



# Office of the City Clerk

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## Legislation Text

File #: SO2015-8537, Version: 1

### SUBS11 ORDINANCE

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

SECTION 1. Chapter 7-28 of the Municipal Code of Chicago is hereby amended by deleting the language stricken and inserting the language underscored, as follows:

#### **7-28-200 Definitions.**

For the purposes of this chapter the following words and terms shall be understood as having the following meanings:

*(Omitted text is not affected by this ordinance)*

"Garbage" means rejected organic matter, household food, cooking grease or kindred refuse, manure, swill or carrion.

"Grease container" means any container used for the storage, collection or removal of cooking grease or kindred refuse.

*(Omitted text is not affected by this ordinance)*

#### **7-28-217 Commercial refuse containers and compactors; grease containers - Identification.**

(a) The owner of a commercial refuse container or compactor, or grease container, at a building where refuse is removed at the expense of the owner, his agent or occupant of the property, shall label the container with the following information: the address of the person using the commercial container; in the case of a business, the name of the business or businesses served by the container, and the name and telephone number of the person providing refuse collection service for that container; and, in the case of a residential building, the name of the person responsible for payment for refuse collection service for that container at the building; ~~except that this section shall not apply to grease containers as defined in section 10-28-794 of this Code.~~ The labeling shall be indelible, in letters no less than one inch high, in a color that contrasts clearly with its background, placed on the vertical surface opposite the hinge of the container's cover. The container shall be placed during normal use so that the label is visible from the alley adjacent to the building served by the container. Said owner, in addition to or as part of affixing the required label, shall equip each container with a form of technology (by way of non-limiting examples, a bar code or wireless transmitting device), following approval of that technology by the commissioner of streets and sanitation in consultation with the commissioner of transportation, that enables authorized city personnel to (i) verify that the container is properly permitted, and (ii) ascertain other information specified by said commissioners that is relevant to the legal status of the container. Containers used exclusively for recycling shall be marked in a manner specified by the commissioner of transportation.

*(Omitted text is not affected by this ordinance)*

**7-28-301 Grease containers.**

~~Any container used for the storage, collection or removal of cooking grease or kindred refuse~~ Every grease container shall be constructed of impervious material and subject to the inspection of the department of health and the department of streets and sanitation.

*(Omitted text is not affected by this ordinance)*

SECTION 2. Section 10-28-792 of the Municipal Code of Chicago is hereby amended by deleting the language stricken and inserting the language underscored, as follows:

**10-28-792 Permit required.**

It shall be unlawful for any person to erect, locate, construct or maintain any refuse compactor or grease container on the public way or any other unenclosed property owned or controlled by the City of Chicago without obtaining a permit therefor from the commissioner of streets and sanitation as hereinafter provided. Notwithstanding any other provision of this ~~municipal code~~ chapter, such permit is the only authorization required for placement of a refuse compactor or grease container on the public way. There shall be no permit fee or application fee for a permit for a refuse compactor or a grease container on the public way. The administration of city permits for use of the public way for refuse compactors or grease containers obtained prior to the effective date of this ordinance shall be transferred to the department of streets and sanitation. Such permittees shall receive notice that no annual fees shall be due to the city. The requirements of this article do not include those refuse compactors or grease containers installed on private property. The commissioner or his designee may grant a waiver or variance from this requirement at his discretion, pursuant to standards created through the promulgation of rules and regulations.

Any refuse compactor or grease container on the public way authorized pursuant to this section shall not require the issuance of a public way use permit pursuant to Section 10-28-010.

SECTION 3. This ordinance shall take effect upon passage and approval.

Chicago, February 10, 2016

To the President and Members of the City Council:

Your Committee on License and Consumer Protection, having under consideration a substitute ordinance introduced by Alderman Brendan Reilly (which was referred on December 9, 2015), to amend Section 7-28 of the Municipal Code of Chicago regarding commercial refuse containers, begs leave to recommend that Your Honorable Body pass the substitute ordinance which is transmitted herewith.

This recommendation was concurred in by a viva voce vote of the members of the committee on February 9, 2016.

CHAIRMAN, COMMITTEE ON LICENSE AND CONSUMER PROTECTION

Respectfully submitted,