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City Council Document Tracking Sheet

**Meeting Date:** 6/6/2012

**Sponsor(s):** Emanuel, Rahm (Mayor)

**Type:** Ordinance

**Title:** Amendment of Title 13 of Municipal Code of Chicago by adding new Section 13-12-148 regarding markers for dangerous buildings

**Committee(s) Assignment:** Committee on Zoning, Landmarks and Building Standards



OFFICE OF THE MAYOR  
CITY OF CHICAGO

RAHM EMANUEL  
MAYOR

June 6, 2012

TO THE HONORABLE, THE CITY COUNCIL  
OF THE CITY OF CHICAGO

Ladies and Gentlemen:

At the request of the Fire Commissioner, I transmit herewith, together with Alderman Silverstein, an ordinance amending Title 13 of the Municipal Code regarding markers for dangerous buildings.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,

Mayor

## ORDINANCE

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

**SECTION 1.** Section 13-12-147 of the Municipal Code of Chicago is hereby amended by inserting, in the heading of such section, the language underscored, as follows:

**13-12-147 Hazardous vacant buildings – Mandatory incarceration authorized when.**

*(Omitted text is unaffected by this ordinance)*

**SECTION 2.** Chapter 13-12 of the Municipal Code of Chicago is hereby amended by inserting a new Section 13-12-148, as follows:

**13-12-148 Hazardous vacant buildings – Warning placard for first responders authorized when – Unlawful acts.**

(a) As used in this section:

“Building” has the meaning ascribed to the term in Section 13-4-010.

“Commissioner” means the fire commissioner or the fire commissioner’s designee.

“Hazardous vacant building” means any building or other structure that is vacant within the meaning of subsection (e) of Section 13-12-125 and has been ordered closed, removed, shutdown or otherwise vacated under Sections 13-8-100, 13-12-120, 13-12-130, 13-12-145 or by court order.

(b) *Warning placard authorized.* The fire commissioner is hereby authorized (1) to mark any hazardous vacant building, or to cause such building to be marked, with a first responder warning placard alerting first responders to the existence of structural or interior hazards at the building of the type that warrant extreme caution when conducting interior firefighting or rescue operations at such building or exterior operations only with entry occurring only for known life hazards; and (2) to remove such first responder warning placard, or to cause such warning placard to be removed, when the authority responsible for ordering the building closed, removed, shutdown or otherwise vacated lifts the applicable order or otherwise determines that the building is no longer a hazardous vacant building.

(c) *Entry prohibited – Exception.* It shall be unlawful for any person, including, but not limited to, any owner, government inspector or repair person, to enter any building marked by a first responder warning placard unless written permission to enter such building has first been obtained from the fire commissioner.

(d) *Removal of placard prohibited – Exception.* It shall be unlawful for any person, other than authorized city officials or their respective designees, to cover, obliterate, deface, damage or remove any first responder warning placard unless written permission to engage in such activity has first been obtained from the fire commissioner.

(e) *Notice of demolition – Required.* If any building marked with a first responder warning placard is to be wrecked, demolished or razed, the owner of such building or such owner's agent shall notify the fire commissioner of such fact in accordance with the requirements set forth in Section 13-124-070(b).

(f) *Reimbursement of costs – Authorized.* The City may seek reimbursement from the property owner of all costs incurred by the City in connection with marking a building with a first responder warning placard or removing such warning placard. Such costs shall be a debt due and owing the City and shall be collectible in accordance with applicable law.

(g) *Penalty for violation.* Any person who violates any requirement of this section shall be fined not less than \$500.00 nor more than \$1,000.00 for each offense. Each day that a violation continues shall constitute a separate and distinct offense.

(h) *Rules and regulations.* The fire commissioner is authorized to promulgate rules and regulations necessary or appropriate to implement the requirements of this section, including, but not limited to, rules and regulations pertaining to the location, number, size, color, reflective marking, date of application, design, construction, use, symbols or removal of first responder warning placards.

(i) *Construction of section.* The marking of a building with a first responder warning placard is informational only and shall not be construed to limit in any way the discretion of the on-scene incident commander or similar fire department personnel. The absence of such warning placard on any building shall not be construed to mean that entry to such building is permitted or that such building is safe or otherwise free of dangerous and hazardous conditions.

**SECTION 3.** Section 13-32-230 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

**13-32-230 Building wrecking – Permit required – Safety requirements.**

(a) Before proceeding with the wrecking or tearing down of any building or other structure, a permit for such wrecking or tearing down shall first be obtained by the owner or his agent from the building commissioner, ~~and it~~ It shall be unlawful for any person to proceed with the wrecking or tearing down of any building or structure or any structural part of such building or structure unless such permit ~~shall first have~~ has first been obtained ~~and the applicable~~ notification requirements set forth in Section 13-124-070 have been met. Application for such

permit shall be made by the owner, or his agent, to the building commissioner, who shall issue the permit upon such application and the payment of the fee herein provided.

*(Omitted text is unaffected by this ordinance)*

**SECTION 4.** Section 13-124-070 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

**13-124-070 Demolition – Notification of commissioner.**

(a) Notice stating the date on which work is to begin shall be given to the building commissioner ~~of~~ at least 24 hours before beginning the wrecking, demolishing or razing of any building or other structure.

(b) If the building or structure to be wrecked, demolished or razed is marked by a first responder warning placard within the meaning of Section 13-12-148, the building owner or the building owner's agent shall notify the fire commissioner in writing of such fact at least 24 hours before beginning the wrecking, demolishing or razing of such building or other structure.

**SECTION 5.** This ordinance shall take full force and effect upon its passage and approval.