



# Office of the City Clerk

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

## Legislation Details (With Text)

**File #:** SO2014-9200

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

**File created:** 11/5/2014      **In control:** City Council

**Final action:** 11/19/2014

**Title:** Amendment of Municipal Code Titles 1, 2, 3, 4, 7, 9, 10, 11, 13 and 17 regarding various department functions and duties (2015 Management Ordinance)

**Sponsors:** Emanuel, Rahm

**Indexes:** Ch. 4 Code Adoption-Organization, Ch. 4 Environmental Protection & Control, Ch. 12 Animal Care & Control, Ch. 12 Official City Time, Ch. 13 Review & Approval Procedures, Ch. 16 Nuclear Weapon Free Zone, Ch. 20 Building Inspection, Ch. 25 Dept. of Business Affairs & Consumer Protection, Ch. 28 Structures On & Under Public Ways, Ch. 30 Plastic Bag & Film Plastic Recycling Ordinance, Ch. 32 Trees, Plants & Shrubs, Ch. 36 Parks, Playgrounds & Airports, Ch. 38 Food Establishments-Sanitary Operating Requirements, Ch. 51 Commissioner of Fleet & Facility Management, Ch. 56 Wheel Tax Licenses, Ch. 57 Independent Police Review Authority, Ch. 64 Municipal Libraries, Ch. 68 Ambulances, Ch. 68 Restricted Parking-Permits & Regulations, Ch. 84 Dept. of Police, Ch. 100 Admin. Adjudication of Parking or Compliance Violations, Ch. 101 Radar Based Mobile Photo Speed Enforcement Program, Ch. 102 Dept. of Transportation, Ch. 104 Public Chauffeurs, Ch. 156 Amusements, Ch. 280 Cable Communication, Ch. 288 Crane Operators

**Attachments:** 1. O2014-9200.pdf, 2. SO2014-9200.pdf

Date	Ver.	Action By	Action	Result
11/21/2014	1	City Council	Signed by Mayor	
11/19/2014		City Council	Passed	Pass
11/12/2014	1	City Council	Deferred and Published	
11/10/2014	1	Committee on Budget and Government Operations	Recommended to Pass	Pass
11/5/2014	1	City Council	Referred	

CHICAGO, November 12, 2014

To the President and Members of the City Council:

Your Committee on the Budget and Government Operations, having had under consideration an Ordinance authorizing sundry amendments to the Municipal Code of Chicago necessary for the organization, reorganization and jurisdiction of various departments, and having been presented with a proposed Substitute Ordinance by the Office of Budget and Management; and having had the same under advisement, begs leave to report and recommend that Your Honorable Body pass the Substitute Ordinance transmitted herewith.

This recommendation was concurred in by a viva voce vote of the members of the Committee.

Carrie M. Austin Chairman

**SUBSTITUTE ?**

**MANAGEMENT**

**ORDINANCE**

WHEREAS, The City of Chicago is a home rule unit of government as defined in Article VII, Section 6 (a) of the Illinois Constitution; and

WHEREAS, As a home rule unit of government, the City of Chicago may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, The management, structure, powers and functions of its departments and agencies is a matter pertaining to the government and affairs of the City of Chicago; now, therefore,

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

SECTION 1-VARIOUS MUNICIPAL CODE TITLE 1 AMENDMENTS. Title I of the Municipal Code of Chicago is hereby amended by repealing sections 1-12-020, 1-12-030 and 1-16-080, by adding the language underscored, and by deleting the language struck through, as follows:

**1-4-040 Administrative copies - City clerk powers and duties.**

The city clerk shall keep ~~two~~ copies at least one current printed copy of this Code and shall maintain at least one location at City Hall where the public may access the Code. ~~These copies shall be printed, pasted or otherwise mounted on paper sufficiently thick and tough to withstand heavy usage, and preserved by the city clerk.~~

*(Omitted text is unaffected by this ordinance)*

**1-4-060 Publication of Code - Conditions.**

~~No officer or employee except aldermen of the city shall issue or distribute~~ All printed material issued or distributed as a publication of the city ~~or any of its agencies, departments or officers~~ any printed matter purporting to be that includes an excerpt or quotation from this Code shall be published subject to the understanding that the Municipal Code of Chicago is subject to change without notice ~~without first having submitted the printed matter to the corporation counsel for examination and approval as to form and accuracy.~~

**1-4-150 Zoning ordinance adopted.**

The comprehensive zoning amendment passed by the city council on ~~May 29, 1957~~ March 31, 2004, as amended (Chicago Zoning Ordinance) is hereby incorporated into this Code and designated Title 17.

**1-12-010 Official city time designated.**

Central standard time or central daylight time, as applicable, shall be the official time within the City of Chicago for the transaction of all city business; ~~except that from 2:00 a.m. on the last Sunday in April to 2:00 a.m. on the last Sunday in October in each year the official time for the City of Chicago shall be one hour in advance of central standard time.~~

When reference is made to any time without qualification in any ordinance, resolution or order heretofore passed or which may be passed hereafter by the city council, or in any official notice, advertisement or document of the city, or in any contract to which the city is party, it such reference shall be understood to refer to the official time of the city as herein prescribed. When the words "daylight saving time"<sup>1</sup> are used, the re

In all ordinances, resolutions or orders of the city council, and in all official notices, advertisements or documents of the city, and in all contracts to which the city is a party relating to the time of performance of any act by any officer or department of the city or relating to the time within which any rights shall accrue or determine or relating to the time within which any act shall or shall not be performed by any person, it shall be understood and intended that the time shall be the official time of the city as herein prescribed.

#### **~~1-12-020 City clocks to show official tinvev~~**

~~All clocks or other timepieces in or upon public buildings or other premises maintained at the expense of the city shall be set and run according to the official time as provided in Section 1-12-010. It is hereby made the duty of the officer or other person having control and charge of such building or buildings and premises to see that said clocks or other timepieces are set and run in accordance with official time.~~

Ill 0^0 VinIntinn

Pr nmlfv

~~Any person violating any of the provisions of this chapter, where no other penalty is specifically provided~~

#### **1-16-010 Definitions.**

For the purposes of this ordinance, the following definitions shall apply:

(a) "Person" means a natural person, as well as a corporation, institution or other entity has the meaning ascribed to the term in Section 1-4-090(e), but shall not include the federal government or any agency thereof.

