



# City of Chicago



O2021-362

Office of the City Clerk

## Document Tracking Sheet

**Meeting Date:**

1/27/2021

**Sponsor(s):**

Hopkins (2)  
Sadlowski Garza (10)  
Thompson (11)  
Rodriguez (22)  
Sigcho-Lopez (25)  
Ramirez-Rosa (35)  
Vasquez, Jr. (40)  
Smith (43)  
Tunney (44)  
Cappleman (46)  
Martin (47)  
Osterman (48)  
Hadden (49)

**Type:**

Ordinance

**Title:**

Amendment of Municipal Code Chapters 2-45 and 10-32 by modifying various sections and adding new Section 10-32-055 concerning establishment and maintenance of managed native garden registry

**Committee(s) Assignment:**

Committee on Environmental Protection and Energy

**ORDINANCE**

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

**SECTION 1.** Section 2-45-040 of the Municipal Code of Chicago is hereby amended by adding the language underscored, and by deleting the language struck through, as follows:

**2-45-040 Commissioner of Planning and Development – Powers and duties.**

(a) The Commissioner has the authority to:

(1) develop and administer programs and policies to encourage and promote the retention and expansion of existing commercial and industrial businesses within the City, and the attraction of new businesses to the City, and to encourage and promote workforce development.

~~It shall be the duty of the Commissioner to post the Tax Increment Financing (T.I.F.) documents required by Section 2-45-155 on the Department's website.~~

(2) ~~The Commissioner has the authority to administer workforce development programs that will:~~

~~(1) (A) include a citywide service delivery system which responds to employer needs; and~~

~~(2) (B) cultivate public and private relationships that increase employment opportunities for Chicagoans and prepare Chicagoans for the global workplace.~~

~~(3) The Commissioner shall also have authority to expend legally available funds for the purpose of assisting the Chicago Housing Authority in maintaining and improving its property, including but not limited to, property repairs and rehabilitation, purchase and installation of fencing and other security measures and devices, nuisance abatement, playground construction and other site improvements. The Commissioner may enter into cooperative agreements with the Chicago Housing Authority when performing his powers under this section. Such agreements shall not authorize the use of City funds for purposes of demolition or major capital projects.~~

(b) The Department may act as agent for the City in the management, demolition, site preparation and disposition of any property acquired pursuant to Chapter 2-124 or otherwise and may, subject to such approval of the City Council as the Code requires, sell surplus land pursuant to Chapters 2-158 and 2-159 of this Code.

(c) ~~It shall be the duty of the~~ The Commissioner shall have the duty to:

(1) supervise and coordinate the formulation and execution of projects and programs affecting the present and future physical and social environment of the City to the extent they relate to zoning and land use planning, including industrial development and growth, development of the City's central and outlying business areas, development of culture and art, redevelopment, employment opportunities, public transportation, streets and expressways, parks and recreation, airports and harbors, water and sewers, libraries, education, the environment, health and the preservation of historical areas and landmarks;

(2) keep and permanently maintain on file for public inspection a bound copy of the Chicago Historic Resources Survey published in 1996;

(3) upon receipt by the landmarks division, post any application for a demolition permit submitted pursuant to Section 14A-4-407.6 on the City of Chicago website for a

period of at least 120 days after the application is approved or denied by the Department of Buildings;

(4) conduct research and demographic studies;

(5) create, maintain and expand plans for the City of Chicago;

(6) review and recommend necessary amendments to the Chicago Zoning Ordinance;

(7) exercise the powers and duties of the Commissioner as provided in the Chicago Zoning Ordinance;

(8) render necessary services, as requested, to the Mayor and to the City Council and its committees;

(9) establish and maintain a managed native garden registry as provided in Section 10-32-055;

(10) post the Tax Increment Financing (T.I.F.) documents required by Section 2-45-155 on the Department's website; and

~~(9)~~ (11) adopt such rules as the Commissioner may deem necessary or appropriate for the proper administration and enforcement of this Chapter 2-45 and the provisions of this Code pertaining to the rights, powers, duties, obligations, and responsibilities of the Department.

~~(b)~~ (d) The powers and duties in this section that are also conferred upon the Commissioner and Department of Housing, including but not limited to the authority to promulgate rules governing the same subject matter, shall, to the extent feasible, be carried out in consultation and coordination with that Department in order to promote consistency, efficiency and effectiveness.

