



Office of the City Clerk

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Legislation Details (With Text)

File #: SO2018-8065

Type: Ordinance **Status:** Passed

File created: 10/31/2018 **In control:** City Council

Final action: 11/14/2018

Title: Amendment of Municipal Code Titles 2, 3, 4, 9, 10, 11 and 15 regarding various business regulations, fees and taxes (2019 Revenue Ordinance)

Sponsors: Emanuel, Rahm

Indexes: Ch. 4 Bureau of Fire Prevention, Ch. 4 Environmental Protection & Control, Ch. 5 License Fees for Title 4 Licenses, Ch. 16 Fire Protection Equipment, Ch. 20 Work On & Under Public Ways, Ch. 25 Dept. of Business Affairs & Consumer Protection, Ch. 29 Chicago Use Tax for Nonretail Transfers of Motor Vehicles, Ch. 56 Wheel Tax Licenses, Ch. 73 Chicago Simplified Telecommunications Tax, Ch. 8 Use Of Public Ways & Places, Ch. 100 Admin. Adjudication of Parking, Compliance, Automated Traffic Law Enforcement System or Automated Speed Enforcement System Violations, Ch. 108 Horse-Drawn Carriages, Ch. 110 Pedicabs, Ch. 112 Public Passenger Vehicles, Ch. 114 Public Passenger Vehicles other than Taxicabs, Ch. 115 Transportation Network Providers, Ch. 232 Motor Vehicle Storage & Sales, Intergovernmental

Attachments: 1. SO2018-8065.pdf, 2. O2018-8065.pdf

Date	Ver.	Action By	Action	Result
11/14/2018	1	City Council	Passed as Substitute	Pass
11/7/2018	1	City Council	Deferred and Published	
11/5/2018	1	Committee on Finance	Recommended to Pass	
11/5/2018	1	Committee on Finance	Substituted in Committee	
10/31/2018	1	City Council	Referred	

SUBSTITUTE REVENUE 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 of its finances 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:

This ordinance is organized into nine Articles, as follows:

- Article I Business Regulation
- Article II Reduced-Term Wheel Tax Licenses
- Article III Actions on the Public Way
- Article IV Advertising and Public Passenger Vehicles
- Article V Fire Department

Article VI	Taxes
Article VII	Miscellaneous
Article VIII	Intergovernmental Agreement
Article IX	Severability and Repealer
Article X	Effective Date

ARTICLE I. BUSINESS REGULATION

SECTION 1. Section 2-25-090 of the Municipal Code of Chicago is hereby amended by adding the language underscored, and by deleting the language struck through, as follows:

2-25-090 Prohibited acts - Consumer fraud, unfair competition or deceptive practices -Duty to enforce.

(Omitted text is unaffected by this ordinance)

(f) Except as otherwise provided in this chapter, and in addition to any other penalty provided by law, any person who violates any of the requirements of this section shall be subject to a fine of not less than ~~\$2,000.00~~ \$500.00 nor more than \$10,000.00 for each offense. Each day that a violation continues shall constitute a separate and distinct offense to which a separate fine shall apply.

(Omitted text unaffected by this ordinance)

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SECTION 2. Section 4-5-010 of the Municipal Code of Chicago is hereby amended by adding the language underscored, as follows:

4-5-010 Establishment of license fees.

This chapter shall establish fees for various licenses created by this title unless otherwise provided. The following fees shall apply for the specified licenses. The chapter in which each fee requirement is created is also provided. Unless otherwise stated, fees shall be assessed every two years. For every license application which includes fingerprinting of the applicant as part of the application process, a fingerprint fee sufficient to cover the cost of processing fingerprints will be assessed in addition to the below fees. The fingerprint fee will be assessed regardless of whether the license applied for is issued or denied. The amount of the fee will be set forth by regulation promulgated by the Commissioner of Business Affairs and Consumer Protection.

(Omitted text is unaffected by this ordinance)

(30) Tobacco per year

Retail tobacco dealer

Per location ~~\$250.00~~ \$500.00

Plus, per cash register ~~\$165.00~~ \$330.00

Wholesale tobacco dealer \$550.00

(Omitted text is unaffected by this ordinance)

ARTICLE II. REDUCED-TERM WHEEL TAX EMBLEMS

SECTION 1. Section 3-56-040 of the Municipal Code of Chicago is hereby amended by adding the language underscored, and by deleting the language struck through, as follows:

3-56-040 Issuance.

(Omitted text is unaffected by this ordinance)

(b) The City Clerk shall make wheel tax licenses available for an annual period. ~~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 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~~

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~~in duly promulgated rules and regulations, to purchase such license for more than an annual a period of up to two years. If a wheel tax license is issued or renewed for more or less than an annual period, the fee for such license shall be prorated in accordance with Section 3-56-050(c).~~

(c) ~~During a period of heavy volume of applications for a wheel tax license, or when necessary to promote the efficient and orderly administration of this chapter, the City Clerk, in consultation with the city comptroller, shall have authority to: (1) extend the required purchase date for an additional amount of time, not to exceed 15 (fifteen) days, for all persons required during such period to buy a wheel tax license emblem or combined wheel tax license/residential zone parking permit; and (2) waive any late fees otherwise.~~

SECTION 2. Chapter 3-56 of the Municipal Code of Chicago is hereby amended by adding a new Section 3-56-041, as follows:

3-56-041 Reduced-term Wheel Tax Licenses Pilot Program.

In addition to annual terms, from August 1, 2019, until July 31, 2021, the City Clerk shall make wheel tax licenses available for terms of four months. The 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. Outside of the grace period, any late fees shall be in addition to the wheel tax license fee purchased. Nothing in this paragraph 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.

SECTION 3. Section 3-56-050 of the Municipal Code of Chicago is hereby amended by adding the language underscored, and by deleting the language struck through, as follows:

3-56-050 Fees - Late fees.

(a) Applicable annual license fees are as follows; provided, however, that each amount set forth in this subsection ("a") shall be adjusted upwards, if applicable, for the term starting on January 1, 2014_A and

every two years thereafter by applying to it the rate of inflation over the two-year period ending on the most recent July 1, calculated based on the Consumer Price Index - Urban Wage Earners and Clerical Workers (Chicago All Items) published by the United States Bureau of Labor Statistics, as calculated by the Comptroller, communicated to the Clerk by the Comptroller, and published by the Clerk. Such adjustment shall take place on January 1 of the applicable year, and shall apply the overall rate of inflation, if any, for the two-year period ending on the most recent July 1. Provided further, that the amount of any such adjustment shall be capped at 105% of the fee being adjusted:

<i>Vehicle</i>	<i>Fee</i>
Smaller passenger automobiles	\$85.00
Larger passenger automobiles	\$135.00

The city clerk City Clerk shall maintain a list of makes and models of passenger automobiles classified as "smaller" or "larger" for the purposes of this provision. The list shall be available for public inspection at any time during the clerk's Clerk's regular business hours.

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(Omitted text is unaffected by this ordinance)

b) (1) Except as otherwise provided in subsection (b)(2) of this section, if the applicant for a wheel tax license fails to purchase such license by the required purchase date, a late fee of \$60.00 shall be assessed. Such late fee shall be in addition to the wheel tax license fee set forth in subsection (a) of this section.

(Omitted text is unaffected by this ordinance)

(3) No late fee shall be imposed under this subsection (b) if (i) the applicant obtains a wheel tax license within 30 days of commencing residence in the City, as required under Section 3-56-021 (a); or (ii) the applicant obtains a wheel tax license within 30 days of purchasing or otherwise acquiring ownership of a vehicle, as required under Section 3-56-021(a); or (iii) in the case of a renewal of a wheel tax license, the applicant obtains a current wheel tax license within the grace period provided for under Section 3-56-040(a)(1) and Section 3-56-041. as applicable.

(Omitted text is unaffected by this ordinance)

(5) Upon an applicant's showing of reasonable cause, accompanied by appropriate documentation, the city clerk City Clerk is authorized to waive any late fee that would otherwise apply to such applicant for failure to obtain a wheel tax license by the required purchase date.

c) If, pursuant to Section 3-56-040(b), the city clerk City Clerk authorizes the issuance of wheel tax licenses for more or less than an annual period, the city clerk City Clerk shall establish and administer a prorated fee schedule for such license(s). The amount of the prorated fee shall be based on the number of months for which the wheel tax license is issued. The prorated fee shall be in addition to any late fee required to be paid under subsection (b) of this section.

