omitted text is unaffected by this ordinance)

SECTION 50. Section 13-196-206 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

13-196-206 Life safety evaluation of existing high-rise buildings.

(Omitted text is unaffected by this ordinance)

(C) If, based on the use of a scoring system described by rule to conduct the life safety evaluation, the licensed professional engineer or licensed architect determines that the building achieves the minimum score required on the life safety evaluation, the licensed engineer or architect shall certify the evaluation as a life safety compliance plan and shall give the life safety compliance plan to the building owner. No later than January 1, 2006, the building owner shall submit the life safety compliance plan to the department of buildings and ~~the bureau of fire prevention~~ fire department. The life safety compliance plan shall be enforceable against the building owner and against any subsequent owner.

(D) If, based on the use of a scoring system described by rule to conduct the life safety evaluation, the licensed professional engineer or licensed architect determines that the building does not achieve the minimum score required on the life safety evaluation, the building owner shall, no later than January 1, 2006, submit the life safety evaluation to the department of buildings and ~~the bureau of fire prevention~~ fire department along with either: (1) a proposal to protect the building throughout with an automatic sprinkler system meeting the requirements of

Chapter 15-16 of this Code unless otherwise provided by Section 13-196-207, notwithstanding any exceptions for which the building may have otherwise qualified pursuant to Section 13-196-205, and using the schedule for installation described in Section 13-196-205; or (2) a proposal for achieving the minimum score required on the life safety evaluation by making specified modifications to the building.

(Omitted text is unaffected by this ordinance)

If, after reviewing the certified proposal, the commissioner of buildings and ~~the deputy commissioner of the bureau of fire prevention~~ fire commissioner determine that the certified proposal, when fully implemented, will enable the building to achieve the minimum score required on the life safety evaluation, the commissioner and ~~deputy~~ fire commissioner shall jointly accept the certified proposal as a life safety compliance plan. The life safety compliance plan shall be enforceable against the building owner and against any subsequent owner.

(Omitted text is unaffected by this ordinance)

(F) (1) *Disclosure statement required when – Content of statement – Inspection of statement.* Except as otherwise provided in subsection (F)(4) or (F)(5) of this section: The owner, condominium association or governing body, as applicable, of any building for which a life safety compliance plan is required under this section shall keep and maintain on file at such building a written disclosure statement containing the following information: (1) whether a life safety compliance plan for such building has been submitted to the department of buildings and ~~bureau of fire prevention~~ fire department; (2) whether such life safety compliance plan has been approved in writing by the department of buildings and ~~bureau of fire prevention~~ fire department; and (3) whether all of the modifications to the building required in the approved life safety compliance plan have been fully implemented at such building.

(Omitted text is unaffected by this ordinance)

SECTION 51. Section 13-196-208 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

13-196-208 Smokeproof towers in existing high- rise buildings – Fire shields.

(Omitted text is unaffected by this ordinance)

(D) Each fire shield sash shall be tested annually to verify automatic operation as required in subsection (c) of this section. Testing shall be performed by an individual or organization approved by the ~~deputy commissioner in charge of the bureau of fire prevention~~ fire

commissioner. Reports of the testing shall be filed with the ~~bureau~~ fire commissioner by June 30 of each year.

SECTION 52. Section 13-196-210 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

13-196-210 High rise fire systems.

(a) In buildings equipped with an approved system of automatic sprinklers, an approved fire alarm system including all water flow alarm devices shall be required. Sprinklers may be omitted in guest room closets not over 24 square feet in area. Other areas not sprinkled, because of unreasonable hardship or as permitted by Section 15-16-350 of this Code, shall be protected by approved smoke detectors or other fire detection measures approved by the ~~bureau of fire prevention~~ fire commissioner. Detectors shall not be required in guest room bathrooms. No automatic smoke detector shall be required in guest room corridors nor elevator lobbies of existing buildings having automatic sprinkler systems installed prior to the passage of this ordinance on guest room floors except that sprinklers may be omitted in guest room bathrooms over 55 square feet in area with noncombustible plumbing fixtures and with walls and ceilings surfaced with noncombustible materials.

(Omitted text is unaffected by this ordinance)

(f) A fire panel consisting of fire alarm controls, annunciator panel, and one- and two-way voice communications system controls shall be provided in a location approved by the ~~bureau of fire prevention~~ fire commissioner. Fire panels and controls installed prior to the passage of this ordinance located on grade level in a readily accessible location shall be accepted.

(g) Plans for systems to be installed shall be submitted to the ~~bureau of fire prevention~~ fire commissioner for approval and systems used shall meet the approval of the ~~fire prevention bureau~~ fire commissioner.

(Omitted text is unaffected by this ordinance)

SECTION 53. Section 13-196-220 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

13-196-220 Class II standard fire alarm systems.

A Class II standard fire alarm system may be installed in lieu of a Class I standard fire alarm system in any building when, in the opinion of the ~~division marshal in charge of the bureau of fire prevention~~ fire commissioner, the number of people involved and the physical construction of such building makes a Class II standard fire alarm system acceptable. Class II standard fire alarm system shall comply with the provisions of Chapter 15-16.

SECTION 54. Section 13-196-250 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

13-196-250 Permitted omission of sprinklers, heat and smoke detectors.

No automatic heat detector shall be required in any room or portion of a building which is equipped with an approved installation of automatic sprinklers and provided with a water flow alarm which is connected to the fire alarm system. No automatic smoke detector shall be required in guest room corridors nor elevator lobbies of hotel buildings equipped with an approved system of automatic sprinklers. Sprinklers may be omitted in guest room closets not over 24 square feet in area. Other areas not sprinklered, because of unreasonable hardship or as permitted by Section 15-16-350 of the ~~code~~ Code, shall be protected by approved smoke detectors or other fire detection measures approved by the ~~bureau of fire prevention~~ fire commissioner. Detectors shall not be required in guest room bathrooms. No automatic smoke detector shall be required in guest room corridors nor elevator to the lobbies of existing buildings having automatic sprinkler systems installed prior to the passage of this ordinance on guest room floors except that sprinkler systems installed prior to the passage of this ordinance on guest room floors except that sprinkler systems may be omitted in guest room bathrooms over 55 square feet in area with noncombustible plumbing fixtures and with walls and ceilings surfaced with noncombustible materials.

SECTION 55. The heading of Article I of Chapter 15-4 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through, as follows:

Article I. ~~Bureau of Fire Prevention~~

SECTION 56. Chapter 15-4 of the Municipal Code of Chicago is hereby amended by inserting, in Article I of that chapter, a new Section 15-4-005, underscored as follows:

15-4-005 Definitions.

As used in this Title 15:

“Fire commissioner” shall mean the commissioner of the fire department of the City of Chicago or the commissioner’s departmental designee.

SECTION 57. Section 15-4-020 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-4-020 Bureau Department powers, duties and responsibilities—Permit fees.

For additional provisions covering the establishment, powers, duties and responsibilities of the ~~bureau of fire prevention~~ fire department and fire commissioner, see Chapter 2-36 of this Code. For permit fees, see section 13-32-310.

SECTION 58. Section 15-4-030 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-4-030 Annual inspections.

The fire commissioner shall cause the following buildings or structures to be inspected annually: (1) all theaters, churches, schools, public assembly units, and open air assembly units; and also (2) all buildings over one story in height, except (i) single dwellings, (ii) multiple-use buildings, consisting of business and dwelling units two stories or less in height, and (iii) multiple dwellings three stories or less in height, unless such multiple dwellings ~~in are~~ lodginghouses or roominghouses with sleeping accommodations for 20 or more persons. ~~Annual~~ Such annual inspections shall be conducted by the ~~director of fire prevention bureau and the employees of the fire department~~ fire commissioner. It shall be the duty of every owner, agent, lessee or occupant of any such building and of the person in charge or control of the same to permit the making of such annual inspection by the ~~director of fire prevention bureau~~ fire commissioner or by a duly authorized member of the fire department at any time upon demand being duly made.

SECTION 59. Section 15-4-040 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-4-040 Notice of noncompliance.

~~Where the result of such~~ If an inspection shall show ~~conducted by the fire commissioner~~ shows that ~~such the inspected~~ building fails in any respect to comply with the building provisions of this Code, it shall be the duty of the ~~deputy fire commissioner in charge of the fire prevention bureau~~ fire commissioner to notify the owner, agent, lessee, or occupant of such ~~buildings~~ building of this ~~effect~~ fact and to specify wherein such building fails to comply with the requirements of the building provisions of this Code; and it shall thereupon become the joint and several duty of such owner, agent, lessee, or occupant to proceed forthwith to make whatever changes or alterations may be necessary to make such building comply with applicable provisions of this Code, and to complete such changes and alterations within 15 days after the receipt of such notice. The ~~deputy fire~~ commissioner may cause an additional inspection or inspections to be made in order to determine whether the owner, agent, lessee or occupant has completed the necessary work. The fee for each such additional inspection shall be \$50.00.

SECTION 60. Section 15-4-090 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language, as follows:

15-4-090 Dangerous buildings a nuisance.

Any building, structure, enclosure, place or premises, perilous to life or property by reason of the construction of such building or structure or by reason of the condition or quantity of its contents, or the use of the building or its contents, or the use of the enclosure or the overcrowding at any time of persons therein, or by reason of deficiencies in such fire alarm or fire prevention equipment, as may be required by the fire regulations of this Code, or where conditions exist which would hamper or impede the fire department in combating a fire in or on the building, is hereby declared to be a nuisance and the ~~division marshal in charge of the bureau of fire prevention~~ fire commissioner is empowered and directed to cause any such nuisance to be abated.

SECTION 61. Section 15-4-100 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-4-100 Right to survey.

(a) *Right to Demand Survey.* The owner, lessee or occupant of any building, structure, enclosure, place or premises affected by any order or notice of the ~~bureau of fire prevention~~ fire commissioner, may make written demand upon the ~~division marshal in charge of the bureau of fire prevention~~ fire commissioner, for a survey of such building, structure,

enclosure, place or premises, to determine whether or not such order is valid and reasonable, ~~which~~ Such demand for a survey ~~must~~ shall be served upon the ~~said division marshal~~ fire commissioner by leaving a copy thereof at ~~his~~ the fire prevention bureau office ~~in the city hall,~~ within seven days, Sunday and holidays excepted, after the service of the order or notice referred to in such demand. Said demand for a survey shall contain the name of the person to act as a surveyor on behalf of the one making the demand.

(b) *Duty of ~~Division Marshal~~ Fire Commissioner.* Upon receipt of a demand for survey, the ~~said division marshal~~ fire commissioner shall immediately issue an order for the same, naming therein the person to act as surveyor on behalf of the ~~bureau of fire prevention~~ fire department, ~~who~~ Such person shall be an officer or employee of ~~said bureau~~ the fire department, and said order shall ~~also~~ state the name of the person ~~theretofore~~ selected by the ~~one making the demand for~~ fire commissioner to conduct the survey.

(c) *Survey Procedure.* In the event that the two persons thus named are unable to agree concerning the survey and their report thereon, they shall select a third person to act with them on such survey, and a report signed by any two of the three surveyors thus selected shall be conclusive. In the event that the two surveyors selected as above set forth cannot agree concerning the survey and their report thereon and cannot agree upon the selection of a third person to act with them in connection with such survey, said third person shall be selected and appointed by the chief justice of the circuit court on application made in writing by the ~~aforsaid division marshal~~ fire commissioner, of which application the said ~~fire marshal~~ fire commissioner shall give at least 24-hours notice, in writing, to the applicant for such survey, and a report signed by any two of the three surveyors thus selected shall be conclusive. The date and hour when the survey shall be made shall be stated in the order therefor, and no change shall be made in such date and hour, except by written stipulation duly signed by said ~~division marshal~~ fire commissioner and the applicant for such survey. A copy of such order shall be served upon the person demanding the survey by personal delivery to him at least 24 hours previous to the hour fixed in the order for the holding of such survey, and he shall have the right to be present and to be heard at such survey in person or by agent or attorney. The surveyors shall meet at the time and place described in the order of their appointment, and shall survey the building, structure, enclosure, place or premises referred to in said order, and to consider the merits of the order of the ~~bureau~~ fire commissioner in respect to which the survey has been demanded.

(d) *Report of Survey.* After such survey and consideration, the surveyors shall prepare and sign a report of their proceedings and determination which shall be filed ~~in the bureau of fire prevention~~ with the fire commissioner, and a copy thereof shall be given the person demanding such survey upon his application therefor. The determination of the surveyors in any such case shall be final and conclusive.

(e) *Surveyor's Fees.* Each person, other than an officer or employee of the ~~bureau of fire prevention department~~, designated to act as a surveyor, pursuant to the provisions of this section, shall be paid the sum of \$25.00 for such survey in which he participates upon the filing of the report thereof ~~in the bureau~~ with the fire commissioner.

(f) *Payment of Expenses.* As a condition precedent to the ordering of a survey, the person demanding the same shall deposit with the ~~division marshal in charge of the bureau of fire prevention~~ fire commissioner the sum of \$100.00 to indemnify the city for the expense of the survey, in the event that the surveyors confirm the order of the ~~bureau~~ fire commissioner. Such sum shall be returned to the depositor, in the event that the surveyors shall report such order as invalid or unreasonable. In case the report of the surveyors is to the effect that the order of the ~~division marshal~~ fire commissioner, which was the subject of such survey, was in all respects valid and reasonable, all the expenses of the survey shall be paid out of the fund herein required to be deposited with the ~~division marshal~~ fire commissioner by the person demanding such survey, and the balance remaining, if any, shall be returned to such person.

(Omitted text is unaffected by this ordinance)

SECTION 62. Section 15-4-102 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-4-102 Safety warden.

(Omitted text is unaffected by this ordinance)

The safety warden shall conduct a safety review of the premises on a weekly basis to identify safety hazards that are readily recognizable and easily corrected, such as nonfunctioning lights; improper use or storage of cleaning materials and combustible materials; obstruction of stairwells, corridors and exits; accumulation of dirt and debris; and use of fire closets, elevators, and mechanical or electrical areas for storage space. The safety warden shall record the results of the weekly safety review in a ledger, which shall be available for inspection by personnel of the ~~fire prevention bureau~~ fire department and the department of buildings at all reasonable times. No later than April 30th, August 31st and December 31st of each year, the safety warden shall certify to the ~~fire prevention bureau~~ commissioner, on forms supplied by the ~~bureau~~ fire commissioner, compliance with the review and recording requirements of this section since the last periodic report. The owner or manager of the assembly unit shall notify the ~~fire prevention bureau~~ fire department and the department of buildings of the names of the safety warden and alternate safety warden. Any person who violates any provision of this section or who falsifies an entry in a ledger or certification required under this section, shall be subject to a fine of not less than \$200.00.

(Omitted text is unaffected by this ordinance)

SECTION 63. Section 15-4-110 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-4-110 Hazardous use units.

Every license required to engage in any business; or to occupy or use any premises, structure or building for any purpose classified as a hazardous use unit in Chapter 13-112 of this Code, and every extension or renewal thereof, shall require the approval of the ~~division marshal in charge of the bureau of fire prevention~~ fire commissioner, as a condition precedent to the issuance of every such license and to every extension or renewal thereof. The ~~division marshal in charge of the bureau of fire prevention~~ fire commissioner shall make, or cause to be made, an inspection of every hazardous use unit for which an application for license, or for an extension or renewal thereof, has been made. If such inspection shall prove the entire compliance of such hazardous use unit with the applicable requirements of this Code, the ~~division marshal in charge of the bureau of fire prevention~~ fire commissioner shall issue, or cause to be issued, a certificate of compliance and approval. Such certificate shall be subject to revocation for cause; by the ~~division marshal in charge of the bureau of fire prevention~~ fire commissioner; at any time and, upon notification of the revocation of such certificate, the ~~major~~ mayor shall revoke any license conditioned upon said certificate. The provisions of this section shall be construed as remedial and retroactive as well as prospective.

SECTION 64. Section 15-4-257 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-4-257 Storage of solid fuel not for retail.

(Omitted text is unaffected by this ordinance)

(b) It shall be the duty of every person establishing and maintaining such lot, plot of ground, railroad siding, switch track or other place within the fire limits of the city to store all soft coal away from the brickwork of boilers and furnaces. Whenever solid fuel in storage shows indication of spontaneous ignition or gives off gases, it shall be the duty of the licensee, agent or person in charge or control of the premises to turn over or overhaul such solid fuel and remove all portions of the same showing indication of ignition or coking. Such work shall be done under the supervision of ~~a representative of the division marshal in charge of the bureau of fire prevention~~ the fire commissioner. The floor or ground surface of the premises shall at all times be kept free from flammable waste material and accumulations of combustible waste

materials. Gasoline, fuel oil or other flammable liquids shall not be placed or stored upon the licensed premises unless separated from such solid fuel by fireproof walls.

SECTION 65. Section 15-4-258 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-4-258 Fuel oil dealers.

(Omitted text is unaffected by this ordinance)

(b) The ~~director of the bureau of fire prevention~~ fire commissioner shall investigate such application and the matters and things therein stated.

(c) All places of business of fuel oil dealers shall be kept in a clean condition, free from accumulations of rags, wastepaper and other combustible waste materials. Smoking shall be prohibited thereon. Adequate toilet facilities shall be provided. All such premises and all vehicles used in connection with the business of fuel oil dealers shall be conducted and operated in accordance with the provisions of this Code in Chapters 15-26 and 13-84 and shall be inspected by the ~~division marshal in charge of the bureau of fire prevention or his duly authorized representative~~ fire commissioner at least once every year.

(Omitted text is unaffected by this ordinance)

SECTION 66. Section 15-4-259 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-4-259 Fuel oil storers.

(Omitted text is unaffected by this ordinance)

(b) The ~~director of the bureau of fire prevention~~ fire commissioner, upon receipt of such application, shall investigate or cause to be investigated the place of business described in such application and the methods and equipment intended to be used by such applicant in the storage and handling of fuel oil.

