



Office of the Chicago City  
Clerk



SO2011-5563

Office of the City Clerk

City Council Document Tracking Sheet

**Meeting Date:** 7/6/2011

**Sponsor(s):** Reboyras, Ariel (30)  
Suarez, Regner Ray (31)  
Balcer, James (11)  
Lane, Lona (18)

**Type:** Ordinance

**Title:** Amendment of Chapter 1-4 of Municipal Code by adding  
new Section 1-4-121 concerning school and park safety  
zones

**Committee(s) Assignment:** Committee on Public Safety

**SUBSTITUTE**

**ORDINANCE**

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

**SECTION 1.** Title I of the Municipal Code of the City of Chicago is hereby amended by inserting a new Section 1-4-121, as follows:

**1-4-121 School and park safety zones – Enhanced fine authorized when.**

(a) In addition to any other penalty provided by law, and notwithstanding anything to the contrary in this Code, if (1) a person is convicted or found liable of any violation or offense set forth in subsection (b) of this section, and (2) such violation or offense, or any element thereof, occurs on school property or park property, or within 500 feet of the property line of any school property or park property, the person convicted or found liable for such violation or offense shall be subject to an additional fine of \$3,000.00 for such violation or offense.

(b) The additional fine authorized under subsection (a) of this section shall apply to the following violations or offenses:

- (1) Gang loitering within the meaning of Section 8-4-015;
- (2) Narcotics-related loitering within the meaning of Section 8-4-017; or
- (3) Firearms, weapons or related offenses in violation of any provision of Article II of Chapter 8-20 or any provision of Chapter 8-24 of this Code.

(c) As used in this section:

“Additional fine” means an enhanced fine in excess of the fine currently authorized or required by the Code for a particular violation or offense.

“Park” means any property, including, but not limited to, any land, playground, recreational facility or public field, that is operated by or is under the ownership or control of the Chicago Park District.

“School” means any elementary school or high school.

(d) Nothing in this section shall be construed to establish a presumption or basis for not imposing any term of imprisonment, community service, fine or other penalty authorized or required to be imposed under this Code.

**SECTION 2.** Section 8-4-015 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, as follows:

**8-4-015 Gang loitering.**

*(Omitted text is unaffected by this ordinance)*

(e) Any person who fails to obey promptly an order issued under subsection (a), or who engages in further gang loitering within sight or hearing of the place at which such an order was issued during the eight-hour period following the time the order was issued, is subject to a fine of not less than \$100.00 and not more than \$500.00 for each offense, or imprisonment for not more than six months for each offense, or both. A second or subsequent offense shall be punishable by a mandatory minimum sentence of not less than five days imprisonment.

In addition to or instead of the above penalties, any person who violates this section may be required to perform up to 120 hours of community service pursuant to Section 1-4-120 of this Code. If any violation of this section, or any element of such violation, occurs on school property or park property, as defined in Section 1-4-121, or within 500 feet of the property line of any school property or park property, the additional fine set forth in Section 1-4-121 shall also apply.

*(Omitted text is unaffected by this ordinance)*

**SECTION 3.** Section 8-4-017 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, as follows:

**8-4-017 Narcotics-related loitering.**

*(Omitted text is unaffected by this ordinance)*

(d) Any person who fails to obey promptly an order issued under subsection (a), or who engages in further narcotics-related loitering within sight or hearing of the place at which such an order was issued during the eight-hour period following the time the order was issued, is subject to a fine of not less than \$100.00 and not more than \$500.00 for each offense, or imprisonment for not more than six months for each offense, or both. A second or subsequent offense shall be punishable by a mandatory minimum sentence of not less than five days imprisonment.

In addition to or instead of the above penalties, any person who violates this section may be required to perform up to 120 hours of community service pursuant to Section 1-4-120 of this Code. If any violation of this section, or any element of such violation, occurs on

school property or park property, as defined in Section 1-4-121, or within 500 feet of the property line of any school property or park property, the additional fine set forth in Section 1-4-121 shall also apply.

*(Omitted text is unaffected by this ordinance)*

**SECTION 4.** Section 8-20-300 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

**8-20-300 Violation – Penalty.**

*(Omitted text is unaffected by this ordinance)*

(d) In addition to any other fine or penalty provided in this chapter, if any violation of any provision of Article II of this chapter, or any element of such violation, occurs on school property or park property, as defined in Section 1-4-121, or within 500 feet of the property line of any school property or park property, the additional fine set forth in Section 1-4-121 shall also apply.

~~(d)~~(e) Upon the determination that a person has violated any provision of this chapter or any rule or regulation promulgated hereunder, the superintendent may institute an administrative adjudication proceeding with the department of administrative hearings by forwarding a copy of a notice of violation or a notice of hearing, which has been properly served, to the department of administrative hearings.

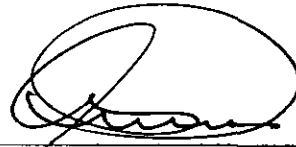
**SECTION 5.** Section 8-24-060 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, as follows:

**8-24-060 Violation – Penalty.**

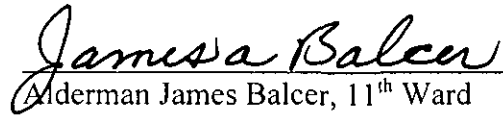
Any person violating any of the provisions of this chapter, where no other penalty is specifically provided, shall be fined not more than \$200.00 for each offense. In addition to any other fine or penalty provided in this chapter, if any violation of any provision of this chapter, or any element of such violation, occurs on school property or park property, as defined in Section 1-4-121, or within 500 feet of the property line of any school property or park property, the additional fine set forth in Section 1-4-121 shall also apply.

**SECTION 6.** This ordinance shall take full force and effect upon its passage and

approval.



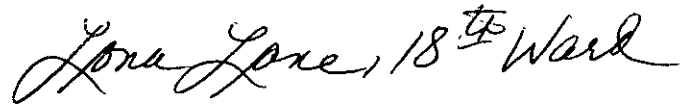
Alderman Ariel Reboyras, 30<sup>th</sup> Ward



Alderman James Balcer, 11<sup>th</sup> Ward



Alderman Ray Suarez, 31<sup>st</sup> Ward



Lora Lora, 18<sup>th</sup> Ward



CITY COUNCIL  
CITY OF CHICAGO

COUNCIL CHAMBER  
SECOND FLOOR, CITY HALL  
TELEPHONE. 312-744-6800

December 14, 2011

To the President and Members of the City Council:

Your Committee on Public Safety begs leave to report and recommend that Your Honorable Body pass the proposed substitute ordinance transmitted herewith amending Title 1 of the Municipal Code of the City of Chicago by inserting a new Section 1-4-121 School and Park Safety Zones.

This recommendation was concurred unanimously by a viva voce vote of the members of the Committee with no dissenting vote. (O2011-5563)

Wards (30) (11) (31) (18)

Respectfully submitted,

*James A. Balcer*  
James A. Balcer  
Chairman  
Committee on Public Safety