



Office of the City Clerk

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Legislation Text

File #: O2020-2236, Version: 1

ORDINANCE

WHEREAS, Chapter 4-17 of the Municipal Code of Chicago ("Code") authorizes the legal voters of any precinct within the City that contains residentially zoned property to petition their local alderman to introduce an ordinance establishing that precinct as a restricted residential zone in which all new or additional shared housing units or vacation rentals or both are prohibited; and

WHEREAS, Section 4-17-030(a) of the Code requires persons seeking to initiate the petition process to submit to the City Clerk a notice of intent describing the potentially affected area and the scope of the restriction sought. Section 4-17-030(b) provides that in order to be legally sufficient all signatures on the petition must be obtained within 90 days of the date on which the City Clerk posts the notice of intent online. Section 4-17-030 (e) states that if the City Clerk rejects a petition as legally insufficient, a minimum of 12 months must elapse before a new notice of intent can be submitted for the same precinct; and

WHEREAS, On March 20, 2020, in response to the rapid spread of the COVID-19 virus throughout the State, Illinois Governor JB Pritzker issued Executive Order 2020-10 ("Stay-at-Home Order"), which went into effect on March 21, 2020 at 5:00 p.m., ordering Illinois residents to stay at home through April 7, 2020; and

WHEREAS, As of March 21, 2020, several notices of intent had been posted by the City Clerk, with the result that petitions to establish restricted residential zones were being circulated for signature in various precincts across the City. Additional notices of intent may be forthcoming. However, due to the Stay-at-Home Order, petitioners are legally precluded from circulating those petitions and obtaining the required number of signatures within the applicable 90-day period; and

WHEREAS, In order to preserve the integrity of the democratic process in precincts where a notice of intent to establish a restricted residential was posted by the City Clerk as of 5:00 p.m. on March 21, 2020, or is subsequently posted, it is imperative that the 90-day signature collection period be tolled for the duration of Executive Order 2020-10 and for the duration of any similar Mayoral Order that may be enacted upon expiration of Executive Order 2020-10 or applicable Federal Order; now, therefore,

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

SECTION 1. The foregoing recitals are hereby incorporated into this ordinance as if fully set forth herein and are hereby declared to be the findings of the City Council of the City of Chicago.

SECTION 2. The running of the 90-day period set forth in Section 4-17-030(b) of the Code shall be tolled for the duration of Executive Order 2020-10, as now or hereinafter amended, and for the duration of any similar Mayoral Order that may be enacted upon expiration of Executive Order 2020-10 or applicable Federal Order.

SECTION 3. The City Clerk shall: (1) notify in writing, which may be by e-mail or other form of electronic transmission, each petitioner for which a notice of intent was posted by the City Clerk as of 5:00 p.m. on March 21, 2020, or is subsequently posted, of the fact that the 90-day signature collection period has been tolled; and (2) upon expiration of Executive Order 2020-10 and any similar Mayoral Order that may be enacted when Executive Order 2020-10 expires or applicable Federal Order, notify each such petitioner of the date and time by which the requisite number of signatures must be obtained in order for the applicable petition to be legally sufficient within the meaning of Section 4-17-030(b) of the Code.

SECTION 4. This ordinance shall take full force and effect upon its passage and publication and shall be retroactive until 5:00 p.m. on March 21, 2020.