



Office of the City Clerk

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Legislation Details (With Text)

File #: O2021-4756

Type: Ordinance **Status:** Passed

File created: 10/14/2021 **In control:** City Council

Final action: 10/27/2021

Title: Amendment of Municipal Code Titles 2, 6, 9 and 10 (2022 Municipal Code Corrections Ordinance)

Sponsors: Lightfoot, Lori E.

Indexes: Ch. 14 Dept. of Administrative Hearings, Ch. 28 Structures On & Under Public Ways, Ch. 32 Trees, Plants & Shrubs, Ch. 45 Dept. of Housing and Economic Development, Ch. 68 Restricted Parking-Permits & Regulations, Ch. 80 Community Commission for Public Safety and Accountability, Ch. 92 Dept. of Purchases, Contracts & Supplies, Ch. 105 Chicago Minimum Wage and Paid Sick Leave Ordinance, Ch. 112 Dept. of Public Health, Ch. 114 Public Passenger Vehicles other than Taxicabs, Ch. 120 Commissioners & Commissions

Attachments: 1. O2021-4756.pdf

| Date | Ver. | Action By | Action | Result |
|------------|------|---|------------------------|--------|
| 10/27/2021 | 1 | City Council | Passed | Pass |
| 10/25/2021 | 1 | City Council | Deferred and Published | |
| 10/22/2021 | 1 | Committee on Budget and Government Operations | Recommended to Pass | |
| 10/14/2021 | 1 | City Council | Referred | |

OFFICE OF THE MAYOR
CITY OF CHICAGO

LORI F. LIGHTFOOT
MAYOR

October 14, 2021

TO THE HONORABLE. THE CITY
COUNCIL OF THE CITY OF
CHICAGO

Ladies and Gentlemen:

At the request of the Budget Director, I transmit herewith the 2022 Municipal Code Corrections Ordinance.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours.

CODE CORRECTION ORDINANCE"

WHEREAS, The City of Chicago is a home rule unit of government as defined in Article VII, Section 6 (a) of the Illinois Constitution; and

WHEREAS, As a home rule unit of government, the City of Chicago may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, From time to time, provisions of the Municipal Code are identified as being obsolete, erroneous, unworkable, or otherwise in need of correction; and

WHEREAS, Maintaining an up-to-date and accurate Municipal Code is a matter pertaining to the government and affairs of the City of Chicago; now, therefore,

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

SECTION 1. Section 2-14-132 of the Municipal Code of Chicago is hereby amended by adding the language underscored, and by deleting the language struck through, as follows:

2-14-132 Impoundment.

(Omitted text is not affected by this ordinance)

(b) (1) (A) Within ten days after a vehicle is seized and impounded the Department of Streets and Sanitation or other appropriate department shall notify by certified mail the owner of record (other than a lessee who does not hold title to the vehicle), the person who was found to be in control of the vehicle at the time of the alleged violation, and any lienholder of record, of the owner's right to request a hearing before the Department of Administrative Hearings to challenge whether a violation of this Code for which seizure and

impoundment applies has occurred or, if the impoundment is pursuant to Section 9-92-035, whether the subject vehicle is eligible for impoundment under that section. In the case where an owner of record is a lessee who does not hold title to the vehicle, the notice shall be mailed to such lessee within ten days after the ~~department of streets and sanitation~~ Department of Administrative Hearings Department of Streets and Sanitation receives a copy or other satisfactory evidence of the vehicle lease or rental agreement, indicating the name, address, and driver's license number of the lessee pursuant to subsection (i). However, no such notice need be sent to the owner of record if the owner is personally served with the notice within ten days after the vehicle is seized and impounded, and the owner acknowledges receipt of the notice in writing. A copy of the notice shall be forwarded to the Department of Administrative Hearings. The notice shall state the penalties that may be imposed if no hearing is requested, including that a vehicle not released by payment of the penalty and fees and remaining in the City pound may be sold or disposed of by the City in accordance with applicable law.

(Omitted text is not affected by this ordinance)

SECTION 2. 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:

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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:

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

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(9) (10) 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 3. Section 2-45-160 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

2-45-160 Redevelopment agreement and reporting requirements for Cook County tax incentive classifications.

(Omitted text is unaffected by this ordinance)

(d) Beginning August 1, 2021, each applicant who has received City approval of a tax incentive classification shall submit to the Department an annual report no later than August 1 of each year, which shall include:

(Omitted text is unaffected by this ordinance)

(2) A jobs report providing anonymized information on each employee, including their status as full-time or part-time; the ZIP code of the employee's primary residency; and the employee's total employment tenure in months; ~~and a statement of whether the employee's wages are above or below a "Base Wage" as defined by Section 2-92-640;~~

(Omitted text is unaffected by this ordinance)

SECTION 4. Section 2-80-040 of the Municipal Code of Chicago is hereby amended by deleting the language struck through, as follows:

2-80-040 Commission - Composition And Qualifications.

