



# Office of the City Clerk



SO2012-7230

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## City Council Document Tracking Sheet

<b>Meeting Date:</b>	10/31/2012
<b>Sponsor(s):</b>	O'Shea, Matthew J. (19)
<b>Type:</b>	Ordinance
<b>Title:</b>	Amendment of Title 8 of Municipal Code regarding drinking, intoxication and other prohibited activities in public way in conjunction with parades
<b>Committee(s) Assignment:</b>	Committee on Public Safety

**SUBSTITUTE**  
**ORDINANCE**

**WHEREAS**, Chicago is home to a number of colorful and inspirational parades that celebrate the values, beliefs and heritages of the communities of the city, and several other traditional and non-traditional parades; and

**WHEREAS**, Ensuring a safe environment for all parades and surrounding neighborhoods, among other things, requires adopting and implementing laws that would help to deter or reduce unlawful acts that commonly happen near parade routes; and

**WHEREAS**, Enhancing the penalties for violations of the provisions of the Municipal Code of Chicago that prohibit drinking on the public ways, intoxication, and public urination or defecation, when such offenses occur within 800 feet of a parade route closed to traffic, would advance the objective of promoting safe and orderly parades and neighborhoods; and

**WHEREAS**, The City Council of the City of Chicago recognizes the need for the urgent adoption and implementation of this ordinance so that parades that will happen in the near future, including the South Side Irish Saint Patrick's Day Parade, which is scheduled to take place on March 10, 2013, will be safe and orderly; and

**WHEREAS**, Because of its urgency, and in accordance with 65 ILCS 5/1-2-4, this ordinance will take effect upon its passage and approval; now, therefore,

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

**SECTION 1.** Sections 8-4-030, 8-16-050 and 8-4-081 of the Municipal Code of Chicago are hereby amended by deleting the language struck through and by inserting the language underscored, as follows:

**8-4-030 Drinking in public ways.**

(a) It shall be unlawful for any person to drink any alcoholic liquor as defined by law on any public way or in or about any motor vehicle upon a public way in the city. This section shall not apply to portions of the public way occupied by a sidewalk café permitted pursuant to Chapter 10-28 of the municipal code which is properly licensed to sell alcoholic liquor, or to any portion of the public way located on Navy Pier; or to any venue holding a valid Riverwalk Venue liquor license under Section 4-60-074.

(b) It shall be unlawful for any person to transport, carry, possess or have any alcoholic liquor in or upon or about any motor vehicle upon any public way in the city except: (1) in the original package and with the seal unbroken, or (2) in a package properly sealed, bagged and receipted pursuant to Section 6-33 of the Liquor Control Act of 1934, added by P.A. 94-1047, effective January 1, 2007, and codified at 235 ILCS 5/6-33, as amended, or (3) in compliance with Section 11-502 of the Illinois Vehicle Code, codified at 625 ILCS 5/11-502.

(c) Any person violating any provision of this section shall be fined not less than \$100.00 nor more than \$500.00 or shall be punished by imprisonment for a period of up to six months or by both such fine and imprisonment for each offense; provided, however, any person who violates this section while within 800 feet of a parade route which is not open to traffic shall be fined not less than \$500.00 nor more than \$1,000.00 or shall be punished by imprisonment for a period of up to six months or by both such fine and imprisonment for each offense. For



purposes of this subsection, the term "parade" has the meaning ascribed to the term in Section 10-8-330 of this Code.

**8-16-050 Intoxication.**

Any No minor who shall be intoxicated, or who shall purchase, offer to purchase, or in any manner obtain unlawfully for his personal use any intoxicating liquor;. Any minor who violates this section shall be fined not more than \$25.00 for the first offense, and not more than \$100.00 for every subsequent offense; provided, however, any minor who violates this section while within 800 feet of a parade route which is not open to traffic shall be fined \$500.00 or shall be required to perform 25 hours of community service for each offense. For purposes of this section, the term "parade" has the meaning ascribed to the term in Section 10-8-330 of this Code.

**8-4-081 Public urination or defecation.**

Any No person who shall urinates or defecates on the public way, or on any outdoor public property, or on any outdoor private property;. Any person who violates this section shall be guilty of a misdemeanor and shall be fined not less than \$100.00 nor more than \$500.00, or incarcerated or shall be punished by imprisonment for no not less than five days and no nor more than ten days, or by both fined and incarcerated such fine and imprisonment; provided, however, any person who violates this section while within 800 feet of a parade route which is not open to traffic shall be fined not less than \$500.00 nor more than \$1,000.00 or shall be punished by imprisonment for not less than five days nor more than ten days or by both such fine and imprisonment. For purposes of this section, the term "parade" has the meaning ascribed to the term in Section 10-8-330 of this Code. This ordinance shall not apply to use of a temporary or permanent structure or enclosure erected outdoors for use as a toilet facility.

**SECTION 2.** This ordinance shall take effect upon passage and approval.

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Alderman Matthew J. O'Shea, 19<sup>th</sup> Ward

A single, thin, wavy black line on a white background. The line starts on the left side, curves slightly upwards, then downwards, and ends on the right side. It appears to be a stray mark or a decorative flourish.



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February 13, 2012

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 amending Title 8 of the Municipal Code regarding drinking, intoxication, and other prohibited activities on the public way in Conjunction with parades.

This recommendation was concurred unanimously by a viva voce vote of the members of the Committee with no dissenting vote. (O2012-7230)

(Ald. O'Shea, 19<sup>th</sup> Ward)

Respectfully submitted,

James A. Balcer  
Chairman  
Committee on Public Safety