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 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) 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 City Clerk pursuant to subsection (c) of this section.

SECTION 4. During 2019, for a single period of up to 31 continuous days, the City Clerk may waive late fees required by Section 3-56-050 for those people who owe late fees and apply for an initial or renewal wheel tax emblem during that period.

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ARTICLE III. ACTIONS ON THE PUBLIC WAY

SECTION 1. Chapter 4-32 of the Municipal Code of Chicago is hereby amended by adding a new Section 4-232-098 as follows:

4-232-098 Parking meter zones - unauthorized closure.

a) It shall be unlawful for any valet parking operator licensee, or the operator's employees or agents, to block, with cones or other objects, any designated parking meter zone or space. For purposes of this section "parking meter zone" has the meaning ascribed to that term in Section 9-4-010.

b) Any person who violates this section shall be fined \$1,000.00 for each offense, and each day that a violation continues shall constitute a separate and distinct offense.

SECTION 2. Section 10-20-150 of the Municipal Code of Chicago is hereby amended by adding the language underscored, and by deleting the language struck through, as follows:

10-20-150 Permit - Fees - Issuance.

(a) It shall be unlawful for any person to make an opening in, or to construct or repair any pavement in, any public way or other public place without first obtaining a public way work permit from the ~~commissioner of transportation~~ Commissioner of Transportation: provided, however, that any such opening, construction or repair may be performed by a person holding the public way work license required by this article, who is not a permittee under this section but who is acting as subcontractor for, or otherwise acting under instructions from, as agent for, on behalf of, or in concert with, a permittee under this section. A permit fee shall be required for creating any opening in, or for constructing or repairing any pavement in, the public way. Beginning on January 1, 2009, the permit fee for creating a pavement opening or for pavement construction or repair shall be \$337.00 for each such opening to be created or each such construction or repair project. Beginning on January 1, 2009, the permit fee for creating an opening, or for construction or repair, in any parkway or unimproved portion of the public way shall be \$169.00 for each such opening to be created, or each such construction or repair project. All permit fees required under this section shall be increased by five percent per annum beginning January 1, 2010. The fee for any permit issued during the time periods specified in subsection (b) of this section shall be ~~twice the normal~~ fee as the Commissioner of Transportation sets by rule in an amount that will cover the additional administrative costs associated with disrupting the recently paved public way.

(b) Unless the ~~commissioner of transportation~~ Commissioner of Transportation determines that circumstances warrant the opening or repairing of pavement, no permit shall be issued for:

i) opening or repairing any pavement that has been newly constructed or reconstructed after January 1, 1994, for a period of ten years after completion of the construction or reconstruction;

ii) opening or repairing any pavement that has been resurfaced after January 1, 1994, within five years after completion of the repaving or;

iii) opening or repairing any pavement at anytime located within the area bounded by North

Avenue, Halsted Street, 22nd Street and Lake Michigan. Whenever the ~~commissioner of transportation~~ Commissioner of Transportation determines that circumstances

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warrant the opening or repairing of pavement under this subsection, the ~~commissioner of transportation~~ Commissioner of Transportation may require that the entire surface of the public way abutting the excavated pavement be restored from curb line to curb line but shall, at a minimum, require that the surface of the public way abutting the excavated pavement be restored to the furthest quarter point in all directions. For purposes of this subsection, "quarter point" means each point situated at a distance equal to one-quarter of the distance from curb line to curb line. Any person who opens or repairs a newly constructed, reconstructed or resurfaced pavement without a permit within the time period specified herein or without the approval of the ~~commissioner of transportation~~ Commissioner of Transportation, or who falsifies information in order to obtain a permit for such work, shall be subject to a fine of \$5,000.00 for each day that the opening exists or that the repair is conducted.

When determining whether circumstances warrant the opening or repair of pavement under this subsection, the ~~commissioner of transportation~~ Commissioner of Transportation shall consider, in addition to other reasonable factors, whether the work to be performed constitutes an emergency repair; whether there is no other reasonable access available to perform the work; and whether the work will provide a public benefit.

c) It shall be a condition of any permit for the opening of, or the construction or repair of, any public way or other public place that the permit applicant shall agree to restore the pavement or other materials in accordance with public way restoration standards. These standards shall be in the form of regulations promulgated by the ~~commissioner of transportation~~ Commissioner of Transportation.

d) In addition to the other limitations on the issuance of permits described in this chapter, the ~~commissioner of transportation~~ Commissioner of Transportation shall not issue any permit for the opening of, or the construction or repair of, any public way or public place until he or she shall have been fully advised of the time, place and character of such opening, construction or repair and the purpose thereof. The ~~commissioner of transportation~~ Commissioner of Transportation may require that applications for permits be accompanied by a plat or pencil tracing or sketch showing the location, character and dimensions of any proposed openings for the installation of new work, or the location and character of any alterations involving changes in the location of pipes, conduits, wires or other conductors, or proof of compliance with the insurance, letter of credit or other license requirements of this article.

e) Before a permit that contemplates the breaking or other disturbance of a bituminous surface shall be granted to open, or conduct construction or repair on, any public way or public place for any purpose, the permit applicant shall as part of the application either (1) commit to restoring the bituminous surface after completion of the work and restoration of the pavement, or (2) request that the City of Chicago restore the bituminous surface after completion of the work and restoration of the pavement. If the applicant selects option (2), the ~~commissioner of transportation~~ Commissioner of Transportation shall assess the applicant a restoration fee, as calculated by the ~~commissioner of transportation~~ Commissioner of Transportation, sufficient to cover the City of Chicago's cost to restore the bituminous surface. This restoration fee shall be calculated on a per-square-yard basis, based on current construction costs established through average bid prices in the City of Chicago. In the event that the City of Chicago's cost to restore the bituminous surface is less than the restoration fee, the amount of the surplus shall be returned to the permittee.

f) In order for a permit to be issued, the ~~comptroller~~ Comptroller shall collect the amount of both the permit fee and any applicable restoration fee. Where the opening, construction or repair is required to perform underground work to facilitate a city City or state project or the repair of damage caused by city City forces, the payment of permit fees shall be waived.

g) The permit specified in this section shall not be required for:

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- 1) the placement, planting, cultivation, maintenance or removal of any tree, shrub, flower, sod or other plant material in the public way;
 - 2) the operation, improvement, installation, removal and maintenance of parking meters by a person, or the person's designee, acting pursuant to a concession agreement with the city City governing the operation, improvement, installation, removal and maintenance of, and collection of fees from, certain designated parking meters; or
 - 3) the operation, improvement, installation, removal and maintenance of erty Citv digital signs by a person, or the person's designee, acting pursuant to a coordinated erty Citv digital sign program agreement with the city City governing the operation, improvement, installation, removal and maintenance of such city Citv digital signs.
- (h) With respect to a permit applied for pursuant to this section in conjunction with the installation or relocation of any utility pole on the public way, the ~~commissioner of transportation~~ Commissioner of Transportation shall provide a 30-day notification to the alderman of the affected ward prior to issuing such permit.

ARTICLE IV. ADVERTISING AND PUBLIC PASSENGER VEHICLES

SECTION 1. Section 9-108-090 of the Municipal Code of Chicago is hereby amended by adding the language underscored, and by deleting the language struck through, as follows:

9-108-090 Regulations.

- a) No horse-drawn carriage may carry more than seven passengers at one time, including the chauffeur, provided, however, no horse-drawn carriage shall carry more passengers than the maximum number of passengers the carriage is designed to carry by the manufacturer.
- b) ~~[Reserved.1 No horse drawn carriage may display advertising on its exterior or interior of the carriage or on the horse.~~
- c) Each horse-drawn carriage must prominently display the rate or other charge to be made for its service in the manner prescribed by the ~~Commissioner~~ Commissioner by rule. It shall be unlawful to make any charge not so displayed. Each horse-drawn carriage must prominently display any other placards or postings as required by the ~~Commissioner~~ Commissioner by rules and regulations.
- d) No person may sit in the chauffeur's compartment or area except the chauffeur.
- e) No horse-drawn carriage shall be drawn by a horse when, as determined pursuant to rules adopted by the ~~Commissioner~~ Commissioner, at Northerly Island, Chicago, Illinois: (1) the actual air temperature is 90°F or greater, or 15°F or below; or (2) the wind chill factor is 0°F or below.
- f) Any licensee or chauffeur must comply with this chapter and rules adopted thereto, and the applicable provisions of this Code, including those in Chapters 7-12 and 9-48, in operating or allowing the operation of a horse-drawn carriage in the City city.