*(Omitted text is unaffected by this ordinance)*

<sup>1</sup> *Amended*

~~If any section, subsection, paragraph, sentence or word of this ordinance shall be held to be invalid, either on its face or as applied, the invalidity of such provision shall not affect the other sections, subsections, paragraphs, sentences or words of this ordinance.~~

~~applications thereof; and to that end the sections, subsections, paragraphs, sentences or words of this ordinance shall be deemed to be severable.~~

SECTION 2-AMBULANCE FEES. Sections 2-25-050 and 4-68-130 of the Municipal Code of Chicago are hereby amended by inserting the language underscored and by deleting the language struck through, as follows:

#### **2-25-050 Powers and duties of the department.**

*(Omitted text is unaffected by this ordinance)*

(b) Powers and duties of the commissioner and the department. The powers and duties of the commissioner and department shall be as follows:

*(Omitted text is unaffected by this ordinance)*

(6) To exercise all rights, powers, duties, obligations and responsibilities that relate to:

(i) the issuance or rescission of licenses and public way use permits;

and

(ii) the enforcement of license, permit and business taxation

requirements formerly administered by the department of business affairs and ~~consumer protection~~ licensing. Provided, however, that nothing in this item (6) shall be construed

to limit

the powers of the department of finance provided for in chapter 2-32;

*(Omitted text is unaffected by this ordinance)*

(20) To administer and enforce all ordinances relating to public passenger vehicles and ambulances; provided that the comptroller shall administer section 4-68-130;

*(Omitted text is unaffected by this ordinance)*

#### **4-68-130 Fees for ambulance services.**

The City of Chicago may levy reasonable fees, as determined by the comptroller, for ambulance services rendered by public ambulances.

SECTION 3-RIVERWALK AUTHORITY. Sections 2-51-050, 2-102-030 and 10-36-145 of the Municipal Code of Chicago are hereby amended by adding the language underscored and by deleting the language struck through, as follows:

#### **2-51-050 Commissioner of fleet and facility management - Powers and duties.**

The commissioner of fleet and facility management shall have the following duties and responsibilities:

3

a. To operate, manage and maintain: (1) all public buildings and public grounds owned or occupied by the city, subject to lease provisions, except (i) airport properties; or (ii) the public way and public transit rights of way; or (iii) properties managed by the department of planning and development; or (iv) property within any redevelopment or project area designated by the community development commission pursuant to the provisions of Chapter 2-124 of this Code; or (v) the sale of surplus land pursuant to Chapters 2-158 and 2-159 of this Code, and except as may otherwise be provided by this Code; and (2) the Chicago Riverwalk as defined in Section 2-32-1300(a);

*{Omitted text is unaffected by this ordinance}*

1. Subject to the approval of the corporation counsel as to form and legality, to negotiate and execute on behalf of the city, any lease, right-of-entry agreement, or other document evidencing an agreement for the use and occupancy of real property which is for a term not to exceed 30 days. Such initial agreement may be extended, renewed or continued for an additional 60-day period. Provided, however, that no extension, renewal or continuation of such initial agreement shall extend beyond a totality of 90 days unless the agreement is referred to the Chicago City Council for review and full disclosure as to all parties, particulars, events and justifications meriting such extension, renewal or continuation. If the Chicago City Council approves an extension, renewal or continuation of such agreement beyond a totality of 90 days, such extension shall be deemed to be a temporary extension of the agreement. Such temporary extension shall not exceed 90 days in duration. Provided further, that through December 31, 2015, unless otherwise provided by ordinance, the commissioner of fleet and facility management shall have the authority, subject to the approval of the corporation counsel as to form and legality, and after publicly soliciting requests for proposals or qualifications, to negotiate and execute concession agreements on behalf of the city, for a term not to exceed 180 days, for food, beverages, goods and services within the Chicago Riverwalk as defined in Section 2-32-1300(a):

*(Omitted text is unaffected by this ordinance)*

## **2-102-030 Commissioner - Powers and duties**

The commissioner of transportation shall have the following powers and duties:

*(Omitted text is unaffected by this ordinance)* (t)[u] To

administer Chapters 9-101 and 9-102.

(t)(y) In addition to exercising authority over the public way as specified in Title 9 of the Code, to administer the "Make Way for People - People Spots and People Streets" program and other programs to develop outdoor public enjoyment areas. The commissioner is authorized to negotiate and execute agreements to accomplish these programs' purposes, and to perform any and all acts, including the expenditure of funds subject to appropriation therefor, as shall be necessary or advisable in connection with the implementation of such agreements, including any renewals thereto. The commissioner is further authorized to regulate, by permit or other appropriate means, any entity's occupancy, maintenance or other use of or function bearing on

## **4**

the affected portion of the public way, or any structure placed thereon, pursuant to an agreement authorized by this paragraph.

(w) The powers and duties conferred in this section shall not apply to the operation, management and maintenance of the Chicago Riverwalk, as defined in Section 2-32-1300(a), which shall be under the jurisdiction of the commissioner of fleet and facility management.

## **10-36-145 Chicago Riverwalk - Hours of operation.**

*(Omitted text is unaffected by this ordinance)* (c) As used

in this section:

"Authorized concession stand" means any concession stand authorized to operate on the Chicago

Riverwalk pursuant to the Chicago Park District's Riverwalk concessions program.

"Chicago Riverwalk" has the meaning ascribed to the term in section 2-32-1300(a).

"Commissioner" means the commissioner of transportation fleet and facility management.

SECTION 4-LIBRARY-EDUCATIONAL MATERIALS. Section 2-64-025 of the Municipal Code of Chicago is hereby amended by adding the language underscored, as follows:

**2-64-025 Educational materials - Purchasing authority.**

Subject to the availability of funds duly appropriated therefor, the library commissioner is authorized to contract for and purchase, for library purposes, magazines, books, periodicals and similar articles of an educational or instructional nature, in paper, electronic, or other formats. The commissioner shall provide a quarterly report of contracts entered and purchases made pursuant to this section to the board of library trustees established pursuant to 75 ILCS 5/4-1 et seq.

