



# Office of the City Clerk

City Hall  
121 N. LaSalle St.  
Room 107  
Chicago, IL 60602  
www.chicityclerk.com

## Legislation Details (With Text)

**File #:** SO2014-2378  
**Type:** Ordinance **Status:** Passed  
**File created:** 4/2/2014 **In control:** City Council  
**Final action:** 4/30/2014  
**Title:** Amendment of Municipal Code Chapter 8-4 by adding new Section 8-4-052 regarding unlocking of wireless communication devices  
**Sponsors:** O'Connor, Patrick, Burke, Edward M., Lane, Lona, Willie B. Cochran  
**Indexes:** Ch. 4 Public Peace & Welfare  
**Attachments:** 1. SO2014-2378.pdf

Date	Ver.	Action By	Action	Result
4/30/2014	1	City Council	Passed as Substitute	Pass
4/28/2014	1	Committee on Public Safety	Substituted in Committee	Pass
4/2/2014	1	City Council	Referred	

City Council April 2, 2014

### S U B S I I U J E O R D I N A N C E

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

SECTION 1. Chapter 8-4 of the Municipal Code of Chicago is hereby amended by adding a new section 8-4-052, underscored as follows:

#### **8-4-052 Unlocking wireless communication devices.**

- a) For the purposes of this section:
- The term "unlock" shall mean any process by which the software or hardware of a wireless communication device is modified so as to permit the device's use with a service provider other than the service provider initially associated with the device.
  - The term "wireless communication device" shall mean any device through which personal wireless services, as defined in 47 U.S.C. 332(c)(7)(C)(i), are transmitted.
- b) Any person who unlocks, or attempts to unlock, a wireless communication device in the city in exchange for a fee or other compensation must:
- Require the requesting party to provide a driver's license or other government-issued identification showing the party's name, date of birth, and address.
  - Record the Mobile Equipment Identifier (MEID), International Mobile Station Equipment Identity (IMEI) or Electronic Serial Number (ESN) of the wireless communication device.
  - Provide, every day, before the hour of twelve noon, the information required in Subsections (b)(1) and (b)(2) to the superintendent of police, along with the name and address of the

- person offering the unlocking service, by submitting a LeadsOnline electronic reporting form.
4. Comply with applicable restrictions or prohibitions on unlocking wireless communication devices set forth in federal statutes and regulations, including 17 U.S.C. 1201(a)(1) and 17 U.S.C. 1202(b)(1), as interpreted by the Library of Congress Copyright Office and published in the Federal Register.
- c) It shall be a violation of this section to fail to comply with subsection (b). This section shall be enforceable by the department of police and the department of business affairs and consumer protection. Any person who violates this section shall be fined not less than \$500.00 nor more than \$1,000.00 for each offense.

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SECTION 2. This ordinance shall be in full force and effect ten days following its passage and publication.