SECTION 2. Chapter 9-108 of the Municipal Code of Chicago is hereby amended by adding a new Section 9-108-095, as follows:

9-108-095 Advertising displays.

- (a) It is unlawful for any horse or horse-drawn carriage to display any advertising sign or device before the advertising sign or device is approved by the Commissioner and permitted pursuant to this section.

b) Horse-drawn carriage licensees or licensed advertising vendors may apply for permits to display an advertising sign or device on the horse or on the exterior and interior of the carriage. Separate permits are required for each advertising display or installation. The Commissioner shall promulgate rules specifying the locations on the horse or on the horse-drawn carriage where advertising signs or devices may be installed or displayed, as well as describing the permissible design, construction, and method of affixing the installation or display to the horse or the carriage, and also may include additional guidelines for such installations or displays and the permit process. In establishing such criteria, considerations shall include:

- 1) visual clutter and aesthetics on the public way;
- 2) the safety and comfort of the horse, horse-drawn carriage chauffeurs, passengers, pedestrians, bicyclists, and motorists;
- 3) the visibility of all information required by this chapter, Department rules, or any other law to be displayed on the interior or exterior of horse-drawn carriages or horses, including, but not limited to, identifying numbers, ownership indicia, lights, and safety signals;

c) The fee for the issuance of any interior or exterior advertising display permit shall be \$100.00 for each display, due at time of application. This fee shall be in addition to the personal property lease transaction tax that applies to lease or rental payments pursuant to Chapter 3-32. An advertising display permit applicant shall have satisfied all debt, as defined in Section 4-4-150, to the City before the Department may issue the permit.

d) When the Commissioner has approved any type of advertising display device that involves the installation of a physical apparatus, the installation of the physical apparatus must pass inspection prior to issuance of the permit. The fee for such inspection shall be \$100.00, due prior to the inspection.

e) The Department shall inform applicants for an advertising display permit under this section whether the application is approved or disapproved within thirty business days after its receipt of the completed application, unless it gives the applicant written notice that it needs an additional thirty business days and the reasons therefor. If the application is approved and the requirements of subsections (c) and (d) complied with, the Department shall issue an advertising display permit. If the Department denies the permit application, it shall provide written notice of its decision within such time period, stating the specific grounds and rules that form the basis for such denial. If the Department fails to so act within thirty business days after receipt of the application, or sixty business days if it has given notice of the need for an additional review period, the application shall be deemed granted and the permit shall be issued, provided that the permit fee has been paid.

f) An advertising permit issued under this section shall expire one year after the date of issue, unless it is surrendered, revoked, or terminated prior to that date.

g) No permit for advertising issued pursuant to this section shall be transferred or assigned.

h) The denial, rescission, suspension, or revocation of a license issued pursuant to this chapter shall act as the suspension or revocation of any advertising permit issued hereunder to the affected horse or horse-drawn carriage.

SECTION 3. Section 9-110-150 of the Municipal Code of Chicago is hereby amended by adding the language underscored, and by deleting the language struck through, as follows:

9-110-150 Operating regulations.

(a) Every person operating a pedicab shall have the same rights and be subject to the same traffic rules and laws as bicyclists, as stated in Chapter 9-52 of this Code and other applicable law, subject to those exceptions stated in this chapter or rules and regulations promulgated by the Commissioner ~~commissioner~~ pursuant to the provisions of this chapter.

(b) It shall be unlawful for any person:

(Omitted text is unaffected by this ordinance)

5) To operate a pedicab within the city City while not in possession of a valid driver's license issued by the state State of Illinois, or a valid driver's license of another state, district or territory of the United States;

6) To operate, or cause to be operated, a pedicab within the city City while not in possession of proof of insurance as outlined in Section 9-110-080 of this chapter;

(Omitted text is unaffected by this ordinance)

~~(d) Reserved. Advertisements may be displayed on the exterior and the interior of a pedicab. Advertising displays shall not block or interfere with the visibility of any signage, metal plates, decals, or information required by this chapter or promulgated rules and regulations to be displayed on the exterior of pedicabs, including but not limited to pedicab licensee name and phone number. The commissioner is authorized to promulgate rules and regulations regarding the placement of advertisements on a pedicab.~~

(Omitted text is unaffected by this ordinance)

SECTION 4. Chapter 9-110 of the Municipal Code of Chicago is hereby amended by adding a new Section 9-110-155, as follows:

9-110-155 Advertising displays.

a) It is unlawful for any pedicab licensee to display any advertising sign or device on or in a pedicab before the advertising sign or device is approved by the Commissioner and permitted pursuant to this section.

b) Pedicab licensees or licensed advertising vendors may apply for permits to display an advertising sign or device on or in the pedicab. Separate permits are required for each advertising display. The Commissioner shall promulgate rules specifying the locations on the pedicab where advertising signs or devices may be displayed, as well as describing the permissible design, construction, and method of affixing the display to the vehicle, and also may include additional guidelines for such displays and the permit process. In establishing such criteria, considerations shall include:

- 1) visual clutter and aesthetics on the public way;
- 2) the safety and comfort of passengers, pedicab chauffeurs, pedestrians, bicyclists, and

motorists;

3) the visibility of all information required by this chapter, Department rules, or any other law to be displayed on the interior or exterior of pedicabs, including, but not limited to, identifying numbers, ownership indicia, lights, and safety signals;

c) The fee for the issuance of any advertising display permit shall be \$25.00 for each display, due at time of application. This fee shall be in addition to the personal property lease transaction tax that applies to lease or rental payments pursuant to Chapter 3-32 of the Municipal Code. An advertising display permit applicant shall have satisfied all debt, as defined in Section 4-4-150, to the City before the Department may issue the permit.

d) When the Commissioner has approved any type of advertising display device that involves the installation of a physical apparatus, the installation of the physical apparatus

must pass inspection prior to issuance of the permit. The fee for such inspection shall be \$100.00, due prior to the inspection.

(e) The Department shall inform applicants for an advertising display permit under this section whether the application is approved or disapproved within thirty business days after its receipt of the completed application, unless it gives the applicant written notice that it needs an additional thirty business

days and the reasons therefor. If the application is approved and the requirements of subsections (c) and (d) complied with, the Department shall issue an advertising display permit. If the Department denies the permit application, it shall provide written notice of its decision within such time period, stating the specific grounds and rules that form the basis for such denial. If the Department fails to so act within thirty business days after receipt of the application, or sixty business days if it has given notice of the need for an additional review period, the application shall be deemed granted and the permit shall be issued, provided that the permit fee has been paid.

(f) An advertising permit issued under this section shall expire one year after the date of issue, unless it is surrendered, revoked, or terminated prior to that date.

g) No permit for advertising issued pursuant to this section shall be transferred or assigned.

h) The denial, rescission, suspension, or revocation of a license issued pursuant to this chapter shall act as the suspension or revocation of any advertising permit issued hereunder to the affected pedicab.

SECTION 5. Section 9-112-410 of the Municipal Code of Chicago is hereby amended by adding the language underscored, and by deleting the language struck through, as follows:

9-112-410 Advertising signs permitted when.

a) It is unlawful for any licensee to install and/or display any advertising sign or device on or in a licensed taxicab vehicle before the advertising sign or device is approved by the Commissioner ~~commissioner~~ and permitted pursuant to this section.

b) Taxicab licensees or licensed advertising vendors may apply for permits to install and/or display an advertising sign or device on the exterior and interior of the vehicle. A separate permit is required for each exterior and interior advertising display or installation. The Commissioner ~~commissioner~~ shall promulgate rules specifying the locations on the taxicab where advertising signs or devices may be installed or displayed, as well as describing the permissible design, construction and method of affixing the installation or display to the vehicle, and also may include additional guidelines for such installations or displays and the permit process. In establishing such criteria, considerations shall include:

- 1) visual clutter and aesthetics on the public way;
- 2) the safety and comfort of passengers, drivers, pedestrians, bicyclists, and ~~other~~

motorists;

3) the visibility of all information required by this chapter. Department rules, or other laws to be displayed in the interior or on the exterior of taxicabs, including_A but not limited to_A vehicle numbers, ownership indicia, dome lights and availability signal; and

4) the visibility of all information required by this chapter, Department rules, or other laws to be displayed on the interior of taxicabs, including_A but not limited to_A the taximeter, license card display, chauffeur's license display, rate sheets, and other required information.