SECTION 5-CPD SEIZED PROPERTY. Sections 2-57-040, 2-84-160 and 2-84-330 of the Municipal Code of Chicago are hereby amended by adding the language underscored and by deleting the language struck through, as follows:

**2-57-040 Chief administrator - Powers and duties.**

In addition to other powers conferred herein, the chief administrator shall have the following powers and duties:

*(Omitted text is unaffected by this ordinance)*

(f) To forward all other complaints filed against members of the department to the department's bureau of internal affairs ~~division~~;

*(Omitted text is unaffected by this ordinance)*

5

**2-84-160 Sale of seized or unclaimed property.**

~~The custodian shall keep a record of all property which may be seized or otherwise taken possession of by the police department. If such property shall not be claimed by the rightful owner thereof and possession surrendered to such owner within 30 days from the date of the final disposition of the court proceedings or administrative hearing proceedings in connection with which such property was seized or otherwise taken possession of, or, in case there are no court proceedings, then if such property shall not be claimed by the rightful owner thereof and possession surrendered to such owner within 30 days from the date of such seizure or taking by the police, said custodian shall proceed to dispose of said property. If such property be deemed salable, the custodian shall cause to be published in a daily newspaper of the city a notice of sale at public auction of such property describing in general terms and not by individual items and shall give notice that if such property be not claimed by the rightful owner or owners thereof within ten days from the date of such publication such property will be sold at public auction at such place as the superintendent of police may direct and in such manner as to expose to the inspection of bidders all property so offered for sale. No member of said department, directly or indirectly, shall participate in the bidding for, or purchase of such unclaimed property. Provided, that any of~~

~~such unclaimed property, if deemed by the superintendent of police to be of use to any city department, may be retained for use of such department. Provided, further, that any of such unclaimed property deemed by the custodian to be unsalable shall be confiscated and destroyed or turned over to the house of correction for disposal.~~

a) The department shall keep a record of all seized property. For purposes of this section, "seized property" means property seized by the department in connection with an arrest.

b) The department shall make reasonable efforts to notify and advise to the owner of any seized property not being held for investigation, or potential forfeiture, of the procedure to claim such property.

c) The department shall dispose of any seized property that is:

1) not retained for investigatory or evidentiary purposes, or for potential forfeiture, and the owner fails to claim the seized property within 30 days from the date of its seizure; or

2) held for investigatory or evidentiary purposes and the owner fails to claim the seized property within 30 days:

i) from the date of the final disposition of the court or administrative hearing proceeding pertaining to such property; or

ii) after notice from the department that the investigation for which the property was seized has been concluded, if the property is not subject to a court or administrative hearing proceeding, or potential forfeiture.

d) Any seized property not recovered by the owner at the expiration of the holding period provided in subsection (c) shall be disposed of in the following manner:

6

1) seized property deemed by the superintendent to be of use to the city shall be forfeited to the city for its use;

2) seized property deemed by the superintendent to be unsalable and of no use to the city shall be destroyed; or

3) seized property deemed salable by the superintendent shall be sold through online public auction.

e) The department shall publish on its website the procedures to claim any seized property eligible for return and information directing the owners to the website of the third-party online or live auctioneers that auction the seized property.

f) After the expiration of the holding period provided in subsection (~c), the department shall transfer salable seized property to a third-party online or live auctioneer for auction to the highest bidder. Before such sale, the third-party online or live auctioneer shall provide a publicly available description and photograph of the seized property on its auctioning website. Any owner believing his property is subject to auction shall have the opportunity to recover, subject to ownership verification, the property from the third-party auctioneer before

the sale of the property.

g) No member of the department shall, directly or indirectly, participate in the bidding for, or purchase of seized property.

## **2-84-330 Conduct of disciplinary investigations.**

*(Omitted text is unaffected by this ordinance)*

B. The interrogation, depending upon the allegation, will normally take place at either the officer's unit of assignment, the independent police review authority, the bureau of internal affairs ~~division~~, or other appropriate location.

*(Omitted text is unaffected by this ordinance)*

## **SECTION 6-VARIOUS MUNICIPAL CODE CHAPTER 4-156 AMENDMENTS.**

Chapter 4-156 of the Municipal Code of Chicago is hereby amended by deleting section 4-156-490, by inserting the language underscored and deleting the language struck through, as follows:

### **4-156-440 Ventilation.**

In all rooms or halls in which dancing is permitted, ventilation shall be provided as required in Chapter 18-28 ~~13-176 of this Code~~; except that existing dance halls, in which the floor area is less than 2,000 square feet, may be ventilated by means of a mechanical ventilating exhaust system described in Section 18-28-401.1 ~~13-176-030~~. The capacity of such system shall be equal to three cubic feet of air per minute for each square foot of floor area of any such dance hall and the ventilating openings in such room or space shall be not less than four percent of the floor area.

## **7**

### **~~4 156 490 License Revocation,~~**

~~The mayor may revoke any license for default in the payment or performance of any obligation to the city under the provisions of this chapter or for the violation of any provisions in this Code or the laws of the State of Illinois, applicable to the licensee or the licensed premises.~~

~~A license issued or renewed after the effective date of this section shall be subject to suspension or revocation if the licensee's business becomes or creates a nuisance. A licensed business is or creates a nuisance if within any consecutive 12 months not less than five separate incidents occur on the licensed premises, involving acts that violate any federal or state law defining a felony, or any federal or state law or municipal ordinance regulating narcotics, controlled substances or weapons. It is not a defense to a charge of violating this section that the licensee or the licensee's employees or agents were not personally involved in the commission of the illegal acts.~~

SECTION 7-CABLE PEG. Chapter 4-280 of the Municipal Code of Chicago is hereby amended by inserting the language underscored and by deleting the language struck through, as follows:

### **4-280-330 Funding.**



A. The CAC shall be funded by:

1. Payments by the grantee(s), including an initial payment; a percentage of annual gross cable revenues subject to a guaranteed minimum annual payment; and contributions of funds for studios, equipment and technical assistance; in amounts to be agreed upon and specified in the franchise(s); and
2. Foundation, corporate, governmental and other philanthropic grants; and
3. Payments from the holder of a State- issued authorization to provide cable service or video service in Chicago as of January 1, 2009; however, in no event may the CAC use such payments in a manner that would lessen the amount of the service provider fee owed to the city under Section 4-280-590 of this chapter.

B. The Cable Administrator shall direct that two-thirds of all fees paid for public, educational or governmental use by each grantee, pursuant to subparagraph Ad) of this section, and each holder of a State-issued authorization, pursuant to subparagraph A(3) of this section, be paid directly to the CAC. If direct payment to the CAC is not possible, the City shall accept and remit in full to the CAC the amount specified by this paragraph within sixty days of receipt.

**4-280-600 Payment of fee to support public, education and government access.**

~~To the extent that doing so would not lessen the amount of the service provider fee owed to the city under Section A 280-590 of this chapter,~~ The holder of a State-issued authorization to provide cable service or video service shall pay for public education and government access, as provided in this section, a fee equal to no less than either 1% of gross revenues, or if greater, the percentage of gross revenues that the incumbent cable operators pay for public education and government access support within the City's jurisdiction.

8

1. The percentage of gross revenues that all incumbent cable operators pay shall be equal to the annual sum of the payments that incumbent cable operators in the service area are obligated to pay by franchises and agreements or by contracts for public education and government access in effect on January 1, 2007, including the total of any lump sum payments required to be made over the term of each franchise or agreement divided by the number of years of the applicable term, divided by the annual sum of such incumbent cable operator's gross revenues during the immediately prior calendar year. The sum of payments includes any payments that an incumbent cable operator is required to pay pursuant to 220 ILCS 5/21 -301(c)(3).

