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Legislation Details (With Text)

File #: SO2014-89

Type: Ordinance **Status:** Passed

File created: 1/15/2014 **In control:** City Council

Final action: 1/21/2015

Title: Amendment of Municipal Code Titles 2, 7 and 13 by modifying Section 2-100-110, repealing Section 7-28-660 and adding new Section 13-32-140 regarding new construction site rodent abatement

Sponsors: Smith, Michele, Cardenas, George A., Dowell, Pat, Laurino, Margaret, Burnett, Jr., Walter, Maldonado, Roberto, Sposato, Nicholas, Austin, Carrie M., O'Connor, Mary, Arena, John, Reilly, Brendan, Willie B. Cochran, Sawyer, Roderick T., Thomas, Latasha R., Holmes, Natasha, Osterman, Harry, Pope, John, Reboyras, Ariel, Burke, Edward M., Solis, Daniel, Moreno, Proco Joe, Cullerton, Timothy M., Zalewski, Michael R., Silverstein, Debra L., Tunney, Thomas, Cappleman, James, Chandler, Michael D., Munoz, Ricardo, Hairston, Leslie A., Harris, Michelle A., Moore, Joseph, Lane, Lona, Mitts, Emma, Graham, Deborah L., Ervin, Jason C.

Indexes: Ch. 16 Public Sewers & Drains, Ch. 28 Health Nuisances, Ch. 32 Building Permits, Ch. 100 Dept. of Streets & Sanitation

Attachments: 1. O2014-89.pdf, 2. SO2014-89.pdf

Date	Ver.	Action By	Action	Result
1/21/2015	1	City Council	Passed as Substitute	Pass
1/13/2015	1	Committee on Zoning, Landmarks and Building Standards	Amended in Committee	Pass
2/27/2014	1	Committee on Zoning, Landmarks and Building Standards	Held in Committee	Pass
1/15/2014	1	City Council	Referred	

SU BSTITUTE ORDINANCE

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

SECTION 1. Section 2-100-110 of the Municipal Code of Chicago is hereby amended by adding the language underscored, as follows:

2-100-110 Police powers for designated employees.

Each ward superintendent, and such other employees of the department of streets and sanitation as the commissioner of streets and sanitation shall designate, shall have the powers of members of the police force to serve process or notice within the city for the violation of Sections 4-4-310, 4-6-130, 7-12-387, 7-12-420, 7-28-060, 7-28-065 through 7-28-090, 7-28-120, 7-28-130, 7-28-150, 7-28-180 through 7-28-240, 7-28-260 through 7-28-310, 7-28-331, 7-28-360 through 7-28-410, 7-28-430 through 7-28-470, 7-28-490 through 7-28-510, 7-28-660 through 7-28-680, 7-28-710 through 7-28-720, 7-28-735 through 7-28-750, 7-28-785, 7-38-115, 7-38-117, 7-38-124, 8-4-135, 9-64-100(c), 10-8-180, 10-8-220 through 10-8-230, 10-8-250 through 10-8-271, 10-8-310, 10-8-320, 10-8-380, 10-8-402 through 10-8-405, 10-8-470, 10-8-480, 10-28-030, 10-28-340, 10-28-792, 10-32-050, 10-32-060, 10-32-110 through 10-32-150, 10-32-170, 10-32-180, 10-32-200. 13-32-140 and 13-32-235 of the Municipal Code of Chicago. A copy of such designation, and any amendments thereto, shall be kept by the deputy commissioner of streets and sanitation for the bureau of sanitation and shall be available to the public upon request. The powers granted hereunder are expressly limited to the service of such process or notice, and this section shall not be construed as granting additional law enforcement powers.

SECTION 2. Section 7-28-660 of the Municipal Code of Chicago is hereby repealed in its entirety, as follows:

~~7-28-660 Rat stoppage.~~

~~Every building, structure, or parcel on which a building has been demolished or is being constructed within the city shall be rat-stopped, freed of rats and maintained in a rat-stopped and rat-free condition.~~

SECTION 3. Chapter 13-32 of the Municipal Code of Chicago is hereby amended by adding a new section 13-32-140, as follows:

13-32-140 Reserved New construction site-rodent abatement-fa) "New construction site" or "site" means all real property identified on a building permit as the location for the construction of a new building or structure, or part thereof, that requires any excavation as part of the construction.

b) Prior to any excavation at a new construction site, the owner of the site shall prepare a rodent control management plan for the detection, inspection and treatment of rodents at the site. At a minimum, the plan shall include provisions for abatement of the site by a structural pest control company licensed by the State of Illinois by means of above-ground bait boxes around the perimeter of the site until all excavation is completed.

c) The owner shall maintain a written record of the plan and any pest control measures performed by pest management professional at the site and include any reports and receipts prepared by the structural pest control company. The plan and records shall be maintained at

the new construction site until construction at the site is completed and open to inspection upon request by authorized city personnel, including but not limited to employees of the departments of streets and sanitation and buildings.

(d) (1) Any person violating any of the provisions of this section shall be fined not less than \$500.00 nor more than \$1,000.00 for each offense. Each day that a violation continues shall constitute a separate and distinct offense to which a separate fine shall apply.

(2) In addition to any other available penalties and remedies provided, one or more violations of this section at the site may result in a stop work order issued by the department that issued the citation, directing that all activity cease for 10-days. Any further citation for violation at the same new construction site within six months after the initial stop work order may result in the issuance of another 10 day stop work order. The department that issued the 10-day stop work order under this section shall lift that order only if sufficient evidence of compliance with this section is provided to the department.

(3) It shall be unlawful for any person to knowingly violate a stop work order issued under this section, or to knowingly cause, permit, encourage, assist, aid, abet or direct another person to violate a stop work order issued under this section, or to knowingly in any manner be a party to a violation of a stop work order issued under this section-

Any person who violates this subsection upon conviction shall be punished, as follows:

- i) incarceration for a term not less than three days nor more than six months; or
- ii) community service of not less than 10 hours, nor more than 100 hours; or
- iii) a fine of \$5,000.00.

(e) It shall be unlawful for any person to knowingly destroy, deface, remove, damage, impair, mar, cover or obstruct any stop work order issued under this section that a city official has posted or affixed at a work site.

Any person who violates this subsection upon conviction shall be punished, as follows:

- i) incarceration for a term not less than three days, nor more than six months; or
- ii) community service of not less than 10 hours, nor more than 100 hours; or
- iii) a fine not less than \$200.00, nor more than \$500.00.

(f) The departments of buildings and streets and sanitation are authorized to enforce this section.

SECTION 4. This ordinance shall take effect 60 days after its passage and publication.

Michele Smith Alderman, 43rd Ward