c) The ~~department~~ Department shall inform applicants for an advertising display permit under this section whether the application is approved or disapproved within thirty business days after its receipt of the completed application, unless it gives the applicant written notice that it needs an additional thirty business days and the reasons therefor. If the application

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is approved and the requirements of subsections (d) and (e) complied with, the ~~department~~ Department shall issue an the advertising display permit. If the ~~department~~ Department denies the permit application, it shall provide written notice of its decision within such time period, stating the specific grounds and rules that form the basis for such denial. If the ~~department~~ Department fails to so act within thirty business days after receipt of the application, or sixty business days if it has given ~~advance~~ notice of the need for an additional review period, the application shall be deemed granted and the permit shall be issued, provided that the permit fee has been paid.

d) The fee for the issuance of any interior or exterior advertising display permit shall be \$100.00 for each display, due payable at the time of application. This fee shall be in addition to the personal property lease transaction tax that applies to lease or rental payments pursuant to Chapter 3-32 of the municipal code. An advertising display permit applicant shall have satisfied all debt, as defined in Section 4-4-150. to the City

before the Department may issue the permit.

e) ~~Where the Commissioner commissioner has by rule approved any type of advertising display device that involves the installation of a physical apparatus on or in the taxicab vehicle, or that involves the painting of the exterior of the taxicab vehicle, an inspection is required as part of the advertising permitting process. The fee for such inspection shall be an additional \$100.00, due prior to payable at the time of inspection by the person or entity installing the advertising display device or painting the exterior of the taxicab vehicle.~~

f) ~~An interior or exterior advertising permit issued under this section shall expire one year after the date of issue, unless sooner surrendered, revoked^ or terminated.~~

g) ~~No permit for interior or exterior advertising issued pursuant to this section shall be transferred or assigned.~~

h) ~~The denial, rescission, suspension^ or revocation of a license issued pursuant to this chapter shall act as the suspension or revocation of any advertising permit issued hereunder to the affected taxicab vehicles. ,~~

~~(i) Each licensee to whom a permit is issued under this section shall maintain complete and accurate records of all revenues received from the display of any advertising sign or device. Each such licensee shall submit to the commissioner, upon request, an affidavit in such form as may be required by the commissioner, stating the gross revenues received by the licensee from the display of any advertising sign or device, and any other financial information that the commissioner may determine is relevant in monitoring advertising revenues.~~

~~(j) In the event that the licensee receives any income from any advertising maintained on or in the vehicle, a portion of such income shall be distributed to any public chauffeur leasing that same vehicle. The Commissioner commissioner shall promulgate rules governing the amount of distribution and the method of distribution.~~

SECTION 6. Section 9-114-290 of the Municipal Code of Chicago is hereby amended by adding the language underscored, and by deleting the language struck through, as follows:

9-114-290 Livery vehicles - Commercial advertisements Exterior.

~~The outside of the body of livery vehicles shall be black, navy blue, or white, unless otherwise authorized by the commissioner. No lights shall be attached to or exposed outside of such vehicle, unless required or permitted by the laws of the State of Illinois regulating traffic.~~

~~It is unlawful for any person other than a livery licensee or his agent to represent to the public that he renders livery service.~~

(a) It is unlawful for any livery vehicle to display any advertising sign or device on or in a licensed livery vehicle before the advertising sign or device is approved by the Commissioner and permitted pursuant to this section.

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b) Livery licensees may apply for permits to display an advertising sign or device on the exterior or the interior of the livery vehicle, or both. A separate permit is required for each exterior and interior advertising display. The Commissioner shall promulgate rules specifying the locations on the livery vehicle where advertising signs or devices may be displayed, as well as describing the permissible design, construction, and method of affixing the display to the livery vehicle, and also may include additional guidelines for such displays and the permit process. In establishing such criteria, considerations shall include:

- 1) visual clutter and aesthetics on the public way;
- 2) the safety and comfort of passengers, drivers, pedestrians, bicyclists, and

motorists:

3) the visibility of all information required by this chapter. Department rules, or any other law to be displayed in the interior or on the exterior of livery vehicles, including but not limited to distinctive signage: and

4) the advertising or advertising equipment's potential to create confusion by implying that the vehicle is a taxicab.

A livery vehicle with the appearance of a taxicab is considered an unlicensed taxicab in violation of Chapters 2-25 and 9-112.

c) The fee for the issuance of any advertising display permit shall be \$100.00 for each display, due at time of application. This fee shall be in addition to the personal property lease transaction tax that applies to lease or rental payments pursuant to Chapter 3-32. An advertising display permit applicant shall have satisfied all debt, as defined in Section 4-4-150, to the City before the Department may issue the permit.

d) Where the Commissioner has approved any type of advertising display device that involves the installation of a physical apparatus on or in the livery vehicle an inspection is required as part of the advertising permitting process. The fee for such inspection shall be an additional \$100.00, payable prior to the inspection.

e) The Department shall inform applicants for an advertising display permit under this section whether the application is approved or disapproved within thirty business days after its receipt of the completed application, unless it gives the applicant written notice that it needs an additional thirty business days and the reasons therefor. If the application is approved and the requirements of subsections (c) and (d) complied with, the Department shall issue the advertising display permit. If the Department denies the permit application, it shall provide written notice of its decision within such time period, stating the specific grounds and rules that form the basis for such denial. If the Department fails to so act within thirty business days after receipt of the application, or sixty business days if it has given notice of the need for an additional review period, the application shall be deemed granted and the permit shall be issued, provided that the permit fee has been paid.

f) An advertising permit issued under this section shall expire one year after the date of issue, unless it is surrendered, revoked, or terminated prior to that date.

g) No permit for advertising issued pursuant to this section shall be transferred or assigned.

h) The denial, rescission, suspension, or revocation of a license issued pursuant to this chapter shall act as the suspension or revocation of any advertising permit issued hereunder to the affected livery vehicle.

SECTION 7. Section 9-114-330 of the Municipal Code of Chicago is hereby amended by adding the language underscored, and by deleting the language struck through, as follows:

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9-114-330 Advertising signs permitted when.

~~a) It is unlawful for any charter/sightseeing licensee to install and/or display any advertising sign or device on or in a licensed charter/sightseeing vehicle before the advertising sign or device is approved by the Commissioner ~~commissioner~~ and permitted pursuant to this section.~~

~~b) Charter/sightseeing licensees or licensed advertisement vendors may apply for permits to install and/or display an advertising sign or device on the exterior and/or the interior of the vehicle, or both. Separate permits are required for each exterior and interior advertising display or installation. The Commissioner ~~commissioner~~ shall promulgate rules specifying the locations on the charter/sightseeing vehicle where advertising signs or devices may be installed or displayed, as well as describing the permissible design, construction and method of affixing the installation or display to the vehicle, and also may include additional guidelines for such installations or displays and the permit process. In establishing such criteria, considerations shall include:~~

- ~~1) visual clutter and aesthetics on the public way;~~
- ~~2) the safety and comfort of passengers, drivers, pedestrians, bicyclists, and other~~

~~motorists;~~

~~3) the visibility of all information required by this chapter or department Department rules, or other laws and regulations to be displayed on the interior or exterior of charter/ sightseeing vehicles, including but not limited to a vehicle numbers, ownership indicia, lights, and safety signals;~~

~~c) The Department ~~department~~ shall inform applicants for an advertising display permit under this~~

section whether the application is approved or disapproved within thirty business days after its receipt of the completed application, unless it gives the applicant written notice that it needs an additional thirty business days and the reasons therefor. If the application is approved and the requirements of subsections (d) and (e) complied with, the Department ~~department~~ shall issue an advertising display permit. If the Department ~~department~~ denies the permit application, it shall provide written notice of its decision within such time period, stating the specific grounds and rules that form the basis for such denial. If the Department ~~department~~ fails to so act within thirty business days after receipt of the application, or sixty business days if it has given advance notice of the need for an additional review period, the application shall be deemed granted and the permit shall be issued, provided that the permit fee has been paid.

d) The fee for the issuance of any interior or exterior advertising display permit shall be \$100.00 for each display, due payable at time of application. This fee shall be in addition to the personal property lease transaction tax that applies to lease or rental payments pursuant to Chapter 3-32 of the municipal code. An advertising display permit applicant shall have satisfied all debt, as defined in Section 4-4-150. to the City before the Department may issue the permit.

e) ~~Where the Commissioner commissioner has by rule approved any type of advertising display device that involves the installation of a physical apparatus on or in the charter/sightseeing vehicle, or that involves the painting of the exterior of the charter/sightseeing vehicle, an inspection is required as part of the advertising permitting process. The fee for such inspection shall be an additional \$100.00, due prior to payable at the time of inspection by the person or entity installing the advertising display device or painting the exterior of the on or in the charter/sightseeing vehicle.~~

f) ~~An interior or exterior advertising permit issued under this section shall expire one year after the date of issue, unless sooner surrendered, revoked,, or terminated.~~

g) ~~No permit for interior or exterior advertising issued pursuant to this section shall be transferred or assigned.~~

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(h) The denial, rescission, suspension or revocation of a license issued pursuant to this chapter shall act as the suspension or revocation of any advertising permit issued hereunder to the affected charter/sightseeing vehicles.

SECTION 8. Section 9-115-130 of the Municipal Code of Chicago is hereby amended by adding the language underscored, and by deleting the language struck through, as follows:

9-115-130 Transportation network vehicles - Commercial advertisements prohibited.

~~Commercial advertisements shall not be displayed on the exterior or in the interior of a transportation network vehicle-fa)~~ It is unlawful to display any advertising sign or device on or in a licensed transportation network vehicle before the advertising sign or device is approved by the Commissioner and permitted pursuant to this section.

b) A transportation network vehicle owner, transportation network driver, or licensed advertising vendor may apply for permits to display an advertising sign or device on the exterior or the interior of the vehicle, or both. A separate permit is required for each exterior and interior advertising display. The Commissioner shall promulgate rules specifying the locations on the transportation network vehicle where advertising signs or devices may be displayed, as well as describing the permissible design, construction, and method of affixing the display to the vehicle, and also may include additional guidelines for such displays and the permit process. In establishing such criteria, considerations shall include:

- 1) visual clutter and aesthetics on the public way;
- 2) the safety and comfort of passengers, drivers, pedestrians, bicyclists, and
- 3) the visibility of all information required by this chapter, Department rules, or other laws to

motorists:

be displayed in the interior or on the exterior of transportation network vehicles, including, but not limited to, distinctive signage: and

4) the advertising or advertising equipment's potential to create confusion by implying that the vehicle is a taxicab.

A transportation network vehicle with the appearance of a taxicab is considered an unlicensed taxicab in violation of Chapters 2-25 and 9-112.

c) The fee for the issuance of any advertising display permit shall be \$100.00 for each display, due at the time of application. This fee shall be in addition to the personal property lease transaction tax that applies to lease or rental payments pursuant to Chapter 3-32. An advertising display permit applicant shall have satisfied all debt, as defined in Section 4-4-150, to the City before the Department may issue the permit.

d) When the Commissioner has approved any type of advertising display device that involves the installation of a physical apparatus on or in the transportation network vehicle, an inspection is required as part of the advertising permitting process. The fee for such inspection shall be an additional \$100.00, due prior to the inspection.

e) The Department shall inform applicants for an advertising display permit under this section whether the application is approved or disapproved within thirty business days after its receipt of the completed application, unless it gives the applicant written notice that it needs an additional thirty business days and the reasons therefor. If the application is approved and the requirements of subsections (c) and (d) complied with, the Department shall issue the advertising display permit. If the Department denies the permit application, it shall provide written notice of its decision within such time period, stating the specific grounds and rules that form the basis for such denial. If the Department fails to so act within thirty business days after receipt of the application, or sixty business days if it has given notice of the need for an

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additional review period, the application shall be deemed granted and the permit shall be issued, provided that the permit fee has been paid.

f) An advertising permit issued under this section shall expire one year after the date of issue, unless it is surrendered, revoked, or terminated prior to that date.

g) No permit for advertising issued pursuant to this section shall be transferred or assigned.

h) The denial, rescission, suspension, or revocation of a license issued pursuant to this Chapter shall act as the suspension or revocation of any advertising permit issued hereunder to the affected transportation network vehicle.

ARTICLE V. FIRE DEPARTMENT

SECTION 1. Section 15-4-570 of the Municipal Code of Chicago is hereby amended by adding the language underscored, and by deleting the language struck through, as follows:

15-4-570 Permit fee.

The permit fee for each display on public or private property shall be ~~\$70.00~~ \$200.00.

SECTION 2. Section 15-4-770 of the Municipal Code of Chicago is hereby amended by adding the language underscored, and by deleting the language struck through, as follows:

15-4-770 License required.

~~The fire commissioner~~ Fire Commissioner shall examine all persons who desire to seek employment as special stage firemen or fireguards as to their qualifications and fitness for the duties for which they seek to be employed. If the ~~fire commissioner~~ Fire Commissioner finds any such applicant to be competent, the ~~fire commissioner~~ Fire Commissioner shall, upon payment of ~~\$20.00~~ \$40.00 by the applicant to the ~~comptroller~~

Comptroller, issue a license to such applicant. The ~~fire commissioner~~ Fire Commissioner may revoke any such license at any time when the ~~fire commissioner~~ Fire Commissioner finds such special stage fireman or fireguard to be incompetent, inefficient, or neglectful of the duties required under this Article XII. Provided, however, that the ~~fire commissioner~~ Fire Commissioner shall give the licensee a reasonable opportunity to be heard before revocation. No person shall employ anyone as a special fireman or fire guard unless the person so employed is licensed as required in this section.

SECTION 3. Section 15-4-790 of the Municipal Code of Chicago is hereby amended by adding the language underscored, and by deleting the language struck through, as follows:

15-4-790 Certification.

The ~~fire commissioner~~ Fire Commissioner shall examine all persons who file an application for certification as desk clerks as to their qualifications and fitness for duties. If the ~~fire commissioner~~ Fire Commissioner finds such an applicant to be competent, the ~~fire commissioner~~ Fire Commissioner shall, upon payment by the applicant to the ~~comptroller~~ Comptroller of a ~~\$20.00~~ \$40.00 certification fee, issue a desk clerk certificate to such applicant, which certificate shall be valid for a period of one year from the date of its issuance. Every desk clerk shall keep said certificate on his person at all times while he is on duty, and said certificate shall be subject to inspection by any officer of the ~~fire~~ Fire, ~~police~~ Police, or ~~building~~ Building

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departments. Renewals of said certificates shall be subject to all the provisions of Sections 15-4-780 to 15-4-840 of this Code.

SECTION 4. Section 15-16-190 of the Municipal Code of Chicago is hereby amended by adding the language underscored, and by deleting the language struck through, as follows:

15-16-190 Permit and fees.

Before the installation or alteration of a sprinkler system required by the provisions of this Code, a plan, setting forth all essential details of the sprinkler system, shall be submitted to the Fire Commissioner ~~fire commissioner~~. The plans submitted shall include hydraulic calculations when calculated and the type of sprinklers to be used. Upon finding that the plan conforms to the requirements of the Code and after payment of the sprinkler permit fee hereinafter specified, said plan shall be approved by the Fire Commissioner ~~fire commissioner~~. The fees charged in connection with a sprinkler system shall be as follows: If the plan does not conform to the requirements of the Code and a revised plan is submitted, the fee for each revised plan submission shall be \$200.00. For the approval of the sprinkler plan and the initial inspection of a sprinkler system required by the provisions of this Code, a fee of ~~\$300~~ \$300.00 shall be charged for the first 100 sprinkler heads or less and an additional ~~\$180~~ \$100.00 shall be charged for each additional 100 sprinkler heads or fraction thereof. For the test of a fire pump used in connection with a sprinkler system, a fee of ~~\$180~~ \$31.50 for each 50 gallons pumping capacity per minute shall be charged with a minimum fee of ~~\$180~~ \$315.00. These fees shall not be required for any building used solely as a school operated by the Chicago Board of Education. Where a pump serves both a standpipe and a sprinkler system, only one pump fee shall be charged.

SECTION 5. Section 15-16-740 of the Municipal Code of Chicago is hereby amended by adding the language underscored, and by deleting the language struck through, as follows:

15-16-740 Permit fees.

Before the installation or alteration of an inside standpipe system required by the provisions of this Code, a plan, setting forth all essential details of the inside standpipe system, shall be submitted to the Fire Commissioner ~~fire commissioner~~. Such plan shall include hydraulic calculations. Upon finding that the plan conforms to the requirements of the Code and after payment of standpipe permit fees hereinafter specified, said plan shall be approved by the Fire Commissioner ~~fire commissioner~~.