2. All holders of a State-issued authorization to provide cable services or video services in Chicago and all cable operators franchised by the City of Chicago shall provide to the City of Chicago and to Chicago Access Corporation, information sufficient to calculate the public, education and government access equivalent fee and any credits under paragraph (1).

3. The fee shall be due on a quarterly basis and paid 45 days after the close of the calendar quarter. Each payment shall include a statement explaining the basis for the calculation of the fee. If mailed, the fee is considered paid on the date it is postmarked. The liability of the holder for payment of the fee under this subsection shall commence on the same date as the liability for the service provider fee pursuant to 4-280-780.

4. ~~Except as provided below, all~~ All fees paid under this section shall be paid to the City and to the CAC as provided in Section 4-280-330(B) ~~to the Commissioner of Business Affairs and Consumer Protection; provided however, if the holder's State issued authorization is in effect on January 1, 2009, then the holder shall pay the fee under this section to Chicago Access Corporation.~~

5. The Commissioner of Business Affairs and Consumer Protection shall have the power to administer and enforce this section.

SECTION 8-RECYCLING PROGRAM. Section 7-30-020 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, as follows:

**7-30-020 Recycling program requirements.**

*(Omitted text is unaffected by this ordinance)*

(e) This section shall not apply to the operator of any store meeting the requirements set forth in Section 11-4-4020 and 11-4-4030.

SECTION 9-DOG LICENSES. Section 7-12-140 of the Municipal Code of Chicago is hereby amended by deleting the language stricken and inserting the language underscored, as follows:

9

**7-12-140 License required.**

a) It is the duty of the owner of each dog four months of age or older to obtain from the city a dog license for the privilege of owning such dog, unless such dog shall be temporarily within the possession of a veterinary hospital, pet shop, animal care facility, or humane society. The owner of each dog required to hold a license hereunder shall, when the dog is on the public way, either: (i) ensure the license is visible and securely attached to a collar, harness or similar device worn by the dog, or (ii) upon request by an authorized city official, make available the license for inspection. The license fee for each dog license shall be as set forth in Section 7-12-170.

b) Upon determining that an owner ~~subject to the license requirement of subsection (a) of this section has failed to obtain such license~~ has violated subsection 7-12-140(a), the city clerk or an authorized city official shall issue a notice of violation to the owner. ~~If, within 30 days from the date such notice is deposited in the mail, the owner has not come into compliance with subsection (a), the city clerk shall issue a second notice of violation to the owner.~~ The notice required by this subsection shall either be served by hand upon the person in possession of the animal at the time the violation is identified or sent by first class mail addressed to the owner at the most recent address shown on county rabies vaccination records.

c) The penalty for failure to obtain the license required by this section any violation of subsection 7-12-140(a) shall be no less than \$30.00 and no greater than \$200.00 for each offense. Each day that a violation continues shall be considered a separate offense to which a separate fine shall apply.

d) The provisions of Article I of Chapter 2-14 of the code shall apply to this section.

SECTION 10-MOBILE FOOD VEHICLES. Section 7-38-117 of the Municipal Code of Chicago is hereby amended by adding the language underscored and by deleting the language struck through, as follows:

**7-38-117 Mobile food vehicle stands program.**

*(Omitted text is unaffected by this ordinance)*

(c) The commissioner is authorized, subject to the approval of the city council, to establish stands where mobile food vehicles may be operated at all times or during certain specified periods, if, after consulting with the alderman of the ward in which a proposed stand will be located and the department of police, the commissioner determines that establishing such a stand (1) will not create undue safety hazards in the use of the street by vehicular or pedestrian traffic; (2) will not impede the safe and efficient flow of traffic upon the street on which the mobile food vehicle stand is proposed; and (3) ~~establishing such a stand provides~~ will provide benefit and convenience to the public. After engaging in the above consultations and posting appropriate signs, the commissioner may amend the time of operation of mobile food vehicles at a mobile food stand. A minimum of 5 such stands shall be established in each community area, as such areas are designated in section 1-14-010 of this Code, that has 300 or more retail food establishments.

10

*(Omitted text is unaffected by this ordinance)*

(I) The commissioner of transportation is authorized to establish a mobile food vehicle stand within the side of the block where each of the following addresses is located:

- 1) 3627 North Southport Avenue;
- 2) 3420 North Lincoln Avenue;
- 3) 3241 North Lincoln Avenue;
- 4) 817 West Belmont Avenue;
- 5) 1005 West Wrightwood Avenue;
- 6) 1030 West Fullerton Avenue;
- 7) 2342 North Stockton Drive;
- 8) 1262 North Milwaukee Avenue;
- 9) 1218 North Milwaukee Avenue;
- 10) 2135 West Division Street;
- 11) 1155 North Oakley Boulevard;
- 12) 1615 West Chicago Avenue;
- 13) 149 North Ashland Avenue;
- 14) 831 North Wells Street;
- 15) 930 North LaSalle Drive;
- 16) 219 West Chicago Avenue;

- 17) 450 North Cityfront Plaza Drive;
- 18) 729-829 North Larrabee Street;
- 19) 30 East Lake Street;
- 20) 126 South Clark Street;
- 21) 437 South Columbus Drive;
- 22) 902 West Adams Street;
- 23) 436 West Taylor Street;
- 24) 1400 West Adams Street;

11

- 25) 1851 West Jackson Boulevard;
- 26) 150 West Van Buren Street;
- 27) 65 East Harrison Street;
- 28) 2500 North Cannon Drive;
- 29) 3628 North Broadway;
- 30) 1760 North Sheffield Avenue;
- 31) 200 South LaSalle Street;
- 32) 151 North Franklin Street;
- 33) 185 North Upper Columbus Drive;
- 34) 105 East Monroe Street; and
- 35) 300 South Wabash Avenue.

SECTION 11-PUBLIC CHAUFFEURS. Chapter 9-104 of the Municipal Code of Chicago is hereby amended by deleting section 9-104-050, by inserting the language underscored and by deleting the language struck through, as follows:

**9-104-030 Application - Qualifications.**

*(Omitted text is unaffected by this ordinance)*

(3) ~~The qualification of each applicant as specified in paragraph (2) of this section shall be investigated by the department of police of the City of Chicago and a report of such investigation containing any facts rele~~

~~vant to the applicant's qualifications shall be forwarded by~~  
~~pofliini ssi oner;~~ Each applicant shall be responsible for

providing, in a form and format prescribed by the commissioner in rules and regulations: (i) a photograph: and  
(ii) a report, detailing any information relevant to the applicant's qualifications and background.

