



Office of the City Clerk

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Legislation Details (With Text)

File #: SO2017-7606

Type: Ordinance **Status:** Failed to Pass

File created: 10/10/2017 **In control:** City Council

Final action:

Title: Amendment of Municipal Code Section 4-6-180 (e) prohibiting hotel licensees from failing to monitor or restrict guest access to non-guest areas

Sponsors: Burke, Edward M., Curtis, Derrick G.

Indexes:

Attachments:

Date	Ver.	Action By	Action	Result
5/29/2019	1	City Council	Failed to Pass	
10/11/2017	1	Committee on Finance	Held in Committee	
10/10/2017	1	Committee on Finance	Substituted in Committee	
10/10/2017	1	Committee on Finance	Direct Introduction	

SUBSTITUTE 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, a recent tragedy in which a young woman lost her life in the walk-in freezer of an area hotel calls into question the effectiveness of safety standards in hotels; and

WHEREAS, video surveillance footage of her last moments shows a young woman traversing what appears to be non-guest areas for a significant amount of time with no hotel employee attempting to impede her tragically final path; and

WHEREAS, with similarly relaxed surveillance standards, any hotel guest-particularly one with an impairment due to age, medical condition, or other causes-is at risk of taking a wrong turn and encountering harm in a walk-in freezer, pool, terrace, rooftop, industrial laundry facility, loading dock, or any other area that should be off limits to anyone not having business to conduct in such parts; and

WHEREAS, an individual with ill-intent could similarly access such restricted areas and jeopardize the safety of guests and workers alike; and

WHEREAS, Chicago's status as a major national destination for tourism, business, and conventions feeds a

thriving hotel industry; and

WHEREAS, Chicago offers more than 130 hotels and 42,000 hotel rooms in its central business district; and

WHEREAS, the number of hotel guests and the varying reasons for them being there-be it celebratory, business, or otherwise-necessarily makes it incumbent upon hotels to limit their general access areas in order offer better security for both general access and restricted zones; and

WHEREAS, the members of this City Council seek to ensure that this City's residents and guests find in our local hotels the safety and security that is expected from world-class hospitality; 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. Section 4-6-180 of the Municipal Code of Chicago is hereby amended by inserting underscored language as follows:

4-6-180 Hotel.

(a) Definitions. As used in this section:

"Non-guest area" means any area which, permanently or for a period of time, is not intended for guest occupancy or use including, but not limited to, kitchen areas, laundry facilities, stock rooms, loading docks, unoccupied ballrooms or meeting rooms, terraces, rooftops, or pools (outside of designated use hours).

[Omitted language is unaffected by this ordinance.]

(e) Prohibited acts. It shall be unlawful for any licensee engaged in the business of hotel to:

[Omitted language is unaffected by this ordinance.]

(3) fail to monitor and restrict guest access to non-guest areas, fail to install "no guest access" signs at all entry access points to non-guest areas indicating the risk of danger associated with unauthorized access, or fail to equip points of egress from enclosed non-guest areas with an alarm or emergency release mechanism. Any guest access to a non-guest area that results in a guest's physical injury or death shall give rise to a rebuttable presumption that the licensee violated this section. A single violation of this subsection that results in an injury to or the death of any guest shall result in license suspension or revocation in accordance with Section 4-4-280. In addition to any other penalty provided by law, any person who violates this subsection shall be subject to a fine of not less than \$1.000 and not more than \$2.500 for each offense. Each day that a violation continues shall constitute a separate and distinct offense. As used in this subsection (e) (4), the term "guest" means any occupant of the hotel, but excludes the hotel's employees, vendors, contractors, and agents. The term "licensee" includes the licensee and all employees and agents of the licensee.

an, 14th Ward

Derrick G. Curtis Alderman, 18th Ward

SECTION 3. This ordinance shall be in full force and effect thirty (30) days after its passage and approval.

CHICAGO October 11, 2017

To the President and Members of the City Council:

Your Committee on Finance having had under consideration

A substitute ordinance concerning the authority to amend Section 4-6-180 and Title 7 of the Municipal Code of Chicago, regarding restricting access to non-guest areas of a hotel.

Direct Introduction

Having had the same under advisement, begs leave to report and recommend that your Honorable Body pass the proposed Substitute Ordinance Transmitted Herewith.

pectfully submitted Chairman

This recommendation was concurred in by

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(signei

of members of the committee with

dissentmg'votetsj: