



# City of Chicago



O2016-3871

Office of the City Clerk

## Document Tracking Sheet

**Meeting Date:** 5/18/2016

**Sponsor(s):** Mendoza (Clerk)

**Type:** Ordinance

**Title:** Amendment of Municipal Code Sections 3-56-070 and 9-64-125 regarding wheel tax license emblems and 3-56-125 regarding commercial motor vehicle fleet

**Committee(s) Assignment:** Committee on License and Consumer Protection

**ORDINANCE**

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

**SECTION 1.** Section 3-56-070 of the Municipal Code of Chicago is hereby amended by deleting the language struck through, and by inserting the language underscored, as follows:

**3-56-070 Wheel tax license emblems.**

Except as otherwise provided in Section 3-56-125(~~de~~) of this Code, the city clerk or the city clerk's designee shall deliver to the holder of any wheel tax license for any motor vehicle or other vehicle, a wheel tax license emblem, which shall bear the word "Chicago", and the numerals designating (i) the month in which such license expires, (ii) the year-(s) in which such license expires, (iii) the names of the mayor and the city clerk, (iv) the name of the class to which such vehicle belongs, and (v) a number identical with the number of such license. Such wheel tax license emblem may also bear information indicating residential permit parking, if applicable. In addition, wheel tax license emblems issued either to disabled veterans or to former prisoners of war, pursuant to Section 3-56-050, may bear the word "Veteran" or the letter "V".

*(Omitted text is unaffected by this ordinance)*

The city clerk shall have the authority to issue temporary wheel tax license emblems to the holder of any license provided by this chapter for any motor vehicle or other vehicle. Except as otherwise provided in Section 3-56-125(~~de~~) of this Code, such temporary wheel tax license emblem shall be affixed, in accordance with the instructions printed thereon which are made a part thereof, at the lower right-hand corner on the inside of the glass portion of the windshield of such motor vehicle. Such temporary wheel tax license emblem shall cease to be valid 30 days after its issuance.

**SECTION 2.** Section 3-56-125 of the Municipal Code of Chicago is hereby amended by deleting the language struck through, and by inserting the language underscored, as follows:

**3-56-125 Commercial motor vehicle fleet – Payment of wheel tax.**

(a) For the purposes of this section, "Commercial motor vehicle" means (i) any motor vehicle that is marked or emblazoned with the name of a business or is otherwise represented as being used for the transportation of persons or property in the furtherance of any commercial or industrial enterprise, whether for hire or not for hire; or (ii) any motor vehicle driven for profit or to carry or transport property, merchandise or supplies of a commercial or industrial nature.

~~(a)~~(b) Notwithstanding any other provision of this chapter, the owner of a commercial motor vehicle fleet used in the city ~~shall~~may purchase wheel tax licenses in accordance with the procedures of this section. No later than July 15 of each year, the owner of a commercial motor vehicle fleet seeking licensure pursuant to this section shall file a return (for purposes of this section, "annual return") with the city clerk, in a form approved by the city clerk. The annual return shall contain the following:

*(Omitted text is unaffected by this ordinance)*

~~(b)~~(c) All commercial motor vehicle fleet size figures included in the annual return shall be certified by an independent auditor. If a commercial motor vehicle fleet owner fails or refuses to provide audited commercial motor vehicle fleet size figures for any annual return period, the owner shall purchase a wheel tax license for each commercial motor vehicle in the owner's fleet that is used in the City of Chicago, at the rate set forth in Section 3-56-050 of this chapter.

~~(e)~~(d) Nothing provided in this section shall prevent the comptroller and the city clerk from disputing any figure provided by a commercial motor vehicle fleet owner.

~~(d)~~(e) No owner of a commercial motor vehicle fleet licensed pursuant to this section shall be required to display a wheel tax license emblem in or on any commercial motor vehicle that is a part of such fleet. The owner of a commercial motor vehicle fleet may show that a wheel tax license has been obtained for such commercial motor vehicle by presenting a receipt, issued by the office of the city clerk, showing that the owner purchased wheel tax license emblems for the owner's commercial motor vehicle fleet in accordance with this section. Nothing in this section shall be construed to relieve the owner of a commercial motor vehicle fleet from purchasing and displaying any wheel tax license emblem required under this chapter for such owner's non-commercial motor vehicles or for any commercial vehicles that are not part of the commercial motor vehicle fleet licensed pursuant to this section.

~~(e)~~(f) Whenever not inconsistent with the provisions of this section, or when this section is silent, the provisions of the Uniform Revenue Procedures Ordinance, Chapter 3-4 of this Code, shall apply to and supplement this section.

*(Omitted text is unaffected by this ordinance)*

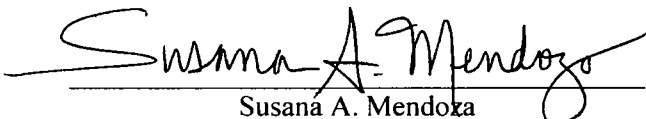
**Section 3.** Section 9-64-125 of the Municipal Code of Chicago is hereby amended by deleting the language struck through, and by inserting the language underscored, as follows:

**9-64-125 Display of wheel tax license emblem.**

(a) Except as otherwise provided in Section 3-56-020(b) or Section 3-56-125 ~~(de)~~ of this Code, no person shall park or stand on any portion of the public way, or on any city-owned property, or in a public parking garage as defined in Chapter 4-232, or in any parking lot open to pedestrian traffic any vehicle requiring a wheel tax license under Chapter 3-56 of this Code, unless the wheel tax license emblem is displayed in the manner required by subsection (d) of this section. Pursuant to Section 3-56-021, any person alleged to have violated this section may raise as an affirmative defense that (1) such person resided in the city for less than 30 days at the time he or she was cited for the violation, or (2) the cited vehicle was purchased less than 30 days prior to the issuance of the violation.

*(Omitted text is unaffected by this ordinance)*

**SECTION 3.** This ordinance shall take effect upon its passage.

  
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Susana A. Mendoza  
City Clerk