*(Omitted text is unaffected by this ordinance)*

~~The fingerprints of each applicant shall be submitted to the superintendent of police for examination~~  
~~unto the criminal record, if any, of the applicant or prior issuance, if any, of a public chauffeur's license to~~  
~~applicant. The superintendent of police shall keep and maintain these fingerprints as part of the police de~~  
~~partment's permanent record. Each applicant shall file with his application four recent photographs of himself,~~  
~~of a size which may be easily attached to his license. One photograph shall be attached to the license, when issue~~  
~~d, one to the license stub record, one to the fingerprint card and the fewth shall be filed, together with the~~  
~~application. The~~

12

~~photograph shall be so attached to the license that it cannot be removed and another photograph substituted~~  
~~without detection. 9-104 050.~~

SECTION 12-VARIOUS TRAFFIC CODE AMENDMENTS. Sections 9-68-028, 9-100-020 and 9-101-020 of the Municipal Code of Chicago are hereby amended by deleting the language struck through and by inserting the language underscored, as follows:

**9-68-028 Industrial parking permits.**

*(Omitted text is unaffected by this ordinance)*

d) Except as otherwise provided in Section 9-68-020(g), Any any person ~~obtaining, using or transfe~~  
~~rting to any person any industrial parking permit in violation of~~ who violates this section or in violation of any  
regulations established by the parking administrator shall be fined in an amount as provided in Section 9 68 020  
(i) ~~not less than \$200.00 nor more than \$500.00 for each offense, and each day such a violation continues shall~~  
~~be deemed a separate and distinct offense.~~

e) The parking administrator shall have the authority to make and enforce such reasonable rules and  
regulations as may be necessary to effectively administer any of the powers granted herein or in Section 9-64-  
091, and to publish such rules and regulations and make them available to such member of the public as may  
request them.

**9-100-020 Violation - Penalty.**

a) The violation of any provision of the traffic code prohibiting or restricting vehicular standing or  
parking, or establishing a compliance, automated speed enforcement system, or automated traffic law  
enforcement system violation, shall be a civil offense punishable by fine, and no criminal penalty, or civil  
sanction other than that prescribed in the traffic code, shall be imposed.

b) The fines listed below shall be imposed for a violation of the following sections of the traffic code:

*Traffic Code Section Fine*

9-12-060

9-64-020(a)

9-64-020(b)

9-64-020(c)

9-64-030

9-64-04()(b)

9-64-041

13

9-64-050(1) 9-64-060 9-64-070 9-64-080

9-64-090(a) — (j) (d) and (e)

9-64-091

9-64-100(a)

9-64-100(b) and (c)

9-64-100(d)

9-64-100(e) and (h)

9-64-100(f) and (g)

9-64-110(a)

9-64-110(c), (d)and (e)

9-64-110(b), (f) and (g)

9-64-110(h)

9-64-120

9-64-130

9-64-140

9-64-150(a)

9-64-150(b)

9-64-160

9-64-170(a)

9-64-170(b)

9-64-170(c) 9-64-180(a) ~~(e)~~ 9-64-190(a)

\$250.00

\$60.00

\$60.00

\$100.00

\$75.00

\$50.00

\$150.00

\$150.00

\$75.00

\$100.00

\$60.00

\$100.00

\$60.00

\$75.00

\$100.00

\$50.00

\$150.00

\$100.00

\$100.00

\$75.00

\$60.00

\$75.00, if the vehicle weighs less than 8,000 pounds; \$125.00, if the vehicle weighs 8,000 pounds or more

\$75.00, if the vehicle weighs less than 8,000 pounds; \$125.00, if the vehicle weighs 8,000 pounds or more

\$60.00

\$60.00

\$50.00

9-64-190(b)	\$65.00
9-64-200(b)	\$50.00
9-64-210	\$50.00
<del>9-68-010</del>	<del>100.00</del>
<del>9-76-150</del>	<del>25.00</del>
<del>9-80-080(a)</del>	<del>100.00</del>
<del>9-80-080(b) and (c)</del>	<del>24.00</del>
9-80-095	\$250.00
9-80-110(a)	\$75.00
9-80-110(b)	\$75.00
9-80-120(a)	\$50.00
9-80-120(b)	\$25.00
9-80-130	\$50.00

(c) The fines listed below shall be imposed for violation of the following sections of the traffic code:

<i>Traffic Code Section</i>	<i>Fine</i>
9-40-080	\$75.00
9-40-170	\$25.00
9-40-220	\$25.00
9-64-125(b)	\$200.00
9-64-125(c)	\$500.00
9-64-125(d)	\$30.00
9-76-010	\$25.00
9-76-020	\$25.00
9-76-030	\$25.00
9-76-040	\$25.00
9-76-050	\$25.00



9-76-060	\$25.00
9-76-070	\$25.00
* 9-76-080	\$25.00
9-76-090	\$25.00
9-76-100	\$25.00
9-76-110(a)	\$25.00
9-76-120	\$25.00
9-76-130	\$25.00
9-76-140(a)	\$500.00
9-76-140(b)	\$100.00
9-76-160	\$60.00
<del>9-76-180</del>	<del>2&amp;m</del>
9-76-190	\$25.00
9-76-200	\$25.00
9-76-210(a) and (b)	\$25.00
9-76-220(a) and (b)	\$250.00

(d) The fines listed below shall be imposed for a violation of the following sections of the traffic code:

Traffic Code Section Fine 9-101-020

- (1) \$35.00 if the recorded speed is 6 or more miles over the applicable speed limit, but less than 11 miles over such speed limit;
- (2) \$100.00 if the recorded speed is 11 or more miles per hour over the applicable speed limit.

9-102-020 \$100.00

**9-101-020 Automated speed enforcement system violation - Speed limit.**

*(Omitted text is unaffected by this ordinance) (d) The amount of the line shall be as set forth in Section 9-101-020(d) 9-100-020(d) (Omitted text is unaffected by this ordinance)*

SECTION 13-STANDS ON THE PUBLIC WAY. Sections 10-28-050 and 10-28-180 of the Municipal Code of Chicago are hereby amended by deleting the language struck through and by inserting the language underscored, as follows:

**10- 28-050 Maintenance of stands.**

Except as specifically permitted by this Code or when authorized by contract entered into by the chief procurement officer in cooperation with the commissioner of transportation pursuant to Section 10-28-045, It shall be unlawful for any person to erect, place or maintain in, upon or over any public way or other public place in the city, any fruitstand, shoeshining stand, flower stand, vegetable stand, lunch wagon, table, box, bin or any other arrangement or structure for the display or sale of goods, wares or merchandise, or for the pursuit of any occupation whatsoever unless a permit for the same shall be obtained from the commissioner of business affairs and consumer protection or the commissioner of transportation; provided, that the commissioner of business affairs and consumer protection shall issue no such permits except for the purpose of operating a produce stand by a produce merchant, as provided in Section 10-28-060 of this chapter, and provided that the commissioner of transportation shall issue no such permits except for the purpose of exhibiting for sale daily newspapers, within such districts as are or have been designated by the city council.

