



City of Chicago



O2016-3973

Office of the City Clerk

Document Tracking Sheet

Meeting Date: 5/18/2016

Sponsor(s): Emanuel (Mayor)
Burke (14)
Cappleman (46)
Tunney (44)
Mell (33)
Lopez (15)
Ramirez-Rosa (35)
Osterman (48)

Type: Ordinance

Title: Amendment of Municipal Code Section 2-160-070 to allow gender identity access to public accommodations

Committee(s) Assignment: Committee on Human Relations

ORDINANCE

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

SECTION 1. Section 2-160-070 of the Municipal Code of Chicago is hereby amended by deleting the language stricken and inserting the language underscored, as follows:

2-160-070 Discriminatory practices – Public accommodations.

No person that owns, leases, rents, operates, manages, or in any manner controls a public accommodation shall withhold, deny, curtail, limit or discriminate concerning the full use of such public accommodation by any individual because of the individual's race, color, sex, gender identity, age, religion, disability, national origin, ancestry, sexual orientation, marital status, parental status, military status, or source of income. The prohibition contained in this section shall not apply to the following:

- (a) a private club or other establishment not in fact open to the public, except to the extent that the products, facilities or services thereof are made available to the general public or to the customers or patrons of another establishment that is a public accommodation;
- (b) any facility, as to discrimination based on sex, which is distinctly private in nature, such as restrooms, shower rooms, bathhouses, dressing rooms, and health clubs;
- (c) any facility, as to discrimination based on sex, which restricts rental of residential or sleeping rooms to individuals of one sex;
- (d) any educational institution, as to discrimination based on sex, which restricts enrollment of students to individuals of one sex; and
- (e) notwithstanding subsections (a) through (d) above, any person may use a public accommodation or any of its products, facilities, or services that are open to persons of ~~the his or her sex or gender reflected on any government issued identification of that individual including a driver's license, a state identification card or passport.~~ For purposes of this subsection, "sex" includes both biological category and gender identity. Each person determines his or her own gender identity; no proof shall be required except his or her expression of his or her gender.

SECTION 2. This ordinance shall take effect upon passage and publication.



OFFICE OF THE MAYOR
CITY OF CHICAGO

RAHM EMANUEL
MAYOR

May 18, 2016

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

Ladies and Gentlemen:

At the request of the Chicago Commission on Human Relations, I transmit herewith, together with Alderman Burke, Cappleman, Tunney, Mell, Lopez, Rosa and Osterman, an ordinance amending Chapter 2-160 of the Municipal Code regarding access to public accommodations.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,

A handwritten signature in cursive script that reads "Rahm Emanuel".

Mayor



PAT DOWELL

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CITY COUNCIL

CITY OF CHICAGO

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COUNCIL OFFICE OF FINANCIAL ANALYSIS

June 22, 2016
CHICAGO, ILLINOIS

TO THE PRESIDENT AND MEMBERS OF THE CITY COUNCIL:

Your Committee on Human Relations which was referred an ordinance introduced by Mayor Rahm Emanuel, together with Alderman Burke, Alderman Cappleman, Alderman Tunney, Alderman Mell, Alderman Lopez and Alderman Ramirez-Rosa, amending Chapter 2-160 of the Municipal Code regarding access to public accommodations. (O2016-3973) and Alderman ASTERMAN P/ML

Having the same under advisement, begs leave to report and recommend that Your Honorable Body **Pass** the proposed ordinance transmitted herewith.

This recommendation was concurred in by a vote of the members of the committee present with two (2) dissenting votes made by Alderman Anthony V. Napolitano and Alderman David Moore.

(signed)

Pat Dowell, Chairman
Committee on Human Relations