The fees charged in connection with an inside standpipe system shall be as follows: If the plan does not conform to the requirements of the Code and a revised plan is submitted, the fee for each revised plan submission shall be \$200.00. For the approval of the standpipe plan and the initial inspection of the inside standpipe system required by the provisions of this code, a fee of ~~\$36.00~~ \$300.00 shall be charged for the first standpipe riser and ~~\$18.00~~ \$100.00 for each additional standpipe riser. For the test of a fire pump used in connection with an inside standpipe system, a fee of ~~\$18.00~~ \$31.50 for each unit of pumping capacity of 50 gallons per minute or fraction thereof shall be charged with a minimum permit fee of \$48000 \$315.00.

SECTION 6. Section 15-16-1160 of the Municipal Code of Chicago is hereby amended by adding the language underscored, and by deleting the language struck through, as follows:

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15-16-1160 Annual test required.

An annual test shall be made of each fire pump during which time water shall be discharged from the highest hose outlet of each riser. At least one riser shall be flowed for five minutes. Each fire pump shall deliver its rated capacity at its rated pressure through a test manifold or wall hydrant for a period of at least ten minutes. All such tests shall be performed by an independent contractor licensed under the Illinois Fire Sprinkler Contractor Licensing Act in the presence of the fire commissioner. A fee of ~~\$18.00~~ \$31.50 for each 50 gallon pumping capacity per minute shall be charged for each fire pump tested, with a minimum fee of ~~\$180.00~~ \$315.00 for each fire pump tested. The aforesaid fees shall not be assessed with respect to any building used solely as a school operated by the Chicago Board of Education.

ARTICLE VI. TAXES

SECTION 1. Section 3-29-040 of the Municipal Code of Chicago is hereby amended by adding the language underscored, and by deleting the language struck through, as follows:

3-29-040 Tax rate.

(Omitted text is unaffected by this ordinance)

B. Unless no tax applies because of the age of the vehicle as provided in subsection (A), the The rate of the tax shall be \$15.00 for each motor vehicle acquired under the following circumstances:

- 1) The transferee or purchaser is the spouse, mother, father, brother, sister or child of the transferor and proof of family relationship is established;
- 2) The transfer is a gift to a beneficiary in the administration of an estate and the beneficiary is not a surviving spouse;
- 3) The motor vehicle has once been taxed pursuant to the Illinois Retailers' Occupation Tax Act, 35 ILCS 120/1, et seq., as amended, or the Illinois Use Tax Act or any other state retailers' occupation tax, sales tax or use tax and the motor vehicle is transferred in connection with the organization, reorganization, dissolution or partial liquidation of an incorporated or unincorporated business provided that the beneficial ownership is not changed.

(Omitted text is unaffected by this ordinance)

SECTION 2. Chapter 3-73 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

3-73-020 Definitions.

(Omitted text is unaffected by this ordinance)

(F) "Gross charge" means the amount paid for the act or privilege of originating or receiving telecommunications in such municipality and for all services and equipment provided in connection therewith by a retailer, valued in money whether paid in money or otherwise, including cash, credits, services and property of every kind or nature, and shall be determined without any deduction on account of the cost of such telecommunications, the cost of the

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materials used, labor or service costs or any other expense whatsoever. In case credit is extended, the amount thereof shall be included only as and when paid. "Gross charges" for private line service shall include charges imposed at each channel point within the City this State, charges for the channel mileage between each channel point within this State the City, and charges for that portion of the interstate inter-office channel provided within the City Illinois-Charges for that portion of the inter-office channel connecting 2 or more channel termination points, one or more of which is located within the City, shall be determined by the retailer by multiplying an amount equal to the total charge for the inter-office channel by a fraction, the numerator of which is the number of channel termination points that are located within the City and the denominator of which is the total number of channel termination points connected by the inter-office channel. However, "gross charge" shall not include:

(Omitted text is unaffected by this ordinance)

- 8) charges paid by inserting coins in coin-operated telecommunication devices[^];
- 9) amounts paid by telecommunications retailers under the Telecommunications Infrastructure Maintenance Fee Act; er
- 10) charges for the inbound toll-free telecommunications service commonly known as "800", "877"^A or "888" or for a similar service; or
- 11) charges for nontaxable services or telecommunications if (i) those charges are aggregated with other charges for telecommunications that are taxable, (ii) those charges are not separately stated on the customer bill or invoice, and (iii) the retailer can reasonably identify the nontaxable charges on the retailer's books and records kept in the regular course of business. If the nontaxable charges cannot reasonably be identified, the gross charge from the sale of both taxable and nontaxable services or telecommunications billed on a combined basis shall be attributed to the taxable services or telecommunications. The burden of proving nontaxable charges shall be on the retailer of the telecommunications.

(G) "Interstate telecommunications" means all telecommunications that either originate or terminate outside the State of Illinois.

(Omitted text is unaffected by this ordinance)

(N) "Sale at retail" means the transmitting, supplying or furnishing of telecommunications and all services and equipment rendered provided in connection therewith for consideration: (1) to persons other than the City city, federal government, state governments and state universities created by statue; and (2) other than between a parent corporation and its wholly owned subsidiaries, or between the wholly owned subsidiaries, ~~but only when the tax previously has been paid to a retailer and the gross charge made by one such corporation to another such corporation is not greater than the gross charge paid to the retailer for their use or consumption and not for resale.~~

(Omitted text is unaffected by this ordinance)

3-73-030 Tax imposed.

(A) A tax is hereby imposed upon:

(1) The act or privilege of originating in the City city or receiving in the City city intrastate telecommunications by a person at a rate of seven percent of the gross charge for such telecommunications purchased at retail; and

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"Notice of foreclosure" has the same meaning ascribed to that term in section 15-1211 of the Illinois Code of Civil Procedure, 735 ILCS 5/15-1211.

"Qualifying hardship participant" means a person who is: (1) a participant in one of the following programs: the Illinois Low-Income Home Energy Assistance Program (L.I.H.E.A.P.); the Housing Subsidy Program For Renters, administered by the United States Department of Housing and Urban Development under the Federal Housing Act of 1937, as amended (Section 8 Program); the Supplemental Security Income Program administered by the United States Social Security Administration (S.S.I.); the Medicaid Program administered by the Illinois Department of Public Aid; the Nutrition Assistance Program administered by the United States Department of Agriculture, Food and Nutrition Service (food stamps); the Temporary Assistance for Needy Families (TANF) program administered by the United States Department of Health and Human Services, the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC); and any federal or state unemployment compensation system, including, but not limited to, the system of unemployment compensation established under the Illinois Unemployment Insurance Act, as amended; or (2) a high school, college, vocational school or trade school student with a valid school identification card; a person 65 years of age or older; a person who has claimed the Earned Income Tax Credit on his state or federal individual income tax return for the most recent tax year; a person receiving worker's compensation income benefits; an active military duty service member, a Reservist or a member of the National Guard while on active duty; an eligible bankruptcy debtor ~~a person whose liability for fines and penalties remain6 after obtain ing a bankruptcy discharge~~; or a person who has received a notice of foreclosure, entered into a consent foreclosure, gave a deed in lieu of foreclosure, or had a judgment of foreclosure entered, on his primary residence within three years prior to the date of the application for an installment plan pursuant to this section.

"Primary residence" means a residential dwelling unit which is owner-occupied.

"Students" means (i) enrolled attendees of a high school, college, vocational school or trade school and (ii) persons who have graduated from a high school, college, vocational school or trade school no more than 180 days prior to applying for an installment plan.

(2) (A) Except as provided in paragraph (B) of this subsection, an installment plan may not have a scheduled duration of more than 6 months, and shall require one payment due per month on a day specified in the executed plan.

(B) (I) Except as otherwise provided in subparagraphs (II) and (III) of this paragraph (a)(2)(B), the duration may exceed 6 months but may not exceed 12 months for installment plans negotiated and executed for: (i) vehicle owners whose maximum amount of combined liability for fines and penalties, administrative fees, and any related collection costs and attorney's fees pursuant to Section 1-19-020 or Section 1-19-030 exceeds \$500.00; or (ii) vehicle owners who are qualifying hardship participants.