**10-28-180 Limitation on use.**

The maintenance of newspaper stands subject to regulation under this article shall be under the direction and supervision of the commissioner of transportation. Each such newspaper stand must be maintained in a safe, neat and clean condition and shall be kept free of graffiti. Except as specifically permitted by this Code or when authorized by contract entered into by the chief procurement officer in cooperation with the commissioner of transportation pursuant to Section 10-28-045, or by contract entered into by the chief financial officer and approved by the city council pursuant to Section 10-28-046, No advertising bill, poster, card, or other advertising matter of any kind whatsoever shall be exhibited, displayed or placed on, or affixed to, any such stand. A newspaper stand shall be used for no purpose other than the exhibition and sale of newspapers, periodicals and similar publications. On the outside of each newspaper stand there shall be clearly displayed at all times a sign stating the name, business telephone number and address of the permit holder. In addition, a copy of the permit shall be displayed prominently inside the newspaper stand. Any newspaper stand that is not in compliance with this requirement shall be removed by the city pursuant to this article.

SECTION 14-TIER II RULEMAKING. Section 11-4-1200 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, as follows:

**11-4-1200 Tier II notification - When required.**

*(Omitted text is unaffected by this ordinance)*

(G) Enforcement. The commissioner of health, the fire commissioner, the executive director of emergency management and communications, the commissioner of business affairs and consumer protection and their respective designees are authorized: (1) to inspect, at reasonable hours or in case of an emergency, any facility subject to the requirements of Section 12 of the Illinois Emergency Planning and Community Right To Know Act for the purpose of determining compliance with the requirements of this section; and (2) to examine the applicable books and records of any person subject to the requirements of Section 12 of the Illinois Emergency Planning and Community Right To Know Act in order to corroborate the quantities of hazardous chemicals reported or required to be reported under Section 11-4-1200 by the owner or operator of the facility; and (3) to jointly promulgate rules and regulations necessary to implement this section.

SECTION 15-PLANNED DEVELOPMENT REVIEW FEES. Section 17-13-0610 of the Municipal Code of Chicago is hereby amended by inserting the language underscored and by deleting the language struck through, as follows:

17-13-0610 Effect of Planned Development Approval. After the adoption of a planned development ordinance, every application for a permit or license within the planned development boundaries must be reviewed by the Zoning Administrator for a determination that the proposed use, building or structure complies with all provisions of the planned development ordinance. A review fee of \$0<sup>^</sup>2-5 .50 per square foot of buildable floor area will be assessed at the time of review. Zoning and occupancy certificates may be issued by the Zoning Administrator for uses, buildings or structures within the planned development only upon his written approval. Any permit, license or certificate issued in conflict with the planned development ordinance is null and void.

SECTION 16-OPT-OUT AGGREGATION PROGRAM. The Ordinance establishing the City of Chicago's Opt-Out Electricity Aggregation Program, which ordinance was passed by the City Council on December 12, 2012, and published at pages 42333-42336 of the Journal of Proceedings of the City Council of that date, is hereby amended by inserting the language underscored, as follows:

SECTION 5. In addition to any other applicable requirement, the following requirements shall be included in the program:

*(Omitted text is unaffected by this ordinance)*

(e) Program prices for each customer class, with each class determined in a manner to maximize cost savings, shall be uniform and shall not vary based upon address, income, credit status, ethnicity, race, religion or any other legally impermissible basis.

*(Omitted text is unaffected by this ordinance)*

SECTION 17-TRANSPORTATION NETWORK ORDINANCE. Section IV of the Transportation Network Ordinance, which was adopted by the City Council on May 28, 2014, and which was published at pages 82771-82800 of the Journal of Proceedings for that date, is hereby amended by deleting the language struck through and by inserting the language underscored, as follows:

SECTION IV. Chapter 9-112 of the Municipal Code of Chicago is hereby amended by deleting the language struck through, through and by inserting the language underscored ~~and by adding a~~

SECTION 18-CRANE OPERATORS EFFECTIVE DATE. SECTIONS 2 and 18 of an ordinance passed on December 11, 2013 and published at pages 71889-71898 of the Journal of the Proceedings for that date ("the ordinance") are hereby amended by deleting the language stricken through and by inserting the language underscored, as set forth below. The remaining amendments set forth in Section 2 and 18 of the ordinance are unaffected by this amendment.

**As set forth in SECTION 2 of the ordinance: 4-288-030**

**Application - Qualification For Examination.**

*(Omitted text is unaffected by this ordinance)*

(c) In addition to the requirements in subsection (b) of this section, to qualify to take the crane operator's license examination after ~~November 10, 2014~~ September 1, 2015 or the date applicable to paragraphs (a)(2) and (f) of 29 CFR 1926.1427 as set forth in 29 CFR 1926.1427(k)(1), whichever comes later, the applicant shall have a current and valid certification issued by an approved accredited certifying entity identifying the type(s) of crane that the applicant is certified to operate.

*(Omitted text is unaffected by this ordinance)*

As set forth in SECTION 18 of the ordinance:

SECTION 18. Following due passage and publication, Section 1, Section 2, Section 3, Section 4, Section 5, Section 6, Section 7, Section 8 and Section 9 of this ordinance shall take full force and effect on ~~November 10, 2014~~ September 1, 2015. The remainder of this ordinance shall take full force and effect upon its passage and publication.

SECTION 19-PRODUCE STANDS PILOT PROGRAM. Section 10-28-060 of the Municipal Code of Chicago is hereby amended by inserting the language underscored and by deleting the language struck through, as follows:

**10-28-060 A produce stand on the public way pilot program.**

*(Omitted text is unaffected by this ordinance)*

(m) This pilot program shall expire on December 31, ~~2014~~ 2015. Sixty (60) days before the expiration of the pilot program, the commissioner, the commissioner of transportation, the commissioner of planning and development, and the commissioner of health shall evaluate the effectiveness of the pilot program and may recommend the continuation of the program with or without changes as may be adopted by ordinance.