(c) All containers or tanks used for the storage of fuel oil and all buildings and premises wherein fuel oil is stored shall be constructed and maintained in accordance with the provisions of the building and fire prevention chapters of this Code.

All containers or tanks used for the storage of fuel oil, either above or below ground or within a building, and the premises used for the storage of such oil, shall be inspected by the

division marshal in charge of fire prevention or his duly authorized representative fire commissioner at least once each year.

(Omitted text is unaffected by this ordinance)

SECTION 67. Section 15-4-260 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-4-260 General requirements.

Where a certificate of fitness is required in connection with licenses covered in Sections 15-4-210 to 15-4-240, and in connection with Section 15-4-290, the licensee shall obtain the certificate of fitness. He shall file with the ~~division marshal in charge of the bureau of fire prevention~~ fire commissioner, in writing, the name of the person or persons in charge of the operation and shall certify that each person complies with the requirements outlined below and with any special requirements outlined in Sections 15-4-210 to 15-4-240, inclusive, and Section 15-4-290:

(Omitted text is unaffected by this ordinance)

The licensee shall notify the ~~division marshal~~ fire commissioner in case of change of personnel among those designated to have direct charge of the operation, ~~and when~~ When new names are submitted for such persons, similar certificates shall be made by the licensee as to the above mentioned and special qualifications for such person or persons so substituted.

SECTION 68. Section 15-4-290 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-4-290 Flammable liquid tank truck drivers.

Every driver of a motor tank vehicle conveying Class I flammable liquids, as defined in Section 15-24-020 of this Code, including those drivers of vehicles with loads originating outside the city limits for deliveries in the city, but not drivers of carriers holding certificates of public convenience and necessity, or permits as a contract carrier, issued by the Interstate Commerce Commission and/or Department of Transportation under federal Motor Carrier Act of 1935 as amended, shall be required to receive a certificate of fitness from the ~~bureau of fire prevention~~ fire commissioner. The annual fee for such certificate of fitness shall be: originals – \$5.00; renewals – \$2.00, to be paid to the comptroller.

(Omitted text is unaffected by this ordinance)

SECTION 69. Section 15-4-310 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-4-310 License application.

(Omitted text is unaffected by this ordinance)

Upon request from the commissioner of business affairs and consumer protection, the ~~division marshal in charge of the bureau of fire prevention~~ fire commissioner shall make, or cause to be made, an investigation for the purpose of ascertaining whether the place at which it is desired or intended to keep, sell, offer for sale, use or give away such explosives or other aforementioned substances is so situated that a license to keep such loaded paper shells, metallic shot, loaded cartridges, blank cartridges, percussion caps, primers, detonators or flashlight powder in the quantity desired would not be so dangerous as to constitute a nuisance or be a menace to the safety of the public or of adjoining property, and also whether the conditions under which such explosives, cartridges, percussion caps, flashlight powder, or any of them, are to be kept or handled shall be such as to provide the maximum of safety.

SECTION 70. 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.

Each applicant for a license under this chapter shall furnish and file with the ~~division marshal in charge of the bureau of fire prevention~~ fire commissioner a proof of general liability and property damage insurance issued by an insurer authorized to underwrite risks in this state, and with a Best's rating of A-11 or better.

(Omitted text is unaffected by this ordinance)

SECTION 71. Section 15-4-340 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-4-340 Certificate of fitness.

Before any operation shall begin under a license for the transportation of any explosives, or for the use of explosives in any manner, or for blasting, the licensee shall file with the ~~deputy commissioner in charge of the bureau of fire prevention~~ fire commissioner, in writing, the name

or names of the person or persons designated by ~~him~~ the fire commissioner to handle said explosives or to load holes or discharge explosives, to prepare charges and load the holes, to transport by vehicle or otherwise, or to have the care of magazines.

Any such person, before being permitted to exercise any of such functions, shall file a written application with the ~~deputy commissioner in charge of the bureau of fire prevention~~ fire commissioner for a "certificate of fitness", and before the issuance of any such certificate the ~~deputy~~ fire commissioner shall examine such applicant as to his qualifications to fill such position or positions, under the conditions herein described. No person shall be permitted to have the actual care and handling of such explosives without first having obtained a certificate of fitness as herein provided. Such certificate of fitness shall be subject to inspection by any member of the fire and police departments at all times. The annual fee for such certificate of fitness shall be as set forth in Section 4-5-010.

(Omitted text is unaffected by this ordinance)

SECTION 72. Section 15-4-350 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-4-350 Inspection.

The ~~deputy fire commissioner in charge of the bureau of fire prevention~~ shall appoint one or more inspectors whose duty it shall be to make frequent inspection of all premises and work of all licensees. Said inspection shall include: (1) a detailed and exact examination of the manner in which licensees are complying with the provisions of Chapter 15-20, and (2) a statement as to whether all due and reasonable precautions to avoid accidents are being taken, and shall include (3) a verification that all employees who are performing work for which a certificate of fitness is required are in possession of such certificate. Each inspector shall make a report in writing to the ~~deputy fire commissioner in charge of the bureau of fire prevention~~ at the close of each day's inspection, stating conditions observed, and such reports shall be kept on file by the ~~deputy~~ fire commissioner.

SECTION 73. Section 15-4-370 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-4-370 Weekly report of sales.

Any person selling, offering for sale, or giving away any of the aforementioned substances or explosives to any person within the city shall file a weekly statement of such sales

or deliveries to the ~~division marshal in charge of the bureau of fire prevention~~ with the fire commissioner. Such statement shall be verified as to its correctness by an affidavit and shall specify the deliveries for the preceding week for use within the city and in detail as follows:

(Omitted text is unaffected by this ordinance)

Such statements shall be on forms provided by the ~~division marshal in charge of the bureau of fire prevention~~ fire commissioner, and ~~must~~ shall be delivered by mail or messenger not later than the second business day in each week.

SECTION 74. Section 15-4-400 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-4-400 Permit for blasting.

Every person engaged in, as principal, or connected with, any activity involving explosives or blasting operations, shall make an application to the ~~division marshal in charge of the bureau of fire prevention~~ fire commissioner for a permit to keep and use explosives, giving at the time, in writing, the name of the licensee, location of the office or place of business, occupation, proposed location of the magazine, together with plans and descriptions of the construction of such magazine, the quantity and kind of explosives proposed to be kept therein, and the names of the employees required to have certificates of fitness.

If the proposed location of the magazine shall be satisfactory to the ~~said division marshal~~ fire commissioner, ~~he~~ the fire commissioner shall approve such application and transmit the same with his approval thereon to the city clerk, who shall, upon payment by such applicant to the comptroller of a permit fee of \$5.00, issue to such applicant a permit to locate the magazine at the location given in such application.

It shall be unlawful for any licensee to move or cause to be moved any magazine, after having received a permit for the use of same, until such licensee shall make a new application to the ~~said division marshal~~ fire commissioner for permission so to do and shall have secured a permit for such purpose, and every application for such permit shall specify the place at which it is desired to locate the magazine proposed to be moved.

The ~~division marshal in charge of the bureau of fire prevention~~ fire commissioner shall recommend the revocation of any permit issued to blast rock or any other substance for noncompliance with any of the provisions of this section.

SECTION 75. Section 15-4-410 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-4-410 Application and permit.

Before installing a permanent fixed liquefied petroleum gas tank greater than 2,000 gallons individual water capacity or when the aggregate water capacity exceeds 4,000 gallons, the owner, lessee or agent of the premises where the tank is to be installed shall file with the ~~bureau of fire prevention~~ fire commissioner a written application for permission to install said tank. The application shall set forth the location of the tank, the purpose for which the gas is to be used, the nature of occupancy, the dimensions, specifications and capacity of the tank and such other information as may be required. The application shall have affixed a statement, signed by the installer, stating that the tank, devices, equipment and safety clearances conform to the provisions of this Code. Attached to the application shall be a plat, drawn to scale, showing the location of the tank, all adjoining streets, alleys, railroads, building, occupancies and premises within 300 feet of the tank.

For installation of systems utilizing containers 2,000 gallons water capacity or less or 4,000 gallons aggregate capacity or less, the following procedure should be followed. A supplier having a valid liquefied petroleum gas supplier's certification as hereinafter provided shall file within three days with the ~~division marshal in charge of the bureau of fire prevention~~ fire commissioner a certification that the system and its installation complies with the requirements of this Code. The system can be filled and used upon the filing of such certification.

If the tank is designed in accordance with the American Society of Mechanical Engineers Boiler and Pressure Vessel Code, Section VIII Unfired Pressure Vessels, the ~~division marshal~~ fire commissioner shall, upon receiving the application and plat, submit the application to the department of buildings for zoning approval, and for approval of the tank and all equipment subject to pressure.

Upon receipt of the approval of the department of buildings, if required, the ~~director~~ fire commissioner shall make, or cause to be made, an inspection of the site where said tank is to be installed to determine whether or not said location provides the safety clearance required by Chapter 15-26.

Upon satisfactory evidence that the site, tank and equipment as described in the application, specifications and plat conform to the provisions of the chapter, the ~~division marshal~~ fire commissioner shall issue to said applicant a permit for the installation of the tank. Upon the completion of the installation and before any liquefied petroleum gas has been put into the tank or container, the applicant shall notify in writing the department of buildings and the ~~bureau of fire prevention~~ commissioner that the installation is ready for final external inspection. Upon receipt of the reports from the ~~aforesaid department and the bureau~~ department of buildings and

applicable fire department bureau that the installation has been approved, the ~~director~~ fire commissioner shall issue to the owner, lessee or agent or other person in charge of the property, a certificate stating that the installation conforms to the provisions of this Code.

(Omitted text is unaffected by this ordinance)

SECTION 76. Section 15-4-420 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-4-420 Temporary portable and fixed installations.

(Omitted text is unaffected by this ordinance)

A temporary fixed liquefied petroleum gas system shall not be used, unless first inspected for compliance with the applicable requirements of Chapter 15-26 of this Code by a supplier having a valid liquefied petroleum gas suppliers' certification as hereinafter provided. The supplier shall certify, within three days, to the ~~division marshal in charge of the bureau of fire prevention~~ fire commissioner that the temporary fixed system complies with the requirements of this Code.

(Omitted text is unaffected by this ordinance)

Every liquefied petroleum gas supplier shall notify, within three days, the ~~division marshal in charge of the bureau of fire prevention~~ fire commissioner that liquefied petroleum gas has been sold or delivered to any firm or site.

A liquefied petroleum gas supplier's certification shall be issued to any supplier who demonstrates to a board, hereinafter established, that he has knowledge of the applicable provisions of this Code.

There is hereby established a board which shall pass upon the qualifications of applicants desiring to be certified as a liquefied petroleum gas supplier. The board shall consist of the ~~division marshal~~ deputy fire commissioner in charge of the bureau of fire prevention, the chief fire prevention engineer of the bureau of fire prevention, and a person selected by ~~said division marshal~~ the deputy fire commissioner who is experienced in handling of liquefied petroleum gas and has the recommendation and approval of the National Liquefied Petroleum Gas Association.

(Omitted text is unaffected by this ordinance)

SECTION 77. Section 15-4-430 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-4-430 Board of examiners.

There is hereby established a board of examiners which shall pass upon the qualifications of applicants desiring to be licensed as fire extinguisher servicemen to charge, fill, maintain, recharge, refill, repair and test fire extinguishers. The board shall consist of three members as follows: the ~~division marshal~~ deputy fire commissioner in charge of the bureau of fire prevention, the chief fire prevention engineer of the bureau of fire prevention, and a person selected by said ~~division marshal~~ deputy fire commissioner who is experienced in the work of servicing fire extinguishers and has the recommendation and approval of at least one organization in the fire equipment field.

SECTION 78. Section 15-5-440 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-4-440 Duties and powers.

~~Said~~ The board of examiners shall prescribe and hold written examinations for applicants for ~~license as fire extinguisher serviceman~~ licenses and practical tests of the applicant's knowledge ~~of the servicing of fire extinguishers and how to service them~~. Said board shall issue licenses to qualified applicants. The board is authorized to impose a reasonable fee for the administration and processing of such written examinations and practical tests and for issuing fire extinguisher serviceman licenses under this Article VII. ~~and The board~~ is empowered to revoke the license of any licensee who fails to properly service a fire extinguisher, or for any other just cause.

SECTION 79. Section 15-4-450 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-4-450 License required.

No person shall engage in the business of servicing fire extinguishers ~~unless he shall~~ without first have having obtained a license as ~~herein~~ provided in this Article VII.

SECTION 80. Section 15-4-460 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-4-460 License application.

Every applicant for a license as a fire extinguisher serviceman shall file with the ~~division marshal in charge of fire prevention~~ board of examiners a written application, signed by the applicant, stating ~~his~~ the applicant's address, age, present occupation, business activities during the previous five years, experience with the repair, recharging, testing and use of fire extinguishers, knowledge of the ordinances pertaining to fire extinguishers and such other information as the board of examiners may ~~be deemed~~ deem to be necessary or appropriate.

(Omitted text is unaffected by this ordinance)

SECTION 81. Section 15-4-470 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-4-470 Issuance of license.

A license shall be granted to all qualified applicants who ~~shall~~ have passed ~~such the examination~~ examinations required under Section 15-4-440 and who ~~shall~~ have delivered to ~~said division marshal~~ the fire commissioner satisfactory evidence of the existence of a public liability insurance policy issued by an insurance company of national standing, insuring the public in an amount of not less than \$300,000.00 against property damage and in a like amount against personal injury caused by the negligence of such applicant in servicing fire extinguishers. The insurance coverage shall include both manufacturers and contractors liability and products liability types.

SECTION 82. Section 15-4-480 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-4-480 License fee.

Upon ~~the approval of the application~~ by the board of examiners of an application for a license under this Article VII and the acceptance by the fire commissioner of the public liability insurance policy, ~~deputy commissioner~~ the fire commissioner shall forward such approved application to the comptroller. Upon payment of an annual license fee of \$30.00, a license shall be issued. Such license shall expire on the thirty-first day of December of the year in which it is issued. The ~~deputy fire~~ fire commissioner shall ~~provide the licensee with an identification card which shall carry a one inch by one inch photograph of the licensee and the license number of the licensee, which card shall be signed by the deputy fire commissioner~~ cause all licensees' information to be kept on a database readily accessible by first response agencies.

SECTION 83. Section 15-4-490 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-4-490 License renewal.

Any ~~such~~ license issued under this Article VII may be renewed upon payment of an annual renewal fee of \$50.00. Any change of address of the licensee or any change of licensee's employer shall be reported within ten days to the fire ~~prevention bureau~~ commissioner.

SECTION 84. Section 15-4-500 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-4-500 Violation – Penalty.

Any person who violates any ~~provisions~~ provision of Sections 15-4-430 to 15-4-490, inclusive, shall be fined not more than \$200.00 for each offense.

SECTION 85. Section 15-4-510 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-4-510 Rules and regulations.

The ~~division marshal in charge of fire prevention~~ fire commissioner, at his discretion, may make or cause to be made an inspection of the contents and working condition of any fire extinguisher, and may promulgate such reasonable rules and regulations as ~~he~~ the fire commissioner deems necessary or appropriate to carry out the purposes of the provisions of Sections 15-16-620 to 15-16-680, inclusive, and Sections 15-4-430 to 15-4-510, inclusive.

SECTION 86. Section 15-4-530 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-4-530 Matches.

No person shall manufacture, transport, store or sell matches exceeding in aggregate 60 matchman's gross (14,400 matches each gross) without securing a permit from the ~~division marshal in charge of the bureau of fire prevention~~ fire commissioner.

SECTION 87. Section 15-4-540 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-4-540 Application.

Application for ~~said~~ the permit required under Section 15-4-530 shall be made to ~~said division marshal~~ the fire commissioner in writing and shall set forth in detail the location or proposed storage or place of sale or method of transportation of the matches, and the character of building construction, location of storage or place of sale within the building where the matches will be stored or sold, and the kind of matches involved and type of containers in which the matches will be placed. If, after an inspection of premises, the provisions of this Code are found to have been complied with, a permit shall be issued by the fire commissioner.

SECTION 88. Section 15-4-550 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-4-550 Fireworks.

The ~~deputy commissioner in charge of the bureau of fire prevention~~ fire commissioner 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~~ fire commissioner, and ~~must~~ shall include the following information: (1) the written consent of the alderman of the affected ward; (2) the written consent of the owner of the property where the applicant proposes to give the display; (3) proof that the applicant is in compliance with all provisions of the Illinois Pyrotechnic Operator Licensing Act, as amended; (4) proof that the applicant is in compliance with the Illinois Fireworks Use Act, as amended; and (5) 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. 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~~ commissioner. The ~~fire department~~ commissioner 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 fire~~ commissioner may impose additional specific conditions related to unique conditions of the property where an indoor display is proposed.

SECTION 89. Section 15-4-600 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-4-600 Test standard.

Any material, which does not comply with Section 15-4-590 and is used as scenery and decoration, shall meet the requirement of the large and small scale tests given in the National Fire Protection Association's Pamphlet No. 701 entitled *Standard Methods of Fire Tests for Flame Resistant Textiles and Films*, 1973 Edition, and be so certified by a testing agency recognized by the ~~bureau of fire prevention~~ fire commissioner. The large-scale test shall be used whenever the material will be hung in folds or whenever the small test reveals that the material is subject to excessive melting or shrinking. The small test shall be used in all other instances.

SECTION 90. Section 15-4-640 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-4-640 Fireguard requirements.

