

Mayor

Very truly yours,

ORDINANCE

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

SECTION 1. Section 9-100-060 of the Municipal Code of Chicago is hereby amended by adding the language underscored and deleting the language struck through as follows:

9-100-060 Grounds for contesting a violation.

(a) Except as otherwise provided in subsection (d) of this section, a person charged with a parking, standing or compliance violation may contest the charge through an administrative adjudication limited to one or more of the following grounds with appropriate evidence to support:

- 1) that the respondent was not the owner or lessee of the cited vehicle at the time of the violation;
- 2) that the cited vehicle or its state registration plates were stolen at the time the violation occurred;
- 3) that the relevant signs prohibiting or restricting parking or standing were missing or obscured;
- 4) that the relevant parking meter was inoperable or malfunctioned through no fault of the respondent;
- 5) that the facts alleged in the violation notice are inconsistent or do not support a finding that the specified regulation was violated;
- 6) that the illegal condition described in the compliance violation notice did not exist at the time the notice was issued;
- 7) that the compliance violation has been corrected prior to adjudication of the charge; provided, however, that this defense shall not be applicable to:
 - {j} compliance violations involving display of the city wheel tax license emblem under Section 9-64-125;
 - ii) to compliance violations involving motor vehicle exhaust systems under subsection (a)(2) of Section 9-76-140;
 - iii) to compliance violations involving registration plates under subsection (a) of Section 9-76-160;
 - iv) to compliance violations involving display of registration plates, temporary registration or temporary permits under subsection (f) of Section 9-76-160, except to the extent that 625 ILCS 5/3-821.2(b) provides for an affirmative defense;
 - v) to compliance violations relating to glass coverings or coating under Section 9-76-220;or
 - vi) to compliance violations involving the use of a mobile, cellular, analog wireless or digital telephone while driving a motor vehicle under Section 9-76-230.

(Omitted text is unaffected by this ordinance)

SECTION 2. This ordinance shall be in full force and effect following due passage and approval.