



Office of Chicago City Clerk



O2011-3580

Office of the City Clerk

Tracking Sheet

Meeting Date:	4/13/2011
Sponsor(s):	Burke, Edward (14) Laurino, Margaret (39) Rugai, Virginia (19)
Type:	Ordinance
Title:	Amendment of Title 4 by creating Chapter 4-390
Committee(s) Assignment:	Joint Committee on Economic and Capital Development and Energy, Environmental Protection and Public Utilities

JT (1)

Jt. Finance, Economic
Capital and Technology
Development, and Energy,
Environmental Protection
and Public Utilities

ORDINANCE

WHEREAS, there is a compelling interest to combat the negative effects of climate change and other environmental harm and an increasing need to create an economy that is prosperous and environmentally responsible; and

WHEREAS, there is a demand to effectively merge green practices and the economic, environmental and social benefits of sustainability to successfully establish a variety of "Green Businesses;" and

WHEREAS, there is an emerging green economy which has generated 8.5 million new jobs, nearly \$970 billion in revenue and more than \$100 billion in industry profits a year; and

WHEREAS, the City of Chicago is a major economic hub in the United States and has established itself as an international center for commerce and trade; and

WHEREAS, the City of Chicago is recognized for its leadership in the green and sustainability movement; and

WHEREAS, the City of Chicago strives to become a world leader in the green economy; and

WHEREAS, the City of Chicago has adopted the Chicago Climate Action Plan, which outlines a set of bold ideas that intend to mitigate Chicago's greenhouse gas emissions and could help to slow the effects of climate change; and

WHEREAS, the City of Chicago is currently without its own set of standards for determining the levels of sustainability and efficiency attained by businesses within the City of Chicago; and

WHEREAS, the City of Chicago seeks to encourage businesses to undertake and publicize their green business practices; and

WHEREAS, the City of Chicago has a vested interest in developing, encouraging and supporting sustainable businesses within its city limits, and has the goal of providing incentives and other advantages to green businesses in working with the City of Chicago; and

WHEREAS, for the City of Chicago to effectively develop, encourage and support sustainable businesses within its confines, it must have a Green Business Standard, and define and develop a set of criteria that businesses must satisfy to become certified as a "Chicago Green Business;" and

WHEREAS, the Chairmen of the Joint Committee of the Committee on Finance, the Committee on Energy, Environmental Protection and Public Utilities, and the Committee on Economic, Capital and Technology Development have led a Chicago Green Business Task Force, comprised of members of public and private industry, to study the appropriate course of action to define and support a "Chicago Green Business;" and

WHEREAS, the legislative body of this municipal government seeks to authorize the creation of a Chicago Green Business Program, based on the recommendations of the Task Force, in order for the City to encourage and certify businesses that demonstrate environmental leadership, exceed minimum regulatory requirements and take voluntary steps to reduce energy and water use, reduce waste, conserve natural resources, reduce greenhouse gas emissions and otherwise prevent pollution; **NOW, THEREFORE**,

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

SECTION 1. The above recitals are expressly incorporated herein and made part hereof as though fully set forth herein.

SECTION 2. Title IV of the Municipal Code of Chicago is hereby amended by creating Chapter **4-390** underscored as follows:

4-390 Chicago Green Business Program

4-390-010 Eligibility

Any business with a valid business license issued by the City of Chicago that meets the Minimum Requirements outlined herein is eligible to be certified as a "Chicago Green Business."

4-390-020 Recognition

The Commissioner of the Department of the Environment shall recognize an eligible business as a Chicago Green Business in that the business meets the minimum requirements sent forth in Section **4-390-030**. The Department of the Environment shall create a Chicago Green Business Logo to be used by Chicago Green Businesses.

4-390-030 Minimum Requirements

A business may be certified as a Chicago Green Business if it meets one or more of the Third Party Certifications/Requirements in subsection (a) of this Section, or any Alternative Third Party Certification/Requirements promulgated in the future by the

Department of Environment under subsection (b) of this Section, and each of the requirements outlined in subsections (c) through (f) of this Section.

a) Third Party Certifications/Requirements

i. Green Seal Standard for Lodging Properties (GS-33) or Restaurant and Food Service Operations Standard Development (GS-46);

ii. Green Restaurant Association Certification 4.0 Standards for Existing Restaurants, New Builds and Events;

iii. International Organization for Standardization ("ISO") 14001 Environmental Standards;

iv. US Green Building Council LEED Certification – A building or space in which the business owns in Chicago and in which at least 75 % of its employees regularly work, must be LEED certified, or if the business is a real estate developer or construction company, it has developed or constructed one or more LEED certified buildings in Chicago;

v. City of Chicago Green Office Challenge – Office must meet the minimum green office challenge goals;

vi. ENERGY STAR Partner for the following businesses: Auto Dealers; Grocery & Convenience Stores; Home Based Businesses; Lodging; Renters & Tenants; Restaurants; Service & Product Providers (SPPs); Small and Medium Sized Manufacturers;

vii. Member or Associate Member of Chicago Climate Exchange and have a legal obligation to reduce or offset greenhouse gas emissions; and/or

viii. B. Corporation Certification.

b) Alternative Third Party Certifications/Requirements

The Department of Environment is authorized to approve, after holding a public hearing, and posting on its website, alternative Third Party Certification/Requirements that a Business can meet to satisfy this subsection. These alternative Third Party Certification/Requirements shall be approved by the Department of Environment only if such Third Party Certification/Requirements (i) are formulated by a reputable third party, (ii) are consistent with the Chicago Climate Action Plan, and (iii) address energy conservation and one or more other issues such as water conservation, solid waste reduction and pollution prevention.

