



Office of the City Clerk

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Legislation Details (With Text)

File #: O2017-7816

Type: Ordinance **Status:** Passed

File created: 11/8/2017 **In control:** City Council

Final action: 12/13/2017

Title: Amendment of Municipal Code Chapter 2-20 by adding new Section 2-20-050 regarding screening and testing of windows and doors installed under Midway and O'Hare Residential Sound Insulation Program

Sponsors: Quinn, Marty, Burke, Edward M., Zalewski, Michael R., Lopez, Raymond A., Thompson, Patrick D.

Indexes: Ch. 20 Dept. of Aviation

Attachments: 1. O2017-7816.pdf

Date	Ver.	Action By	Action	Result
12/13/2017	1	City Council	Passed	Pass
12/11/2017	1	Joint Committee: Aviation; Finance	Recommended to Pass	
11/8/2017	1	City Council	Referred	

ORDINANCE

WHEREAS, the City of Chicago is a home rule unit of government pursuant to the 1970 Illinois Constitution, Article VII, Section 6(a); and

WHEREAS, pursuant to its home rule power, the City of Chicago may exercise any power and perform any function relating to its government and affairs including the power to regulate for the protection of the public health, safety, morals, and welfare; and

WHEREAS, the City of Chicago is home to Chicago O'Hare International Airport and Chicago Midway International Airport, two of the busiest airports in the country; and

WHEREAS, although these Airports are international in reach, they are part of our neighborhood fabric; and

WHEREAS, the City is committed to ensuring that the communities surrounding our airports deem them good neighbors; and

WHEREAS, to that end, the Department of Aviation has administered the School Sound Insulation Program (SSIP) and the Residential Sound Insulation Program (RSIP), which sound-insulates schools and homes surrounding the airports; and

WHEREAS, since 1982, 123 schools have been sound-insulated under the O'Hare School Sound Insulation Program (O'Hare SSIP); and

WHEREAS, since 1991, 41 schools have been sound-insulated under the Midway School Sound Insulation Program (Midway SSIP); and

WHEREAS, to date, 10,173 homes near Midway have been insulated through their RSIP, and 10,924 homes near O'Hare have also been sound-insulated through theirs; and

WHEREAS, over the past few years, residents have expressed concerns regarding odors emanating from windows and doors installed as part of the RSIP program; and

WHEREAS, many of the residents with the windows and doors with odor issues had them installed over ten years ago and the warranty no longer will cover any necessary repairs or replacements for these windows; and

WHEREAS, despite having knowledge that this problem existed since 2015, the Department of Aviation has only recently has begun in-home and lab testing of the windows that have shown to have gas issues, and at the October 3rd Joint Committee on Aviation and Committee on Finance public hearing, Department officials informed the residents of the Midway area that the final results from these tests will not be received until the end of this year; and

WHEREAS, due to the lack of urgency on the Department of Aviation's behalf to promptly respond to the window odor complaints and due to the length of time it will take for the

Department of Aviation's contractor to finalize their results of the window testing, many other homeowners may have their warranties expire for the windows and doors installed pursuant to the RSIP; and

WHEREAS, the public health and safety of its citizens is one of the primary functions of City government and this City Council is determined to protect the health and rights of its residents;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. The above recitals are expressly incorporated herein and made part hereof as though fully set forth herein.

SECTION 2. Chapter 2-20 of the Municipal Code of Chicago is hereby amended by inserting a new Section 2-20-050 underscored as follows:

2-20-050. Screening and Testing of Windows and Doors installed under the Midway and O'Hare Residential Sound Insulation Program.

The Commissioner of the Department of Aviation or his or her designees are hereby authorized to conduct the screening of all windows, storm doors, vinyl patios doors, wood prime doors and any other product installed pursuant to the Midway and O'Hare Residential Sound Insulation Program that have been reported to the Department as emitting odors.

The Commissioner of the Department of Aviation or his or her designees are hereby mandated to immediately perform in-house testing on a minimum of ten percent of the confirmed cases of houses with odors issues after the initial screening. The homeowners shall be provided with copies of the final testing report by the City once the report has been completed.

SECTION 3. This ordinance shall be shall be in full force and effect upon its passage and

Alderman, Ward