It shall be the duty of the promoter, show manager or person in charge of any show, display, convention, contest, social function, exhibition, or similar activity (for purposes of this section, the "event") to provide, at his own expense, special fireguards for such activities. While on duty the special fireguards shall wear such uniform and badges as the ~~deputy fire commissioner of the bureau of fire prevention~~ fire commissioner may prescribe and shall carry on their person the license issued under the provisions of Section 15-4-680. Special fireguards shall be subject to the orders of the ~~deputy fire commissioner of the bureau of fire prevention or his duly appointed representative~~ at all times while he the special fireguard is on duty. The number and locations of such fireguards shall be determined by the following methods:

(Omitted text is unaffected by this ordinance)

3. ~~The deputy fire commissioner of the bureau of fire prevention, depending~~ Depending upon the nature of the event, the anticipated attendance, the nature of the audience, or in cases where there are more the number of floors or levels of exhibitions ~~which would~~

exhibition at the event make compliance with items 1 and 2 of this section inadequate, the fire commissioner may, at his discretion, require additional special fireguards.

4. Notwithstanding the foregoing paragraphs 1, 2 and 3 of this section, and subject to review and approval of the ~~deputy~~ fire commissioner of the ~~bureau of fire prevention~~, the Metropolitan Pier and Exposition Authority (M.P.E.A.) shall be responsible for determining the appropriate number and location of fireguards to be provided at the McCormick Place Convention Complex and at Navy Pier Festival Hall, as long as those facilities are owned and operated by M.P.E.A. M.P.E.A.'s authority to make this determination is subject to its compliance with the following conditions: (a) maintaining a fire prevention staff of at least 25 employees certified by the State of Illinois as Firefighter II and as emergency medical technicians; and (b) maintaining a security staff of at least 120 employees registered with the city as fireguards available for events at the named M.P.E.A. facilities, to function in the capacity as fireguards available for events at the named M.P.E.A. facilities; and (c) maintaining the capacity to contract for additional fireguards as may be necessary for any event or series of events at the named M.P.E.A. facilities; and (d) documenting and submitting to the ~~deputy~~ fire commissioner of the ~~bureau of fire prevention~~ the number and location, and other such information as the ~~deputy~~ fire commissioner may require, of fireguards for each event at M.P.E.A. facilities no later than 30 days prior to the event. At all times, when an event is ~~on-going~~ ongoing, there shall be an adequate number of fireguards. When the event consists of 25,000 square feet or more, there shall be at least one fireguard assigned to the event. Such fireguards shall be placed in appropriate locations, subject to review and approval of the ~~deputy~~ fire commissioner. There shall also be an adequate number of fireguards during nighttime hours and move-in and move-out periods. If, at any time, in the opinion of the ~~deputy~~ fire commissioner of the ~~bureau of fire prevention~~, the number and location of the fireguards is insufficient at the named M.P.E.A. facility, ~~he~~ the fire commissioner shall order additional fireguards placed on duty. The ~~deputy~~ fire commissioner shall consider, in determining the appropriate number of fireguards, the square footage of the event, the materials and equipment to be used during the event, the number of event attendees, and exit and aisle configuration of the exhibits. The ~~deputy~~ fire commissioner may also consider additional factors as are necessary or appropriate to ensure public safety.

SECTION 91. Section 15-4-650 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-4-650 Watchman clocks and keys.

It shall also be the duty of the promoter, show manager, or person in charge of any activity requiring special fireguards to provide sufficient listed portable watchmen's clocks and

keys so that regular hourly rounds shall be made. The location of the keys shall be designated by the ~~bureau of fire prevention~~ fire commissioner.

SECTION 92. Section 15-4-670 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-4-670 Watchman tours.

During the time the ~~show, etc., event~~ described in Section 15-4-640 is not open to the public, and during the time of ~~setting up the show and during the time of dismantling the show~~ such event is being set up or dismantled, the fireguard shall make regularly scheduled rounds of his assigned areas on ~~a minimum of~~ at least an hourly basis. Such areas shall be designated by the ~~division marshal in charge of the bureau of fire prevention~~ fire commissioner. Regularly scheduled rounds shall also be made of any storage area used by ~~the show or exhibition or during the event~~ on a 24-hour basis while the storage area is occupied.

SECTION 93. Section 15-4-680 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-4-680 Fireguard license.

Any person who desires employment as a special fireguard shall make application for a license to the ~~deputy commissioner in charge of the bureau of fire prevention~~ fire commissioner.

(Omitted text is unaffected by this ordinance)

The ~~deputy commissioner in charge of the bureau of fire prevention, or an appointed representative,~~ fire commissioner shall examine all persons who seek employment as special fireguards; as to their qualifications and fitness for the duties for which they seek to be employed; and whenever ~~said examiner~~ the fire commissioner finds any such applicant to be competent, ~~he~~ the fire commissioner shall, upon payment of \$20.00; by the applicant to the comptroller, issue a license to such applicant. The ~~deputy commissioner in charge of the bureau of fire prevention~~ fire commissioner may suspend for a period of not to exceed 30 days or revoke any license at any time when ~~he~~ the fire commissioner finds any special fireguard to be incompetent, inefficient or neglectful of the duties required of ~~him~~ such special fireguard by the provisions of this Code. ~~Where~~ If such a license is revoked, the holder thereof, upon written request of ~~made to the deputy~~ fire commissioner, shall be given a hearing before said ~~deputy~~ fire commissioner within 30 days after such revocation. No person shall employ anyone as a special fireguard whose license has been revoked or suspended.

SECTION 94. Section 15-4-690 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-4-690 Submission of floor plan.

The promoter, show manager, or person in charge of any show, display, convention, contest, exhibition or similar activity shall submit in triplicate a diagram to the ~~bureau of fire prevention~~ fire commissioner for approval, before any space is let and not less than 60 days prior to the opening of such event, indicating the arrangement of each booth, display area, aisles, means of exit and fire protection equipment. The diagram shall also show the amount and the type of drapes, hangings and other materials used for decorations or separations. One copy of the approved diagram shall be returned to the person in charge of such event and the others retained by the ~~bureau of fire prevention~~ fire commissioner, ~~subject to the provisions of Section 2-36-210 of this Code.~~

SECTION 95. Section 15-4-700 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-4-700 Submission of show description.

The promoter, show manager or person in charge of any show, display convention, contest, exhibition or similar activity shall submit to the ~~bureau of fire prevention~~ fire commissioner a statement indicating the nature of the exhibits and especially those exhibits where flammable liquids, fume or explosion hazard gases, flammable materials and similar materials are intended to be used. All such exhibits shall comply with the applicable fire prevention provisions of this Code ~~shall be complied with in these exhibits.~~

SECTION 96. Section 15-4-720 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-4-720 Requirements.

It shall be the duty of every person conducting, operating or maintaining any theater which is used regularly for motion picture, theatrical or vaudeville purposes and having a seating capacity of 300 or more persons, to procure and keep at his, their or its own expense, one adult male person as a special stage fireman and one adult male person as a fireguard, who shall wear such uniforms and badges as the ~~division marshal in charge of the bureau of fire prevention~~ fire commissioner may prescribe.

(Omitted text is unaffected by this ordinance)

SECTION 97. Section 15-4-730 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-4-730 Duties of stage firemen.

It shall be the duty of the special stage fireman to see that all fire appliances on stage and above and below it, in the dressing rooms and throughout the basement of every such building used as theater are in their proper places and in good working order; ~~that the tanks supplying the standpipes and sprinkler system are full of water;~~ and that ~~the ventilator~~ any ventilator above the stage is in good working order, to be determined by actually opening such ~~ventilators~~ ventilator(s) at least once in every two weeks. The result of such test shall be noted in daily reports hereinafter described. Such special stage firemen shall make daily reports in duplicate, in such manner and form as the ~~division marshal in charge of the bureau of fire prevention~~ fire commissioner shall prescribe, which report shall be countersigned by the fireguard. The original of the said report shall be forwarded each day to the ~~division marshal in charge of the bureau of fire prevention~~ fire commissioner and the duplicate thereof shall be delivered to the owner of the theater where such special stage fireman is employed or to the person having the management thereof. Said special stage fireman shall be subject to the orders of the ~~division marshal in charge of the bureau of fire prevention~~ fire commissioner during such time as the theater shall be opened to or occupied by the public.

SECTION 98. Section 15-4-740 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-4-740 Duties of fireguard.

It shall be the duty of the fireguard to see that all exit doors are unfastened and unobstructed, and that the aisles, corridors and fire escapes are kept clear and free from all obstructions, ~~and in~~ In the event of a fire, it shall be ~~his~~ the fireguard's duty to see that the operation of the ventilation system in the auditorium is discontinued, and ~~he~~ the fireguard shall also perform such other duties as may be assigned to him by the ~~division marshal in charge of the bureau of fire prevention~~ fire commissioner. Such fireguard may, in the discretion of the owner or manager of the theater wherein ~~he~~ the fireguard is employed, act as chief usher or auditorium superintendent during performance.

SECTION 99. Section 15-4-750 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-4-750 Monthly reports.

It shall be the duty of ~~such any~~ special stage fireman and fireguard to report in person to the ~~division marshal in charge of the bureau of fire prevention, or his accredited representative,~~ fire commissioner at least once in each month~~5,2~~, ~~and they and each of them~~ All special stage firemen and fireguards shall be subject to, and required to obey, such rules and regulations as the ~~division marshal in charge of the bureau of fire prevention prescribes~~ fire commissioner may prescribe governing the duties to be performed by ~~them~~ special stage firemen and fireguards in conformity with this ~~section~~ Code.

SECTION 100. Section 15-4-770 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-4-770 License required.

The ~~deputy commissioner in charge of the bureau of fire prevention~~ fire commissioner shall examine all persons who desire to seek employment as special stage firemen or fireguards, as to their qualifications and fitness for the duties for which they seek to be employed, ~~and whenever~~ If the deputy fire commissioner finds any such applicant to be competent, he the fire commissioner shall, upon payment of \$20.00 by the applicant to the comptroller, issue a license to such applicant, ~~and he~~ The fire commissioner may revoke any such license ~~issued by him~~ at any time when ~~he the fire commissioner~~ the fire commissioner finds such special stage fireman or fireguard to be incompetent, inefficient, or neglectful of the duties required by under this Article XII, part of this Code; but Provided, however, that the deputy fire commissioner must shall give the licensee a reasonable opportunity to be heard before revocation. No person shall employ anyone as a special fireman or fireguard unless ~~he the person so employed~~ the person so employed is licensed as required in this section.

SECTION 101. Section 15-4-780 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-4-780 Where required.

It shall be the duty of any person, firm or corporation who conducts, engages in, maintains, operates, carries on or manages a business or occupation where any public sleeping accommodations are furnished or maintained for 20 or more persons for a period of one day or

more, including accommodations in single-room occupancy buildings, to retain and keep, at his or their own expense, at least one adult who has received a certificate of fitness as hereinafter provided as a desk clerk. Such desk clerk shall be kept on duty continuously during such times as the premises shall be open to or occupied by the public. Any employee at the premises meeting the qualifications set forth in Section 15-4-810 may file an application for certification as a desk clerk. In lieu of providing a desk clerk as required by this section, an Underwriters Laboratories listed central station supervisory service may be connected to the building fire alarm system. When such a service is used, the ~~division marshal~~ fire commissioner shall be furnished with a current certificate of contract for the central station supervisory service, and shall be notified within 24 hours of discontinuance of the service.

SECTION 102. Section 15-4-790 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-4-790 Certification.

The ~~deputy commissioner in charge of the bureau of fire prevention~~ fire commissioner shall examine all persons who file an application for certification as desk clerks as to their qualifications and fitness for duties, ~~and, whenever~~ If the deputy fire commissioner shall find ~~he~~ finds such an applicant to be competent, ~~he~~ the fire commissioner shall, upon payment by the applicant to the comptroller of a \$20.00 certification fee ~~by the applicant to the comptroller,~~ issue a desk clerk certificate to such applicant, which certificate shall be valid for a period of one year from the date of its issuance. Every desk clerk shall keep said certificate on his person at all times while he is on duty, and said certificate shall be subject to inspection by any officer of the fire, police or building departments. Renewals of said certificates shall be subject to all the provisions of Sections 15-4-780 to 15-4-840 of this Code.

SECTION 103. Section 15-4-800 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-4-800 Suspension.

The ~~division marshal in charge of the bureau of fire prevention~~ fire commissioner may suspend for a period of not to exceed 30 days or revoke any certificate issued under Section 15-4-790 at any time when ~~he~~ the fire commissioner finds any desk clerk to be incompetent, inefficient or neglectful of the duties required of ~~him~~ desk clerks by the provisions of this Code. ~~Where~~ If such a certificate is revoked, the holder thereof, upon filing with the fire commissioner

a written request of said division marshal for a hearing, shall be given a hearing before said ~~division marshal~~ fire commissioner within 30 days after such revocation.

(Omitted text is unaffected by this ordinance)

SECTION 104. Section 15-4-810 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-4-810 Certification requirements.

Any person who desires to act as a desk clerk shall make application for a certificate to the ~~division marshal in charge of the bureau of fire prevention~~ fire commissioner. To receive such certificate the applicant must:

(Omitted text is unaffected by this ordinance)

(d) Pass an examination conducted by the ~~issuing officer~~ fire commissioner upon the laws and ordinances governing fire protection, the operation of emergency first aid equipment, and upon the hazards and duties incident to the supervision of the safety of persons to be accommodated as provided in Section 15-4-780 hereof;

(Omitted text is unaffected by this ordinance)

SECTION 105. Section 15-4-820 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-4-820 Monthly reports.

Monthly reports concerning the premises and fire equipment shall be made and certified to by a certified desk clerk, in such manner and form as the ~~division marshal in charge of the bureau of fire prevention~~ fire commissioner shall prescribe, which report shall be countersigned by ~~his~~ the desk clerk's immediate superior. The original of said report shall be forwarded before the fifth day of each month to the ~~division marshal in charge of the bureau of fire prevention~~ fire commissioner, and the duplicate thereof shall be delivered to the owner of the public sleeping accommodations where such desk clerk is employed, or to the manager of such accommodations or to the person having the management exercising control thereof.

SECTION 106. Section 15-4-830 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-4-830 Duties.

It shall be the duty of the desk clerk daily to see that all exit doors are unfastened and unobstructed and that the corridors and fire escapes are kept clear and free of all obstructions; and that all fire appliances in the rooms and throughout the premises are in proper place and in good working order; ~~that in~~ In the event of a fire, it shall be ~~his~~ the desk clerk's duty to first notify the Chicago Fire Department of said fire immediately, and, thereafter, ~~he shall~~ to spread the alarm to all occupants of the premises; ~~and he~~ The desk clerk shall obey and perform such other duties as may be prescribed by rules and regulations adopted, from time to time, by the ~~division marshal in charge of the bureau of fire prevention~~ fire commissioner.

(Omitted text is unaffected by this ordinance)

SECTION 107. Section 15-4-880 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-4-880 Obstruction of exits.

No person shall at any time place an encumbrance of any kind whatsoever before or in any ~~exitway~~ exit way or before or upon any fire escape, balcony or ladder intended as a means of escape from fire. It shall be the duty of every member of the police and fire departments, who shall discover any fire escapes, balconies or ladders encumbered in any manner, to report forthwith to the ~~bureau of fire prevention~~ fire commissioner and the said ~~bureau fire commissioner~~ shall immediately notify the owner and the tenant to remove such encumbrances.

(Omitted text is unaffected by this ordinance)

SECTION 108. Section 15-4-910 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-4-910 Institutional buildings.

It shall be the duty of the institutional administrator or other person in charge of all institutional buildings to conduct fire drills, subject to the rules and regulations of the ~~bureau of fire prevention of the fire department~~. Such fire drills shall be practiced not less than once each calendar month that such building is used for institutional purposes.

SECTION 109. Section 15-4-920 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-4-920 Schools.

Every principal or other person in charge of a Type I elementary school, as defined in Section 13-56-100, shall conduct fire drills in accordance with procedures established by the ~~bureau of fire prevention~~ fire commissioner. Fire drills shall be conducted under the supervision of the Chicago Fire Department, not less than once in each calendar month during which a Type I building is used for elementary school purposes.

SECTION 110. Section 15-4-930 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-4-930 Where restricted.

Smoking or the carrying of a lighted cigar, pipe or cigarette is prohibited:

(Omitted text is unaffected by this ordinance)

(e) In every building or premises occupied as a circus, stock show or horse show; also in every public assembly unit where the combustible nature and quantity of contents are, in the opinion of the ~~division marshal in charge of fire prevention~~ fire commissioner, hazardous to life and property from fire;

(Omitted text is unaffected by this ordinance)

SECTION 111. Section 15-8-420 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-8-420 Requirements for interior wall and ceiling finish.

(Omitted text is unaffected by this ordinance)

(g) All other rooms and spaces, materials used for interior wall and ceiling finish shall be not less resistant to flame spread than Class 3 materials; provided, however, that Class 2 and Class 3 materials shall be limited in area as follows:

(Omitted text is unaffected by this ordinance)

(2) The total surface area of Class 3 material used for interior wall and ceiling finish in any building shall not exceed 5,000 square feet except that when a building is divided into areas separated by partition, floor and ceiling construction providing fire resistance of not less than two hours with all partition openings protected with Class C fire doors, interior wall and ceiling finish of Class 3 materials not exceeding 5,000 square feet in surface area may be used in each area so separated.

Exception: In administrative offices, art galleries, libraries, and restaurants and also in not more than one room of each residential unit, Class 3, interior finish materials (not more combustible than wood) may be used on walls only, subject to the approval of the ~~division~~ fire commissioner ~~marshal in charge of fire prevention~~;

(Omitted text is unaffected by this ordinance)

SECTION 112. Section 15-16-040 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-16-040 Hazardous use units.