(Omitted text is unaffected by this ordinance)

(d) An interim Commission shall be established to carry out the powers and duties outlined in Section 2-80-050 until the regular Commission is appointed following the first District Council elections. The interim Commission shall be composed of seven commissioners. The Chicago City Council Committee on Committees and Rules shall nominate 14 people for consideration by the Mayor for appointment to the interim Commission. All nominees must meet the qualifications outlined in 2-80-040(b). At least four of the nominees shall reside on the North Side of Chicago and have resided on the North Side of Chicago for at least 365 days immediately preceding their nomination; at least four nominees shall reside on the South Side of Chicago and have resided on the South Side of Chicago for at least 365 days immediately preceding their nomination; and at least four nominees shall reside on the West Side of Chicago and have resided on the West Side of Chicago for at least 365 days immediately preceding their

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nomination. By December 1, 2021, the Committee on Committees and Rules shall by majority vote approve the list of 14 nominees and submit the list to the Mayor for consideration.

By January 1, 2022, the Mayor shall appoint seven members to the interim Commission from the list of nominees approved and submitted by the Committee on Committees and Rules. At least two of the interim Commissioners shall reside on the North Side of Chicago and have resided on the North Side of Chicago for at least 365 days immediately preceding their nomination; at least two of the interim Commissioners shall reside on the South Side of Chicago and have resided on the South Side of Chicago for at least 365 days immediately preceding their nomination; and at least two of the interim Commissioners shall reside on the West Side of Chicago and have resided on the West Side of Chicago for at least 365 days immediately preceding their nomination.

If there is a vacancy on the interim Commission, within 30 days of the creation of the vacancy, ~~the four Committee Chairmen~~ and the Committee on Committees and Rules shall use the process described above to nominate two people for consideration by the Mayor. Within 30 days after the Committee on Committees and Rules submits to the Mayor a list of nominees, the Mayor shall select a person to fill the vacancy on the interim Commission.

Interim Commissioners shall serve until their successors take office following the first District Council elections. Interim Commissioners can be removed for Just Cause pursuant to Section 2-80-040(e).

(Omitted text is unaffected by this ordinance)

SECTION 5. Section 2-80-160 of the Municipal Code of Chicago is hereby amended by adding the language struck through, as follows:

2-80-160 Budget And Staffing.

The appropriations for the Commission and District Councils, collectively, shall be determined by the City Council as part of the annual City budget process, but shall not be less than 0.22 percent of the annual appropriation of all non-grant funds for the Department contained in the annual appropriation ordinance for that fiscal year.

The City Council shall appropriate funds sufficient for the Commission and District Councils to perform their functions and duties as set forth in this section, including, at minimum: budgeting for the Executive Director, who shall administer the affairs of the Commission and District Councils, staff to oversee and support the day-to-day operations of the Commission, adequate legal and policy analysis staff, staff to analyze trends and patterns related to COPA's investigative jurisdiction, staff to oversee and support the Commission's interaction with residents across Chicago, staff to oversee the day-to-day operations of and to provide direct support to each of the District Councils, and staff to ensure that youth actively participate in District Council activities. The City Council shall appropriate funds sufficient to provide for such administrative and support staff as may be necessary for the efficient operation of the Commission and District Councils.

No later than November 1, 2021, and subject to the availability of duly appropriated funds, the Commission shall be staffed by adequate numbers of personnel to competently and thoroughly carry out its duties.

SECTION 6. Section 2-92-320 of the Municipal Code of Chicago is hereby amended by deleting the language struck through, as follows:

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2-92-320 Ineligibility for city transactions - Other offenses.

(a) No person or business entity shall participate in a transaction as defined herein, and may have its current transactions permanently or temporarily suspended or canceled, if that person or business entity:

(Omitted text is unaffected by this ordinance)

3) has made an admission of guilt of such conduct described in (1) or (2) above which is a matter of record but has not been prosecuted for such conduct; or

4) ~~has violated Section 2-92-610; or~~

(Omitted text is unaffected by this ordinance)

SECTION 7. Section 2-112-010 of the Municipal Code of Chicago is hereby amended by deleting the language struck through, as follows:

2-112-010 Establishment and composition.

There is hereby established an executive department of the municipal government of the City which shall be known as either the Department of Public Health of the City of Chicago or the Department of Health of the City of Chicago. The Department shall be administered by a Commissioner of Public Health, who shall be either be a physician, duly licensed in Illinois, or have an advanced degree in a field related to public health and professional experience in public health administration or hospital administration. If the Commissioner is not a physician, at least one deputy commissioner of the Department shall be a physician, duly licensed to practice in Illinois. The Commissioner, and one or more deputy commissioners, shall be appointed by the Mayor.

SECTION 8. Section 2-120-150 of the Municipal Code of Chicago is hereby amended by deleting the language struck through and adding the underscored language, as follows:

2-120-150 Powers and duties.

