



City of Chicago



O2014-5070

Office of the City Clerk

Document Tracking Sheet

Meeting Date: 6/25/2014

Sponsor(s): Emanuel (Mayor)
Zalewski (23)
Moreno (1)
Harris (8)
Pope (10)
Balcer (11)
Cardenas (12)
Quinn (13)
Burke (14)
Thompson (16)
O'Shea (19)
Cochran (20)
Burnett (27)
Reboyras (30)
Mell (33)
Suarez (31)
Colón (35)
Mitts (37)
Cullerton (38)
Cappleman (46)
Pawar (47)
Osterman (48)
Moore (49)

Type: Ordinance

Title: Amendment of Municipal Code Sections 8-4-060, 8-4-070
and 8-4-120 regarding fines for vandalism

Committee(s) Assignment: Committee on Public Safety



OFFICE OF THE MAYOR
CITY OF CHICAGO

RAHM EMANUEL
MAYOR

June 25, 2014

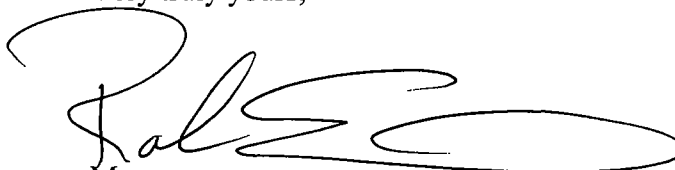
TO THE HONORABLE, THE CITY COUNCIL
OF THE CITY OF CHICAGO

Ladies and Gentlemen:

At the request of the Commissioner of Streets and Sanitation, I transmit herewith, together with Aldermen Zalewski, Moreno, Harris, Pope, Balcer, Cardenas, Quinn, Burke, Thompson, O'Shea, Cochran, Burnett, Reboyras, Mell, Suarez, Colon, Mitts, Cullerton, Cappelman, Pawar, Osterman, and Moore, an ordinance amending Chapter 8-4 of the Municipal Code regarding fines for vandalism.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,



Mayor

ORDINANCE

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

SECTION 1. Section 8-4-060 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

8-4-060 Vandalism defined.

A It shall be unlawful for any person ~~commits to commit~~ vandalism. A person commits vandalism when he ~~such person,~~ without proper authorization, engages in the willful or malicious destruction, injury, disfigurement or defacement of any public or private property. ~~This offense~~ Vandalism includes, but is not limited to, any act of cutting, tearing, breaking, marking, drawing, painting or etching when ~~these actions are~~ such act is intended to damage property or ~~have~~ has the effect of causing damage to property.

Any person who violates ~~the provisions of~~ this section, upon conviction thereof, shall be punished by a fine of ~~\$750.00~~ not less than \$1,500.00 nor more than \$2,500.00 for each offense, plus the actual costs incurred by the property owner or the city to abate, remediate, repair or remove the effects of the vandalism. To the extent permitted by law, ~~the cost~~ such costs shall be payable to the person who incurred ~~them~~ the costs. In addition to such fine and costs, any such offense may also be punished as a misdemeanor by incarceration in a penal institution other than a penitentiary for a term of up to 30 days, or by a requirement to perform up to 1,500 hours of community service, under the procedures set forth in Section 1-2-1.1 of the Illinois Municipal Code, as amended, and in the Illinois Code of Criminal Procedure of 1963, as amended, ~~in a separate proceeding.~~ All actions seeking the imposition of fines only shall be filed as quasi-criminal actions subject to the provisions of the Illinois Code of Civil Procedure, as amended.

SECTION 2. Section 8-4-070 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

8-4-070 Responsibility of parent or legal guardian.

(Omitted text is unaffected by this ordinance)

(b) If a minor engages in conduct that violates any provision of Sections 8-4-060 or 8-4-065, and such minor is unemancipated and resides with his parent or legal guardian, such parent or legal guardian shall be subject to the penalties set forth below:

(i) a fine of not less than \$250 to \$750 ~~nor more than \$1,000.00~~ or payment of restitution in the amount of the actual costs incurred to abate, remediate, repair or remove the effects of the vandalism, ~~whichever is greater~~, if such action is performed by the city, whichever is greater, or

(ii) a fine of not less than \$250 to \$750 ~~nor more than \$1,000.00~~ and payment of restitution in the amount of the actual costs incurred by the property owner to abate, remediate, repair or remove the effects of the vandalism, if such action is not performed by the city.

(Omitted text is unaffected by this ordinance)

SECTION 3. Section 8-4-120 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

8-4-120 Damage to public property.

No person shall cut, injure, mark, damage or deface any public building, sewer, water pipe, or hydrant, or other city property, fixture or personal property, or any tree, grass, shrub, or walk in any public way or public park.

Any person violating ~~any provision~~ of this section shall be fined not less than ~~\$200.00~~ \$500.00 nor more than ~~\$500.00~~ \$1,000.00 for each offense.

SECTION 4. This ordinance shall take full force and effect ten days after its passage and publication.