General. A standard system of automatic sprinklers, meeting the requirements of Article II of Chapter 15-16 of this Code shall be installed in every building or part of a building, hereafter designed, erected, altered, or converted for the purposes of the following occupancies:

(Omitted text is unaffected by this ordinance)

Industrial properties with occupancies such as:

(Omitted text is unaffected by this ordinance)

Woodworking with application of flammable finishes which produce explosive or flammable vapors under normal room conditions;

and other such occupancies as shall be determined to be in fact of high hazard by the ~~bureau of fire prevention~~ fire commissioner due to the inherent characteristics of the material involved and consistent with the occupancies definitely fixed as hazardous use units; provided, however, that if the nonhazardous areas of any building in which such an occupancy occurs, are separated from the hazardous use area by a fire wall, it shall be permissible to omit such sprinkler system from the nonhazardous areas; and provided further, that where required under other paragraphs of this section, every floor area above the lowest floor area in which certain hazardous use units occur, shall be equipped throughout with a standard system of automatic

sprinklers; and provided also, that no sprinkler system shall be required in any vault used for the storage of files, records and other nonhazardous documents.

(Omitted text is unaffected by this ordinance)

SECTION 113. Section 15-16-110 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-16-110 General requirements.

An approved fire alarm shall be provided as follows:

(a) A standard fire alarm meeting the requirements of this chapter and Article II of Chapter 15-16 of this Code shall be provided in the following occupancies:

(Omitted text is unaffected by this ordinance)

(5) Single-room occupancy building: New and existing single-room occupancy buildings two stories or more in height, which are not equipped with a complete automatic sprinkler system, shall be equipped with a Class I fire alarm. The approved standard Class I control equipment may cause microprocessor based program-controlled communication circuits when the control equipment is of a type tested and conforming to Underwriters Laboratories Standard 864-1991 for the intended use. The stored program (software) installed for such systems shall be incapable of change, except that a manufacturer's authorized technician may make changes for proper system operation when such changes are approved by the ~~deputy commissioner of the fire prevention bureau~~ fire commissioner. Any changes, repairs or maintenance on such systems shall be performed only by or under the direction of a licensed supervising electrician.

(Omitted text is unaffected by this ordinance)

(b) Hotels: Buildings of Type I construction over four stories but not over 80 feet in height shall be equipped with an approved fire alarm system including smoke detectors, heat detectors and waterflow alarm devices installed in accordance with NFPA 72A – 1985 and annunciated visually and audibly for each individual floor at a fire panel located near a main entrance to the building. A one-way voice communication system controlled from the fire panel location and meeting the requirements of Section 13-76-050(b) of this Code shall be provided. Use of the one-way voice communication system in a fire emergency by other than department of fire personnel shall be prohibited.

(Omitted text is unaffected by this ordinance)

(3) A fire panel consisting of fire alarm controls, annunciator panel, and one-way voice communications system controls shall be provided in a location approved by the ~~bureau of fire prevention~~ fire commissioner.

(4) Plans for all systems to be installed shall be submitted to the ~~bureau of fire prevention~~ fire commissioner for approval, and systems used shall meet the approval of the ~~fire prevention bureau~~ fire commissioner.

(Omitted text is unaffected by this ordinance)

(d) The requirements of Section 15-16-110(5) of this Code shall be enforced against all single-room occupancy buildings effective June 30, 1995. All single-room occupancy buildings which will require installation of a Class I alarm system shall submit plans to the ~~fire prevention bureau~~ fire commissioner ~~or for~~ approval of such system on or before January 1, 1995.

(Omitted text is unaffected by this ordinance)

SECTION 114. Section 15-16-120 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-16-120 Class II standard fire alarm system.

A Class II standard fire alarm system may be installed in lieu of a Class I standard fire alarm system in any building, when in the opinion of the ~~division marshal in charge of the bureau of fire prevention~~ fire commissioner the number of people involved and the physical construction of such building makes a Class II standard fire alarm system acceptable. Class II standard fire alarm system shall comply with the provisions of Article II of this chapter.

SECTION 115. Section 15-16-140 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-16-140 Automatic fire detectors, where required.

(Omitted text is unaffected by this ordinance)

(b) In every building used in part as an institutional building, school, hotel, or single-room occupancy an automatic fire detector shall be installed in such portion or portions of the

building used for purposes other than institutional, school, hotel, or single-room occupancy purposes, unless such institutional building, school, hotel, or single-room occupancy is separated from all other occupancies by a separation with a fire-resistive value as specified in Section 13-56-280. Such automatic fire detectors shall be installed, spaced and located in accordance with the recommendations, based upon actual tests, prescribed by a nationally recognized testing laboratory acceptable to the fire ~~prevention bureau~~ commissioner.

(Omitted text is unaffected by this ordinance)

SECTION 116. Section 15-16-180 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, as follows:

15-16-180 Other definitions.

(Omitted text is unaffected by this ordinance)

“N.F.P.A.” or “NFPA”. The National Fire Protection Association.

(Omitted text is unaffected by this ordinance)

SECTION 117. Section 15-16-190 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-16-190 Permit and fees.

Before the installation or alteration of a sprinkler system required by the provisions of this ~~code~~ Code, a plan, setting forth all essential details of the sprinkler system, shall be submitted to the ~~bureau of fire prevention~~ fire commissioner. The plans submitted shall include hydraulic calculations when calculated and the type of sprinklers to be used. Upon finding that the plan conforms to the requirements of the ~~code~~ Code and after payment of the sprinkler permit fee hereinafter specified, said plan shall be approved by the ~~bureau of fire prevention~~ fire commissioner.

The fees charged in connection with a sprinkler system shall be as follows:

For the approval of the sprinkler plan and the initial inspection of a sprinkler system required by the provisions of this ~~code~~ Code, a fee of \$36.00 shall be charged for the first 100 sprinkler heads or less, and an additional \$18.00 shall be charged for each additional 100 sprinkler heads or fraction thereof. For the test of a fire pump used in connection with a sprinkler

system, a fee of \$18.00 for each 50 gallons pumping capacity per minute shall be charged, with a minimum fee of \$180.00. These fees shall not be required for any building used solely as a school operated by the Chicago Board of Education. Where a pump serves both a standpipe and a sprinkler system, only one pump fee shall be charged.

SECTION 118. Section 15-16-200 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-16-200 Installation certification.

After completing a sprinkler installation, the contractor shall submit to the ~~deputy~~ fire commissioner ~~in charge of the bureau of fire prevention~~, a written certification that the system has been installed in accordance with the plans approved by the ~~bureau of fire prevention~~ fire commissioner and tested in accordance with the provisions of Section 15-16-260. The form of such certification shall be as required in ~~N.F.P.A.~~ NFPA Standard 13, *Installation of Sprinkler Systems*, 1994 Edition.

SECTION 119. Section 15-16-210 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-16-210 Inspections.

Every standard sprinkler system now existent or which may hereafter be installed, shall be inspected ~~annually under the authority of the deputy fire commissioner in charge of the bureau of fire prevention~~ annually by an independent contractor licensed under the Illinois Fire Sprinkler Contractor Licensing Act and such inspections may be overseen by or in the presence of the fire commissioner. Whenever such annual inspection shows the standard sprinkler system to be in good working order and in compliance with this ~~code~~ Code, the ~~deputy~~ fire commissioner shall issue a certificate to that effect, and for each such inspection and certificate, a fee of \$300.00 shall be charged. Buildings with multiple sprinkler system zones shall rotate the zone to be tested annually, insuring that the sprinkler system is operating properly. If a doubt exists regarding the capability of any component of a standard sprinkler system, the ~~deputy~~ fire commissioner ~~in charge of the bureau of fire prevention~~ may order any test outlined in ~~N.F.P.A.~~ NFPA Standard 25, *Standards for the Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems*, ~~1995 Edition~~ to determine the capability of that component.

SECTION 120. Section 15-16-220 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-16-220 Notice of defective conditions.

~~In case~~ If an inspection or test discloses any condition, such as defective parts, frozen tanks, closed valves or obstructed sprinklers, which would handicap the operation of the building's sprinkler equipment, the ~~deputy~~ fire commissioner ~~in charge of the bureau of fire prevention~~ shall immediately be notified. Notice shall then immediately be sent by the fire commissioner to the building's owner or owners, or to the owner's agent or to the person in control of the building containing such sprinkler systems, to remove or correct the defective condition, as set forth in said notice, within such time as may be specified by ~~said deputy~~ the fire commissioner in the notice.

SECTION 121. Section 15-16-260 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-16-260 System tests.

Upon completion of the installation of a standard sprinkler system an acceptance test shall be performed by the installing contractor.

(Omitted text is unaffected by this ordinance)

Fire pumps shall be tested annually by an independent contractor licensed under the Illinois Fire Sprinkler Contractor Licensing Act. Such inspections shall be scheduled with, and may be overseen by or in the presence of, ~~a representative of the bureau of fire prevention~~ the fire commissioner.

SECTION 122. Section 15-16-351 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-16-351 Display booths.

(Omitted text is unaffected this ordinance)

(3) *Fire Prevention and Detection:*

(Omitted text is unaffected by this ordinance)

c. Temporary display booth diagrams required to be filed with the fire prevention bureau commissioner under Section 15-4-690 shall identify each temporary display booth having greater than one story.

(Omitted text is unaffected by this ordinance)

SECTION 123. Section 15-16-620 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-16-620 Definitions.

(Omitted text is unaffected by this ordinance)

“Standard fire extinguisher” means a portable fire extinguisher which bears the label of approval of a national testing laboratory acceptable to the ~~division marshal in charge of fire prevention~~ fire commissioner.

SECTION 124. Section 15-16-640 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-16-640 Where required.

Standard fire extinguishers shall be provided on every floor, basement and subbasement of all buildings and structures as specified in the aforementioned NFPA ten with the following exceptions:

(Omitted text is unaffected by this ordinance)

(12) Lumberyards. Portable fire-extinguishing equipment suitable to the ~~division marshal in charge of fire prevention~~ fire commissioner shall be provided at convenient conspicuous locations in open yards so located that the travel distance to the nearest unit does not exceed 75 feet. Where necessary, extinguishing agents shall be protected against freezing.

(Omitted text is unaffected by this ordinance)

SECTION 125. Section 15-16-680 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-16-680 Tags to be attached.

Every standard fire extinguisher shall have attached thereto a tag which clearly indicates the dates of charging, filling, maintenance, recharging or refilling, as applicable, with the signature of the person performing the work, and the license number of the serviceman. The color and form of the tag shall be determined by the ~~division marshal in charge of fire prevention~~ fire commissioner; provided, however, that the color used for any one year shall be different from the color used for the previous year. The tag shall have clearly imprinted thereon in numerals no less than one-half inch in height the year for which it is issued.

(Omitted text is unaffected by this ordinance)

SECTION 126. Section 15-16-740 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-16-740 Permit fees.

Before the installation or alteration of an inside standpipe system required by the provisions of this ~~code~~ Code, a plan, setting forth all essential details of the inside standpipe system, shall be submitted to the ~~bureau of fire prevention~~ fire commissioner. Such plan shall include hydraulic calculations. Upon finding that the plan conforms to the requirements of the ~~code~~ Code and after payment of standpipe permit fees hereinafter specified, said plan shall be approved by the ~~bureau of fire prevention~~ fire commissioner.

(Omitted text is unaffected by this ordinance)

SECTION 127. Section 15-16-750 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-16-750 Installation certification.

After completing a standpipe system installation, the contractor shall submit to the ~~deputy fire commissioner in charge of the bureau of fire prevention~~, a written certification that the

system has been installed in accordance with the plans approved by the ~~bureau of fire prevention~~
fire commissioner.

SECTION 128. Section 15-16-910 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-16-910 Location of risers.

Risers shall be located in or adjacent to the stair enclosures except on the ground floor. Where the number of risers, as required in Section 15-16-900, is greater than the number of stair enclosures, additional risers may be located at other accessible locations as approved by the ~~deputy fire commissioner in charge of the bureau of fire prevention~~ and adequately protected against mechanical injury.

SECTION 129. Section 15-16-1150 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-16-1150 Test method.

(Omitted text is unaffected by this ordinance)

All such tests shall be performed by an independent contractor licensed under the Illinois Fire Sprinkler Contractor Licensing Act in the presence of ~~a representative of the bureau of fire prevention~~ the fire commissioner.

SECTION 130. Section 15-16-1160 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-16-1160 Annual test required.

An annual test shall be made of each fire pump, during which time water shall be discharged from the highest hose outlet of each riser. At least one riser shall be flowed for five minutes. Each fire pump shall deliver its rated capacity at its rated pressure through a test manifold or wall hydrant for a period of at least ten minutes. All such tests shall be performed by an independent contractor licensed under the Illinois Fire Sprinkler Contractor Licensing Act

in the presence of ~~a representative of the fire prevention bureau~~ the fire commissioner. ~~For the annual fire pump test, a~~ A fee of \$18.00 for each 50 gallon pumping capacity per minute shall be charged for each fire pump tested, with a ~~The minimum fee shall be of \$180.00 for each fire pump tested.~~ The aforesated fees shall not be assessed with respect to any building used solely as a school operated by the Chicago Board of Education.

SECTION 131. Section 15-16-1170 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-16-1170 Inspection.

It shall be the duty of the ~~deputy commissioner in charge of the bureau of fire prevention~~ fire commissioner to cause an inspection to be made of all standpipe systems at least once every year by an independent contractor licensed under the Illinois Fire Sprinkler Contractor Licensing Act. Such inspections shall be schedule with, and may be overseen by or in the presence of, the ~~fire commissioner. In case~~ If such inspection discloses any violations of, or variation from, the requirements of this ~~ordinance~~ Code pertaining to standpipes or standpipe systems, or any defective conditions which would handicap the operation of the standpipe system, notice shall be sent to the owner or agent in control of the building containing such standpipe system to remove or correct such defective conditions within such time as shall be set forth ~~by in~~ in the said notice. ~~For every such annual inspection, it~~ It shall be the duty of the building owner to pay the comptroller an inspection fee of \$50.00 for each standpipe inspected in connection with such annual inspection.

SECTION 132. Section 15-16-1190 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-16-1190 Existing buildings.

(Omitted text is unaffected by this ordinance)

7. The location and equipment of such risers are approved by the ~~deputy fire commissioner in charge of fire prevention.~~

SECTION 133. Section 15-16-1200 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-16-1200 Definition of system.

The words “standard fire alarm system”, where used in this Code, are hereby defined to mean a manually operated fire alarm system equipped with automatic detectors, if required, as hereinafter defined. Such system shall be installed in a building for the purpose of notifying the occupants and/or employees of said building of conditions due to fire or other causes which necessitate that the building be vacated immediately by the occupants. All equipment and devices used in the installation of such a system shall be tested by and bear the label of approval of a nationally recognized testing laboratory acceptable to the ~~division marshal in charge of fire prevention~~ fire commissioner and the bureau of electrical inspection. The workmanship, equipment and quality of installation shall conform to the electrical requirements of Title 14 of the Municipal Code of Chicago.

SECTION 134. Section 15-16-1230 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-16-1230 Installation certification.

After completing a fire alarm system installation, the contractor shall submit to the ~~division marshal in charge of the bureau of fire prevention~~ fire commissioner, a written certification that the system has been installed in accordance with the plans approved by the ~~bureau of fire prevention~~ fire commissioner.

SECTION 135. Section 15-16-1340 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-16-1340 Key-operated alarm-sending stations.

In a mental or penal institution, alarm-sending stations may, with the approval of the ~~division marshal in charge of fire prevention~~ fire commissioner, be of the type requiring a key to activate the station; provided, however, the corridor of the area served by such a station has an automatic fire detection system. Such stations shall be limited to those areas of these occupancies which are accessible to unattended residents.

SECTION 136. Section 15-16-1400 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-16-1400 Location of annunciators.

An annunciator, where required by this Code, shall be placed in a conspicuous location either inside or outside of and within 20 feet of the main entrance to the building. The annunciator shall indicate the zone from which an alarm has originated by means of a translucent rectangle which is electrically illuminated from behind when an alarm is received from the zone. The zone shall be identified by opaque lettering on the rectangular indicator which describes the location of the zone within the building. The lettering shall not be less than one-fourth inch in height. Provided however, that the annunciator may indicate by means of a diagram of the building with the zones identified by a light on the diagram corresponding to the area served by the zone. The diagram used must meet with the approval of the ~~division-marshal-in-charge of the bureau of fire prevention~~ fire commissioner.

(Omitted text is unaffected by this ordinance)

SECTION 137. Section 15-16-1420 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

5-16-1420 Trouble signal.

The supervising circuit shall be provided with a trouble bell arranged to ring continuously in case of energy failure, an open circuit or a ground in the fire alarm circuit. The trouble bell shall be located so that, in the opinion of the ~~division-marshal-in-charge of fire prevention~~ fire commissioner, it will be within audible range of some responsible person in the building.

(Omitted text is unaffected by this ordinance)

SECTION 138. Section 15-16-1460 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-16-1460 Central station service.

In lieu of providing a city fire alarm box with a direct connection from the building fire alarm system to the city fire alarm box, as required in Section 15-16-1430, an Underwriters' Laboratories listed central station supervisory service may be connected to the building fire alarm system. Where such a service is used, the ~~division marshal~~ fire commissioner shall be furnished with a current certificate of contract for the central station service and be notified within 24 hours of discontinuance of the service.

SECTION 139. Section 15-16-1540 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-16-1540 Listing required – Exception – Testing.

Only listed residential sprinklers shall be used. Listing may be waived for tanks, pumps, hangers, waterflow detection devices and water-control valves except that water-control valves shall be of the indicating type. Unlisted devices ~~must~~ shall be submitted to the ~~bureau of fire prevention~~ fire commissioner for approval.

(Omitted text is unaffected by this ordinance)

SECTION 140. Section 15-20-030 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-20-030 General transportation requirements.

(Omitted text is unaffected by this ordinance)

(b) Any mechanically propelled vehicle used for the transportation of explosives shall be in good condition for service, and shall have an enclosed wooden body completely fire-protected on the outside. The motor, fuel tank, carburetor, electric wiring and exhaust, shall be separate from the body of the vehicle. Internal combustion engines shall be separated not less than two feet from the outer wall of the body in which explosives are to be carried. All such vehicles must be constructed and maintained in accordance with specifications of, and subject to the approval of, the ~~division marshal in charge of the bureau of fire prevention~~ fire commissioner, who shall inspect or cause to be inspected all such vehicles at least once every six months. Mechanically driven vehicles must be equipped with such a device or devices as will not permit a speed in excess 15 miles per hour.

