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Office of the City Clerk

City Council Document Tracking Sheet

**Meeting Date:** 9/8/2011

**Sponsor(s):** Burke, Edward M. (14)  
Reboyras, Ariel (30)

**Type:** Ordinance

**Title:** Amendment of Chapter 7-28 of Municipal Code by adding  
new Section 639 to prohibit sale of gel fuel

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

**ORDINANCE**

**WHEREAS**, the City of Chicago is a home rule unit of local government pursuant to Section 6 of Article VII of the Constitution of the State of Illinois and has the authority to exercise any power and perform any function pertaining to its government and affairs including, but not limited to, the power to regulate for the protection of the public health, safety, morals and welfare; and

**WHEREAS**, the corporate authorities of the City of Chicago hereby acknowledge the heightened popularity of decorative firepots and tiki torches among Chicago residents; and

**WHEREAS**, many of these products are fueled by an ethyl alcohol-based gelatinous substance, commonly known as gel fuel; and

**WHEREAS**, the properties of gel fuel are such that it has been found to unexpectedly ignite and splatter onto nearby victims, thereby causing serious, life-threatening burn injuries; and

**WHEREAS**, this year the U.S. Consumer Product Safety Commission has received reports of 65 injuries, including two fatalities related to gel fuel and the decorative pots and tables used to hold the substance; and

**WHEREAS**, on September 1, 2011, the U.S. Consumer Product Safety Commission announced the voluntary recall of approximately 2 million units of gel fuel following its investigation into the serious burn incidents related to its use; and

**WHEREAS**, the Attorney General of the State of Illinois recently recommended a ban on the sale of fuel gel products; 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 7-28 of the Municipal Code of Chicago is hereby amended by adding a new section 7-28-639 as follows:

**7-28-639 Gel Fuel – Prohibition on Sale.**

(a) As used in this section, the term “gel fuel” shall mean any semi-solid, pourable gelatinous material containing ethyl alcohol manufactured for use in firepots, fire pits, fireplaces, tiki torches and other similar products.

(b) It shall be unlawful for any person to sell, offer or expose for sale, give or furnish any gel fuel within the City of Chicago.

(c) Notwithstanding the foregoing provisions of this section, gel fuel manufactured for food warming purposes shall not be subject to the limitations set forth herein.

(d) Any person violating this section shall be fined not less than \$100.00 nor more than \$300.00 for the first offense, and not less than \$300.00 nor more than \$500.00 for the second and each subsequent offense. Each day that a violation continues shall constitute a separate and distinct offense.

**SECTION 3.** This ordinance shall be in full force and effect upon its passage and publication.



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

