



Office of the City Clerk

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Legislation Details (With Text)

File #: O2021-4187
Type: Ordinance
Status: Passed
File created: 9/14/2021
In control: City Council
Final action: 10/14/2021
Title: Amendment of Municipal Code Sections 10-28-015 and 10-28-017 to further regulate requirements for public way use permits
Sponsors: Harris, Michelle A.
Indexes: Ch. 28 Structures On & Under Public Ways
Attachments: 1. O2021-4187.pdf

Date	Ver.	Action By	Action	Result
10/14/2021	1	City Council	Passed	Pass
10/13/2021	1	Committee on Transportation and Public Way	Recommended to Pass	
9/14/2021	1	City Council	Referred	

ORDINANCE

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

SECTION 1. Section 10-28-015 of the Municipal Code of Chicago is hereby amended by deleting the language struck through, as follows:

10-28-015 Public way use permits - Application and issuance.

(a) An application for a public way use permit shall be made to the department and shall include the following:

- 1) the applicant's name and address, and the name and address of the property owner;
- 2) a detailed drawing, ~~and in the case of multiple items of the same nature (such as numerous trash cans provided by a Special Service Area), a map and detailed written description of an area's boundaries indicating the location and number of all public way uses on, over or under the public way for which a permit is required;~~
- 3) proof of the required insurance;
- 4) proof of the building's age if the building was constructed in or prior to 1922;
- 5) the application fee, if applicable; and
- 6) any other information required by the commissioner.

(Omitted text is not affected by this Ordinance)

SECTION 2. Section 10-28-017 of the Municipal Code of Chicago is hereby amended by deleting the language struck through, as follows:

10-28-017 Public way use permit - Fees.

(a) (1) No fee shall be charged for a public way use that is on or above the public way for the following:

(i) In the case of a residential building, as that term is defined in Section 17-17-02146, constructed in or before 1922, a public way use that is part of the original construction and is a permanent structure of the building; provided that in the case of a mixed used building, any public way use that solely is for the use or benefit of any commercial or business activity in the building shall pay the fees as provided for in subsection (b); or (ii) in the case of a landmark building, any part of the building which is on or over the public way, including a clock or light fixture if the clock or light fixture is part of the landmark designation; or (iii) if the item placed in the public way, (for example; Trash Can, Bench, Security Camera, Bike Rack/ Corrals & associated structures, public art, & Landscaping and it's associated structures) is owned and maintained by a Special Service Area; where as tax monies pay for supplemental services in place of City Services that are not provided.

For purposes of this section, a landmark building shall also include any building, other than a non-contributing building in a landmark district.

(2) For any public way use which is below grade level or under the public way or other public place for any building specified in subsection (a)(1) of this section, the fee shall be as set forth in subsection (b).

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(Omitted text is not affected by this Ordinance)

SECTION 3. This ordinance shall take effect upon its passage and approval, and it shall be retroactive to September 13, 2021.

Alderman Michelle A. Harris 8th Ward

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