II) If the monthly installments during, a 12-month period would exceed \$100 per month and the Traffic Compliance Administrator ~~traffic compliance administrator~~ or his designee determines that the registered owner's financial circumstances warrant extending the plan, the Traffic Compliance Administrator ~~traffic compliance administrator~~ may negotiate and execute plans up to 24 months;

III) If the monthly installments during a 12-month period would exceed \$200 per month and the Traffic Compliance Administrator ~~traffic compliance administrator~~ or his designee determines that the registered owner's financial circumstances warrant extending the plan, the Traffic Compliance Administrator ~~traffic compliance administrator~~ may negotiate and execute plans up to 36 months;

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(IV) An administrative fee equal to the costs incurred by the City to administer the installment plan shall be charged to the vehicle owner; provided that such administrative fee shall be waived if the vehicle owner: (i) is a qualifying hardship participant; or (ii) has been assessed collection costs and attorney's fees pursuant to Section 1-19-020 or Section 1-19-030.

3) The minimum initial payment under any installment plan shall be:

A) For vehicle owners prior to: (i) the vehicle being immobilized or impounded; or (ii) the vehicle owner's driver's license being suspended pursuant to Sec. 5/6-306.5 of the Illinois Vehicle Code, an amount which the Traffic Compliance Administrator ~~traffic compliance administrator~~ deems appropriate for the vehicle owner's combined liability for fines and penalties, plus accrued penalties and fees under Section 9-100-120(h) and for immobilization, impoundment, towing and storage to date.

B) For all other vehicle owners after vehicle immobilization or impoundment, or after the owner's driver's license has been suspended pursuant to Sec. 5/6-306.5 of the Illinois Vehicle Code, 50 percent of the vehicle owner's combined liability for fines and penalties, plus accrued penalties and fees under Section 9-100-120(h) and for immobilization, impoundment, towing and storage to date. /

4) Required installment payments after the initial payment shall be substantially equal, unless the Traffic Compliance Administrator ~~traffic compliance administrator~~ determines, based on a review of the vehicle owner's finances, that installments in different amounts will be more effective in paying off the total indebtedness;

5) If the vehicle owner fails to make all required payments in a timely manner, the vehicle owner's motor vehicle shall be subject to immobilization or impoundment, or the vehicle owner's driver's license shall be subject to suspension pursuant to Sec. 5/6-306.5 of the Illinois Vehicle Code, if applicable, and the vehicle owner shall be liable for the outstanding balance plus an additional penalty of \$100.00.

6) Every installment plan shall be in a form prescribed by the Traffic Compliance Administrator ~~traffic compliance administrator~~, and shall state the total indebtedness, the amount of the initial installment, the amount of each subsequent installment and the date each is due, the penalty for delinquency under the installment plan, and such other provisions as the Traffic Compliance Administrator ~~traffic compliance administrator~~ may determine. The installment plan shall also require the vehicle owner to pay every parking, standing, compliance, automated traffic law enforcement system and automated speed enforcement system fine that becomes final during the term of the installment plan. The initial installment shall be paid when the plan is executed. Upon execution of the agreement and payment of the initial installment, and as long as the vehicle owner is in compliance with the installment plan, the vehicle owner's vehicles shall not be subject to immobilization and impoundment for failure to pay the fines and penalties described in the installment.

b) The following vehicle owners are not eligible for an installment plan under subsection (a) of this section:

1) An owner whose vehicle is impounded by the City under any other chapter of this Code;

2) An owner who has negotiated an installment plan and has not performed every act required by him under the plan.

c) Nothing in this section shall be construed as prohibiting a vehicle owner from voluntarily making an initial minimum payment or monthly installment payment in an amount greater than provided in this section.

d) Notwithstanding subsections (a)(2) and (3), as part of an installment payment plan entered into under this section,

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1) for any vehicle owner who is a qualifying hardship participant, the Traffic Compliance Administrator may ~~traffic compliance administrator is authorized to~~ establish the installment plan's duration and the amount of any initial minimum payment ~~which the traffic compliance administrator deems appropriate for the payment of such owner's combined liability for parking, compliance, automated speed enforcement system or automated traffic law enforcement system fines and penalties, plus accrued penalties and fees under Section 9-100-120(h) for immobilization, impoundment, towing and storage to date.~~

2) for an eligible bankruptcy debtor, the Traffic Compliance Administrator may establish an installment payment plan requiring the eligible bankruptcy debtor to pay only the fines incurred after the eligible bankruptcy debtor's bifurcation date. Once the eligible bankruptcy debtor successfully completes the installment payment plan and has received a bankruptcy discharge under 11 U.S.C. § 727, the City shall waive any penalties and fees associated with the fines paid under the installment payment plan. In addition, the City shall waive all fines, penalties, and fees described in subsection (a) that were incurred prior to the bifurcation date.

3) This subsection shall not be construed to require repayment of any debt discharged in a case under the United States Bankruptcy Code.

SECTION 2. Chapter 10-8 of the Municipal Code of Chicago is hereby amended by adding a new Section 10-8-337 as follows:

10-8-337 Film production permit.

(a) Definitions. As used in this section, unless the context indicates otherwise:

"Chicago Film Office" means the Chicago Film Office of the Chicago Department of Cultural Affairs and Special Events.

"Department" means the Chicago Department of Transportation.

"DCASE Commissioner" means the Commissioner of the Chicago Department of Cultural Affairs and Special Events or the Commissioner's designee.

"CDOT Commissioner" means the Commissioner of the Chicago Department of Transportation or the Commissioner's designee.

"Film production event" means any filming that requires: (1) the exclusive use of City streets, sidewalks or other portions of the public way for the staging of vehicles, equipment or crew personnel; or (2) special City services, including but not limited to: (i) street closures, (ii) barricades, garbage cans, stages, or special "no parking" signs, (iii) special electrical services; or (iv) special police protection; or (3) special effects, pyrotechnics, stunts, rigging or similar activities regulated under this Code or requiring permits or similar approvals from other City departments. The term "film production event" does not include filming on the public way that does not obstruct or block the public way.

b) Unlawful acts. No person shall conduct a film production event without first: (i) filing a City Services Request Form with the Chicago Film Office, and (ii) obtaining a Film Production Permit from the Chicago Department of Transportation. No person shall exceed the scope of any permit issued under this section.

c) City Services Request Form. The City Services Request Form required under this section shall be in the form and manner prescribed by the Chicago Film Office, and shall contain the following information about the film production event: (1) event type; (2) filming dates; (3) project title; (4) company name; (5) company address; (6) company contact information; (7) project description; (8) location, number, date and time of any requested street

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closures; (9) nature and number of any requested City services or police personnel; (10) date, time and reporting location of any requested tow trucks; (11) name and cell phone number of the company's on-site contact person; (12) whether any special effects, stunts, rigging or pyrotechnics will be used in connection with the film production event; and (13) any other information that the Chicago Film Office may reasonably require. Upon receipt of a completed City Services Request Form, the Chicago Film Office shall: (i) review the request identified in the Form to determine its feasibility and potential impact on the public way, public health and public safety; and (ii) notify the Department of Transportation of its findings.

d) *Film Production Permit - Processes and fees.*

1) Application. The application for a Film Production Permit under this section shall be in the form and manner prescribed by the CDOT Commissioner, and shall contain the following information: (i) event name, if applicable; (ii) type of event; (iii) start and end date of the event; (iv) description of the event; (v) emergency contact information; (vi) filming information; (vii) location information; (viii) whether any interruption of vehicular traffic is necessary; (ix) service request information; (x) proof of insurance, as required under subsection (e) of this section; (xi) indemnification agreement, as required under subsection (f) of this section; and (xii) any other information that the CDOT Commissioner may reasonably require.

2) Permit issuance - Prohibited when. A permit under this section may be denied if the CDOT Commissioner, in consultation with the Chicago Film Office, determines that: (i) the date, place, time or manner of filming of the film production event will have an adverse impact on the public way or on the public health or safety; and (ii) no feasible alternative date, place, time or manner of filming exists capable of mitigating such adverse impact.

3) Permit fee - Fee for city services. The fee for a film production permit, which shall be paid at the time the permit is issued, shall be \$250.00; provided, however, that a \$25.00 permit fee shall be assessed if the filmed event: (i) is produced by students or school administrators as part of a classroom project; or (ii) is produced by a not-for-profit corporation for educational or institutional purposes; or (iii) qualifies for, and has been approved by the DCASE Commissioner for participation in, the Chicago Film Office's Independent Film Initiative program; or (iv) is substantially smaller in scope, budget, crew size, and need for City services than the majority of film production events permitted by the City, requires significantly less time and fewer City staff to process for permit issuance, and requires no or minimal city services to produce. Any costs accrued by the permittee for City services in connection with the permitted event shall be in addition to the permit fee required under this subsection.

e) Insurance - Required. The applicant for a Film Production Permit shall provide proof of insurance evidencing commercial general liability insurance, with limits of not less than \$1,000,000.00 per occurrence for bodily injury, personal injury and property damage, naming the City as additional insured on a primary non-contributory basis for any liability arising directly or indirectly from the permittee's operations.