The Commissioner of the Department of Environment shall update annually a list of acceptable Third Party Certifications. The list shall be filed with the Office of the City Clerk and the Department shall appear before the Joint Committee of the Committee on Finance, the Committee on Economic, Capital and Technology Development and the Committee on Energy, Environmental Protection and Public Utilities on an annual basis.

c) Compliance – A business must be in full compliance with all applicable federal, state, and local environmental laws and regulations;

d) Training and Public Outreach – A business shall, on an annual basis:

i) Provide three ongoing incentives or training opportunities to encourage management and employee participation regarding reducing energy and water conservation, solid waste reduction and pollution prevention; and

ii) Inform customers about its business' efforts to be certified as a Chicago Green Business; and

iii) Assist at least one other business in learning about the Chicago Green Business Program and encourage it to become certified.

e) Greenhouse Gas Inventory

A business shall inventory annual direct and indirect (electricity use and corporate travel at a minimum) greenhouse gas emissions using ISO 14064, the Greenhouse Gas Protocol or similar methodologies including the U.S. EPA Energy Star Portfolio Manager. This data will be kept confidential and used solely for the City's accountability in delivering the Chicago Climate Action Plans' goals.

f) Required Posting

A business shall post the Chicago Green Business Certification in a visible location and have the right to use the Chicago Green Business Logo;

4-390-040 Notice

a) The Department of Business Affairs and Consumer Protection, with the Department of Environment, shall conduct outreach to all businesses that are eligible to participate in programs established under this Chapter and shall afford all eligible businesses the same opportunities to participate in the program.

b) The Departments of Environment, Zoning and Land Use Planning, and Business Affairs and Consumer Protection shall post a current list of Chicago Green Businesses, updated annually, on their websites.

c) The Departments of Procurement Services, Community Development, Zoning and Land Use Planning, Business Affairs and Consumer Protection, Environment, the Office of Compliance, and the Office of Budget and Management shall collaborate on an ongoing basis to develop operational and monetary incentives to promote involvement in the Chicago Green Business Program.

4-390-050 Application and Reporting

Each eligible business seeking to become a Chicago Green Business shall submit an affidavit to the Department of Environment that it has met the Minimum Requirements established under this Chapter and an initial fee, as determined by the Department of Business Affairs and Consumer Protection. Once certified, the Chicago Green Business shall submit to the Department of Environment an annual affidavit confirming that it has met the requirements on/or before April 30 of the subsequent reporting year, and the Department of Environment shall report the list of Green Chicago Businesses annually to the Joint Committee of the Committee on Finance, the Committee on Economic, Capital and Technology Development, and the Committee on Energy, Environmental Protection and Public Utilities.

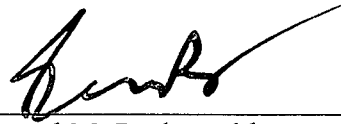
4-390-060 Disclaimer

Recognition by the City of Chicago of a business as a Chicago Green Business shall not be construed as an endorsement by the City of Chicago of the business or confer any legal right or privilege to the business. The participating departments may discontinue any program established under this Chapter at any time.

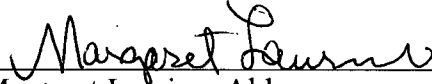
4-390-070 Violation-Penalties

False or misleading statements or misrepresentations made by any person regarding a business's eligibility or qualifications for or compliance with the Chicago Green Business Program is a violation of this Chapter and is subject to an administrative penalty up to \$500 per violation in addition to any other available remedies. In coordination with and on behalf of the participating departments, whenever the Commissioner of the Department of Environment finds that information in a business's application or any required submission is inaccurate or misleading or a business that has a Chicago Green Business recognition is violating or has violated the terms of the Chicago Green Business Program eligibility or qualifications, the Commissioner may revoke the business's recognition as a Chicago Green Business and said revocation shall be final.

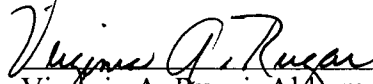
SECTION 3. This ordinance shall be in full force and effect six (6) months after its passage and publication.



Edward M. Burke, Alderman
14th Ward



Margaret Laurino, Alderman
39th Ward



Virginia A. Rugai, Alderman
19th Ward