Legislation Details (With Text)

File #:	O2020-5746		
Type:	Ordinance	**Status:**	Passed
File created:	11/16/2020	**In control:**	City Council
		Final action:	11/24/2020
Title:	Amendment of Municipal Code Chapters 2-112, 4-4 and 7-32 regarding various department functions and duties, creating new City Council standing committee (2021 Management Ordinance)		
Sponsors:	Lightfoot, Lori E.		
Indexes:	Ch. 4 General Licensing Provisions, Ch. 32 Chicago Clean Indoor Air Ordinance of 2005, Ch. 112 Dept. of Public Health, Rules of Order & Procedure, Standing Committees		
Attachments:	1. O2020-5746.pdf		

Date	Ver.	Action By	Action	Result
11/24/2020	1	City Council	Passed	Pass
11/23/2020	1	City Council	Deferred and Published	
11/19/2020	1	Committee on Budget and Government Operations	Recommended to Pass	
11/16/2020	1	City Council	Referred	

OFFICE OF THE MAYOR

CITY OF CHICAGO

LORI E. LIGHTFOOT MAYOR

November 16. 2020

TO THE HONORABLE, THE CI TY COUNCIL OF THE CITY OF CHICAGO

Ladies and Gentlemen:

At the request ofthe Budget Director, I transmit herewith the 2021 Management ordinance.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,

MANAGEMENT ORDINANCE

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

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

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

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

This ordinance is organized into seven Articles, as follows:

Article I. Clean Indoor Air
Article II. Public Health Data Sharing
Article III. Sister Agency Debt Checks
Article IV. Resolution
Article V. Severability; Repealer
Article VI. Effective Dates

ARTICLE I. CLEAN INDOOR AIR

SECTION 1. Section 7-32-010 ofthe Municipal Code of Chicago is hereby amended by inserting the text underscored, and by deleting the text struck through, as follows:

7-32-010 Definitions.

~~In this chapter:~~ For the purposes of this Chapter, the following definitions shall apply:

"Bar" means an establishment which has as its primary business the serving of alcoholic beverages for consumption by guests on the premises. "Bar" includes, but is not limited to, taverns, nightclubs, cocktail lounges, adult entertainment facilities, and cabarets.

(Omitted text is unaffected by this ordinance)

"Private club" means a not-for-profit association^ ~~that (1) has been~~ ~~in active~~ ~~and continuous existonce for at least three~~ ~~(3) years prior to January 1, 2008,~~ whether incorporated or not, that (24 (1) is the owner, lessee, or occupant of a building or portion thereof used ~~exclusively~~ for club purposes ~~at all times~~, (3) and (2) is operated ~~solely~~ for a recreational, fraternal, social, patriotic, political, benevolent, or athletic purpose, but not for pecuniary gain^$_{T}$ ~~and H) (3) only soils alcoholic bovoragos~~ ~~incidontal~~ ~~to its operation.~~ For purposes of this definition, the term "private club" ~~means~~ includes an organization that is managed by a board of directors, executive committee, or similar body chosen by the members at an annual meeting, has established bylaws, a constitution, or both to govern its activities, and has been granted an exemption from the payment of federal income tax as a club under 26 U.S.C. § 501.

(Omitted text is unaffected by this ordinance)

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ARTICLE II. PUBLIC HEALTH DATA SHARING

SECTION 1. Section 2-112-160 ofthe Municipal Code of Chicago is hereby amended by adding the language underscored, as follows:

2-112-160 Commissioner - Additional powers and duties.

The Commissioner of Health shall have the following powers and duties:

(a) Public health related powers and duties:

(Omitted text is unaffected by this ordinance)

(7) To request, collect, receive, and maintain confidential information, records, and data, including protected health information consistent with 45 C.F.R. § 164.512(b)(1)(i), forthe purpose of preventing or controlling disease, injury, or disability. The confidential information, records, and data may support activities including, but not limited to, the reporting of disease, injury, or vital events such as birth or death; the conducting of public health surveillance, public health investigations, and public health interventions; the performance of epidemiological studies; and the application of data science methods or other analytic models that protect and promote public health. Any person required to provide such information, records, and data to any local, state, or federal government agency shall, at the reguest of the Commissioner of Health, or as set out in rules promulgated in furtherance of this subsection, also provide it to the Chicago Department of Public Health, except where prohibited by law.

(Omitted text is unaffected by this ordinance)

ARTICLE III. SISTER AGENCY DEBT CHECKS

SECTION 1. Section 4-4-150 of the Municipal Code of Chicago is hereby amended by inserting the text underscored, and by deleting the text struck through, as follows:

4-4-150 Indebtedness - License ineligibility.