(Omitted text is unaffected by this ordinance)

SECTION 141. Section 15-20-180 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-20-180 Seizure of explosives kept unlawfully.

If it shall be found that any of the explosives mentioned in Section 15-20-010 are being kept in any building, structure or premises, or in any vehicle or on board of any vessel within the city in violation of any of the provisions of this chapter, any such explosives so kept shall be immediately seized and removed to such place as the ~~division marshal in charge of the bureau of fire prevention~~ fire commissioner may direct.

It is hereby made the duty of the members of the police department to assist in making such seizure when requested so to do by ~~said division marshal~~ the fire commissioner, and to assist in the removal of such explosives to such place as may be designated by ~~him~~ the fire commissioner.

SECTION 142. Section 15-20-220 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-20-220 Prohibitions.

No person shall have, keep, store, use, manufacture, assemble, mix, sell, handle or transport any fireworks; provided, however, that nothing in this chapter shall be held to apply to the possession or use of signaling devices for current daily consumption by railroads, vessels and others requiring them or to the possession, sale or use of normal stocks of flashlight compositions by photographers or dealers in photographic supplies; and provided further, that the ~~division marshal in charge of the bureau of fire prevention~~ fire commissioner may issue permits for the display of fireworks as hereinafter provided.

SECTION 143. Section 15-20-240 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-20-240 Display in public places.

The ~~division marshal in charge of the bureau of fire prevention~~ fire commissioner may, upon due application, issue a permit to a properly qualified person for giving a display of fireworks in the public parks or other public open places. The applicant shall give written notice to the alderman of the ward adjacent to the public park or other public open space ten days prior to the date of application for such permit. No permit shall be issued unless the applicant attaches written consent of the alderman of the affected ward to the application. Such permits shall impose such restrictions as in the opinion of the ~~said division marshal~~ fire commissioner may be necessary to safeguard life and property in each case.

SECTION 144. Section 15-24-290 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-24-290 Tank testings.

All flammable liquid tanks in use may be tested in accordance with Section 15-24-280 whenever the ~~bureau of fire prevention~~ fire commissioner deems necessary.

SECTION 145. Section 15-24-320 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-24-320 Inspections.

(Omitted text is unaffected by this ordinance)

Every container or tank for flammable liquids of a capacity of 60 gallons or more, either aboveground or within a building, and the premises and equipment used for the storage or handling of flammable liquids by any person subject to license under this chapter, shall be inspected by the ~~division marshal in charge of fire prevention or his duly authorized representative~~ fire commissioner at least once each year.

SECTION 146. Section 15-24-670 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-24-670 Motor vehicle undercoating.

Motor vehicle undercoating operations shall comply with the following provisions:

(a) When certified by the bureau of ventilation that the premises comply with all applicable provisions of Chapter 13-176 and when undercoating materials and solvents having a flashpoint not lower than 100 degrees Fahrenheit closed cup testers are used, motor vehicle undercoating spray operations may be exempt from this Code relating to spraying operations on the express approval of the ~~division marshal in charge of the bureau of fire prevention~~ fire commissioner.

(Omitted text is unaffected by this ordinance)

SECTION 147. Section 15-24-1140 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-24-1140 Inspections.

It shall be the duty of the owner of every vehicle used for the transportation of flammable liquids to cause such vehicle, including ~~the any tank or tanks~~ mounted on the such vehicle's frame or chassis ~~thereof~~, to be inspected. The vehicle ~~to~~ shall be inspected semiannually before January 1st and July 1st of each year, and the vehicle's tank or tanks ~~to~~ shall be inspected annually, for the purpose of ascertaining whether such vehicle and its tank or tanks are in the safe condition and repair ~~as required by the provisions of under~~ this chapter, and to ~~The owner of~~ such vehicle shall file with the ~~bureau of fire prevention~~ fire commissioner on January 1st and July 1st of each year in the case of trucks, and on July 1st of each year in the case of tanks, a report in writing by ~~some~~ an agency approved by the fire commissioner ~~of the City of Chicago~~ certifying that such vehicle and tanks have been inspected and found to be in compliance with all of the structural and safety requirements provided for in this chapter. It shall be unlawful for any person to operate any such vehicle for which a report has not been filed for any current annual or semiannual period. Whenever any vehicle used ~~for the transportation of~~ to transport flammable liquids ~~has been~~ is involved in an accident, the owner thereof shall cause ~~the same~~ such vehicle to be reinspected following such accident.

SECTION 148. Section 15-26-270 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-26-270 Tank cars – Piping systems.

(Omitted text is unaffected by this ordinance)

Welding procedures shall be qualified under the regulations of the latest edition of the American National Standard Code for Pressure Piping, ANSI B-31.1, and shall meet the approval of the ~~division marshal in charge of the bureau of fire prevention~~ fire commissioner. Certificates of each welder's qualifications shall be presented before any work is started.

SECTION 149. Section 15-26-320 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-26-320 Approved – Defined.

The word “approved”, as used in Sections 15-26-220 to 15-26-310, shall mean tested and approved by a nationally recognized testing organization, such as Underwriters Laboratories, Inc., American Gas Association or some other agency, ~~and acceptable to the division marshal in charge of the bureau of fire prevention~~ fire commissioner.

SECTION 150. Section 15-26-450 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-26-450 Portable generator – Permit required.

Portable generators shall not be installed or used inside of buildings unless a permit for such use in said location shall first be secured from the ~~division marshal in charge of the bureau of fire prevention~~ fire commissioner. It shall be the duty of the ~~said division marshal~~ fire commissioner to inspect the premises wherein such generator is to be used, before issuing such permit. The person applying for a permit shall pay the comptroller a fee of \$3.00 for such inspection. Should the inspection show ~~that compliance with~~ the provisions of this section are complied with, the ~~said division marshal~~ fire commissioner shall issue a permit for such installation and use.

SECTION 151. Section 15-26-545 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-26-545 Use of liquefied petroleum gas in industrial forklift trucks solely at McCormick Place Complex.

The ~~Fire Commissioner~~ fire commissioner may authorize the use of liquefied petroleum gas-fueled industrial forklift trucks in connection with events at McCormick Place ® and its adjacent grounds ("McCormick Place Complex"), subject to the following:

(1) Storage of all full and spare liquefied petroleum gas ("L.P.G.") cylinders, whether empty, full or partially full, will occur only in secured, vented and placarded, open metal cages marked with 12-inch-high lettering marked "Flammable Gas". Such open metal cages shall be located in designated locations as mutually agreed to by the Metropolitan Pier and Exposition Authority ("M.P.E.A.") and the ~~Fire Prevention Bureau of the Chicago Fire Department~~ fire commissioner. Information related to these locations shall be forwarded to the ~~Fire Prevention Bureau~~ fire commissioner prior to the delivery of any L.P.G. to the McCormick Place Complex.

(Omitted text is unaffected by this ordinance)

(7) Subject to the ~~Fire Prevention Bureau's~~ fire commissioner's review and approval, the M.P.E.A. will develop written procedures for L.P.G. cylinder off-loading, handling, transportation, changing, inspecting and storage. The M.P.E.A. will not be responsible for the actual training of certified fireguards.

(8) The contractor will be responsible for training the certified fireguards in accordance with the M.P.E.A.'s written procedures. These procedures ~~must~~ shall be based upon National Fire Protection Association ("~~N.F.P.A.~~ NFPA") Standards 58 and 505. Documentation shall be established and kept on file by the contractor and M.P.E.A. sufficient to show a fireguard's knowledge and understanding of said standards. This documentation shall be made available to the ~~Deputy Fire Commissioner of the Fire Prevention Bureau~~ fire commissioner upon request.

(9) "Care and Use" precautions will include the observance of manufacturer specifications with regard to the affixing of L.P.G. cylinders to the industrial forklift trucks. These L.P.G. cylinders ~~will~~ shall be securely mounted to prevent jarring, slipping or rotating loose. If the ~~Fire Prevention Bureau~~ fire commissioner, M.P.E.A., R.S.O., or any person operating an industrial forklift truck or changing a L.P.G. cylinder finds that any L.P.G.-fueled industrial forklift truck is unsafe, then such forklift truck will be taken out of service and towed to a designated location outside the building for repairs. Designated locations shall be mutually agreed to by the M.P.E.A. and the ~~Fire Prevention Bureau~~ fire commissioner.

(Omitted text is unaffected by this ordinance)

(18) It will be the responsibility of the contractor to have a qualified person inspect each industrial forklift truck for any potential safety problems prior to arrival and when a L.P.G. cylinder is being changed pursuant to the above provisions of this section at the McCormick Place Complex. It shall be the duty of M.P.E.A. to maintain a written record of the above inspections and provide copies to the ~~Fire Prevention Bureau~~ fire commissioner upon request.

(Omitted text is unaffected by this ordinance)

(21) Any substantial or repeated deviation from the above-enumerated safety guidelines, as so determined by the ~~Chicago Fire Commissioner~~ fire commissioner, shall constitute a violation of this section. Any person, owner, agent, employee, tenant, licensee, contractor or occupant of the McCormick Place Complex ~~found in violation of~~ violating any of the provisions ~~specified in~~ of this section shall be fined not less than \$200.00 ~~but no~~ nor more than \$500.00 ~~per day until such time as said violation is remedied~~ for each offense. Each day that a violation continues shall constitute a separate and distinct offense.

(22) The ~~Deputy Commissioner of the Fire Prevention Bureau~~ fire commissioner shall coordinate meetings with the M.P.E.A.'s Assistant Director of Fire Safety or his or her designee, as may be required to insure compliance with these procedures and policies.

SECTION 152. Section 15-28-040 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-28-040 Storage requirements.

(Omitted text is unaffected by this ordinance)

It shall be unlawful to store in any building more than ten pounds of metallic potassium, metallic sodium, phosphorous or sodium peroxide, or more than 20 pounds of aluminum powder or calcium phosphide, or more than 600 pounds of calcium carbide, or more of any other such chemical or material than is determined by the ~~fire prevention bureau~~ commissioner to be a safe limit except in a hazardous chemical storage building or vault constructed as required in Chapter 15-28 of this Code. If stored in a vault, such chemicals shall be stored upon a platform or upon a shelf or shelves not less than one foot, six inches above the floor. No such chemical or material shall be stored or used in any building room or vault now existing or hereafter designed, erected, altered or converted, which is equipped with a sprinkler system or sprinkler heads.

SECTION 153. Section 15-28-120 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-28-120 Fire prevention requirements.

The storage and handling of hazardous chemicals shall comply with the following requirements:

(1) Quantities in excess of the limits specified in Section 15-28-040 or in excess of one day's supply shall be stored or used in rooms or buildings complying with the requirements herein. Whenever one day's supply exceeds the amount specified in Section 15-28-040, a notarized letter from the user stating the amount used in one day shall be filed with the ~~bureau of fire prevention~~ fire commissioner. Upon any change in that amount, the ~~bureau of fire prevention~~ fire commissioner shall be notified within 24 hours.

(Omitted text is unaffected by this ordinance)

SECTION 154. Section 15-28-220 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-28-220 Fire prevention requirements.

(Omitted text is unaffected by this ordinance)

(1) Quantities in excess of one day's supply shall be stored in buildings or rooms conforming to the requirements for hazardous chemicals. The user shall notify the ~~bureau of fire prevention~~ fire commissioner by notarized letter of the amount used in one day. Upon any change in that amount, the ~~bureau of fire prevention~~ fire commissioner shall be notified within 24 hours.

(Omitted text is unaffected by this ordinance)

SECTION 155. Section 15-28-380 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

5-28-380 Storage and fire prevention requirements.

(Omitted text is unaffected by this ordinance)

(2) Quantities in excess of one day's supply shall be stored, kept or handled in buildings or rooms conforming to the requirements for fume hazard gases, hazardous chemical or flammable liquids. The user shall notify the ~~bureau of fire prevention~~ fire commissioner by notarized letter of the amount used in one day. Upon any change in that amount, the ~~bureau of fire prevention~~ fire commissioner shall be notified within 24 hours.

(Omitted text is unaffected by this ordinance)

SECTION 156. Section 15-28-420 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-28-420 Fire prevention requirements.

No person shall keep corrosive liquids in excess of one day's supply except in a separate suitable room or building. The user shall notify the ~~bureau of fire prevention~~ fire commissioner by notarized letter of the amount used in one day. Upon any change in that amount, the ~~bureau of fire prevention~~ fire commissioner shall be notified within 24 hours. Such room or building shall comply with the requirements of standard fireproof vault for flammable liquids. Defective containers which permit leakage or spillage shall be disposed of or repaired in an approved manner. No spilled materials shall be allowed to accumulate on floor or shelves.

SECTION 157. Section 15-28-600 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-28-600 Special safety clearances.

(Omitted text is unaffected by this ordinance)

No person shall keep, pile, store or accumulate within the city, shavings, sawdust or excelsior in any quantity exceeding 20,000 pounds, unless such person shall first submit to the ~~division marshal in charge of the bureau of fire prevention~~ fire commissioner; the written consents of the property owners representing the majority of the total frontage in feet of any lot or plot of ground lying wholly or in part within the lines 150 feet distant from and parallel to the boundaries of the lot or plot of ground upon which said storage is to be installed; provided, however, that for the purpose of this section only the frontage of any such lot or plot of ground, or that part of the frontage of any part of such lot or plot of ground, or that part of the frontage of any part of such lot or plot of ground as comes within the 150 feet limit herein prescribed shall

be considered; and provided further, that all petitions containing such consents of property owners shall be based on and contain the legal descriptions of the property affected. Whenever the lot or plot of ground in which said storage is to be installed is in any other shape than rectangle, the 150 feet limiting line aforementioned shall not exceed in distance 150 feet from any point in the boundaries of such lot or plot of ground. No such storage yard shall be installed in any lot or plot of ground where any of the boundaries of such lot or plot of ground are within 200 feet of the nearest boundary of any lot or plot of ground used for a church, school or hospital.

SECTION 158. Section 15-28-740 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-28-740 Disposal of wastepaper.

(Omitted text is unaffected by this ordinance)

All such material shall be either destroyed as soon as removed, as required by this section, or it may be kept in a room, the construction and location of which shall be subject to the approval of the ~~division marshal in charge of the bureau of fire prevention~~ fire commissioner, and in such case all such material shall be removed from such room and from the building in which such room is located at least once a week.

SECTION 159. Section 15-28-750 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-28-750 Coal storage.

(Omitted text is unaffected by this ordinance)

Wherever coal in storage shows indication of spontaneous ignition or gives off gases, it shall be the duty of the owner or agent, or person in charge or control of the premises where such coal is stored to turn over or overhaul such coal pile and remove all portions of the coal showing indication of ignition or coking. Such work shall be done under the supervision of a ~~representative of the bureau of fire prevention~~ the fire commissioner.

SECTION 160. Section 15-28-920 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-28-920 Machinery used.

Stamping, perforating and similar machines shall be equipped with a metal receptacle containing water for receiving waste material. Metal receptacles with automatic or self-closing covers shall be provided for nitrocellulose scraps and clippings, and said scraps and clippings shall be removed from the premises each evening and disposed of in a manner approved by the ~~division marshal in charge of the bureau of fire prevention~~ fire commissioner.

SECTION 161. Section 17-13-1405 of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

17-13-1405 Inter-Track Wagering Facility.

17-13-1405-A Upon receipt of an application for the establishment of an inter-track wagering facility, the Zoning Administrator must:

1. make a determination of the capacity in persons of such a facility; said capacity may not exceed that established by the ~~Bureau of Fire Prevention of the Chicago Fire Department~~ fire commissioner;

(Omitted text is unaffected by this ordinance)

SECTION 162. Part A of Article 100 of Chapter 18-27 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, as follows:

Article 100: Definitions

(Omitted text is unaffected by this ordinance)

Part A: General

Accessible (as applied to wiring methods). Capable of being removed or exposed without damaging the building structure or finish, or not permanently closed in by the structure or finish of the building.

(Omitted text is unaffected by this ordinance)

Fire commissioner. Fire commissioner means the fire commissioner of the City of Chicago or the fire commissioner's departmental designee.

(Omitted text is unaffected by this ordinance)

SECTION 163. Section 18-27-110.26 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

18-27-110.26 Spaces about electrical equipment.

(Omitted text is unaffected by this ordinance)

(g) Dedicated Electrical Closet. In high rise buildings or similar locations of the commercial or residential types, where vaults, transformers and/or distribution points are established throughout the various floors or areas of the building, all such electrical equipment shall be grouped and installed in an approved electrical closet. Such closet shall be for exclusive use of the electrical system and shall be constructed as to provide the required working space around all of the electrical equipment installed therein. Such closets shall have adequate fire rating and be protected in a manner suitable to the ~~Fire Prevention Bureau~~ fire commissioner and shall comply with Section 18-27-230.70.

(Omitted text is unaffected by this ordinance)

SECTION 164. Section 18-27-450.43 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

18-27-450.43 Doorways.

Vault doorways shall be protected as follows.

(a) Type of Door. Each doorway leading into a vault from the building interior shall be provided with a tight-fitting door that has a minimum fire rating of 3 hours. The Electrical Bureau or the ~~Fire Prevention Bureau~~ fire commissioner shall be permitted to require such a door for an exterior wall opening where conditions warrant.

FPN: For additional information, see *Standard for Fire Doors and Fire Windows*, NFPA 80.

(Omitted text is unaffected by this ordinance)

SECTION 165. Section 18-27-700.3 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

18-27-700.3 Plan submittal procedure.

