



# City of Chicago



O2022-3990

Office of the City Clerk

## Document Tracking Sheet

<b>Meeting Date:</b>	12/14/2022
<b>Sponsor(s):</b>	Reilly (42) Villegas (36)
<b>Type:</b>	Ordinance
<b>Title:</b>	Amendment of Municipal Code Chapters 1-23 and 2-54 regarding failure to maintain eligibility to do business with city and required disclosure information
<b>Committee(s) Assignment:</b>	Committee on Contracting Oversight and Equity

**ORDINANCE**

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

**SECTION 1.** Chapter 1-23 of the Municipal Code of the City of Chicago is hereby amended by inserting the language underscored, and by deleting the language struck through, as follows:

**1-23-010 Definitions.**

As used in this article:

"Action" has the meaning ascribed to the term "city action" set forth in Section 2-154-010, but shall not include city action with respect to real property tax reclassification, zoning for an applicant's primary residence, and vacation of streets and alleys.

*(Omitted text unaffected by this ordinance)*

**1-23-040 Failure to maintain eligibility to do business with the city.**

(a) The failure of any natural person, business entity or controlling person to maintain eligibility to do business with the City in violation of Section 1-23-030 shall render any action, as defined in Section 1-23-010, on ~~in~~ behalf of or in any way connected to such natural person, business entity or controlling person voidable or subject to termination or revocation, as applicable, at the option of the Chief Procurement Officer after consultation with the City department or agency involved in such action. Provided, however, that no such action shall be voided, terminated or revoked by the Chief Procurement Officer if, upon written application to the Chief Procurement Officer, the head of the City department or agency involved in such action sets forth facts sufficient in the judgment of the Chief Procurement Officer to establish (1) that the public health, safety or welfare of the City requires such action or the goods or services provided as a result of such action; or (2) that the City is unable to acquire the goods or services provided as a result of such action at comparable price and quality, or in sufficient quantity, from other sources.

(b) The failure of any natural person, business entity or controlling person to maintain eligibility to do business with the City in violation of Section 1-23-030 shall render any City Council order approved under Section 13-20-680 on behalf of or in any way connected to such natural person, business entity or controlling person voidable or subject to revocation by passage of an ordinance repealing the applicable City Council order, provided, however, that such revocation shall be consistent with such natural person, business entity, or controlling person's constitutional rights contained in the First, Fifth, and Fourteenth Amendments of the United States Constitution and Section 2 and 4 of Article 1 of the Illinois Constitution of 1970, and may not be based upon the content of the applicable sign or signboard.

*(Omitted text unaffected by this ordinance)*

**1-23-400 Issuance of licenses and permits prohibited.**

*(Omitted text unaffected by this ordinance)*

(b) *License and permit issuance prohibited.*

*(Omitted text unaffected by this ordinance)*

(4) Any applicant for a City Council order under Section 13-20-680 shall certify to the City with their application whether or not such applicant or a controlling person of the applicant or property owner is, at the time of application for such City Council order, ineligible to do business with the City under Section 1-23-020.

*(Omitted text unaffected by this ordinance)*

**SECTION 2.** Section 2-154-010 of the Municipal Code of the City of Chicago is hereby amended by inserting the language underscored, and by deleting the language struck through, as follows:

**2-154-010 Actions requiring city approval – Disclosure information required when.**

(a) Whenever any corporation; partnership; association; business trust; estate; two or more persons having a joint or common interest; other commercial or legal entity; trustee of a land trust; or any beneficiary or beneficiaries thereof (for purposes of this section, collectively "applicant") makes application to the City of Chicago for action requiring an ordinance, or ordinance amendment, ~~city-council~~ City Council approval, or other city agency approval (for purposes of this section, collectively "city action"), with respect to sale or purchase of real estate, real property tax reclassification, zoning, City Council orders under Section 13-20-680, vacation of streets and alleys, leases, and contracts, the following disclosures and information shall be certified and attached to the application:


*(Omitted text unaffected by this ordinance)*

(4) a statement under oath disclosing whether or not the applicant or any owner, at the time of application for city action, is a building code scofflaw pursuant to Section 2-92-416 of this Code; and -

(5) a statement under oath disclosing whether or not the applicant or any owner, at the time of application for city action, is ineligible to do business with the City under Chapter 1-23 of this Code.

(b) The disclosure requirements of this section shall apply to actual and prospective applicants and owners. For purposes of this section, the term "prospective" shall refer to an individual or entity in existence at the time application is made, which is not an applicant or owner at such time, but which the applicant expects to assume a legal status, within six months of the time the city action occurs, that would render such individual or entity an applicant or owner if they had held such legal status at the time application was made.

**SECTION 3.** This ordinance shall be effective following passage and publication.

  
BRENDAN REILLY  
Alderman, 42nd Ward



CITY OF CHICAGO

OFFICE OF THE CITY CLERK  
ANNA M. VALENCIA

## Chicago City Council Co-Sponsor Form

Document No.: 02022-3990

Subject: Amendment of Municipal Code Chapter 1-23 and Municipal Code Section 2-154-010 regarding eligibility to do business with the city

### Adding Co-Sponsor(s)

Please **ADD** Co-Sponsor(s) Shown Below – (Principal Sponsor's Consent Required)

Alderman \_\_\_\_\_ (Signature) [Signature] (36th Ward)

Alderman \_\_\_\_\_ (Signature) \_\_\_\_\_ (\_\_\_\_ Ward)

Date Filed: 12/14/22

Principal Sponsor: [Signature] (Signature)

### Removing Co-Sponsor(s)

Please **REMOVE** Co-Sponsor(s) Below – (Principal Sponsor's Consent NOT Required)

Alderman \_\_\_\_\_ (Signature) \_\_\_\_\_ (\_\_\_\_ Ward)

Alderman \_\_\_\_\_ (Signature) \_\_\_\_\_ (\_\_\_\_ Ward)

Date Filed: \_\_\_\_\_

Final Copies To Be Filed With: • Chairman of Committee to which legislation was referred  
• City Clerk