



City of Chicago



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Office of the City Clerk

Document Tracking Sheet

Meeting Date:	10/5/2016
Sponsor(s):	Emanuel (Mayor)
Type:	Ordinance
Title:	Amendment of Municipal Code Chapters 4-244 and 10-8 regarding peddling restrictions
Committee(s) Assignment:	Committee on License and Consumer Protection



OFFICE OF THE MAYOR
CITY OF CHICAGO

RAHM EMANUEL
MAYOR

October 5, 2016

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

Ladies and Gentlemen:

At the request of the Corporation Counsel, I transmit herewith an ordinance amending Chapters 4-244 and 10-8 of the Municipal Code regarding peddling restrictions.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,

A handwritten signature in cursive script that reads "Rahm Emanuel".

Mayor

ORDINANCE

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

SECTION 1. Chapter 4-244 of the Municipal Code of Chicago is hereby amended by deleting the language struck through and by inserting the language underscored, as follows,

4-244-010 Definitions.

~~As used in this chapter~~ For purposes of this chapter, the following definitions shall apply:

(Omitted text is not affected by this ordinance)

"Public area place" means any public way sidewalk, parkway, playground plaza or any other public way located within the corporate limits of the City exterior location held, maintained or controlled by the City for the use of the general public. The term "public area place" does not include transit platforms and stations operated by the Chicago Transit Authority or the Metropolitan Transportation Authority.

"Public way" means any sidewalk, street, alley, highway or other thoroughfare held, maintained or controlled by the City for the use of the general public.

"Special event" means any special event conducted by the City ~~of Chicago~~, including, but not limited to ~~to~~, events conducted with the permission of the Chicago Park District in parks or other facilities operated by the Chicago Park District.

4-244-030 License – Required.

(a) (1) It shall be unlawful for any person to engage in the business of a peddler without first having obtained a street peddler ~~a~~-license under this chapter. Provided, however, a street peddler license is not required for selling, offering or exposing for sale, or soliciting any person to purchase, only newspapers, periodicals, pamphlets, or other similar written materials on the public way.

(2) No person shall sell, offer or expose for sale, or solicit any person to purchase any newspaper, periodical, pamphlet, or other similar written materials from any vehicular traffic lane on any public way in the city.

(b) Any person violating this section shall be fined not less than \$50.00 nor more than \$200.00 for each offense. Each day such violation continues shall constitute a separate and distinct offense.

4-244-090 Vehicle emblems.

Every peddler whose license entitles him to use a wagon, motor vehicle, handcart, pushcart or other vehicle shall obtain from the ~~city clerk~~ City Clerk, at the time such peddler's license is issued under this chapter, a metal plate or other suitable emblem for each such

vehicle to be used by such peddler to conduct his or her business. Such plate or emblem shall be of a different color and design for every license period and shall have stamped thereon a number corresponding to the number of such peddler's license.

4-244-140 Prohibited districts.

(a) No one having a peddler's license shall peddle any merchandise or any other article or thing whatsoever, at any time, within districts which have been or shall be hereafter designated by the ~~city council~~ City Council. A description of such districts shall be kept in the office of the ~~city clerk~~ City Clerk.

(b) Peddling is prohibited as described in the following indicated areas: On game days and event days, No no person, including peddlers exempt from the license required by Section 4-244-030, shall peddle any merchandise on the sidewalk immediately adjacent to public way surrounding Wrigley Field; such sidewalk consisting of on the north side of Addison Street, the east side of Clark Street, the south side of Waveland Avenue, and the west side of Sheffield Avenue. For purposes of this subsection (b), the term "game days" shall have the meaning ascribed to the term in Section 4-388-010; the term "event days" shall mean: (i) any date on which an activity or amusement is scheduled to be conducted at Wrigley Field Sports Plaza established by Section 4-160-100, or (ii) any date on which an activity or amusement expected to have more than 12,500 people in attendance is scheduled to be conducted at Wrigley Field the term "sidewalk" shall mean that portion of the public way extending from the perimeter of the Wrigley Field stadium structure to the street curb or curb line.

(Omitted text is not affected by this ordinance)

(8) Retail sales of any article shall be prohibited along the right-of-way of the City of Chicago or on any vacant lot within the 50th Ward boundaries which are:

(Omitted text is not affected by this ordinance)

4-244-141 Speech peddling – Additional area allowed.

(Omitted text is not affected by this ordinance)

(b) *Speech peddling locations.* There shall be at least ten locations within the Central District, where peddling is otherwise prohibited under Section 4-244-140 above, including at least four locations within Grant Park, where speech peddling by up to five peddlers per location shall be allowed by permit; provided that no site in Millennium Park, or any site on any sidewalk that abuts Millennium Park, as that term is defined in section 10-36-140, shall be selected as a location in the Central District. Such locations shall be selected by the department of business affairs and consumer protection with the advice of the department of planning and development, the department of transportation, and the police department, regarding pedestrian and vehicular traffic flow, use, density and public safety; provided that, for locations in Grant Park near special events sponsored by the ~~city~~ City, the department of cultural affairs and special events shall select the sites during the relevant time periods and the

number of Grant Park sites may change. In addition, because of anticipated high demand for speech peddling during special events, permits shall be issued for four- hour time slots and may be issued for more than five persons at a time per location. No person shall be allowed to engage in speech peddling within the Central District without a speech peddling permit, and doing so without such a permit shall be a violation of this section.

(Omitted text is not affected by this ordinance)

(f) *Regulations.* The department of business affairs and consumer protection has the authority to, and shall, promulgate regulations governing speech peddling permits and activities under this section. The department of cultural affairs and special events has the authority to, and shall, promulgate regulations governing the locations, time, and manner of speech peddling during all ~~city~~City-sponsored special events, including during their set-up and cleanup.

(Omitted text is not affected by this ordinance)

4-244-163 Permit – Display.

A performer shall carry and display a permit on his or person at all times while performing in a public area place, and shall wear the permit in a manner that is clearly visible to the public.

4-244-164 Duties – Prohibited Acts – Other requirements.

(a) A performance may take place in any public area place, but only between the hours of 10:00 a.m. and 8:00 p.m. on Sundays through Thursdays and 10:00 a.m. and 10:00 p.m. on Fridays and Saturdays.

(b) A performer may not block the passage of the public through a public area place. If a sufficient crowd gathers to see or hear a performer such that the passage of the public through a public area place is blocked, a police officer may disperse that portion of the crowd that is blocking the passage of the public, or may order the performer to cease performing at that location until the conditions causing the congestion have abated.

(Omitted text is not affected by this ordinance)

SECTION 2. Section 10-8-520 of the Municipal Code of Chicago is hereby amended by deleting the language struck through, as follows,

10-8-520 Street vendors.

Except as otherwise provided in this Code, no person shall sell, offer or expose for sale, or solicit any person to purchase any article or service whatsoever, ~~except newspapers,~~ on any public way.

~~No person shall sell, offer or expose for sale, or solicit any person to purchase any newspaper from any vehicular traffic lane on any public way in the city.~~

SECTION 3. This ordinance shall take effect upon its passage and approval.