



City of Chicago



SO2018-5006

Office of the City Clerk

Document Tracking Sheet

Meeting Date:	6/27/2018
Sponsor(s):	Emanuel (Mayor) Hopkins (2) Solis (25)
Type:	Ordinance
Title:	Amendment of Municipal Code Titles 2, 7, 11 and 13 concerning provisions for graffiti removal
Committee(s) Assignment:	Committee on Zoning, Landmarks and Building Standards

**SUBSTITUTE
ORDINANCE
AS AMENDED**

TAD - 570

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

SECTION 1. Section 2-28-030 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

2-28-030 Commissioner – Powers and duties.

The duties and powers of the commissioner shall be as follows:

- (a) To organize standing or special committees of the advisory board to assist the board in its advisory capacity;
- (b) To administer the city art programs, including the authority to: (i) enter into cooperative agreements with other governmental entities and not-for-profit organizations for purposes of administering the public art program Public Art Program (Article II of Chapter 2-92), and (ii) adopt rules governing the registration, identification, and protection of art, artwork as defined in the Public Art Program, and graffiti as defined in Section 7-28-065;

(Omitted text is unaffected by this ordinance)

SECTION 2. Section 7-28-065 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

7-28-065 Graffiti removal – Nuisance abatement.

- (a) As defined in this section, graffiti that is unregistered is hereby declared to be a public nuisance. The owner of record, or the person in charge, possession or control of any building or structure upon which graffiti is placed or affixed shall, upon the appearance of the graffiti: (i) cause such graffiti to be removed or concealed or (ii) ~~place on file a written statement authorizing the presence of the graffiti at the office of the commissioner of the department of streets and sanitation~~ register the graffiti according to rules promulgated by the Commissioner of Cultural Affairs and Special Events. Whenever any nuisance in the form of unregistered graffiti shall be found on any building or other structure, the dDepartment of sStreets and sSanitation, or its agent or contractor shall attempt to obtain consent from the owner for the city's City's graffiti removal services. If such attempt to contact the owner is not successful, the dDepartment of Streets and Sanitation shall post a notice in a prominent place upon the building or structure where the unregistered graffiti is found which shall state that, if the unregistered graffiti is not removed or concealed or if a written statement authorizing the presence of the graffiti is not filed with the commissioner registered according to the rules within five days after the notice is posted, excluding Saturdays, Sundays and legal holidays, the dDepartment of Streets and Sanitation or its agent or contractor shall have authority to enter or access the property and abate the nuisance by removing or concealing the unregistered graffiti.

- (b) Nothing in this section shall prevent the city City from taking any other enforcement action authorized by law.

(b) Notification to occupants within the building. At least 48 hours prior to the commencement of any sandblasting, grinding or chemical washing, the permittees shall provide notice of the sandblasting, grinding or chemical washing operation to all the occupants of the building to be sandblasted, ground or chemically washed. Said notice shall be in writing and shall be by mail or otherwise and shall include the name, address and telephone number of the person performing the sandblasting, grinding or chemical washing; the address where the sandblasting, grinding or chemical washing will occur; the estimated start date for the sandblasting, grinding or chemical washing; and the estimated duration of the sandblasting, grinding or chemical washing operation. In addition, the written notice shall also be conspicuously posted in the common area of the building and shall have attached to it a copy of the permit and permit application. This notice shall be in addition to the notice required in Section 7-28-065.

(Omitted text is unaffected by this ordinance)

SECTION 4. Section 13-20-550 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, as follows:

13-20-550 Permits required.

(Omitted text is unaffected by this ordinance)

(e) Notwithstanding the provisions of this section to the contrary, a sign permit is not required to erect, maintain, install, alter, repair or enlarge an art mural that contains no business name, logo, slogan, trademark, social media identifier or other business identification in the mural itself. If the mural meets the definition of "graffiti" in Section 7-28-065(c), it may be registered pursuant to Section 7-28-065. Any art mural that contains a business name, logo, slogan, trademark, social media identifier or other business identification, including business sponsorship, in the mural itself shall be considered a sign and shall be subject to the provisions of this Code regarding sign permits. Furthermore, any business name, logo, slogan, trademark, social media identifier or other business identification that is physically outside of the mural is subject to the provisions of this Code regarding sign permits.

(Omitted text is unaffected by this ordinance)

SECTION 5. This ordinance shall take full effect upon its passage and publication.

Brian Hopkins
Alderman, 2nd Ward