Three complete sets of detailed plans of exit and emergency lighting systems shall be submitted first to the ~~Fire Prevention Bureau~~ fire commissioner. After a completed review by the ~~Fire Prevention Bureau~~ fire commissioner for exit sign locations the plans shall be forwarded to the Electrical Bureau for review. No work shall start on the exit and emergency lighting systems before receiving a stamp confirming review by both ~~Bureaus~~ the fire commissioner and Electrical Bureau.

In addition to any other information required by the Electrical Bureau and the ~~Fire Prevention Bureau~~ fire commissioner the plans shall indicate:

(Omitted text is unaffected by this ordinance)

SECTION 166. Section 18-27-760.80 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

18-27-760.80 General.

The provisions of the Municipal Code of the City of Chicago governing the installation of required fire alarm systems and required emergency voice communication systems and are hereby declared retrospective as well as prospective and shall apply to both existing buildings and buildings hereafter constructed, altered or converted.

Fire alarm systems and emergency voice communication systems are required by the City of Chicago Municipal Code for occupancies including but not limited to: Schools, Hospitals, Day Care Centers, Nursing Homes, High Rise Buildings, etc.

FPN: See the ~~Fire Prevention Bureau sections of the~~ Chicago Building Code for a complete list of occupancies.

The workmanship, equipment and quality of installation shall conform to the requirements of Articles 100, 110, and 300 through 384 of this chapter. The installation shall not be deemed complete before notification and inspection by the Electrical Bureau.

SECTION 167. Section 18-27-760.81 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

18-27-760.81 Plans required.

Before work is begun on the installation or alteration of a required fire alarm or emergency voice communication system, three complete sets of detailed plans and specifications of the proposed installation shall be submitted to the ~~Fire Prevention Bureau~~ fire commissioner. After a completed review by the ~~Fire Prevention Bureau~~ fire commissioner for location and function, the plans shall be forwarded to the Electrical Bureau for examination and review. Only after both ~~Bureaus~~ the fire commissioner and Electrical Bureau have confirmed their reviews by stamp may work begin.

In addition to any other information required by the ~~Fire Prevention Bureau~~ fire commissioner and Electrical Bureau, the plans shall include:

(Omitted text is unaffected by this ordinance)

SECTION 168. Section 18-27-760.87 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

18-27-760.87 Approval.

The required fire alarm system, and all equipment used in conjunction with the fire alarm system, shall be of a type approved by the Electrical Bureau and the ~~Fire Prevention Bureau~~ fire commissioner.

SECTION 169. Section 18-27-760.87 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

18-27-760.100 General.

Where the Municipal Code requires that a required fire alarm system or emergency voice communication system be connected to an off-premise monitoring service, the provisions of this section and Part D shall apply. Such connection shall be considered as a component of the

required fire alarm system or emergency voice communication system and shall be incorporated in the plans and diagrams which are required by the ~~Fire Prevention Bureau~~ fire commissioner and Section 18-27-760.81.

SECTION 170. Section 18-27-760.101 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

8-27-760.101 Type of service.

The off-premise monitoring service shall consist of either a municipal fire alarm box or a central station service. The type of service shall be as determined by the ~~Fire Prevention Bureau~~ fire commissioner.

SECTION 171. Section 18-27-760.102 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

18-27-760.102 Wiring method.

(Omitted text is unaffected by this ordinance)

(b) *Central Station Service.* The conductors connecting the required fire alarm system or emergency voice communication system to the central station service shall be run in metal conduit. The conduit shall contain no conductors other than those necessary for operation of the central station service and shall conform to the following:

(Omitted text is unaffected by this ordinance)

(3) Sufficient conductors shall be run to monitor all functions as required by the ~~Fire Prevention Bureau~~ fire commissioner. All conductors shall be color coded. One provided conductor shall be green, which shall be bonded to the enclosure of the control equipment monitored and to the enclosure of the Central Station Service equipment. Two provided conductors shall be spares.

(Omitted text is unaffected by this ordinance)

SECTION 172. Section 18-27-760.104 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

18-27-760.104 Function of the connection.

(Omitted text is unaffected by this ordinance)

All supervisory and trouble conditions shall be annunciated in a manned location as directed by the ~~Fire Prevention Bureau~~ fire commissioner.

SECTION 173. Section 18-27-760.107 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

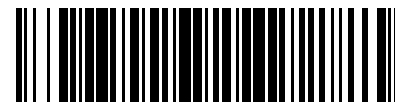
18-27-760.107 Notification of discontinuation of service.

Where a central station service discontinues service to a building, the central station service shall notify the ~~Fire Prevention Bureau~~ fire commissioner within 24 hours.

SECTION 174. This ordinance shall take full force and effect upon its passage and publication.



City of Chicago



O2016-2700

Office of the City Clerk

Document Tracking Sheet

Meeting Date:	4/13/2016
Sponsor(s):	Emanuel (Mayor) Solis (25) Dowell (3) Mitts (37) Scott, Jr. (24) Harris (8) Burnett (27)
Type:	Ordinance
Title:	Amendment of Title 16 of Municipal Code by adding New Chapter 16-14 and modifying various sections of Titles 2 and 17 related to establishment of Neighborhood Opportunity fund
Committee(s) Assignment:	Committee on Zoning, Landmarks and Building Standards



OFFICE OF THE MAYOR
CITY OF CHICAGO

RAHM EMANUEL
MAYOR

April 13, 2016

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, together with Aldermen Solis, Dowell, Mitts, Scott, Harris and Burnett, an ordinance amending the zoning code and related provisions regarding the establishment of a Neighborhoods Opportunity Fund.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,

A handwritten signature in cursive script that reads "Rahm Emanuel".

Mayor

ORDINANCE

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

SECTION 1. Section 2-45-115 of the Municipal Code of Chicago is hereby amended by deleting the struck-through language and inserting the underscored language, as follows:

(Omitted text is unaffected by this ordinance.)

(E) Reserved. ~~Relationship between 2015 ARO and affordable housing density bonus. For every residential housing project subject to the requirements of subsection (C), and also eligible for an affordable housing floor area bonus pursuant to Section 17-4-1004 B, the developer shall be required to comply with the requirements of both provisions. Notwithstanding the foregoing, any in lieu fees collected under Section 17-4-1004 C may be applied as a credit against any in lieu fees due under this section.~~

(Omitted text is unaffected by this ordinance.)

(G) Affordable Housing Opportunity Fund. The in-lieu fees and other fees collected under this section, Section 2-45-110, and former Sec. 17-4-1004 as in effect prior to passage of this amendatory ordinance shall be deposited in the Affordable Housing Opportunity Fund, unless required to be deposited into another fund pursuant to federal or state law. All annual revenues of the Affordable Housing Opportunity Fund shall be reserved and utilized exclusively to pay the administrative and monitoring costs and expenses of this section, Section 2-45-110, and former Section 17-4-1004 and, after subtracting such costs and expenses, as follows:

(1) fifty percent (50%) shall be used for the construction, rehabilitation or preservation of affordable housing; and

(2) fifty percent (50%) shall be contributed to the Chicago Low-Income Housing Trust Fund or a successor organization.

(Omitted text is unaffected by this ordinance.)

SECTION 2. Title 16 of the Municipal Code of Chicago is hereby amended by adding a new Chapter 16-14, underscored as follows:

16-14-010 Title.

This chapter shall be known and cited as the “Neighborhoods Opportunity Fund Ordinance.”

16-14-020 Definitions.

For purposes of this chapter, the following definitions shall apply:

“Commissioner” means the commissioner of planning and development.

“Department” means the department of planning and development.

"Qualified investment area" means any area in the City designated by the commissioner as a low-moderate income area pursuant to published data on areas of concentrated disadvantage by the United States Census Bureau.

16-14-030 Neighborhoods Opportunity Fund.

A separate fund is hereby established and designated the Neighborhoods Opportunity Fund into which 80% of the funds collected from any downtown floor area bonus under Sec. 17-4-1000 of this Code will be deposited. The revenues of the Neighborhoods Opportunity Fund shall be reserved and utilized exclusively in accordance with this chapter.

16-14-040 Purpose. The purpose of the Neighborhoods Opportunity Fund is:

(a) to promote growth within the downtown area through the floor area bonus provisions of Sec. 17-4-1000, and simultaneously generate new revenues for investment in business development and job growth in neighborhoods impacted by poverty, high unemployment, and other indicators of economic deprivation;

(b) to strengthen neighborhood commercial corridors in qualified investment areas;
and

(c) to address the decline of private investment in qualified investment areas that damages the City's overall economic competitiveness, impedes the sustainable and equitable development of the City as a whole, contributes to inequality and poverty, and has a detrimental effect on the City's quality of life.

16-14-050 Qualified investment areas.

The Neighborhoods Opportunity Fund shall be used for projects located in or directly benefiting qualified investment areas. The commissioner shall publish a map of qualified investment areas and update the map at least once every five years.

16-14-060 Authorized uses.

The following uses are authorized uses of the Neighborhoods Opportunity Fund:

(a) commercial establishments that provide, on a permanent or short term (pop up) basis, goods and services which complement and revitalize the areas in which they are located, and which may include, without limitation, grocery stores, retail establishments, and restaurants that sell food primarily for consumption on premises;

(b) cultural establishments that provide, on a permanent or short term (pop up) basis, recreational and educational opportunities which complement and revitalize the areas in which they are located; and

(c) incubation, mentoring, and training of small businesses that otherwise qualify as authorized uses under (a) or (b) above.

16-14-070 Eligible costs.

The Neighborhoods Opportunity Fund may be used for the following costs when they are necessary or desirable for, or in support of, one or more authorized uses:

(a) costs to acquire, rehabilitate, or demolish substandard, obsolete, vacant, or historic buildings, including planning and design costs;

(b) costs to plan, design, and construct new buildings, not to exceed 30% of total project costs;

(c) costs to plan, design, and construct public infrastructure directly related to projects under subsections (a) and (b) above;

(d) financing costs related to projects under subsections (a), (b), and (c) above;

(e) costs of job support used to recruit, hire, and retain job seekers who reside in qualified investment areas for identified jobs created by projects funded under subsections (a), (b), or (c) above;

(f) costs of business incubation, mentoring, and training programs under Sec. 16-14-060 (c); and

(g) administrative, reporting, and monitoring costs and expenses of the Neighborhoods Opportunity Fund, provided such costs and expenses may not exceed 5% of the fund.

16-14-080 Administration.

(a) The department shall administer the Neighborhoods Opportunity Fund and all projects funded under this chapter. Any grant of funds for a private project in an aggregate amount in excess of \$250,000.00 shall require city council approval. The department may disburse individual grants in the amount of \$250,000 or less through procedures established by rule, subject to periodic city council authorization of program funding limits. The selection of projects will be informed by community-based planning processes, such as Chicago Neighborhoods Now. Priority will be given to commercial projects that:

(i) have a positive, catalytic impact on a commercial corridor;

- (ii) provide goods or services where those goods or services are lacking;
- (iii) support a new or expanding small business;
- (iv) have the potential to leverage other resources (private, state, federal);
- (v) show a clear path to financial closing and construction start;
- (vi) commit to hiring from eligible neighborhoods; and
- (vii) are economically viable and sustainable.

(b) The commissioner is authorized to enter into grant agreements and all other agreements and ancillary documents necessary to implement this chapter, to prescribe application forms and other forms necessary to collect relevant information concerning participants and projects utilizing the Neighborhoods Opportunity Fund, and to adopt such rules as the commissioner may deem necessary for the proper implementation, administration, and enforcement of this chapter, including without limitation, rules setting forth criteria and guidelines for the selection of projects and disbursement of funds in a fair and equitable manner.

(c) The commissioner shall post on the department's website an annual report detailing the receipt and expenditure of funds from the Neighborhoods Opportunity Fund.

SECTION 3. Chapter 17-1 of Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by inserting the underscored language, as follows:

(Omitted text is unaffected by this ordinance.)

17-1-1500 Downtown area.

17-1-1500-A. For the purpose of establishing new downtown ("D") zoning districts, the downtown area is defined as an area bounded by: Division Street; Lake Michigan; the Stevenson Expressway; the CTA red line right-of-way; Cermak Road; Stewart Avenue; the South Branch of the Chicago River; 16th Street; the Dan Ryan Expressway; the Eisenhower Expressway; Ashland Avenue; Ogden Avenue; Ada Street; Carroll Street; Sangamon Street; Wayman Street; Halsted Street; the Kennedy Expressway; Ogden Avenue; Chicago Avenue; the North Branch of the Chicago River; the North Branch Canal; and Halsted Street.

17-1-1500-B. Property within the downtown area boundaries described in Sec. 17-1-1500-A, but outside the original downtown area boundaries described in Sec. 17-1-1406-B-2, is referred to herein as the downtown expansion area. No property within the downtown expansion area shall be rezoned except upon an application duly filed and approved by the city council. Any rezoning of property within the downtown expansion area from its classification on the effective date of this Sec. 17-1-1500 shall be required to be rezoned to a "D" zoning district. This Sec. 17-1-1500-B shall apply to all rezoning applications filed with the City after the date on which this ordinance was introduced to city council (the "Introduction Date"). The rezoning requirements and restrictions in effect immediately before the effective date of this Sec. 17-1-

1500-B shall apply to all rezoning applications that were submitted in complete form and are pending approval as of the Introduction Date, unless the applicant chooses to be governed by the provisions of this Sec. 17-1-1500-B.

17-1-1500 1600 Severability.

(Omitted text is unaffected by this ordinance.)

SECTION 4. Section 17-4-0100 of the Chicago Zoning Ordinance is hereby amended by deleting the struck-through language and inserting the underscored language, as follows:

17-4-0100 District descriptions.

17-4-0101 Generally. “D” zoning districts are intended solely for application within the downtown area. No “D” zoning may be established outside the “D” district downtown area boundaries in existence on November 1, 2004 as described in Sec. 17-1-1500.

(Omitted text is unaffected by this ordinance.)

SECTION 5. Section 17-4-0404 of the Chicago Zoning Ordinance is hereby amended by deleting the struck-through language and inserting the underscored language, as follows:

17-4-0404 Lot Area per Unit.

(Omitted text is unaffected by this ordinance.)

17-4-0404-B MLA Reduction for Affordable Housing and Underground Parking Downtown Floor Area Bonus. Projects that qualify for and are awarded granted floor area bonuses for ~~Affordable Housing or Underground Parking and Loading~~ under Sec. 17-4-1000 are eligible to use reduced lot-area-per-unit standards. For each one percent increase in floor area awarded through the ~~Affordable Housing~~ floor area bonus provisions of Sec. 17-4-1004 1000 and the ~~Underground Parking and Loading~~ floor area bonus provisions of Sec. 17-4-1016, the minimum *lot area* per unit standard is reduced by one percent. The minimum *lot area* per unit reduction may not exceed 15 percent, regardless of the floor area bonus ~~awarded~~ granted.

(Omitted text is unaffected by this ordinance.)

SECTION 6. Section 17-4-0405 of the Chicago Zoning Ordinance is hereby amended by deleting the struck-through language and inserting the underscored language, as follows:

17-4-0405 Floor Area Ratio.

17-4-0405-A Standards. All development in “D” districts is subject to the following maximum *floor area ratio* standards:

Dash	Maximum	FAR Bonuses
------	---------	-------------

Designation	Base Floor Area Ratio	Allowed?
-3	3.0	No Yes
-5	5.0	Yes (affordable housing and adopt a landmark bonuses only)
-7	7.0	Yes (affordable housing and adopt a landmark bonuses only)
-10	10.0	Yes (affordable housing and adopt a landmark bonuses only)
-12	12.0	Yes
-16	16.0	Yes

(See Sec. 17-17-0305 for rules governing the measurement of *floor area ratio*.)

17-4-0405-B Bonus Floor Area. Under the provisions of Sec. 17-4-1000, development in ~~dash 12 and dash 16~~ all “D” districts is eligible for floor area bonuses, over and above the stated maximum *base floor area ratios* of Sec. 17-4-0405-A. ~~Floor area bonuses for affordable housing and “adopting” an historic landmark may be approved in any dash 5, dash 7, dash 10, dash 12 or dash 16 “D” district, subject to the provisions of Sec. 17-4-1004 and Sec. 17-4-1022, respectively.~~

17-4-0405-C FAR Increase for Transit-Served Locations. All projects in D dash 3 districts located within 1,320 feet of a CTA or METRA rail station entrance or within 2,640 feet of a CTA or METRA rail station entrance when the subject building is located along a pedestrian street or a pedestrian retail street, and which (1) provide no more than one parking space per dwelling unit, and (2) satisfy the criteria set forth in Sec. 17-13-0905-F, may increase the maximum *floor area ratio* standard to 3.5. This *floor area ratio* is allowed only if the project is reviewed and approved in accordance with the Type I Zoning Map Amendment procedures of Sec. 17-13-0302, or the planned development procedures of Sec. 17-13-0600 (if the project qualifies as a mandatory or elective planned development under Sections 17-8-0500 or 17-8-0600). A floor area increase solely pursuant to this section shall not be deemed a floor area bonus under Sec. 17-4-1000.

17-4-0405-D Additional FAR Increase for On-Site Affordable Housing Units in Transit-Served Locations. All projects in D dash 3 districts subject to Sec. 2-45-115 that qualify for and are granted a *floor area ratio* increase of 0.5 under Sec. 17-4-0405-C above are

eligible for additional *floor area ratio* increases as follows: (1) projects that provide at least 50% of the required affordable units on-site, may increase the maximum *floor area ratio* standard by an additional 0.25 to 3.75, and (2) projects that provide 100% of the required affordable units on-site may increase the maximum *floor area ratio* standard by an additional 0.5 to 4.0. These *floor area ratio* increases are allowed only if the project is reviewed and approved in accordance with the Type I Zoning Map Amendment procedures of Sec. 17-13-0302, or the planned development procedures of Sec. 17-13-0600 (if the project qualifies as a mandatory or elective planned development under Sections 17-8-0500 or 17-8-0600). A floor area increase solely pursuant to this section shall not be deemed a floor area bonus under Sec. 17-4-1000.