SECTION 20-WHEEL TAX LICENSE EMBLEMS. Sections 3-56-040, 3-56-050, 3-56-070 and 9-68-020 of the Municipal Code of Chicago are hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

**3-56-040 Issuance.**

a) Upon payment by the applicant of the wheel tax license fee hereinafter provided, the city clerk shall issue, or cause to be issued, a wheel tax license. The ~~annual~~ period for a wheel tax license shall begin on the required purchase date and shall end on the last day of the ~~same month in the following year~~, as indicated on the face of such license. Provided, however, that if a wheel tax license is issued before the required purchase date, such license shall be valid upon its issuance. Provided further, that in the case of renewal of a valid and current wheel tax license only, the following requirements shall apply:

1) Prior to July 1, 2016, the annual applicable period for renewing a valid and current wheel tax license shall include a 15-day grace period, during which the applicant may purchase a wheel tax license without incurring any (1) late fees under Section 3-56-050, or (2) penalties under Section 3-56-150 for failure to obtain the wheel tax license by the required purchase date.

2) On and after July 1, 2016, the annual applicable period for renewing a valid and current wheel tax license shall include a 30-day grace period, during which the applicant may purchase a wheel tax license without incurring any late fees under Section 3-56-050. Provided, however, that nothing in the paragraph (a)(2) shall be construed to authorize the waiver of penalties under Section 3-56-150 for failure to obtain the wheel tax license by the required purchase date.

*(Omitted text is unaffected by this ordinance)*

b) The city clerk shall make wheel tax licenses available for an annual period. ~~During~~ Provided, however, that during the transition period preceding full implementation of the

staggered system authorized under Section 3-56-015 for issuing wheel tax licenses, and thereafter, as provided for in duly promulgated rules and regulations, in the case of persons who are subject to Sections 3-56-021(a) and 3-56-050(d), the city clerk is authorized, as provided for in duly promulgated rules and regulations, to issue wheel tax licenses for more or less than an annual period. Provided further, that in the case of renewal of an existing wheel tax license issued pursuant to the staggered system authorized under Section 3-56-015, the City Clerk may offer applicants for a wheel tax license the option, as provided for in duly promulgated rules and regulations, to purchase such license for more than an annual period of up to two years. ~~In such case~~ If a wheel tax license is issued for more or less than an annual period, the fee for such license shall be prorated in accordance with Section 3-56-050(c).

*(Omitted text is unaffected by this section)*

3-56-050 Fees - Late fees.

*(Omitted text is unaffected by this ordinance)*

(d) (1) Persons who obtain a wheel tax license within 30 days of purchasing or otherwise acquiring ownership of a vehicle or of commencing residence within the city shall be assessed a prorated fee for such license, as provided for in paragraph (2) of this subsection, if the applicant furnishes an affidavit, in a form satisfactory to the city clerk and accompanied by suitable documentary proof, establishing the date of the purchase or acquisition of the vehicle or the commencement of residency. Suitable documentary proof of the date of commencement of residency shall include a lease, mortgage or title documents, or other appropriate documents. Suitable documentary proof of the date of vehicle purchase or acquisition shall include vehicle registration or title documents issued by the Secretary of State or other appropriate documents. All applicants that do not comply with the requirements for a prorated license shall be subject to a full annual license fee.

(2) ~~Except as otherwise provided in paragraph (3) of this subsection (d), the following prorated fees shall apply to persons meeting the requirements set forth in paragraph (1) of this subsection of~~

~~Between July 1, 2013, and November 30, 2013 100 percent of the applicable fee set forth in subsection (a) plus any additional fee mandated by subsection (b);~~

~~Between December 1, 2013, and March 31, 2014 two thirds of the applicable fee set forth in subsection (a) plus any additional fee mandated by subsection (b); and~~

~~After April 1, 2014, and before July 1, 2014 one third of the applicable fee set forth in subsection (a) plus any additional fee mandated by subsection (b); and~~

~~Qft and after July 1, 2014 the~~ The amount of the prorated fee required under subsection (d)(1) of this section shall be based on the number of months for which the wheel tax license is issued, as set forth in the prorated fee schedule established by the city clerk pursuant to subsection (c) of this section.

21

(4) ~~Notwithstanding any language in this subsection (d) to the contrary, if, at any time after July 1, 2013, and before July 1, 2014, the city clerk (i) authorizes, pursuant to Section 3-56-040(b), the issuance of wheel tax licenses for more or less than an annual period; and (ii) establishes, pursuant to Section 3-56-050 (c), a prorated fee schedule for such license(s), the amount of the prorated fee required to be paid under this subse~~

~~etion shall be as set forth in such prorated fee schedule. Such prorated fee shall be in addition to any late fee required to be paid under subsection (b) of this section.~~

### 3-56-070 Wheel tax license emblems.

*(Omitted text is unaffected by this ordinance)*

The city clerk shall change annually the background colors of such wheel tax license emblems as necessary or appropriate to ensure the proper administration and enforcement of this chapter.

*(Omitted text is unaffected by this ordinance)*

### 9-68-020 Residential parking permits.

*(Omitted text is unaffected by this ordinance)*

(d) (1) The fee for an annual residential parking permit is \$25.00 for each vehicle. ~~Except as otherwise provided in paragraph (3) of this subsection (d), if application is made for the permit on or after July 1, 2013, the following fees shall apply:~~

~~Between July 1, 2013, and November 30, 2013-100 percent of the applicable fee;~~  
nnrl

~~Between December 1, 2013, and March 31, 2014-66 percent of the applicable~~  
ice, ctnvi

~~Between April 1, 2014, and June 30, 2014-33 percent of the applicable fee; And~~

~~On and after July 1, 2014-The amount of the prorated fee shall be based on the number of months for which the residential parking permit or wheel tax license/residential permit parking emblem is issued, as set forth in the prorated fee schedule established by the city clerk pursuant to paragraph (2) of this subsection~~

(2) The city clerk is authorized to establish and administer a prorated fee schedule which shall apply to any person who purchases a residential parking permit for less or more than a year. The amount of the prorated fee shall be based on the number of months for which the residential parking permit or wheel tax license/residential permit parking emblem is issued.

22

~~(3-) Notwithstanding any language in this subsection (d) to the contrary, if, at any time after July 1, 2013, and before July 1, 2014, the city clerk establishes, pursuant to paragraph (2) of this subsection, a prorated fee schedule for the residential parking permit or wheel tax license/residential permit parking emblem, the amount of the prorated fee required to be paid under this subsection shall be as set forth in such prorated fee schedule.~~

(4)[3j The fee for one-day permits shall be \$16 for 30 permits. A replacement of an annual

permit will be issued for \$ 10 upon receipt of the permit number portion of the removed annual permit sticker and a receipt for the current annual permit sticker. Replacement of any permits which are lost or destroyed will be made at full cost.

