



# City of Chicago



O2014-86

Office of the City Clerk

## Document Tracking Sheet

|                                 |  |
|---------------------------------|--|
| <b>Meeting Date:</b>            | 1/15/2014  |
| <b>Sponsor(s):</b>              | Burke (14)<br>O'Connor (41)  |
| <b>Type:</b>                    | Ordinance  |
| <b>Title:</b>                   | Amendment of Municipal Code Sections 3-56-021 and 9-64-125 concerning purchase deadlines and display of wheel tax license emblem |
| <b>Committee(s) Assignment:</b> | Committee on Finance   |

**ORDINANCE**

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

**SECTION 1.** Section 3-56-021 of the Municipal Code of the City of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

**3-56-021 Purchase deadlines – Affirmative defenses.**

*(Omitted text is unaffected by this ordinance)*

(b) Any person alleged to have violated either the license requirement set forth in Section 3-56-020 or the license display requirement set forth in Section 9-64-125 may raise as an affirmative defense that (1) such person resided in the city for less than 30 days at the time he or she was cited for violation, ~~or~~ (2) the cited vehicle was purchased or ownership of the vehicle was otherwise acquired less than 30 days prior to the issuance of the violation or (3) the cited vehicle was licensed in accordance with Section 3-56-020 at the time of the violation. If the alleged violator can demonstrate, by clear and convincing evidence, that he or she resided in the city for less than 30 days or owned the vehicle for less than 30 days at the time the citation was issued, and that the appropriate fee was paid in accordance with Chapter 3-56 no later than 30 days following the commencement of city residence or purchase of the vehicle, or can demonstrate, by clear and convincing evidence that the vehicle was licensed in accordance with Section 3-56-020 at the time the citation was issued, no liability shall exist. A showing of recent residency may be made by a lease, utility billing records or other appropriate documents. A showing of recent vehicle purchase or acquisition may be made by applicable vehicle registration or title documents issued by the Secretary of State or other appropriate documents. A showing that a vehicle was licensed may be made by a wheel tax license emblem, proof of payment of the appropriate fee, order confirmation, or other appropriate documents. Any person who knowingly provides inaccurate information in connection with this subsection shall be subject to a fine of not less than \$500.00 nor more than \$1,000.00.

*(Omitted text is unaffected by this ordinance)*

**SECTION 2.** Section 9-64-125 of the Municipal Code of the City of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

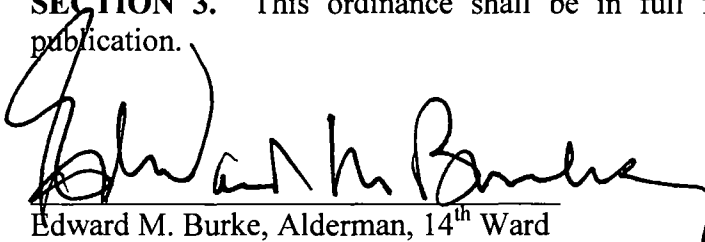
**9-64-125 Display of wheel tax license emblem.**

(a) Except as otherwise provided in Section 3-56-125(d) of this Code, no person shall park or stand on any portion of the public way, on any city-owned property, in a public parking garage as defined in Chapter 4-232, or any parking lot open to pedestrian traffic

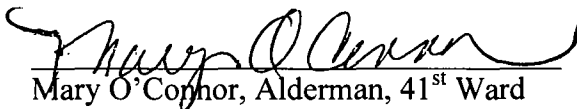
any vehicle requiring a license pursuant to Chapter 3-56 of this code, unless the wheel tax license emblem is displayed as required by this code. Pursuant to Section 3-56-021, any person alleged to have violated this section may raise as an affirmative defense that (1) such person resided in the city for less than 30 days at the time he or she was cited for the violation, ~~or~~ (2) the cited vehicle was purchased less than 30 days prior to the issuance of the violation, or (3) the cited vehicle was licensed in accordance with Section 3-56-020 at the time of the violation.

*(Omitted text is unaffected by this ordinance)*

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



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



Mary O'Connor, Alderman, 41<sup>st</sup> Ward