



# Office of the City Clerk

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## Legislation Details (With Text)

**File #:** SO2012-7209

**Type:** Ordinance      **Status:** Passed

**File created:** 10/31/2012      **In control:** City Council

**Final action:** 11/8/2012

**Title:** Permission granted to U.S. Customs and Border Protection/Department of Homeland Security for helicopter landing and take-off in conjunction with Anti-Gang and Anti-Violence Fair at Fenger High School

**Sponsors:** Austin, Carrie M.

**Indexes:** Committee on Public Safety

**Attachments:** 1. O2012-7209.pdf, 2. SO2012-7209.pdf

Date	Ver.	Action By	Action	Result
11/8/2012	1	Office of the Mayor	Signed by Mayor	
11/8/2012	1	City Council	Passed as Substitute	Pass
11/5/2012	1	Committee on Public Safety	Recommended to Pass	Pass
10/31/2012	1	City Council	Referred	

### ORDINANCE

WHEREAS, As a home rule unit of government under Section 6 of Article VII of the Illinois Constitution, the City may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, The Federal Government, acting through the Office of U.S. Customs and Border Protection ("CBP") within the Department of Homeland Security ("DHS"), is planning to hold an Anti-Gang and Anti-Violence Fair (the "Event") at Chicago's Fenger High School on November 9, 2012; and

WHEREAS, As part of this Event, CBP/DHS is seeking permission to land, on the day of the Event, an A-Star helicopter on the property of Fenger High School, located at 11220 South Wallace Street in Chicago, and to take off, on the day of the Event, from such property in such helicopter; now, therefore,

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

SECTION 1. All of the recitals above are expressly adopted as legislative findings of the City and are incorporated herein and are made hereby a part of this Ordinance.

SECTION 2. Notwithstanding Section 4-83-100 or Section 10-36-380 or any other provision of the Municipal Code of Chicago to the contrary, and subject to rules and regulations promulgated by the Superintendent of Police and the Commissioner of Aviation, the Superintendent and Commissioner may authorize the landing or taking off of a rotary wing aircraft, by or on behalf of the CBP/DHS, at the Event to be held at Fenger High School on November 9, 2012, under the following circumstances:

1. CPB/DHS must agree to indemnify and hold the city harmless from all suits, claims, damages, or proceedings of any kind for injury to persons or damage to public or private property caused, in whole or part, by the landing, take-off and other operations of the rotary wing aircraft at the Event;
2. CPB/DHS and persons acting on behalf of CPB/DHS must not violate State or Federal law or regulations in its use of the rotary wing aircraft at the Event;
3. The landing and take-off of the rotary wing aircraft must occur on November 9, 2012;
4. On the day of the Event, the rotary wing aircraft must not land or take-off from the property of Fenger High School more than once.

SECTION 3. The Superintendent of Police and the Commissioner of Aviation shall have authority to promulgate rules and regulations that may be necessary to insure the safe landing and takeoff of the rotary wing aircraft under this Ordinance.

' SECTION 4. Any person who violates any of the provisions of this Ordinance, or any rule or regulation promulgated thereunder, shall be fined not less than \$1,000.00 nor more than \$5,000.00 for each offense.

SECTION 5. This ordinance shall take full force and effect upon its passage and approval.

Alderman Carrie Austin, 34 Ward