



Office of the City Clerk

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121 N. LaSalle St.
Room 107
Chicago, IL 60602
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Legislation Details (With Text)

File #: O2021-2870
Type: Ordinance
Status: Failed to Pass
File created: 6/25/2021
In control: City Council
Final action: 5/24/2023
Title: Amendment of Municipal Code Chapter 8-16 by modifying various sections regarding offenses by or against minors
Sponsors: Lopez, Raymond A., O'Shea, Matthew J., Tabares, Silvana, Napolitano, Anthony V., Reilly, Brendan
Indexes: Ch. 16 Offenses By or Against Minors
Attachments: 1. O2021-2870.pdf

Date	Ver.	Action By	Action	Result
5/24/2023	1	City Council	Failed to Pass	
6/25/2021	1	City Council	Referred	

Committee on Public Safety City Council Meeting June 23, 2021

SECTION 1. Section 8-16 of the Municipal Code of Chicago is hereby amended by deleting the language struck through and by adding the language underscored, as follows:

8-16-020 Curfew hours for minors.

(Omitted text not affected by this ordinance)

d) Enforcement. Before taking any enforcement action under this section, a police officer shall ask the apparent violator's age and reason for being in the public place. The officer may attempt to contact a parent or guardian at the time of engagement to determine if they are aware of possible curfew violation. The officer shall not issue a citation or make an arrest under this section unless the officer reasonably believes that an offense has occurred and that, based on any response and other circumstances, no defense in subsection (c) is present.

e) Penalties. A person who violates any provision of this section is guilty of a separate offense for each day or part of a day during which the violation is committed, continued, or permitted. Each offense, upon conviction, is punishable by a \$1,000.000 fine ~~not to exceed \$500.00 or~~ and shall be given an order to perform community service pursuant to Section 1-4-120 of this Code and undergo licensed family counseling, ~~or both.~~ Any person who violates any provision of this section three times in any twelve-month period shall be subject ~~to up to three times the maximum monetary fine set forth in this subsection for any subsequent violation of this section within the twelve-month period, or as an alternative or in addition to such fine~~ in addition to a requirement to perform community service and undergo licensed family counseling.

(Omitted text not affected by this ordinance) 8-16-040 Flipping cars.

It shall be unlawful for any person under the age of 18 years to climb, jump upon, cling to, or in any way attach himself to any streetcar, railroad locomotive, or car of any kind while the same is in motion, under a penalty of ~~not less than \$2.00 nor more than \$10.00~~ \$1,000.00 for each offense and.

shall be given an order to perform community service pursuant to Section 1-4-120 of this Code and undergo licensed family counseling.

8-16-050 Intoxication.

No minor shall be intoxicated, or shall purchase, offer to purchase, or in any manner obtain unlawfully for his personal use any intoxicating liquor. Any minor who violates this section shall be fined ~~not more than \$25.00 for the first offense, and not more than \$100.00 for every subsequent offense~~ \$1,000.00 for each offense and shall be given an order to perform community service pursuant to Section 1-4-120 of this Code and undergo licensed family counseling; ~~provided, however, any minor who violates this section while within 800 foot of a parade route which is not open to traffic shall be fined \$500.00 or shall be required to perform 25 hours of community service for each offense. For purposes of this section, the term "parade" has the meaning ascribed to the term in Section 10-8-330 of this Code.~~

8-16-060 Alcoholic liquor.

It shall be unlawful for any person to sell, give or deliver any alcoholic liquor to a person' under the age of 21 years. It shall be unlawful for any person under the age of 21 years to purchase, deliver, possess, give or consume alcoholic liquor. Any minor who violates this section shall be fined \$1,000.00 for each offense and shall be given an order to perform community service pursuant to Section 1-4-120 of this Code and undergo licensed family counseling.

8-16-063 Cannabis offenses involving minors.

[Omitted text not affected by this ordinance]

(c) Penalty for Violation. Any person who violates this section shall be subject to a fine of \$50.00 for the first offense, and \$100.00 for the second and each subsequent offense occurring within a period of 30 days, or may be required to perform community service in accordance with Section 1-4-120 or attend a drug awareness, drug education, or restorative justice program, or any combination thereof. Any minor who violates this section shall be fined \$1,000.00 for each offense and shall be given an order to perform community service pursuant to Section 1-4-120 of this Code and undergo licensed family counseling.

8-16-065 Social hosting.

(Omitted text not affected by this ordinance)

(b) It shall be unlawful for any supervising adult to host minors consuming any alcoholic liquor in a person's residence or any land, building, structure or room owned, occupied or procured by such a person to be used by an invitee

of such a person or an invitee of such person's child or ward, in a manner that results in the possession or consumption therein of alcoholic liquor by minors. There shall be a presumption that an adult who is physically present on the premises where minors are found to possess or consume alcoholic liquor is a supervising adult. The prohibition of this section shall not apply to the possession or consumption of alcoholic liquor by a minor in the performance of a religious service or ceremony, or under the direct supervision and approval of that minor's parent or guardian in the privacy of a home. A supervising adult who violates this subsection upon conviction shall be punished as follows for each offense:

(f) incarceration for a term not less than three days, nor more than six months, under the procedures set forth in Section 1-2-1.1 of the Illinois Municipal Code, as amended, and the Illinois Code of Criminal Procedure of 1963, as amended; and/or

ii) a \$2,500.00 fine ~~of not less than \$50.00, nor more than \$200.00~~ for each offense; and

iii) each minor hosted shall constitute a separate violation of this subsection.

(c) Any participating minor who violates this section shall be fined \$1,000.00 for each offense and shall be given an order to perform community service pursuant to Section 1-4-120 of this Code and undergo licensed family counseling..

(ed) Any person who violates this section shall be liable for any costs incurred by the city pursuant to Chapter 1-20.

(de) Severability. If any section, subsection, paragraph, or part of this ordinance is for any reason held to be unconstitutional or invalid by any final court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance.

(Omitted text not affected by this ordinance)

8-16-090 Firearms for minors.

No person shall sell, loan, or furnish to any minor any toy gun, toy pistol, paintball gun, or other toy firearm in which any explosive substance can be used. Any minor who violates this section shall be fined \$1,000.00 for each offense and shall be given an order to perform community service pursuant to Section 1-4-120 of this Code and undergo licensed family counseling.

(Omitted text not affected by this ordinance)

8-16-125 Contributing to delinquency of minor.

(Omitted text not affected by this ordinance)

(c) Any person who violates this section shall be subject to a \$1,000.00 fine ~~of not less than \$200.00 nor more than \$500.00~~ for each offense.

(Omitted text not affected by this ordinance)

8-16-130 Violation - Penalty.

Any person who shall violate any of the provisions of this chapter for which no other penalty is provided shall be fined \$1,500.00 ~~not less than \$5.00 nor more than \$100.00~~ for each offense.

s/ Matt O'Shea

Matt O'Shea
Alderman, 19th Ward

s/Silvana Tabares

Silvana Tabares
Alderman, 23rd Ward

s/ Anthony Napolitano

Anthony Napolitano
Alderman, 41st Ward