SECTION 7. Section 17-4-0604 of the Chicago Zoning Ordinance is hereby amended by deleting the struck-through language, as follows:

17-4-0604 Standards. Minimum sidewalk widths of at least 14 feet are necessary to promote safe and efficient pedestrian flows along designated *mobility streets*. Whenever development occurs on lots abutting a *mobility street* and the width of the abutting sidewalk is less than 14 feet, the building must be set back to accommodate a sidewalk with a width of at least 14 feet. ~~Buildings abutting *mobility streets* that request floor area bonuses pursuant to Sec. 17-4-1000 must use the Sidewalk Widening bonus of Sec. 17-4-1010.~~

SECTION 8. Section 17-4-1000 of the Chicago Zoning Ordinance is hereby amended by deleting the section in its entirety and substituting the following new section in lieu thereof, underscored as follows:

17-4-1000 Floor area bonuses.

17-4-1001 Purpose. The floor area bonus provisions of this section are intended to provide the opportunity for downtown area projects to achieve appropriate increases in *floor area ratio* above the *base floor area ratios*, while providing a corresponding economic incentive for developers to contribute to the economic growth of qualified investment areas as defined in Sec. 16-14-020, to preserve Chicago landmarks, and to provide public amenities in the downtown area or immediate vicinity that improve the quality of life of City residents, employees and visitors and are a benefit to the public. This section shall be liberally construed and applied to achieve its purposes.

17-4-1002 Eligibility Criteria. *Residential buildings* and nonresidential buildings in all “D” districts are eligible to receive floor area bonuses under this Sec. 17-4-1000.

17-4-1003 Administration.

17-4-1003-A Planned Development Review. Floor area bonuses under this Sec. 17-4-1000 may be approved only in accordance with the *planned development* procedures of Sec. 17-13-0600. The Zoning Administrator must review proposed floor area bonus requests and make a recommendation to the Commissioner of Planning and Development and the Chicago Plan Commission. The Commissioner of Planning and Development and the Chicago Plan Commission shall each in turn make a recommendation to the city council.

17-4-1003-B Submittal Requirements. All applicants for bonus floor area must file a bonus worksheet with the Zoning Administrator.

1. The Zoning Administrator shall, by rule, establish a required form and content for such worksheets.

2. Such worksheets must, at a minimum, include the calculations for the amount of bonus floor area requested. In addition, every application for bonus floor area may include a written plan identifying the local improvements to receive financial support from the Local Impact Fund pursuant to Sec. 17-4-1005.

3. Such worksheets will serve as an official record of bonuses and such records will be binding on the *property owners* and their successors and assigns.

17-4-1003-C Bonus Formula.

1. Floor area bonuses will be based on a financial contribution that reflects the value of land within the surrounding area, based on the following formula:

Cost of 1 square foot of floor area = 80% × median cost of land per buildable square foot.

2. The cost of land must be based on sale prices within the most recent 5 years, as provided by the Department of Planning and Development.

3. The Commissioner of Planning and Development is responsible for updating estimates of land values at least once every five years.

4. The bonus payment shall be paid in full prior to the issuance of the first building permit for any building or buildings within the *planned development*; provided, however, if the *planned development* is constructed in phases, the bonus payment shall be paid on a pro rata basis as the first building permit for each subsequent new building or phase of construction is issued. The amount due prior to the issuance of a building permit (whether for a single building or for any subsequent phase of construction) shall be calculated by multiplying the total bonus payment due for the *planned development* as a whole (as the land value determination may be adjusted from time to time pursuant to paragraphs 2 and 3 above) by a fraction, the numerator of which is the amount of floor area in the building or buildings for which the permit is then being issued and the denominator of which is the total amount of floor area approved in the *planned development* (calculated as the total maximum floor area ratio in the *planned development* multiplied by the total net site area in the *planned development*), as follows:

$$\begin{array}{l} \text{Bonus payment due at} \\ \text{the time of applicable} \\ \text{permit *} \end{array} = \frac{\text{Total bonus payment for}}{\text{planned development**}} \times \frac{\text{Floor area approved for construction in}}{\text{building permit for applicable building or}} \frac{\text{phase} \div \text{maximum floor area approved for}}{\text{construction in planned development as a}} \frac{\text{whole***}}{\text{whole***}}$$

- * Each payment is due prior to the issuance of the first building permit for any building or buildings in the *planned development*.
- ** The total bonus payment shall be determined by calculating the amount of bonus floor area granted in the approved *planned development* times the amount per square foot due pursuant to Sec. 17-4-1003-C-1 (as the same may be adjusted in accordance with Sec. 17-4-1003-C-2 and Sec. 17-4-1003-C-3), and therefore the final payment amount may change over time.
- *** Maximum floor area is calculated as the total maximum *floor area ratio* in the *planned development* multiplied by the total net site area in the *planned development*.

17-4-1003-D Allocation of Bonus Payment.

1. Except as provided in paragraphs 2 and 3 below, all funds received for floor area bonuses under this Sec. 17-4-1000 shall be deposited in the following funds in the following percentages:

<u>Bonus Fund</u>	<u>Percentage of Bonus Payment</u>
<u>Neighborhoods Opportunity Fund</u>	<u>80%</u>
<u>Citywide Adopt-a-Landmark Fund</u>	<u>10%</u>
<u>Local Impact Fund</u>	<u>10%</u>

2. In lieu of the direct deposits otherwise required into the Citywide Adopt-a-Landmark Fund or the Local Impact Fund, the Department of Planning and Development may direct applicants to make payments directly to sister agencies or landmark *property owners* to finance specific projects pursuant to the requirements of Sec. 17-4-1005 or Sec. 17-4-1006, as applicable.

3. In lieu of the direct deposit otherwise required into the Local Impact Fund, the *planned development* ordinance may provide for applicants to undertake specific local improvement projects themselves pursuant to the requirements of Sec. 17-4-1005-E.

17-4-1003-E Minimum and Maximum Floor Area Bonus.

- 1. The minimum floor area bonus for any “D” district is 1.0 FAR.
- 2. Each of the following “D” districts shall have a maximum floor area bonus as follows:

(a)	DR-3, DX-3, DS-3	= 2.5
(b)	DR-5, DX-5	= 2.7
(c)	DR-7	= 4.0
(d)	DX-7	= 6.2
(e)	DX-12, DC-12	= 5.6

17-4-1004 Neighborhoods Opportunity Bonus.

17-4-1004-A Percentage Allocated. 80 percent of all funds due for floor area bonuses under this Sec. 17-4-1000 shall be allocated to and deposited in the Neighborhoods Opportunity Fund established pursuant to Chapter 16-14.

17-4-1004-B Use of Funds. All funds deposited in the Neighborhoods Opportunity Fund shall be used exclusively for the purposes permitted by Chapter 16-14.

17-4-1005 Local Impact Bonus.

17-4-1005-A Percentage Allocated. 10 percent of all funds due for floor area bonuses under this Sec. 17-4-1000 shall be allocated to and deposited in the Local Impact Fund established pursuant to Sec. 17-4-1005-B; provided, however, the Department of Planning and Development may direct the applicant to make payments directly to the applicable sister agency or landmark *property owner* for authorized uses under Sec. 17-4-1005-C.

17-4-1005-B Local impact fund. A separate fund is hereby established and designated the Local Impact Fund into which the funds collected from the local impact portion of the floor area bonuses under this Sec. 17-4-1000 will be deposited. The revenues of the Local Impact Fund shall be reserved and utilized exclusively in accordance with Sec. 17-4-1005-C below.

17-4-1005-C Use of Funds. All funds deposited in the Local Impact Fund shall be used for specific improvements located within 2,640 feet of the *planned development* site if the *planned development* ordinance identifies specific improvements. If the *planned development* ordinance does not identify specific improvements, then the Department of Planning and Development, in consultation with the alderman of the ward in which the *planned development* site is located, may allocate such funds to eligible improvements located anywhere in the downtown area. The Local Impact Fund may be used to finance improvements in the following categories:

1. Off-Site Park and Open Space. Local impact funds may be distributed to the Chicago Park District, the Chicago Department of Transportation, or another City department or sister agency to support the creation or improvement of pocket parks, improvements to the Chicago Riverwalk, or other public park spaces.

2. Pedestrian and Streetscape Improvements. Local impact funds may be distributed to the Chicago Department of Transportation or another City department or sister agency to support pedestrian and streetscape improvements that exceed current landscape ordinance requirements. Qualifying pedestrian and streetscape improvements may include, without limitation, raised planters, special pavers, decorative or historic *street* lighting, pedestrian lighting, *flag* and *banner* poles, hanging baskets, bicycle infrastructure and facilities, and bridge house improvements. Plans should demonstrate the maximum use of trees without obstructing the *public way* or views of retail uses. *Street* lighting components should be selected from the City's lighting

palette. Pavement treatments and materials should reflect those generally used in the immediate area.

3. Transit Infrastructure Improvements. Local impact funds may be distributed to the Chicago Transit Authority, the Chicago Department of Transportation, or another City department or sister agency to support improvements to transit stations and other public transit infrastructure. Qualifying improvements may include, without limitation, new access easements, improvements, remediation and repairs to connecting passageways, mezzanines, concourse areas, tracks, and other public transit structures and facilities.

4. Local Adopt-a-Landmark. Local impact funds may be distributed to *property owners* of buildings, structures, works of art, or other objects that have been designated as “Chicago Landmarks” under the Chicago Landmarks Ordinance to support specific restoration projects, subject to the criteria and guidelines set forth in Sec. 17-4-1006.

17-4-1005-D Alternative Use of Local Impact Funds. Upon the recommendation of the Commissioner of Planning and Development, after consultation with the Chicago Board of Education and the alderman of the ward in which the *planned development* site is located, the *planned development* ordinance may allocate all or a portion of the 10% local impact component of any bonus payment to the Public Schools Capital Improvement Program to support construction of new schools, school expansions, and related improvements.

17-4-1005-E Option for In-Kind Provision of Local Improvements. In lieu of the required cash contribution to the Local Impact Fund, the *planned development* ordinance may provide for applicants to undertake specific local improvement projects themselves. The Department of Planning and Development shall review proposals for in-kind improvements on a case-by-case basis in consultation with the alderman of the ward in which the *planned development* site is located. If the Department of Planning and Development, after consultation with the alderman of the ward in which the *planned development* site is located, approves the proposal, the applicant shall submit documentation, including but not limited to, detailed site-specific cost estimates for the improvements, appropriate drawings, detailed construction commitments, a construction schedule, and a performance bond for completion of the improvements.

17-4-1005-F Binding Commitments.

1. Any sister agency that receives funds under this Sec. 17-4-1005 (whether from the City as a distribution from the Local Impact Fund, or from the applicant directly pursuant to Sec. 17-4-1003-D-2) must enter into an agreement with the City regarding the manner in which the funds will be used. Any funds that have not been used upon completion of the local improvement project shall be returned to the Local Impact Fund and applied to other eligible local improvement project costs.

2. If the Department of Planning and Development, after consultation with the alderman of the ward in which the *planned development* site is located, approves a proposal for in-kind improvements pursuant to Sec. 17-4-1005-E, the applicant shall enter into an agreement with the applicable City department or sister agency specifying the type of improvements to be provided, the value of the improvements, the timeline for completion of the improvements, and any other terms or conditions the Commissioner of Planning and Development deems necessary or desirable.

3. The Commissioner of Planning and Development, or the commissioner's designee, is authorized to execute all agreements with sister agencies and landmark *property owners* on behalf of the City. All agreements must be in a form approved by the corporation counsel.

17-4-1005-G Minor Change for Allocation of Local Impact Funds. Changes to local improvements or local landmark restoration projects specified in a *planned development* ordinance, or the substitution of one type of local improvement or landmark for another, or the manner in which payments are made or satisfied under Sec. 17-4-1003-D, shall be deemed minor changes and may be permitted by the Zoning Administrator, in consultation with the alderman of the ward in which the *planned development* site is located, as provided in Sec. 17-13-0611-A.

17-4-1006 Citywide Adopt-a-Landmark.

17-4-1006-A Percentage Allocated. 10 percent of all funds due for floor area bonuses under this Sec. 17-4-1000 shall be allocated to and deposited in the Citywide Adopt-a-Landmark Fund established pursuant to Sec. 17-4-1006-B; provided, however, the Department of Planning and Development may direct the applicant to make payments directly to landmark *property owners* for authorized uses under Sec. 17-4-1006-C.

17-4-1006-B Citywide Adopt-a-Landmark Fund. A separate fund is hereby established and designated the Citywide Adopt-a-Landmark Fund into which the funds collected from the citywide adopt-a-landmark portion of the floor area bonuses under this Sec. 17-4-1000 will be deposited. The revenues of the Citywide Adopt-a-Landmark Fund shall be reserved and utilized exclusively in accordance with Sec. 17-4-1006-C below.

17-4-1006-C Use of Funds. All funds deposited in the Citywide Adopt-a-Landmark Fund shall be used to support restoration of buildings, structures, works of art, or other objects that have been designated as "Chicago Landmarks" pursuant to the Chicago Landmarks Ordinance, subject to the following criteria and guidelines:

1. Restoration projects must be consistent with landmark guidelines.
2. The Commission on Chicago Landmarks must approve the scope of work and associated budget for the restoration project pursuant to its standard review and approval procedures.

3. Funds must be used for substantial interior or exterior renovation work that is visible from a public *street* or within a portion of the interior that is open to the public. Such work must exceed normal maintenance work. Examples of work that exceeds normal maintenance work are the restoration of a missing cornice or the replacement of deteriorated terra cotta. The Department of Planning and Development will give priority to projects that address exterior envelope issues.

4. Except for completed projects under paragraph 5, the *property owner* of the landmark receiving the funds (whether from the City as a distribution from the Citywide Adopt-a-Landmark Fund, or from the applicant directly pursuant to Sec. 17-4-1003-D-2) must enter into an agreement with the City and the Commission on Chicago Landmarks regarding the manner in which the funds will be used. All agreements must be in a form approved by the Corporation Counsel. Any funds that have not been used upon completion of the restoration project shall be returned to the Citywide Adopt-a-Landmark Fund and applied to other eligible landmark restoration project costs.

5. Completed projects under \$30,000 are eligible for adoption, provided the Commission on Chicago Landmarks has previously approved the scope of work and budget for such projects. The Department of Planning and Development shall maintain a list of completed projects, as well as a list of eligible, pre-approved projects that are seeking funding.

17-4-1007 Prior Bonuses. With regard to any development granted a floor area bonus under the provisions of Sec. 17-4-1000 in effect before the effective date of this amendatory ordinance of 2016, such bonus shall remain in effect in accordance with the terms under which it was previously approved; provided, however, any elimination, reduction in size, or substitution of an amenity for which a floor area bonus was granted requires a *planned development* ordinance (or an amendment thereto in the case of an existing *planned development*) and final approval by the city council, and any such *planned development* ordinance (or amendment) shall be subject to the floor area bonus provisions of this amendatory ordinance of 2016.

17-4-1008 Existing Development. Existing developments in DC-16 or DX-16 districts, which are *nonconforming* with respect to the applicable *floor area ratio* standards, may seek a floor area bonus pursuant to this amendatory ordinance of 2016 to increase the amount of floor area over the established nonconforming floor area. An increase of 10% or less of the floor area in existence as of the effective date of this amendatory ordinance may be approved as an *administrative adjustment* by the Zoning Administrator in accordance with Sec. 17-13-1003-D. An increase of more than 10% of such existing floor area requires *planned development* review and approval. Floor area bonus payments shall only be due for the amount of floor area in excess of the established nonconforming floor area.

17-4-1009 Pending Applications. This amendatory ordinance of 2016 shall apply to all *planned development* applications filed with the City after the date on which this amendatory ordinance was introduced to city council (the "Introduction Date"). The provisions of Sec. 17-4-1000 in effect immediately before the effective date of this amendatory ordinance shall apply to all *planned development* applications that were submitted in complete form and are pending approval as of the Introduction Date, unless the applicant chooses to be governed by the

provisions of this amendatory ordinance, in which case the applicant must agree to be governed by the totality of the new provisions.

17-4-1010 Rules and Regulations. The Commissioner of Planning and Development is authorized to adopt such rules as the commissioner may deem necessary for the proper implementation, administration, and enforcement of this amendatory ordinance, including for the administration of, and payments out of, the Neighborhoods Opportunity Fund, the Local Impact Fund, and the Citywide Adopt-a-Landmark Fund.

SECTION 9. Section 17-8-0100 of the Chicago Zoning Ordinance is hereby amended by deleting the struck-through language and inserting the underscored language, as follows:

(Omitted text is unaffected by this ordinance.)

17-8-0105 allow flexibility in application of selected use, *bulk*, and development standards in order to promote ~~creative~~ excellence and creativity in building design and high-quality urban design; and

(Omitted text is unaffected by this ordinance.)

SECTION 10. Section 17-8-0514 of the Chicago Zoning Ordinance is hereby amended by deleting the struck-through language, as follows:

17-8-0514 Bonus Floor Area in Excess of 150% of the Base FAR. *Planned development* review and approval is required for any development using floor area bonuses (~~See under Sec. 17-4-1000). if the development is proposed to exceed 150% of the base FAR allowed in the underlying zoning district.~~ *Planned development* review and approval is also required for ~~elimination or substitution of any amenity for which a floor area bonus was granted.~~

SECTION 11. Section 17-8-0900 of the Chicago Zoning Ordinance is hereby amended by deleting the struck-through language and inserting the underscored language, as follows:

(Omitted text is unaffected by this ordinance.)

17-8-0902 Other Regulations. Except as otherwise expressly stated, *planned developments* must comply with any special regulations that apply to the subject property, ~~such as~~ including but not limited to the Chicago Landmark Ordinance, and the Lake Michigan and Chicago Lakefront Protection Ordinance, the Chicago River Urban Design Guidelines - Downtown Corridor, and the Department of Planning and Development's sustainable development policy.