**SECTION 2.** Section 2-45-130 of the Municipal Code of Chicago is hereby amended by adding the language underscored, and by deleting the language struck through, as follows:

**2-45-130 Participation by eligible persons in eligible programs.**

*(Omitted text is unaffected by this ordinance)*

(c) The Commissioner is authorized to promulgate rules and prepare forms to effectuate the purposes of this section in conformity, to the extent applicable, with subsection ~~(b)~~ (d) of Section 2-45-040.

**SECTION 3.** Chapter 10-32 of the Municipal Code of Chicago is hereby amended by adding a new Section 10-32-055, as follows:

**10-32-055 Managed native garden registry.**

(a) The Department of Planning and Development shall establish and maintain a registry of managed native gardens.


(b) A managed native garden is a planned, intentional, and maintained planting of native plants.

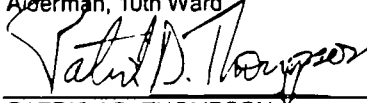
(c) Any person wishing to maintain a managed native garden on their property may register their property with the Department of Planning and Development. The managed native garden must be maintained in accordance with rules established by the Department. Managed native gardens in good standing on the registry shall not be subject to Section 7-28-120. Failure to maintain the managed native garden in accordance with this section and the rules may result in the Commissioner of Planning and Development removing the garden from the registry.

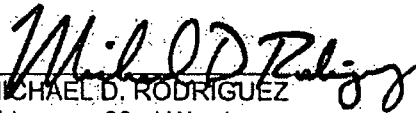
(d) To be eligible to be in the registry:

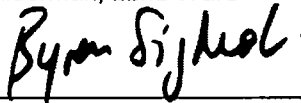
- (1) the managed native garden shall be on an occupied property.
- (2) the managed native garden shall contain only plants native to the Chicago region.
- (3) the managed native garden shall not have plants taller than ten inches within three feet of a public sidewalk or property line. Similarly, if a permit for a managed native garden in the parkway is acquired, any managed native garden in a parkway shall not have plants taller than ten inches.
- (4) the plants within the garden will have been intentionally planted by seed or transplantation into the garden. Owners need to be able to identify the plants contained within the garden.
- (e) Nothing in this section shall be construed to allow the section to conflict with the Illinois Noxious Weed Law, 505 ILCS 100/1 *et seq.*

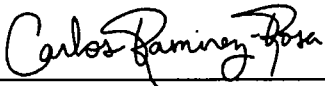
**SECTION 4.** This ordinance shall be in full force and effect following passage and approval.

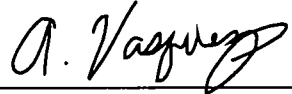
  
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 SUSAN SADLOWSKI GARZA  
 Alderman, 10th Ward

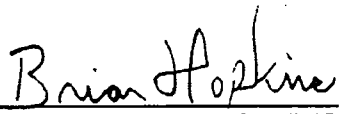
  
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 PATRICK D. THOMPSON  
 Alderman, 11th Ward

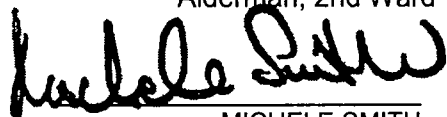
  
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 MICHAEL D. RODRIGUEZ  
 Alderman, 22nd Ward

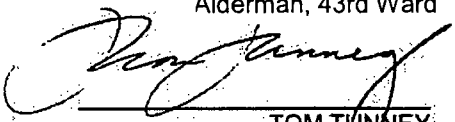
  
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 BYRON SIGCHO-LOPEZ  
 Alderman, 25th Ward

  
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 CARLOS RAMIREZ-ROSA  
 Alderman, 35th Ward

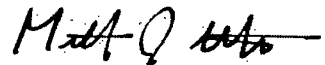
  
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 ANDRE VASQUEZ  
 Alderman, 40th Ward

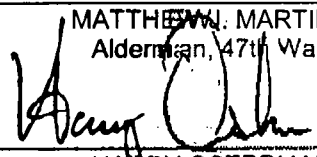
  
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 BRIAN HOPKINS  
 Alderman, 2nd Ward


  
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 MICHELE SMITH  
 Alderman, 43rd Ward

  
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 TOM TUNNEY  
 Alderman, 44th Ward

  
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 JAMES CAPPLEMAN  
 Alderman, 46th Ward

  
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 MATTHEW J. MARTIN  
 Alderman, 47th Ward

  
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 HARRY OSTERMAN  
 Alderman, 48th Ward

  
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 MARIA E. HADDEN  
 Alderman, 49th Ward