It shall be the duty of the Board of Health to be well informed regarding all matters affecting the health of the citizens of Chicago. It shall advise, in a manner prescribed by the rules forms and protocols of the Board of Health, the Mayor and the Commissioner of Public Health on all issues affecting the health of the citizens of Chicago.

The Board of Health is authorized to adopt procedures for its meetings and to develop forms and protocols governing the issuance of findings and recommendations.

SECTION 9. Section 6-105-020 of the Municipal Code of Chicago is hereby amended by deleting the language struck through, as follows:

6-105-020 Minimum hourly wage.

(a) Except as provided in Sections ~~2-92-610 and~~ 6-105-030 of this Code, every Employer shall pay to each Covered Employee for each hour of work performed for that Employer, no less than the greater of: (1) the minimum hourly Wage set by the Minimum Wage Law; (2) the minimum hourly Wage set by the Fair Labor Standards Act; or (3) the City's minimum hourly Wage.

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(Omitted text is unaffected by this ordinance)

SECTION 10. Section 9-68-020 of the Municipal Code of Chicago is hereby amended by deleting the language struck through, as follows:

9-68-020 Residential parking permits.

(Omitted text is unaffected by this ordinance)

(d) ~~(44. Free-floating vehicle parking permits-General. Upon application and payment of the required fee, and up to a limit of 500, the City Clerk or the Clerk's designee shall issue free-floating vehicle parking permits, as defined under Section 9-103-010, to free-floating vehicles displaying a current City wheel tax license emblem. Such free-floating vehicle parking permits shall be affixed in a location and manner that the City Clerk shall specify by rule. This permit shall not guarantee or reserve any parking space, nor shall it exempt the holder from the observance of any traffic or parking regulation.~~

~~2) Free-floating vehicles-Term. The City Clerk shall issue a free-floating vehicle parking permit for the duration of the Free-Floating Vehicle Provider Pilot Program.~~

~~3) Free-floating vehicles-Vehicle type. A free-floating vehicle parking permit shall only be issued for use on a vehicle classified as a "free floating vehicle", as defined in Section 9-103-010.~~

~~4) Free-floating vehicles-Fee. The fee for a free-floating vehicle parking permit for the pilot program shall be \$75 for each parking permit.~~

~~{§} Free-floating vehicles-Fine-Revocation. If the Free-Floating Vehicle Provider Pilot Program terminates, the free-floating vehicle parking permits issued under this subsection (d) shall be revoked and any free-floating vehicle parking permits shall cease to be valid and shall be removed by the permittee from the vehicle to which it is assigned. Any person who fails to remove a free-floating vehicle parking permit as required by this subsection shall be fined not less than \$200.00 nor more than \$500.00 for each offense. Each day that a violation continues shall constitute a separate and distinct offense.~~

~~{§} Sunset. Subsections (d)(1)-(4) shall be repealed of their own accord, and shall have no force and effect, upon the termination of the Free-Floating Vehicle Provider Pilot Program.~~

(Omitted text is unaffected by this ordinance)

SECTION 11. Chapter 9-114 of the Municipal Code of Chicago is hereby amended by deleting the language struck through and by inserting the language underscored, as follows:

9-114-010 Definitions.

The following definitions shall apply for purposes of this chapter:

(Omitted text is unaffected by this ordinance)

"Place of business in the City of Chicago" means: (1) a location within the City where the City may send, and the licensee shall accept, notices of hearing or other notices from the City; (2) and a location within the City where a licensee maintains its business and financial records relating to the licenses involved.

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~~"Principal place of business in the City of Chicago" means: (1) a location within the City where the City may send, and the licensee shall accept, notices of hearing or other notices from the City; and (2) a location within~~

(Omitted text is unaffected by this ordinance)

9-114-040 Qualifications for license.

(a) In order to qualify for a license, whether upon initial application or upon application for renewal of a license:

- 1) an applicant shall be in compliance with all City, State of Illinois and Federal laws, and the provisions of this chapter; and
- 2) an applicant shall have a place of business in the City of Chicago:
 - i. with respect to any corporate applicant, the corporation shall be organized or qualified to do business under the laws of Illinois and have a place of business in the City of Chicago; or
 - ii. with respect to a partnership applicant, the partnership shall have its principal place of business in the City of Chicago; or

(Omitted text is unaffected by this ordinance)

SECTION 12. Article XIV of Chapter 10-28, a curbside cafe permit pilot program which ran from January 1, 2016, to December 1, 2017, and self-repealed on the latter date, is hereby removed from the Municipal Code of Chicago.

SECTION 13. Section 10-32-220 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

10-32-220 Required parkway trees - Planting standards.

Any person required to plant parkway trees pursuant to the provisions of Section ~~194A-§143~~ 17-11-0100 of the city's zoning code City's Zoning Code shall do so in compliance with the following conditions:

(Omitted text is unaffected by this ordinance)

SECTION 14. This ordinance shall take effect upon its passage and approval.

