



City of Chicago



O2020-2254

Office of the City Clerk

Document Tracking Sheet

Meeting Date: 4/22/2020

Sponsor(s): Hadden (49)

Type: Ordinance

Title: Amendment of Municipal Code Chapter 7-20 by adding new Section 7-20-121 to establish regulations for senior buildings during public health emergencies

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

ORDINANCE

SECTION 1. Chapter 7-20 of the Municipal Code of Chicago is hereby amended by inserting new section 7-20-121, as follows:

7-20-121 Senior buildings – procedure during public health emergency.

(a) For purposes of this Section, the term “senior building” means any adult family care home, as defined by Section 4-6-110 of the Code, adult family care center, as defined by Section 4-6-080 of the Code, long-term care facility, as defined by the Illinois Nursing Home Care Act, 210 ILCS 45/1-113, nursing home, as defined by the Nursing Home Administrators Licensing and Disciplinary Act, 225 ILCS 70/4(6), assisted living establishment, as defined by the Assisted Living and Shared Housing Act, 210 ILCS 9/10, or other building, structure, property, complex, or facility containing **[five]** or more dwelling units, as defined in Section 17-17-0248 of the Code, that are owned or rented for the purpose of providing residential housing to adults aged 55 or older pursuant to the Housing for Older Persons Act 42 U.S.C. § 3607.

(b) If the City is subject to a declaration of disaster or declaration of local disaster related to a public health emergency, as declared by the Governor, County President, or Mayor, as applicable, senior buildings shall require the following throughout the duration of such public health emergency:

- (1) The owner or manager of a senior building with nurses or trained healthcare workers on site shall cause well-being checks to be conducted on all residents at regular intervals, but in no event less frequently than daily;
- (2) Building staff shall screen all nonresidents attempting to access a senior building for the applicable symptoms identified in connection with the public health emergency, and any individual exhibiting such symptoms, including building staff, shall be denied access to the senior building;
- (3) Subject to subsection (2), the owner or manager of a senior building shall limit access to the senior building to building staff, homemakers, caregivers, personal aides, family members, and friends who provide direct care to residents of senior buildings;
- (4) Building staff shall assist residents with food and medication delivery, whenever necessary;
- (5) The owner or manager of a senior building shall (a) provide, make available, and distribute to all building staff hand sanitizer or hand washing facilities with soap and personal protective equipment (PPE) including, but not limited to, **[approved]/[recommended]** face masks and gloves; (b) provide training on proper use of such PPE to all building staff; and (c) implement an updated cleaning regimen to ensure that high-contact surfaces are cleaned and disinfected at least three times each day with cleaning solutions approved by the applicable public health agency, and shall train all building staff on such cleaning regimen;
- (6) The owner or manager of a senior building shall distribute in all applicable languages to all residents and staff of the senior building information about best practices for cleanliness and disinfection, and any procedural changes to manage the public health emergency; and
- (7) The owner or manager of a senior building may not reduce staffing levels of the senior building from the staffing levels in place prior to the public health emergency, unless maintaining such staffing levels would expose residents and building staff to the cause of the public health emergency, or as otherwise provided for or required by law.

(c) Beginning on the date of issuance of a declaration of disaster or declaration of local disaster related to a public health emergency, as applicable, and continuing throughout the duration of such public health emergency, a senior building shall keep and maintain on file the following records: (i) a list identifying the dates and times of all resident well-being checks required by subsection (b)(1) of this Section and the signature of the individual who performed the well-being check, and (ii) a list identifying the dates and times of all cleanings required by subsection (b)(3) of this Section. The records required under this subsection (c) shall be maintained by the senior building for a period of at least two years after the date of entry of such record. Upon request by any authorized City official, the senior building shall make such records immediately available for inspection by such authorized City official.

(d) Any person who violates this Section shall be subject to a fine of not less than \$100 nor more than \$500 for each offense. Each day a violation continues shall constitute a separate offense. Any owner or operator of a senior building shall be jointly and severally liable for any violation of this Section. In addition to any fine or penalty imposed by this Section, (i) the Corporation Counsel may seek an injunction or other equitable relief in a court of competent jurisdiction to stop any violation of this Section, and (ii) the City may deny future requests or applications for City Funding to any owner or operator of a senior building that violates this Section. For the purpose of this Section, "City Funding" means any financing appropriated or approved by the City of Chicago for the rehabilitation, demolition, disposition, conversion, redevelopment, or new construction of a residential property, including, but not limited to, bond financing, Low Income Housing Tax Credits, Community Development Block Grant funds, HOME Investment Partnerships Program funds, Tax Increment Financing, and the Affordable Housing Opportunity Fund.

SECTION 2. This ordinance shall take effect immediately upon passage.



MARIA HADDEN
Alderman, 49th Ward