



City of Chicago



O2022-2727

Office of the City Clerk

Document Tracking Sheet

Meeting Date: 9/21/2022

Sponsor(s): Sawyer (6)
Coleman (16)
Moore (17)
Brookins (21)

Type: Ordinance

Title: Amendment of Municipal Code Section 7-28-785 to further regulate collection bins and establishment of pilot program to allow supersized collection bins on city-owned and private properties in Wards 6, 16, 17 and 21

Committee(s) Assignment: Committee on Health and Human Relations

Health

ORDINANCE

WHEREAS Chicago has one of the lowest recycling rates among major cities. In 2020, Chicago generated 4.13 million tons of waste but only 8.8% of it was recycled; and

WHEREAS only 6% of textile disposals have been recycled. The rest (94%) have been disposed through the municipal waste stream, where non-biodegradable textile materials fill up our landfills and cost hundreds of thousands of dollars in tipping fees; and

WHEREAS in the USA, textile disposal increased in the municipal solid waste stream by a staggering 78% between 2000 and 2017, more than double the growth of any other major waste category. During the same time, textile recycling remained stagnant nationwide at 16%; and

WHEREAS the Federal Courts have ruled that collection bins operated by non-profits are protected by the First Amendment of the U.S. Constitution (see Appendix A). This April 6, 2015, decision stands unless it is appealed to the U.S. Supreme Court; and

WHEREAS the City of Chicago's Department of Streets & Sanitation has been exploring new strategies for recycling of textiles to keep more out of the waste stream. It is proposed that pilot program be developed in four wards to ascertain how effective novel methods of textile waste collection can be expanded; now therefore

BE IT ORDAINED BY THE CITY OF CHICAGO CITY COUNCIL:

SECTION 1. Chapter 7-28-785 of the Municipal Code of the City of Chicago is hereby amended by striking through and adding new language underlined, bold-faced, and italicized as follows:

7-28-785 Collection bins.

(Language omitted for brevity and unaffected by this ordinance)

- (d) The commissioner of business affairs and consumer protection shall forward the completed application to the alderman of the ward in which the proposed collection bin will be located, along with a request for any **detailed** information on the factors set forth in subsection (f).
- (e) No permit shall be issued for a collection bin on any lot:
 - (1) on which is located a vacant building, as that term is defined in Chapter 14X-2; or
 - (2) containing a dwelling unit or sleeping unit, as those terms are defined in Chapter 14B-2.
- (f) The commissioner shall deny or revoke a permit issued under this section if: (i) the granting of the permit would create a nuisance in the surrounding area; (ii) the location of the collection bin would interfere with or impede the flow of pedestrian or vehicular traffic, or ingress or egress from any surrounding building or lot; (iii) the location of the collection bin would impede or interfere with the use of any pole, traffic signs or signals, hydrants, mailboxes or other objects located near the site of the proposed collection bin; (iv) the operator makes any false statements, submits any false information or misrepresents any information required under this section; or (v) for any reason set forth in subsection (e).

In the event of a denial or revocation, the applicant is entitled to a written explanation delivered in a timely fashion by email, citing, in detail, the specific violation(s) of the municipal code and what (if any) remediation the applicant may take to reverse the denial. The commissioner of business affairs and consumer protection shall incorporate this process into the department's website application process.

- (g) As a condition of the permit, it shall be the duty of the permit holder to:
- (1) maintain the collection bin in good condition and repair;
 - (2) use a collection bin of sufficient size not to exceed a height of seven feet and with a footprint of four feet wide by four feet deep to prevent any overflow or accumulation of clothes or other donated items outside of the collection bin;
 - (3) cause to be removed at his own cost and expense all contents of the collection bin. The removal shall be of such frequency to prevent the overflow and accumulation of clothes or other donated items outside of the collection bin and shall be in accordance with the provisions of this code. The schedule of removal of the items shall be posted on the collection bin;
 - (4) ensure that the collection bin is only being used by the operator listed on the permit. The name of the operator and permit number shall be posted on collection the bin; and
 - (5) post on the collection bin the name and telephone number of the local contact person to contact in case of any emergency; and
 - (6) maintain a website which lists the address and ward of each collection bin installed or maintained by the operator, and a map indicating the locations of such collection bins within the city. The website shall be updated weekly and be accessible to the public.

Failure to adhere to any conditions imposed in the permit may result in revocation of the permit.

(Language omitted for brevity and unaffected by this ordinance)

- (j) A permit issued pursuant to this section shall be for a term of two years, and the biennial fee shall be \$100.00 per collection bin for non-profits in good standing and \$200 per collection bin for all other corporations in good standing. The permit shall expire on the date indicated on the face of the permit.

(Language omitted for brevity and unaffected by this ordinance)

- (r) A one-year pilot program shall commence upon passage of this ordinance that allows supersized collection bins (aka superbins) to be placed on both city-owned and private property sites designated by the alderpersons of Wards 6, 16, 17 and 21. These superbins shall not exceed a height of ten feet with a footprint not to exceed twenty feet wide by eight feet deep. The permit fee for these superbins shall be \$250 biannually for non-profits and \$500 for all other corporations in good standing as well as meet all other requirements of this ordinance. This program becomes permanent unless the city council votes to sunset this subsection after the one-year pilot and shall allow any ward to participate thereafter.

SECTION 2. This ordinance shall be in full force and effect upon its passage and publication



RODERICK T. SAWYER
Aldersperson – 6th Ward

STEPHANIE D. COLEMAN
Aldersperson – 16th Ward

DAVID H. MOORE
Aldersperson – 17th Ward

HOWARD B. BROOKINS, JR.
Aldersperson – 21st Ward

The following legislation is being introduced by Alderman Sawyer, Aldewoman Coleman, Alderman Moore and Aldweman Brookins regarding Collection of Bin ordinance co-sponsored by

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Alderman Ward 1

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Alderman Ward 2

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Alderman Ward 3

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Alderman Ward 4

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Alderman Ward 5

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Alderman Ward 6

Roderick T. Sawyer

Alderman Ward 7

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Alderman Ward 14

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Alderman Ward 15

Stephanie D. Coleman

Alderman Ward 16

David Moore

Alderman Ward 17

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Alderman Ward 18

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Alderman Ward 19

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Alderman Ward 20

Howard B. Brookins

Alderman Ward 21

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Alderman Ward 22

The following legislation is being introduced by Alderman Sawyer, Aldewoman Coleman, Alderman Moore and Aldweman Brookins regarding Collection of Bin ordinance co-sponsored by

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Alderman Ward 44

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Alderman Ward 49

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Alderman Ward 50

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Mayor Lightfoot

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Clerk Valencia