



# Office of the City Clerk

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## Legislation Details (With Text)

**File #:** O2017-7146  
**Type:** Ordinance  
**Status:** Passed  
**File created:** 10/11/2017  
**In control:** City Council  
**Final action:** 12/13/2017  
**Title:** Amendment of Municipal Code Chapter 2-20 by adding new Section 2-20-045 entitled "Warranties under Midway and O'Hare Residential Sound Insulation Program"  
**Sponsors:** Quinn, Marty, Burke, Edward M., Zalewski, Michael R., Lopez, Raymond A.  
**Indexes:** Ch. 20 Dept. of Aviation  
**Attachments:** 1. O2017-7146.pdf

Date	Ver.	Action By	Action	Result
12/13/2017	1	City Council	Passed	Pass
12/11/2017	1	Joint Committee: Aviation; Finance	Recommended to Pass	
10/11/2017	1	City Council	Referred	

### ORDINANCE

WHEREAS, the City of Chicago is a home rule unit of government pursuant to the 1970 Illinois Constitution, Article VII, Section 6(a); and

WHEREAS, pursuant to its home rule power, the City of Chicago may exercise any power and perform any function relating to its government and affairs including the power to regulate for the protection of the public health, safety, morals, and welfare; and

WHEREAS, the City of Chicago is home to Chicago O'Hare International Airport and Chicago Midway International Airport, two of the busiest airports in the country; and

WHEREAS, although these Airports are international in reach, they are part of our neighborhood fabric; and

WHEREAS, the City is committed to ensuring that the communities surrounding our airports deem them good neighbors; and

WHEREAS, to that end, the Department of Aviation has administered the School Sound Insulation Program (SSIP) and the Residential Sound Insulation Program (RSIP), which sound-insulates schools and homes surrounding the airports; and

WHEREAS, since 1982, 123 schools have been sound-insulated under the O'Hare School Sound Insulation Program (O'Hare SSIP); and

WHEREAS, since 1991, 41 schools have been sound-insulated under the Midway School Sound Insulation Program (Midway SSIP); and

WHEREAS, to date, 10,173 homes near Midway have been insulated through their RSIP, and 10,924 homes near O'Hare have also been sound-insulated through theirs; and

WHEREAS, the owners of these homes were given warranties for their windows and doors when they were installed by the contractors under the RSIP; and

WHEREAS, the warranties for each product varies in length, with the warranties being effective for the following periods: ten (10) years from the date of final completion on the installation for the vinyl windows; ten (10) years for storm doors; two (2) years for wood prime doors; and for the vinyl patio doors, they were three (3) years for the frames and ten (10) years for the glass; and

WHEREAS, the contract further provided that any material replaced and the labor associated with that replacement within ten years from the date of final completion will be replaced at no charge; and

WHEREAS, if the homeowner had issues with the windows and doors installed through RSIP, they would have to deal with four different contractors to have their issues remedied; and

WHEREAS, over the past few years, residents have expressed concerns regarding odors emanating from windows installed as part of the RSIP program; and

WHEREAS, many of the residents with the windows with odor issues had them installed over ten years ago and the warranty no longer will cover any necessary repairs or replacements for these windows; and

WHEREAS, despite having knowledge that this problem existed since 2015, the Department of Aviation has only recently has begun in-home and lab testing of thee windows that have shown to have gas issues, and at the October 3<sup>rd</sup> Joint Committee on Aviation and Committee on Finance public hearing, Department officials informed the residents of the Midway area that the final results from these tests will not be received until the end of this year; and

WHEREAS, due to the lack of urgency on the Department of Aviation to promptly respond to the window odors issue complaints and the length of time it will take for the Department of Aviation's contractor to finalize their results of the window testing, many other homeowners may have their warranties expire for the windows and doors installed pursuant to the RSIP; and

WHEREAS, the public health and safety of its citizens is one of the primary functions of City government and this City Council is determined to protect the health and rights of its residents;

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:**

SECTION 1. The above recitals are expressly incorporated herein and made part hereof as though fully set forth herein.

SECTION 2. Chapter 2-20 of the Municipal Code of Chicago is hereby amended by inserting a new Section 2-20-045 underscored as follows:

2-20-045. Warranties under Midway and O'Hare Residential Sound Insulation Program.

The Commissioner of the Department of Aviation or his or her designees are hereby authorized to extend the warranty period of windows, storm doors, vinyl patio doors, wood prime doors and any other product installed pursuant to the Midway and O'Hare Residential Sound Insulation Program for a period of ten (10) years for each product. If the companies that installed the original windows and doors pursuant to the Residential Sound Insulation Program cease to exist due to bankruptcy or closing, the City shall honor the warranties and shall remedy any and all product and installation defects.

SECTION 3. This ordinance shall be in full force and effect upon its passage and approval.

Alderman, Ward