Each insurance policy required under this subsection shall include a provision stating that the policy shall not be subject to cancellation, reduction in the amount of its liabilities, or other material changes until notice thereof has been received in writing by the City's Office of Risk Management, Chicago Film Office and Department prior to such action.

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The insurance required under this subsection shall be maintained in full force and effect for the duration of the permit period. Any violation of this subsection shall result in automatic revocation of the permit.

For purposes of this subsection, the duration of the permit period shall include the time required for construction and removal of all materials and equipment provided for the conduct of the permitted event until the public way has been cleared and restored to the condition it was in prior to the permitted event.

In the case of requests for City services that involve the hiring of police and fire personnel, proof of workman's compensation insurance shall also be required.

f) Indemnification - Required. Apart from and separate from any insurance required under subsection (e) of this section, the applicant for a Film Production Permit under this section shall agree in writing to indemnify, defend and hold the City of Chicago and its assignees and employees harmless from all losses, damages, injuries, claims, demands and expensing arising out of the operation of the permitted event or the condition, maintenance and use of the public way or other public property.

g) Permit revocation. The Department may at any time revoke a film production permit if the

operation of the film production event is in violation of this Code or any other applicable law, or if such revocation is necessary to preserve the health or safety of the public. Written notice of the revocation with the reasons therefor shall be mailed to or served upon the permittee or the permittee's agent at the time of revocation. Unless the permit will expire by its own terms before a hearing can be reasonably scheduled, no such revocation will take effect until the permittee or his agent has been given notice and an opportunity to be heard in accordance with rules issued by the Department. When necessary to prevent an immediate threat to the health or safety of the public, the Department shall order the permittee to cease operation of the film production event pending the outcome of the hearing.

h) Judicial review. Any action of the Department in denying or revoking a permit under this section shall be subject to judicial review as provided by law.

(i) Rules. The DCASE Commissioner and Chicago Film Office, following consultation with one another, may jointly or separately promulgate rules necessary or desirable to implement this section.

(j) Penalty for violation. In addition to any other penalty provided by law, any person who violates this section shall be fined not less than \$500.00 nor more than \$2,500.00 for each offense. Each day that a violation continues shall constitute a separate and distinct offense.

SECTION 3. Section 11-4-1961 of the Municipal Code of Chicago is hereby amended by adding the language underscored, and by deleting the language struck through, as follows:

11-4-1961 Fee on generation of construction or demolition debris.

A fee is hereby imposed on the generation of construction or demolition debris that is reprocessed within the corporate limits of the city City.

(a) Construction/demolition debris received at construction/demolition reprocessing facilities.

(1) For each construction/demolition reprocessing facility within the corporate boundaries of the city City, the owner or operator shall collect a fee of ~~\$0.50~~ \$1.00 per cubic yard of construction/demolition debris received and managed at the facility, unless the owner or

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operator weighs the quantity of the construction/demolition debris received with a device for which certification has been obtained under the Illinois Weights and Measures Act (225 ILCS § 470/1, et seq.), in which case the fee shall be \$0.50 per ton of construction/demolition debris received and managed at the facility.

2) This fee shall be stated as a distinct item on the bill to each customer separate and apart from the owner's or operator's gross charges to its customers for receiving, handling, transporting, processing, or otherwise managing the construction/demolition debris. Every owner or operator that is required to collect the fee imposed by this section shall remit the fee to the Department ~~department~~ with the remittance return prescribed by the Commissioner ~~commissioner~~. On or before the last day of each calendar month, the owner or operator must file the remittance return and ~~remit the fee attributable to~~ for the construction/demolition debris that is received and managed during the preceding calendar month and shall pay the fee within thirty days of the date of an invoice from the Department. Any fee collected by the owner or operator is collected in trust for the City and constitutes a debt owed by the collector to the Department ~~department~~.

3) The owner or operator may retain two percent of the fees collected and timely remitted to the Department ~~department~~ under this section to reimburse the owner or operator for expenses incurred in connection with accounting for and the remitting of fees to the Department ~~department~~.

4) The fee imposed by this section is upon the generation of the construction/demolition debris, and nothing in this section shall be construed to impose a charge of any kind on the occupation of handling, transporting, reprocessing or otherwise treating or managing construction/demolition debris. The failure of any owner or operator to collect the fees shall not excuse any generator of construction/demolition debris from the obligation of paying the fee directly to the Department ~~department~~.

- b) Construction/demolition debris reprocessed and reused at construction sites.
- 1) For each construction site at which reprocessible construction/demolition debris is generated, reprocessed, and reused pursuant to the written authorization required under section 11-4-1935 of this Article, the owner or operator of such site shall pay a fee of ~~\$0.50~~ \$1.00 per cubic yard of construction/demolition debris generated and managed at the site, unless the owner or operator weighs the quantity of the construction/demolition debris generated with a device for which certification has been obtained under the Illinois Weights and Measures Act, ~~as codified at~~ 225 ILCS § 470/1, et seq., in which case the fee shall be \$0.50 per ton of construction/demolition debris generated and managed at the site.
- 2) Every owner or operator that is required to pay the fee imposed by this section shall remit the fee to the Department ~~department~~ with the remittance return prescribed by the Commissioner ~~commi ssioner~~. On or before the last day of each calendar month, the owner or operator must file the remittance return ~~and remit the fee attributable to~~ for the construction/demolition debris that is generated and managed during the preceding calendar month and shall pay the fee within thirty days of the date of an invoice from the Department.
- c) For purposes of this section, the term "construction/demolition debris" is the same definition as provided in subsection 11-4-1910.
- d) The Commissioner ~~commissioner~~ is empowered to adopt and promulgate rules relating to the collection of the fee required to be paid by this section.

(Omitted text unaffected by this ordinance)

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ARTICLE VIII. INTERGOVERNMENTAL AGREEMENT

WHEREAS, the City of Chicago (the "City") is a municipal corporation and home rule unit of government under Article VII, Section 6(a) of the 1970 Constitution of the State of Illinois; and

WHEREAS, the Board of Education of the City of Chicago (the "Board") is a body corporate and politic, organized under and existing pursuant to Article 34 of the School Code of the State of Illinois; and

WHEREAS, it is in the best interest the City acting through its Department of Police to provide police officers at the Board's schools for the purpose of maintaining and promoting the safety and security of the children, teachers and other staff of the Board; now, therefore,

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

SECTION 1. The above recitals are incorporated here by this reference.

SECTION 2. Subject to the approval of the Corporation Counsel as to form and legality, the Police Superintendent or his designee (the "Superintendent") is authorized to execute an intergovernmental agreement, and such other documents necessary to implement this agreement between the City and the Board, with such changes as the Superintendent deems necessary or appropriate. Funds received pursuant to the intergovernmental agreement shall be subject to appropriation.

SECTION 3. To the extent that any ordinance, resolution, rule, order, or provision of the Municipal Code of Chicago, or part thereof, is in conflict with the provisions of this ordinance, the provisions of this ordinance shall control. If any section, paragraph, clause, or provision of this ordinance shall be held invalid, the invalidity of such section, paragraph, clause, or provision shall not affect any of the other provisions of this ordinance.

ARTICLE IX. SEVERABILITY AND REPEALER

SECTION 1. 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 2. All ordinances, resolutions, motions, or orders inconsistent with this ordinance are hereby repealed to the extent of such conflict.

ARTICLE X. EFFECTIVE DATE

SECTION 1. Following passage and publication, this ordinance shall take effect on January 1, 2019.

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CHICAGO November 7, 2018

To the President and Members of the City Council:

Your Committee on Finance having had under consideration

A substitute ordinance authorizing amendments to various sections of the Municipal Code of Chicago, which relate to revenue derived from certain taxes, fines, and fees.

02018-8065

Having had the same under advisement, begs leave to report and recommend that your Honorable Body pass the proposed Substitute Ordinance herewith.

**This recommendation was concurred in by
of members of the committee with
(signed)**

**(a viva voce vote
dissenting vote(s)).**

Chairman