(a) Whenever used in this section, the term "debt" shall mean:

(1) a sum of money owed to the Gity City for which the period granted for payment has expired, including, but not limited to, any obligation or payment of a sum of money owed to the efty City pursuant to a court order or an order of the ~~department of administrative hearings~~ Department of Administrative Hearings, and in the case of a "tax" within the meaning of Section 3-4-020 of this Code, includes any unpaid tax liability, whether or not an assessment has been issued;

2

(2) any obligation or payment of a sum of money owed to a third party, including restitution, pursuant to an order ofthe ~~department of administrative hearings~~ Department of Administrative Hearings;

(Omitted text is unaffected by this ordinance)

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(4) a sum of money owed to the State of Illinois when the etty- City has received certification from the ~~state~~ State that the license applicant or licensee upon renewal has been given notice and an opportunity to contest the ~~state's~~ State's determination that such applicant or licensee owes the sum of money;

(Omitted text is unaffected by this ordinance)

6) a sum of money owed to the County of Cook when the eity City has received certification from the Gounty County, pursuant to procedures agreed upon by the eetmty County and the eity City, that the license applicant has been given notice and an opportunity to contest the ~~county's~~ County's determination that such license applicant owes the sum of moneyv;

7) a sum of money owed to any Sister Agency, as that term is defined in Section 1-23-010, when the City has received certification from the Sister Agency, pursuant to procedures agreed upon by the Sister Agency and City, that the license applicant has been given notice and an opportunity to contest the Sister Agency's determination that such license applicant owes the sum of money.

(b) (1) No initial or renewal license shall be issued under this Title to any license applicant or person owning, either directly or indirectly, 25 percent or more of the interest in such applicant, if (1) such applicant or person has any debt, as defined in subsection (a) of this section, and (2) notice of such debt has been provided to such applicant or person in accordance with the requirements set forth in Section 2-32-094 (c); and (3) such debt has not been satisfied or otherwise resolved within the meaning of Section 2-32-094(a).

(2) (i) No initial or renewal license shall be issued under this Title to any license applicant or person owning either directly or indirectly, 25 percent or more of the interest in such applicant, if such applicant or person, at the time of application for such initial or renewal license, has been identified as a building code scofflaw or problem landlord pursuant to Section 2-92-416 of this Code. Except as otherwise specified by rule, the prohibition in this subsection (b)(2)(i) shall apply at all times such applicant or person remains on the ~~city's~~ City's ~~building~~ Building ~~codo~~ Code ~~scofflaw~~ Scofflaw or ~~problem~~ Problem l~~andlord~~ Landord list List.

(ii) Any applicant for any initial or renewal license issued under this Title shall certify to the Gity City with his application whether or not such applicant or any person owning, directly or indirectly, 25 percent or more of the interest in the applicant is, at the time of application for such license or permit, identified as a ~~building~~ Building ~~code~~ Code ~~scofflaw~~ Scofflaw or ~~problem~~ Problem l~~andlord~~ Landlord pursuant to Section 2-92-416.

(Omitted text is unaffected by this ordinance)

ARTICLE IV. RESOLUTION

3

SECTION 1. The Resolution, attached as Exhibit A, is hereby adopted and passed.

ARTICLE V. SEVERABILITY, 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 ofthe remainder of this Ordinance, or the validity of its application to other persons

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or circumstances.

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

ARTICLE VI. EFFECTIVE DATES

SECTION 1. Following passage and approval, this Ordinance shall take effect on January 1, 2021.

EXHIBIT A

RESOLUTION

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

SECTION 1. Rule 35 of The Rules of Order and Procedure of The City Council, City of Chicago, For Years 2019 - 2023 (the "Rules") is hereby amended by inserting, in correct alphabetical and sequential order, the language underscored as follows:

Standing Committees Created.

RULE 35. The following shall be the standing committees of the City Council: (Omitted text in Rule 35 is unaffected by this Resolution)

12. Committee on Immigrant and Refugee Rights.

(Omitted text in Rule 35 is unaffected by this Resolution)

SECTION 2. Rule 37 of The Rules is hereby amended by inserting, in correct alphabetical and sequential order, the language underscored as follows:

(Omitted text in Rule 37 is unaffected by this Resolution)

12. The Committee on Immigrant and Refugee Rights shall have jurisdiction over all matters relating to opportunities for, and the security and stability of, first-generation and second-generation immigrants and refugees living in Chicago, with a particular focus on the economic, education, and public health-related concerns of such persons.

(Omitted text in Rule 37 is unaffected by this Resolution)

SECTION 3. The Resolution creating the membership of the Standing Committees of the City Council, City of Chicago, For Years 2019 - 2023 is amended to add, in correct alphabetical and sequential order, a new paragraph 12 identifying the Chairman, Vice-Chairman and members of the Committee on Immigrant and Refugee Rights, as follows:

STANDING COMMITTEES 2019-2023

(Omitted text is unaffected by this Resolution)

12. COMMITTEE ON IMMIGRANT AND REFUGEE RIGHTS

Reboyras (Chairman), Cardenas (Vice-Chairman), Cardona, Sadlowski-Garza, Taliaferro, Curtis, Harris, Cappleman, Rodriguez-Sanchez, Sigcho-Lopez, Rodriguez, LaSpata, Ramirez -Rosa.

EXHIBIT A

(Omitted text is unaffected by this Resolution)

SECTION 4. The Committee on Immigrant and Refugee Rights created by this Resolution shall be assigned the number 12 in the sequential and alphabetical order of committees appearing in Rules 35 and 37

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ofthe Rules, and in the companion Resolution establishing committee memberships for the 2019 - 2023 term. The committees following the Committee on Immigrant and Refugee Rights are hereby, and shall be deemed to be, renumbered accordingly, and the City Clerk is directed to incorporate such re-numbering in any future pamphlet editions ofthe Rules.