Legislation Details (With Text)

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Type:	Ordinance	**Status:**	Passed
File created:	9/10/2014	**In control:**	City Council
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Title:	Amendment of Municipal Code Chapter 9-110 regarding pedicab license application, operating regulations, revocation and change of information notification requirement		
Sponsors:	Emanuel, Rahm		
Indexes:	Ch. 110 Pedicabs		
Attachments:	1. O2014-6963.pdf		

Date	Ver.	Action By	Action	Result
10/8/2014	1	City Council	Passed	Pass
9/30/2014	1	Committee on License and Consumer Protection	Recommended to Pass	Pass
9/10/2014	1	City Council	Referred	

OFFICE OF THE MAYOR

CITY OF CHICAGO

RAHM EMANUEL MAYOR

September 10,2014

TO THE HONORABLE, THE CITY COUNCIL OF THE CITY OF CHICAGO

Ladies and Gentlemen:

At the request of the Commissioner of Business Affairs and Consumer Protection, I transmit herewith an ordinance amending Chapter 9-110 of the Municipal Code regarding pedicabs.

Your favorable consideration of this ordinance will be appreciated.

Mayor

Very truly yours,

ORDINANCE

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

SECTION 1. Chapter 9-110 of the Municipal Code of Chicago is hereby amended by deleting the language struck through, by inserting the language underscored and by adding new sections 9-110-174 and 9 -110-176, as follows,

9-110-080 Insurance - Required.

(Omitted text is unaffected by this ordinance)

(d) Any insurance policy required by this section must be in a form satisfactory to the commissioner and must provide that the policy will not be cancelled and the amount of coverage will not be changed unless 60 at least 10 days' prior written notice is given to the commissioner.

9-110-090 Pedicab license decal and metal plate- Required.

(Omitted text is unaffected by this ordinance)

(d) The total number of initial pedicab license decals to be issued shall not exceed 200 (two hundred). No licensee shall be issued, or shall control, in whole or in part, directly or indirectly, more than 20 percent of the total number of pedicab license decals available to be issued. The commissioner may increase the total number of pedicab license decals to be issued and may determine the percentage of pedicab license decals to be issued to a licensee by rules and regulation promulgated pursuant to this chapter. In making such determination, the commissioner shall consider the impact that additional pedicabs may have on the safe and efficient flow of traffic in the city and shall consult with the superintendent of police and the commissioner of transportation, or their respective designees, before raising the number of pedicab license decals to be issued. If the commissioner determines that there are more qualified applicants for pedicab license decals than the maximum number of decals that the commissioner has set to issue at any given time, the commissioner shall conduct a lottery or other neutral process for allocating decals among qualified applicants as set forth by rules promulgated by the commissioner.

(Omitted text is unaffected by this ordinance)

9-110-130 Pedicab chauffeur license - Application.

(Omitted text is unaffected by this ordinance)

(c) If an application for the issuance or renewal of a pedicab chauffeur license is denied the applicant may, within ten days of the mailing of notice of the denial, make written demand upon the commissioner for a hearing. Upon receipt of a timely written demand for a hearing, the department shall within 30 days conduct a hearing. If at such a hearing the applicant establishes through competent evidence that the denial was based upon incorrect findings the commissioner shall issue the license. If at such a hearing the denial is found to have been based upon correct findings the denial shall become final. After entry of a final denial the applicant shall be ineligible to make a new application for a period of 18 months.

9-110-150 Operating regulations.

(Omitted text is unaffected by this ordinance)

(b) It shall be unlawful for any person:

(Omitted text is unaffected by this ordinance)

7) To operate, or cause to be operated, a pedicab while there is attached thereto any additional trailer or any other passenger-carrying vehicle; of

8) To operate, or cause to be operated, a pedicab to transport more than four passengers; and

9) To operate or cause to be operated a pedicab that does not meet the specifications and requirements of Section 9-110-090(c); or

10) To operate a pedicab upon any sidewalk.

9-110-174 Revocation of license on grounds of fraud, misrepresentation, misstatement or omission.

In the event that the commissioner, after investigation, determines that any licensee has: (1) obtained any license pursuant to this chapter by fraud, misrepresentation, willful misstatement or omission of any material fact: (2) failed to carry out any representation made to the commissioner before the issuance of such license: or (3) willfully made any material misstatement of fact on any statement filed with respect to the issuance of the license with the department or another city department, the license of such licensee shall be subject to revocation.

9-110-176 Change of information - Notification reguired.

Each licensee that has obtained any license pursuant to this chapter shall notify the commissioner in writing of any change of information previously supplied to the commissioner by the licensee within 72 hours of the change.

SECTION 2. This ordinance shall take effect upon its passage and approval.