(Omitted text is unaffected by this ordinance.)

17-8-0904-B Transportation.

1. All *streets* should be constructed to City standards pertaining to paving and construction materials and be dedicated for public use. Deviations from standard widths (cross-sections) may be approved as part of the PD approval process.

2. When new streets are required for large-scale, multi-building developments, the new streets should reconnect the existing street grid.

(Omitted text is unaffected by this ordinance.)

17-8-0904-C Parking.

1. Large fields of surface parking should be avoided. Large parking lots should be broken up into smaller “cells” or “pods” that are defined by buildings, landscaping and pedestrian paths.

2. Parking should be located behind buildings or to the side of buildings. Large parking areas between buildings and the adjacent *street/sidewalk* should be avoided.

3. Shared parking should be provided whenever possible. Parking lots should be constructed to allow easy access to one or more buildings and multiple storefronts/uses.

4. On large retail and shopping center sites, small foot-print, multi-level parking structures are preferred over large surface parking lots.

5. Parking areas should be designed and laid out to maximize pedestrian safety and ease of connections to adjoining property.

6. On large retail and shopping center sites, separate and distinct pedestrian pathways should be provided to connect adjacent public sidewalks and parking areas with building entrances. Clearly delineated crosswalks should be provided when such pathways cross vehicular traffic lanes.

7. Bicycle parking facilities should be easily accessible and secure.

8. Driveways to parking areas should be minimal where possible and located and designed to maximize pedestrian safety and comfort.

17-8-0904-D Parking in “D” Districts.

1. Vehicle access and service functions should be accessed from alleys in order to diminish conflicts with pedestrian traffic on sidewalks.

2. Porte cocheres and similar covered entrances for automobiles are generally strongly discouraged. ~~When used, such features should be limited in size and serve lobbies that are clearly visible from the street. These entrances should be combined with landscaped open space.~~

3. Underground parking is strongly encouraged as a means of reducing the height and bulk of downtown buildings for superior building design that eliminates blank walls at street level for an improved pedestrian experience.

4. Any portion of a multi-level parking garage not located below grade should be lined by active use for a minimum depth of 20 feet (see Sec. 17-8-905-B, Building Features below).

(Omitted text is unaffected by this ordinance.)

17-8-0905-B Building Features.

1. Buildings should be located abutting the sidewalk with doors, windows and active uses adjacent to it. Exceptions are appropriate when building setbacks would allow the widening of a narrow sidewalk or where a large site allows a plaza or open space.

2. Primary pedestrian entrances should be located at sidewalk level. These entrances should be obvious to pedestrians by forming a significant focal element of the building, through the use of façade variations, porticos, roof variations, recesses or projections, or other architectural forms that are integral to the building. and Such features should help provide building identity and presence on the street.

3. ~~On large lots, townhouses or multi-story retail~~ Active uses such as retail or residential, as appropriate, should be employed ~~as liner space~~ to screen parking garages from view and to ensure active uses at sidewalk level.

4. Large expanses of blank walls should be avoided, particularly in areas where pedestrian movement is expected.

5. For grade-level retail, ~~A~~ a minimum of 60% of the street- facing building façade between 2 feet and 8 feet in height should be comprised of clear, non-reflective windows that allow views of indoor commercial space or product display areas.

6. If solid windowless walls are necessary in limited instances because of a building's use or activity, they should be articulated with ~~arches, piers, columns,~~ architectural or material relief, planters, landscaping and other elements that reduce building scale at ground level and add to the building's visual interest.

7. ~~In neighborhood areas (outside of downtown), street-facing façades of buildings should be broken up by using horizontal bays that give the appearance of smaller, individual storefronts. Bays should have a width of 25 to 40 feet to reduce the visual impact of larger buildings and create a more pedestrian friendly environment.~~ Building facades at pedestrian level should be appropriately scaled within the context of the existing streetscape. This may include, by way of example and not limitation, breaking up a long façade with vertical bays or proportioning a curtain wall with additional mullions.

8. Adequate sidewalk widths should be maintained to ensure pedestrian clear zones with a width appropriate for the level of pedestrian activity expected.

17-8-0906 Urban Design.

(Omitted text is unaffected by this ordinance.)

17-8-0906-B Building Orientation and Massing.

1. Building orientation and massing should create active “*street* or building walls” lining the sidewalk.
2. Buildings should be aligned with neighboring buildings, located close to the sidewalk and close to one another.
3. Where a *street* wall exists, its continuity must be reinforced with the new development. Gaps between buildings that interrupt the *street* wall should be avoided.
4. As the development pattern of the area permits, Bbuildings on corner sites should be located close to both *street frontages* to help “hold” and give prominence to the corner. Parking areas and driveways should not be located at corners.

(Omitted text is unaffected by this ordinance.)

17-8-0906-C Residential Development.

1. Gated, walled-off residential developments are not characteristic of Chicago neighborhoods. Such development styles should not be used.
2. Large-scale residential developments of 2 or more acres should include a variety of housing types, such as *townhouses* and *detached houses*. A mix of building types is representative of the diverse *residential building* types found in Chicago neighborhoods.
3. When new *streets* are required for large-scale residential developments, they should reconnect the existing *street* grid

(Omitted text is unaffected by this ordinance.)

17-8-0907 Building Design.

17-8-0907-A General Intent.

1. Design excellence is expected in buildings located in *planned developments*.
2. The creativity and flexibility inherent in *planned developments* requires building designs that uniquely respond to the program and location.
3. Building designs should respond to the most up-to-date sustainability and good urban design practices, including but not limited to, energy efficiency and effective landscape where appropriate.

17-8-0907-A-B General Guidelines.

1. ~~Cornices or similar enhancements should be located at the top of building *façades* facing public *streets*. The existing context of a site should be respected in the design of adjacent new construction. This includes the existing general size, shape and scale, site plan and materials of surrounding properties.~~

2. ~~Elements such as cornices, belt courses, window bays, variations in wall plane and roof features should be used to create interesting attractive buildings. Buildings located at intersections should have prominent design and lighting programs, due to their visibility.~~

3. ~~Architectural design should articulate and enhance buildings, especially those located at intersections due to their prominence and visibility.~~

4.3. All sides and areas of buildings that are visible to the public should be treated with materials, finishes and architectural details that are of high-quality and appropriate for use on the primary street-facing *façade*.

(Omitted text is unaffected by this ordinance.)

17-8-0907-B High-rise Buildings. For the purposes of this section, high-rise building is defined as any new construction over 80 feet in height.

1. Buildings should have a clearly defined vertical appearance, comprised of a base, midsection, and top.

2. The bases and upper stories of high-rise buildings should be in the same vertical plane along all building *façades* fronting public *streets*.

3. Upper-story setbacks should must be used to reduce the apparent mass and bulk of tall buildings. Such setbacks should convey a sense of sculpting to the tower and the top floors of the building. Setbacks should be at least 10 feet in depth. Exceptions to this standard include:

(a) Setbacks are not permitted on LaSalle Street between Madison Street and Jackson Boulevard, unless the upper-level setbacks occur at a height above 175 feet.

(b) Upper-level setbacks may not be used on State Street or Wabash Avenue between the Chicago River and Congress Parkway, unless the upper-level setbacks occur at a height above 55 feet

(Omitted text is unaffected by this ordinance.)

17-8-0909 Parks, Open Space, and Landscaping.

17-8-0909-A General Intent. *Planned developments* should:

1. where appropriate for the site, provide adequate, inviting, usable and accessible parks, open spaces and recreation areas for workers, visitors and residents;

~~2. provide special elements within parks, open spaces or on sidewalks to create a sense of place associated with the development; and~~

~~3.~~ 2. where appropriate, provide substantial landscaping of the open areas on the building and the site (including contiguous *public ways*).

(Omitted text is unaffected by this ordinance.)

SECTION 12. Section 17-13-1003 of the Chicago Zoning Ordinance is hereby amended by deleting the struck-through language and inserting the underscored language, as follows, as follows:

(Omitted text is unaffected by this ordinance.)

17-13-1003-D Reserved-Floor Area Ratio of Public and Civic Uses.

1. The Zoning Administrator is authorized to approve an *administrative adjustment* to award a floor area bonus under Sec. 17-4-1000 to any existing development in a DC-16 or DX-16 district, which is *nonconforming* with respect to the applicable *floor area ratio* standards, provided such floor area bonus does not exceed 10% of the floor area in existence as of the effective date of this amendatory ordinance.

2. Such an *administrative adjustment* may be approved only when the Zoning Administrator determines that the proposed adjustment meets the general approval criteria of Sec. 17-13-1007-B.

SECTION 13. To the extent that any ordinance, resolution, rule, order or provision of the Municipal Code of Chicago, or any portion thereof, is in conflict with any provision of this ordinance, the provisions of this ordinance shall control. 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 14. This ordinance shall be in full force and effect immediately upon its passage and approval.



City of Chicago



A2016-35

Office of the City Clerk

Document Tracking Sheet

Meeting Date:	4/13/2016
Sponsor(s):	Emanuel (Mayor)
Type:	Appointment
Title:	Reappointment of Robert Buford as member of Community Development Commission
Committee(s) Assignment:	Committee on Economic, Capital and Technology Development



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OFFICE OF THE MAYOR
CITY OF CHICAGO

RAHM EMANUEL
MAYOR

April 13, 2016

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

Ladies and Gentlemen:

I have reappointed Robert Buford as a member of the Community Development Commission for a term effective immediately and expiring February 26, 2021.

Your favorable consideration of this appointment will be appreciated.

Very truly yours,

Mayor



City of Chicago



A2016-37

Office of the City Clerk

Document Tracking Sheet

Meeting Date:	4/13/2016
Sponsor(s):	Emanuel (Mayor)
Type:	Appointment
Title:	Reappointment of Deborah E. Bennett, Sol A. Flores, and Gabriela Roman as members of Chicago Low Income Housing Trust Fund Board
Committee(s) Assignment:	Committee on Housing and Real Estate



OFFICE OF THE MAYOR
CITY OF CHICAGO

RAHM EMANUEL
MAYOR

April 13, 2016

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

Ladies and Gentlemen:

I have reappointed Deborah E. Bennett, Sol A. Flores, and Gabriela Roman as members of the Chicago Low Income Housing Trust Fund Board, for terms effective immediately and expiring December 31, 2017.

Your favorable consideration of these appointments will be appreciated.

Very truly yours,

Mayor



City of Chicago



A2016-39

Office of the City Clerk

Document Tracking Sheet

Meeting Date:	4/13/2016
Sponsor(s):	Emanuel (Mayor)
Type:	Appointment
Title:	Reappointment of Martin Laird Koldyke as commissioner of Chicago Park District Board
Committee(s) Assignment:	Committee on Special Events, Cultural Affairs and Recreation



Spec
Events

OFFICE OF THE MAYOR
CITY OF CHICAGO

RAHM EMANUEL
MAYOR

April 13, 2016

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

Ladies and Gentlemen:

I have reappointed Martin Laird Koldyke as a commissioner of the Chicago Park District Board for a term effective immediately and expiring April 25, 2021.

Your favorable consideration of this appointment will be appreciated.

Very truly yours,

Mayor



City of Chicago



A2016-42

Office of the City Clerk

Document Tracking Sheet

Meeting Date:	4/13/2016
Sponsor(s):	Emanuel (Mayor)
Type:	Appointment
Title:	Reappointment of Leslie F. Bond, Jr. and Linda A. Searl as members of Chicago Plan Commission
Committee(s) Assignment:	Committee on Zoning, Landmarks and Building Standards



Zoning

OFFICE OF THE MAYOR
CITY OF CHICAGO

RAHM EMANUEL
MAYOR

April 13, 2016

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

Ladies and Gentlemen:

I have reappointed Leslie F. Bond, Jr. and Linda A. Searl as members of the Plan Commission for terms effective immediately and expiring January 25, 2021.

Your favorable consideration of these appointments will be appreciated.

Very truly yours,

Mayor



City of Chicago



O2016-3304

Office of the City Clerk

Document Tracking Sheet

Meeting Date:	4/13/2016
Sponsor(s):	Emanuel (Mayor)
Type:	Ordinance
Title:	Sale of City-owned property within Roseland, Pullman, and Austin community areas to Local Initiatives Support Corporation pursuant to Large Lot Program
Committee(s) Assignment:	Committee on Housing and Real Estate



1159

OFFICE OF THE MAYOR
CITY OF CHICAGO

RAHM EMANUEL
MAYOR

April 13, 2016

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 the sale of city-owned property.

Your favorable consideration of these ordinances will be appreciated.

Very truly yours,

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 Roseland and Pullman community areas and the Austin 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 Roseland and Pullman community areas appeared in the Chicago Sun-Times on October 9, 16 and 23, 2015; 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 located in the Austin community area; and

WHEREAS, by Resolution No. 16-028-21 adopted by the Plan Commission of the City of Chicago (the "Plan Commission") on April 21, 2016, the Plan Commission recommended the sale of the City Parcels located in the Roseland and Pullman community

areas; and

WHEREAS, pursuant to an ordinance ("2014 Ordinance") passed on December 10, 2014, and published in the Journal of the Proceedings of the City Council of the City for such date on pages 100328-100332, the City and Local Initiatives Support Corporation ("LISC") have entered into an agreement ("LISC Agreement"), dated January 1, 2015, for a term of five (5) years, with two (2) one-year extension options, relating to LISC's (i) continued maintenance and hosting of a website (the "Large Lot Website") that contains information relating to the Large Lot Program, including the addresses of parcels and whether persons have submitted applications to own them, and (ii) community outreach services relating to the Large Lot Program; and

WHEREAS, the 2014 Ordinance stated, in part, that the subsidy to be paid to LISC pursuant to the LISC Agreement may not exceed \$21,000.00 in each year of the LISC Agreement; and

WHEREAS, the City and LISC desire to amend the LISC Agreement (i) to increase the annual maximum subsidy to be paid to LISC by Forty-Five Thousand Dollars (\$45,000) (for a total of \$66,000 per year, commencing January 1, 2016) in consideration of LISC's providing additional maintenance services relating to the Large Lot Website and additional community outreach services relating to the Large Lot Program, and (ii) to provide a one-time subsidy in the amount of One Hundred Fifty-Five Thousand Dollars (\$155,000) to LISC in consideration of LISC's making certain technical updates to the Large Lot Website, including data verification, and providing additional outreach services; 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. The Commissioner of the Department (the "Commissioner") is authorized to enter into an amendment to the LISC Agreement, upon such terms and conditions the Commissioner deems reasonable, for the purposes of (i) increasing the annual maximum subsidy to be paid to LISC by Forty-Five Thousand Dollars (\$45,000) (for a total of \$66,000 per year, commencing January 1, 2016) in consideration of LISC's providing additional maintenances services relating to the Large Lot Website and additional community outreach services relating to the Large Lot Program, and (ii) providing a one-time subsidy in the amount of One Hundred Fifty-Five Thousand Dollars (\$155,000) to LISC in consideration of LISC's making certain technical updates to the Large Lot Website, including data verification, and providing additional outreach services.

SECTION 5. 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 6. All ordinances, resolutions, motions or orders inconsistent with this ordinance are hereby repealed to the extent of such conflict.

SECTION 7. This ordinance shall take effect immediately upon its passage and approval.

Exhibit A

List of City Parcels

[Attached]

Exhibit A

Premise PIN	Premise Address
25-16-428-010-0000	235 W 110TH PLACE
25-21-205-011-0000	227 WEST 111TH PLACE
25-21-220-023-0000	118 W. 113TH PLACE
25-16-424-021-0000	120 W 110TH ST
25-15-118-008-0000	10521 S. STATE STREET
25-15-118-009-0000	10523 S. STATE STREET
25-15-107-017-0000	10354 S WABASH AVE
25-22-116-055-0000	11418 S CALUMET AVE
25-15-121-063-0000	10606 S INDIANA AVE
25-22-309-015-0000	11704 S MICHIGAN
25-22-309-017-0000	11714 S MICHIGAN
25-10-316-023-0000	57 E. 101ST PLACE
25-16-406-033-0000	10736 S STATE ST
25-10-301-038-0000	34 E 100TH ST
25-15-107-012-0000	10355 S STATE ST
25-16-414-023-0000	24 W 109TH ST
25-09-209-043-0000	9635 S HARVARD AVE
25-16-202-002-0000	153 W. 103rd ST
25-09-211-009-0000	9621 S YALE AVE
25-09-204-010-0000	9515 S WENTWORTH AVE
25-09-204-030-0000	9518 S LA SALLE ST
25-16-410-005-0000	43 W 108TH ST
25-21-121-038-0000	11313 S PARNELL AVE
25-16-214-023-0000	10601 S LA SALLE ST
25-16-426-029-0000	16 W. 110th Pl.
25-16-430-014-0000	21 WEST 110TH PLACE
25-15-300-008-0000	10721 S STATE ST
25-16-218-009-0000	139 W 106TH PL
25-21-219-021-0000	11306 S WENTWORTH AVE
25-16-202-051-0000	116 W 103RD PL
25-16-424-018-0000	209 W 110TH ST
25-16-424-019-0000	207 W 110TH ST
25-16-424-020-0000	205 W 110TH ST
25-16-405-003-0000	51 W. 107TH ST.
25-16-209-013-0000	131 W 104TH PL
25-16-209-044-0000	128 W 105TH
25-16-404-028-0000	10728 S PERRY AVE
25-16-404-029-0000	10728 S PERRY AVE
25-16-427-011-0000	321 W 110TH PL
25-16-404-023-0000	114 W 108TH ST
25-16-202-059-0000	56 W 103RD PL

Exhibit A.

Premise PIN	Premise Address
25-16-416-007-0000	243 W 109TH ST
16-09-310-022-0000	224 N LOREL ST
16-09-310-025-0000	214 N LOREL AVE
16-09-206-026-0000	4948 W HURON ST
16-04-412-025-0000	4826 W CORTEZ ST