



# Office of the City Clerk

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## Legislation Details (With Text)

**File #:** O2019-6939

**Type:** Ordinance **Status:** Failed to Pass

**File created:** 9/18/2019 **In control:** City Council

**Final action:** 5/24/2023

**Title:** Amendment of Municipal Code Sections 3-12-050 and 7-28-235 regarding senior citizen exemptions for sewer service charges and City refuse collection fees

**Sponsors:** Cardona, Jr., Felix, Villegas, Gilbert, Waguespack, Scott, Rodriguez Sanchez, Rossana, Sposato, Nicholas, Vasquez, Jr., Andre, Napolitano, Anthony V., Reilly, Brendan, Smith, Michele, Tunney, Thomas, Gardiner, James M., Cappleman, James, Martin, Matthew J., Osterman, Harry, Coleman, Stephanie D., Moore, David H., Curtis, Derrick G., Cardenas, George A., Quinn, Marty, Rodriguez, Michael D., Burke, Edward M., Tabares, Silvana, Scott, Jr. Michael, Sigcho-Lopez, Byron, Maldonado, Roberto, Nugent, Samantha, Burnett, Jr., Walter, Reboyras, Ariel, Taliaferro, Chris, Austin, Carrie M., O'Shea, Matthew J., Dowell, Pat, King, Sophia D., Hairston, Leslie A., Sawyer, Roderick T., Taylor, Jeanette B.

**Indexes:** Ch. 12 Sewer Revenue Fund, Ch. 28 Health Nuisances

**Attachments:** 1. O2019-6939.pdf

Date	Ver.	Action By	Action	Result
5/24/2023	1	City Council	Failed to Pass	
9/18/2019	1	City Council	Referred	

### ORDINANCE

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

SECTION 1. Section 3-12-050 of the Municipal Code of Chicago is hereby amended by adding the language underscored, and by deleting the language struck through, as follows:

#### 3-12-050 Senior citizens exempted when.

a) *Persons aged 65 or over, residing in their own residence with separate metered water service or a separate City water assessment for that residential unit or who own and reside in a residential building that has a maximum of two dwelling units, shall be exempt from payment of the sewer service charge for their residence property. This exemption shall apply regardless of whether the person is in arrears in the payment of any refuse collection, water, or sewer charges for the subject residence.*

b) Persons aged 65 or over who reside in their own residence but do not qualify for an exemption under subsection (a) because their residence is a townhouse, condominium unit or cooperative apartment that does not have separate metered water service or a separate City water assessment for the residential unit may apply for a refund in lieu of exemption pursuant to this subsection. The amount of such refund shall be \$50.00 per qualified residence for each calendar year.

Application for a refund in lieu of exemption shall be made to the alderman of the ward in which the applicant, resides no later than August 1st of the calendar year for which a refund is requested. The application shall be made on a form prescribed by the ~~city council committee on finance~~ City Council Committee on Finance, and shall include such affidavits or other reasonable proof of qualifications for a refund that the ~~committee~~ Committee may require. An alderman receiving a complete application under this subsection shall introduce into the ~~city council~~ City Council an ordinance authorizing the payment of a refund in lieu of exemption to the applicant. A single ordinance may authorize refunds based upon more than one application. The ordinance shall be accompanied by all applications for which refunds are sought. After

introduction into the ~~city council~~ City Council, all ordinances submitted pursuant to this subsection shall be referred to the ~~city council committee on finance~~ City Council Committee on Finance. If, after review, the ~~committee on finance~~ Committee on Finance determines that the applicant is qualified for a refund under this subsection, the ~~committee~~ Committee shall recommend to the ~~city council~~ City Council that the payment of the refund be approved. If the ~~city council~~ City Council approves the refund, the ~~city comptroller~~ Comptroller shall promptly pay the applicant a refund in the amount of \$50.00.

c) Persons residing in residences qualified for an exemption or refund under this section shall qualify for the exemption or refund by the submission of a copy of the applicant's birth certificate, or the applicant's driver's license, state-issued identification card or the Matricula Consular identification card specified in Section 2-160-065 of the Code, showing the applicant is aged 65 or over; proof of their qualification for homeowners exemption; and proof of residency. The acceptable document to prove residency shall be a copy of a utility bill for the residence. Acceptable documents to prove home ownership shall be a copy of: (i) the deed to the residence, (ii) property tax bill, or (iii) with regard to a residence held in trust, a declaration executed by the trustee, affirming that the residence is held in trust and that the trust gives the named applicant the right to occupy the residence. In lieu of the forms of proof specified in this paragraph (c), the ~~comptroller~~ Comptroller is authorized to accept alternative forms of proof that in his judgment are genuine and probative of the information sought. The ~~comptroller~~ Comptroller shall provide information regarding the process for obtaining an exemption or refund, and the associated forms, in Spanish as well as English.

(d) If the ~~comptroller's~~ Comptroller's processing of a full payment certificate for a given property serves to terminate any senior exemption applicable to that property, the ~~comptroller~~ Comptroller shall send written notification of such termination to the address at issue.

SECTION 2. Section 3-12-050 of the Municipal Code of Chicago is hereby amended by adding the language underscored, and by deleting the language struck through, as follows:

**7-28-235 City refuse collection - Fee.**

(a) The collection of refuse by the City shall be the exclusive method for refuse collection from the following, as long as they directly abut the public way: (1) for dwelling units:

- i) a single dwelling;
- ii) a multiple dwelling containing four or fewer dwelling units;
- iii) a townhouse ~~when the refuse container is placed for collection in the public way in compliance with section 7-28-230;~~ or
- iv) a multiple dwelling that is licensed as a bed-and-breakfast establishment pursuant to Section 4-6-290 and contains four or fewer dwelling units unless the Commissioner of Streets and Sanitation determines that the establishment is producing an unreasonable amount of refuse for a building of its size, notifies the owner or owner's agent of such fact in writing, and provides the owner or owner's agent with an opportunity to correct the problem in a manner prescribed by the Commissioner; and

*(Omitted text is unaffected by this ordinance)*

(c) The refuse collection fee for a person 65 years or older who (i) owns and resides in a residential building that has a maximum of two dwelling units ~~his own dwelling unit~~ and (ii) receive a Senior Citizen Assessment Freeze Homestead Exemption for that dwelling unit pursuant to 35 ILCS 200/15-172 shall be 50% of the refuse collection fee set forth in subsection (b). The Comptroller is authorized to promulgate rules for the administration of this subsection, including any requirements for an application in a form and format prescribed by the Comptroller.

*(Omitted text is unaffected by this ordinance)*

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

Alderman, 31<sup>st</sup> Ward

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