



# City of Chicago



O2013-9147

Office of the City Clerk

## Document Tracking Sheet

**Meeting Date:** 11/20/2013

**Sponsor(s):** Pope (10)  
Burke (14)

**Type:** Ordinance

**Title:** Amendment of Municipal Code Chapter 11-4 by adding new  
Section 765 to prohibit petroleum coke storage

**Committee(s) Assignment:** Committee on Finance

**ORDINANCE**

**WHEREAS**, the City of Chicago is a home rule unit government pursuant to the 1970 Illinois Constitution, Article VII, Section 6(a); and

**WHEREAS**, pursuant to its home rule power, the City of Chicago may exercise any power and perform any function relating to its government and affairs, including the power to regulate for the protection of the public health, safety, morals, and welfare; and

**WHEREAS**, petroleum coke (“petcoke”) is a solid by-product of petroleum refining which generally contains high concentrations of carbon, sulfur and also may include trace elements of metals such as vanadium, nickel, chromium and lead; and

**WHEREAS**, black dust from petcoke has reportedly covered the homes, yards and cars of Chicago residents living in neighborhoods near petcoke storage facilities located along the banks of the Calumet River; and

**WHEREAS**, inhaling pet coke can contribute to respiratory health problems, particularly for individuals who suffer from heart and lung disease; and

**WHEREAS**, the Illinois Attorney General recently filed suit against a petcoke site, alleging that the mounds of refinery waste are sending clouds of black dust into nearby residential areas on Chicago’s southeast side; and

**WHEREAS**, the mayor of Detroit, MI recently ordered the removal of petcoke piles stored along the Detroit River; and

**WHEREAS**, the State of California has long regulated the storage of petcoke piles at its ports; and

**WHEREAS**, the City of Chicago intends to prevent the public nuisance being caused by the emissions of airborne particulates from the storage, handling, and transport of petcoke; and

**WHEREAS**, the City Council of the City of Chicago hereby finds that it is in the best interest of the public health, safety and welfare to prohibit the storage, handling, and transport of petcoke within the City of Chicago; NOW THEREFORE

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

**SECTION 1.** The above recitals are expressly incorporated herein and made part hereof as though fully set forth herein.

**SECTION 2.** Chapter 11-4 of the Municipal Code of Chicago is hereby amended by inserting a new section 11-4-765 as follows:

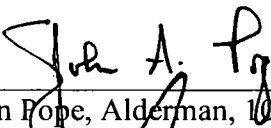
**11-4-765 Petroleum coke – storage prohibited.**

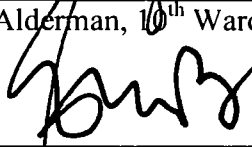
(a) For purposes of this section, “petroleum coke” means the solid carbonaceous residue remaining after all cracking and distillation of a petroleum refining operation.

(b) No person shall operate or maintain, or cause to be operated or maintained, any building, structure, premises, open area, right-of-way or enterprise which stores, handles, transports, contains or uses petroleum coke within the City of Chicago.

(c) The department of health and the department of streets and sanitation are authorized to enforce the provisions of this section.

**SECTION 3.** This ordinance shall be in full force and effect 10 days after its passage and approval.

  
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John Fope, Alderman, 10<sup>th</sup> Ward

  
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Edward M. Burke, Alderman, 14<sup>th</sup> Ward