



Office of the City Clerk

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Legislation Details (With Text)

File #: O2020-2211
Type: Ordinance **Status:** Introduced
File created: 4/24/2020 **In control:** Committee on Committees and Rules
Final action:
Title: Amendment of Municipal Code Section 3-8-050 to recognize deaths of Chicago police officers, firefighters, paramedics and emergency medical technicians from COVID-19 as presumed contracted while in performance of duties
Sponsors: Burke, Edward M., Thompson, Patrick D., Lopez, Raymond A., Quinn, Marty, Curtis, Derrick G., O'Shea, Matthew J., Taliaferro, Chris, Reboyras, Ariel, Sposato, Nicholas, Napolitano, Anthony V., Nugent, Samantha, Gardiner, James M., Tabares, Silvana
Indexes: Ch. 8 Policemen's & Firemen's Death Benefit Fund
Attachments: 1. O2020-2211.pdf

Date	Ver.	Action By	Action	Result
12/16/2020	1	City Council	Re-Referred	
12/11/2020	1	Committee on Committees and Rules	Recommended for Re-Referral	
4/24/2020	1	City Council	Referred	

CITY OF CHICAGO

MICHELLE A. HARRIS, ALDERMAN, 8TH WARD CHAIRMAN-COMMITTEE ON COMMITTEES AND RULES
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PHONE: 312-744-3075 ■ FAX: 312-744-5007

City Council Meeting December 16, 2020

To the President and Members of the City Council:

Your Committee on Committees and Rules, considered all the following Report, Ordinances and Resolutions which met December 11, 2020:

1. The approval of the September, 2020 Monthly Rule 45 Report for the Committee on Committees and Rules

Your Committee on Committee and Rules, recommends "do pass" of the following items:

2. Ordinance correcting the City Council Journal of Proceedings of September 9, 2020 (02020-5779)

(3.) Recommendation to refer the proposed amendment of Municipal code Section I J 3-8-050 to recognize deaths of Chicago police officers, firefighters, paramedics^v and emergency medical technicians from COVID-19 as presumed contracted while in performance of duties (02020-2211) to the Committee on Budget and Government Operations

4. Recommendation to refer proposed resolution calling for the establishment of Chicago

Police Department Personnel and Resource Reallocation Pilot Program (R2020-445) to the Committee on Public Safety

5. Recommendation to refer proposed resolution calling for hearings on expanding community-based domestic, sexual and gender-based violence prevention programming (R2020-805) to the Committee on Health and Human Relations

This recommendation of each item was concurred in by the Committee on Committees and Rules.

Sincerely,

**Michelle Harris, Chairman Committee on
Committees and Rules**

ORDINANCE

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

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

WHEREAS, the City of Chicago is dedicated to the protection of public safety and welfare of all Chicagoans; and

WHEREAS, the City of Chicago recognizes that its first responders, by their very nature, place themselves at risk every day in the protection of public safety; and

WHEREAS, Coronavirus Disease 2019 ("COVID-19") is an infectious disease caused by severe acute -respiratory syndrome coronavirus that was first identified in December 2019 in Wuhan, China and has since spread globally; and

WHEREAS, COVID-19 was officially declared a pandemic by the World Health Organization on March 11, 2020, after a reported 118,000 cases of the illness were confirmed in over 110 countries; and

WHEREAS, as of April 8, 2020, an estimated 1,464,852 persons have contracted COVID-19 across 209 countries worldwide according to the Centers for Disease Control and Prevention; and

WHEREAS, the United States has experienced most of the cases of COVID-19 worldwide, with more than 400,000 confirmed cases and a resulting 14,183 deaths due to COVID-19 since the nation's first case in January 2020; and

WHEREAS, over 13,500 of the more than 400,000 confirmed cases of COVID-19 in the United States have affected Illinois as of April 8, 2020, resulting in an estimated 380 deaths within the state; and

WHEREAS, following statewide school closures, restrictions on the size of public gatherings, and the suspension of dine-in restaurant service, Illinois Governor J.B. Pritzker issued a stay-at-home order to all Illinois residents effective until April 30 in an effort to prevent further spread of COVID-19; and

WHEREAS, under Governor Pritzker's stay-at-home order, all essential businesses and operations including first responders and health care, public health and human services professionals at the front lines of the state's COVID-19 response are exempt from the order; and

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WHEREAS, while the majority of COVID-19 cases result in mild symptoms, some persons infected with COVID-19 may experience severe complications from the virus including pneumonia, multi-organ failure, and in some cases death; and

WHEREAS, risk of infection with COVID-19 is higher for persons who are close contacts of someone known to have COVID-19, such as healthcare workers and first responders; and

WHEREAS, from March 30 to April 3, 2020, the Chicago Police Department experienced a rise in the number of sick officers, with nearly 7% of its total workforce reported to be out with illnesses according to a spokesperson for the Chicago Police Department; and

WHEREAS, an estimated 11 first responders in the Chicago Police Department and Chicago Fire Department were reported to have contracted COVID-19 as of March 31, 2020, with at least four Chicago police officers being hospitalized in connection with COVID-19; and

WHEREAS, on April 2, 2020, a Chicago police officer who contracted COVID-19 died from complications associated with the virus; and

WHEREAS, in response to police officer's death, Interim Chicago Police Superintendent Charlie Beck officially declared that the death of a police officer resulting from COVID-19 shall be considered "in the line of duty" to allow the families of those fallen officers the continued protections of the Chicago Police Department; and

WHEREAS, five days later, on April 7, 2020, a Chicago fire fighter who contracted COVID-19 died from complications associated with the virus; and

WHEREAS, In addition to death of Chicago police officer, the death of the Chicago fire fighter on April 7 may well have been occasioned by exposure to COVID-19 in the line of duty; and

WHEREAS, pursuant to Chapter 3-8 of the Municipal Code of Chicago, the City Council appropriates sums of money in accordance with the provisions of Sections 22-301, et seq. of the Illinois Pension Code, as amended, for the payment of allowances to the family or dependents of any policeman or fireman of the City of Chicago in case he is killed or fatally injured while in the performance of his duties; and

WHEREAS, it is the intent of the corporate authorities of the City of Chicago to extend line of duty death and disability benefits to first responders afflicted with COVID-19; now, therefore

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

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

Section 2. Chapter 3-8-050 of the Municipal Code of Chicago is hereby amended by inserting the underlined language as follows:

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3-8-050 Required Proof.

fa} No such award or payment shall be made unless satisfactory proof shall have been presented to the board of trustees that death occurred within one year from the date of injury, that such injury arose from violence or other accidental cause, that such injury was received while in the performance of duty, and that such injury was the direct cause of death. The amount of the award shall be determined by order of court, entered by a court of competent jurisdiction, declaring heirship.

(b) If a police officer, fire fighter, paramedic, or emergency medical technician employed by the City of Chicago contracts Coronavirus fCOVID-19 and dies as a result of the disease, then said disease shall be presumed to have been contracted while in the performance of duty and said police officer, fire fighter, paramedic, or emergency medical technician shall be presumed to have been fatally injured while in the performance of his duties.

Section 3. This ordinance shall take full force and effect upon passage and publication.
Patrick D. Thompson Alderman, 11th Ward

Derrick G. Curtis Alderman, 18th Ward

Marty Quif Alderman, 13th Ward

Christopher Taliaferro Aldennan, 29th Ward
Ariel B. Reboyas, Alderman, 30th Ward

Nicholas Sposato Alderman, 38th Wand

Samantha Nugent Alderman, 39'" Ward

SjlvanaTaberas Alderman, 23^{rt} Ward