*(Omitted text is unaffected by this ordinance)*

## **SECTION 21-DEPARTMENT OF BUILDINGS APPLICATIONS EXPIRATION.**

Sections 13-20-560 and 13-32-030 of the Municipal Code of Chicago are hereby amended by inserting the language underscored and by deleting the language struck through, as follows:

### **13-20-560 Permit application.**

*(Omitted text is unaffected by this ordinance)*

(3) If the building commissioner determines that an application or any supporting documentation required for a permit under Section 13-20-550 is incomplete or otherwise deficient, the commissioner shall notify the applicant or the applicant's agent of such fact in writing. Such notification, which shall be dated, shall (1) explain why the application or supporting documentation is deficient; (2) state that no further processing of the application shall occur until the deficiencies identified in the notification are corrected; and (3) inform the applicant that if the deficiencies are not corrected within 120 days of the date indicated on the face of the notification, the application shall be deemed, by operation of law, to have been withdrawn. Provided, however, that upon receipt of a written request from the applicant, and for good cause shown, the building commissioner may extend, to a date certain, the period to cure the deficiencies identified in the notification required under this subsection.

*(Omitted text is unaffected by this ordinance)*

### **13-32-030 Applications.**

*(Omitted text is unaffected by this ordinance)*

Every such application for a permit shall be accompanied by a copy of every recorded easement on the lot on which the building is to be erected, and on the immediately adjoining lots, showing the use or benefit resulting from such easement. All such applications shall be accompanied by drawings, plans, and specifications in conformity with the provisions of this chapter. Where alterations or repairs in buildings are made necessary by reason of damage by fire, that fact shall be stated in the application for a permit. In such cases, before a permit shall be issued, the building commissioner shall cause a thorough inspection to be made of the

## **23**

damaged premises with the view of testing the structural integrity of the damaged parts. No permit shall be issued by the building commissioner for the construction, erection, addition to or alteration of any building or structure unless the applicant therefor shall furnish to the building commissioner a certificate or other written evidence of the proper federal officer or agency that the proposed construction is not prohibited by any order, rule or directive of an agency of the United States government.

If the building commissioner determines that an application or any supporting documentation required



for a building permit is incomplete or otherwise deficient, the commissioner shall notify the applicant or the applicant's agent of such fact in writing. Such notification, which shall be dated, shall (0 explain why the application or supporting documentation is deficient; (2) state that no further processing of the application shall occur until the deficiencies identified in the notification are corrected; and (3) inform the applicant that if the deficiencies are not corrected within 120 days of the date indicated on the face of the notification, the application shall be deemed, by operation of law, to have been withdrawn. Provided, however, that upon receipt of a written request from the applicant, and for good cause shown, the building commissioner may extend, to a date certain, the period to cure the deficiencies identified in the notification required under this subsection.

*(Omitted text is unaffected by this ordinance)*

SECTION 22-SIDEWALK CAFE PERMITS. Section 10-28-820 of the Municipal Code of Chicago is hereby amended by inserting the language underscored and by deleting the language struck through, as follows:

**10-28-820 Review of application.**

The department shall review a submitted application for compliance with this article and regulations.

(A) Except with regard to renewal applications governed by subsection (B), if If the commissioner finds that the applicant meets the requirements of this article and the regulations promulgated hereunder, the commissioner shall provide the application to the alderman of the affected ward, together with a recommendation for introduction of an ordinance approving the application. Such approval shall not be unreasonably withheld. ~~Upon passage and publication of~~ Once an ordinance approving the application is effective, the commissioner shall issue the sidewalk cafe permit to the applicant.

( B) For purposes of this section, "renewal application" means an application for the operation of a sidewalk cafe at the same location and by the same person approved by the city council within the previous 12 months.

If the commissioner finds that a renewal application meets the requirements of this article and the regulations promulgated hereunder, the commissioner shall prepare an ordinance, which ordinance may include a group of renewal applications, for approval by the city council.

**24**

Such approval shall not be unreasonably withheld. Once an ordinance approving the renewal application is effective, the commissioner shall issue the sidewalk cafe permit to the applicant.

(B C) If the commissioner finds that the applicant fails to meet the requirements of this article or the regulations promulgated hereunder, or if approval by ordinance is withheld, the commissioner shall deny the application or renewal application. The commissioner shall notify the unsuccessful applicant in writing of the denial and the reasons therefor within ten business days after the denial.

SECTION 23-ELEVATORS-PHASE IIIN-CAR OPERATIONS. Section 18-30-320 is hereby amended by deleting the language struck through and by inserting the language underscored, as follows:

**18-30-320 Existing Elevators-Firefighters' Emergency Operation - Effective dates.**

a) On or before January 1, ~~2015~~ 2017, all elevators with Phase II Emergency In-Car Operation shall either comply with

1) all of the requirements set forth in 2.27.3 through 2.27.8 of ASME, as modified by items (46) through (60) of Article II of this chapter; or

2) all of the applicable requirements of the Chicago Building Code in existence at the time the existing elevator was equipped or required to be equipped with Firefighters' Emergency Operation and all of the requirements set forth in section 18-30-2610 of the Chicago Building Code adopted on January 10, 2001, and appearing in the Journal of Council Proceedings on page 50236 of that date.

Provided, however, that if, at the time an existing elevator was installed or altered, the Chicago Municipal Code did not require that such existing elevator be equipped with a fire alarm initiating device, nothing in this Section 18-30-320 or in Section 18-30-2610 of the Chicago Building Code adopted on January 10, 2001, as referenced in item (2) of this section, shall be construed to require the installation of a fire alarm initiating device in such existing elevator until such time that an alteration is made to such existing elevator where ASME 8.7 requires a fire alarm initiating device to be installed.

b) This section may be enforced by the department of buildings or fire department.

SECTION 24-SEVERABILITY. The provisions of this ordinance are declared to be separate and severable. The invalidity of any provision of this ordinance, or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

SECTION 25-REPEALER. All ordinances, resolutions, motions or orders inconsistent with this ordinance are hereby repealed to the extent of such conflict.

SECTION 26-EFFECTIVE DATE. Section 7 of this ordinance shall take effect upon passage and approval. Section 18 of this ordinance shall take effect upon passage and approval and be deemed retroactive to November 9, 2014. Section 16 of this ordinance shall take effect upon passage and approval and be deemed retroactive to March 1, 2014. The remainder of this ordinance shall take effect, following due passage and approval, on January 1, 2015.

