



City of Chicago



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Meeting Date: 9/18/2019
Sponsor(s): Lightfoot (Mayor)
Type: Ordinance
Title: Amendment of Municipal Code Chapters 10-8 and 10-40
regarding harbor operations and permits
Committee(s) Assignment: Committee on Transportation and Public Way

TRANS



OFFICE OF THE MAYOR
CITY OF CHICAGO

LORI E. LIGHTFOOT
MAYOR

September 18, 2019

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 amending Title 10 of the Municipal Code regarding harbor operations and permits.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lori E. Lightfoot".

Mayor

ORDINANCE

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

SECTION 1. Section 10-8-332 of the Municipal Code of Chicago is hereby amended by adding the language underscored, and by deleting the language struck through, as follows:

10-8-332 Athletic event.

(a) The following terms are defined for the purposes of this chapter, as follows:

"Athletic event" means any event involving the conduct of exercises, sports, games, marathons, or similar types of events, which is reasonably anticipated to obstruct the normal flow of traffic upon the public way.

"Athletic event organizer" means the person listed on the permit application who is designated as the responsible planner and on-site manager for the athletic event.

The term "organization" shall include any voluntary association entered into for the purpose of organizing an athletic event.

The terms "Business day", "Commissioner", "On-duty" and "Person" have the same meanings ascribed to those terms in Section 10-8-330.

The term "public way" shall include the harbor as defined in Section 10-40-010.

(b) No athletic event is permitted on any portion of the public way unless a permit allowing such athletic event has been obtained from the Department of Transportation.

(Omitted text is unaffected by this ordinance)

SECTION 2. Section 10-8-335 of the Municipal Code of Chicago is hereby amended by adding the language underscored, and by deleting the language struck through, as follows:

10-8-335 Outdoor special events.

(a) As used in this section unless the context requires otherwise:

(1) "Special event" means a planned temporary aggregation of attractions, including public entertainment, food and beverage service facilities, sales of souvenirs or other merchandise, or similar attractions, that is (i) conducted on the public way, including outdoor public enjoyment areas developed pursuant to Section 2-102-030; or (ii) conducted primarily outdoors on property open to the public other than the public way and which:

(A) Includes activities that require the issuance of a ~~city~~ City temporary food establishment license or a special event liquor license; or

(B) Requires special ~~city~~ City services, including but not limited to any of the following: street closures; provisions of barricades, garbage cans, stages or special no parking signs; special electrical services; or special police protection.

"Special event" does not include a parade or athletic event for which a permit is required under Sections 10-8-330 or 10-8-332, a neighborhood block party at which no food, beverages or merchandise is sold, or a citywide festival conducted pursuant to an intergovernmental agreement authorized by ordinance.

(2) "Department" means the ~~department of cultural affairs and special events~~ Department of Cultural Affairs and Special Events.

(3) "Sponsor of the event" means the entity who is conducting the special event or in whose name or for whose support the proposed special event will be presented.

(4) "Portable audiovisual rigging" means the temporary installation or operation of portable mechanical rigging and static rigging for the overhead suspension of portable audiovisual equipment, including, but not limited to: audio, video, lighting, backdrops, scenery, and other effects at a special event. Portable audiovisual rigging does not include freight handling or the transportation of heavy equipment.

(5) The term "public way" shall include the harbor as defined in Section 10-40-010.

(b) No person shall conduct a special event unless the sponsor of the event obtains a special event permit from the ~~department of cultural affairs and special events~~ Department.

(Omitted text is unaffected by this ordinance)

SECTION 3. Section 10-40-330 of the Municipal Code of Chicago is hereby amended by adding the language underscored, and by deleting the language struck through, as follows:

10-40-330 Construction and repair of structures in harbor.

No person shall drive or place, or cause to be driven or placed, any pile or piles, stone, timber, earth, or other obstruction of any kind whatsoever, in the harbor, or build, construct, or repair any dock therein, or build or cause to be built any bridge or other structure across any part of the harbor, or drive or place, or cause to be driven or placed, any pile or piles of timber, or make any excavation for the purpose of furnishing or laying foundations for any building or structure, at any point within 40 feet of any part of the harbor, without obtaining a special permit in writing from the ~~commissioner~~ Commissioner of ~~transportation~~ Transportation so to do. Application for said permission shall be made in writing to the Commissioner ~~commissioner~~ of ~~transportation~~, and shall be accompanied by a sketch, ~~or a plat, and plans~~ showing the nature of the work to be done. Upon such application being made and such sketch, or plat, and plans being furnished as herein required, the Commissioner ~~commissioner~~ of ~~transportation~~ shall solicit input from relevant aldermen and departments, including but not limited to, the Department of Business Affairs and Consumer Protection, the Department of Police, the Department of Fire, and the Office of Emergency Management and Communications, and may consult with the Army Corps of Engineers, the United States Coast Guard, the Illinois Department of Natural Resources, and the Chicago Park District, and may also solicit input from stakeholders, including operators of vessels in the harbor, as to the factors the Commissioner considers in determining whether to grant the permit. The Commissioner shall issue the permit desired, upon payment of the permit fees hereinafter provided, unless it shall appear that the work to be done will result in unduly obstructing the harbor or endanger the users or the navigability of the harbor or in endangering the safety of any dock, pier, breakwater, or other structure located upon or along the harbor or pollute the harbor or is inconsistent with the Chicago River Design Guidelines.

It shall be the duty of the Commissioner ~~commissioner~~ of ~~transportation~~ to require all persons who may be engaged in repairing, renewing, altering, or constructing any dock within the city City to produce a permit from the ~~department of transportation~~ Department of Transportation, which permit shall specify the character and location of such repairing, renewal, alteration, or construction, and in default of the production of such permit, the Commissioner ~~commissioner~~ of ~~transportation~~ shall at once stop all work on such dock, and shall cause the arrest of any such persons engaged in such unlawful repairing, renewal, alteration, or construction. Any such person so arrested shall be fined not less than ~~\$50.00~~ \$1,000.00 nor more than ~~\$100.00~~ \$1,500.00 for each offense. Each day that a violation occurs or persists shall constitute a separate and distinct offense. In the event of any such dock having been repaired, renewed, altered, or constructed in or upon the water area of the harbor of the city

City, the person thus convicted of a violation of this section, in addition to the fine hereinbefore specified, shall be required at once, and at his own expense, or cost, to remove such dock back to its former location; and, in default of such removal of such dock, the Commissioner ~~commissioner of transportation~~ is hereby authorized to cause such dock to be removed, to such location as he deems best and to recover, from the person so convicted, the cost or expense of such removal.

SECTION 4. Section 10-40-570 of the Municipal Code of Chicago is hereby amended by adding the language underscored, and by deleting the language struck through, as follows:

10-40-570 Violation – Penalty.

Except as is otherwise specifically provided in this chapter, any person, including bridge tenders or other persons in charge of bridges within the ~~city~~ City, violating any provision of this chapter shall be fined not less than ~~\$10.00~~ \$100.00 nor more than ~~\$100.00~~ \$1,000.00 for each offense. Each day that a violation exists shall constitute a separate and distinct offense.

SECTION 5. This ordinance shall be in full force and effect ten days following due passage and publication.