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Legislation Details (With Text)

File #: O2023-1317
Type: Ordinance
Status: Failed to Pass
File created: 3/15/2023
In control: City Council
Final action: 5/24/2023
Title: Amendment of Municipal Code Chapter 10-8 by modifying Section 10-8-180 and adding new Article VII entitled "Chicago Plow The Sidewalks Pilot Program"
Sponsors: Villegas, Gilbert, Martin, Matthew J., Tabares, Silvana
Indexes: Ch. 8 Use Of Public Ways & Places
Attachments: 1. O2023-1317.pdf

Date	Ver.	Action By	Action	Result
5/24/2023	1	City Council	Failed to Pass	
3/24/2023	1	Committee on Pedestrian and Traffic Safety	Add Co-Sponsor(s)	
3/15/2023	1	City Council	Referred	

ORDINANCE

WHEREAS, The City of Chicago (City) is a home rule unit of government under Article VII, Section 6(a) of the Constitution of the State of Illinois, and, as such, may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, Maintaining public safety, equal access for persons with disabilities, transit performance, economic growth, general welfare, and compliance with the Municipal Code of Chicago are matters pertaining to the government and affairs of the City of Chicago; and

WHEREAS, The City is home to approximately 2.8 million people that regularly interact or are impacted by transit and mobility access; and

WHEREAS, Other American cities, like Rochester and Syracuse, NY, and Holland, MI, and larger-sized Canadian cities like Montreal and Toronto, have demonstrated prioritization of infrastructure for all through their municipal snow removal practices; and

WHEREAS, The adoption of the Chicago Plow The Sidewalks Pilot Program is anticipated to result in safe and equitable transit and mobility access throughout the City, while also, increasing economic opportunity within the selected pilot areas; and

WHEREAS, To protect the safety of the public, increase accessibility, and further City commitments, it is appropriate to establish the Chicago Plow The Sidewalks Pilot Program within the City; now, therefore,

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

SECTION 1. The above recitals are incorporated herein and made a part hereof.

SECTION 2. Section 10-8-180 of the Municipal Code of Chicago is hereby amended by inserting the

language underscored, and by deleting the language struck through, as follows:

10-8-180 Snow and ice removal.

(Omitted text unaffected by this ordinance)

(b) Any person who violates this section shall be fined not less than \$50.00 nor more than \$500 for each offense, and each day such offense shall constitute a distinct and separate offense.

(11 Exemption. This shall not apply to any Eligible Recipient Communities enrolled into the Chicago Plow The Sidewalks Pilot Program pursuant to Section 10-8-600 of this Chapter.

SECTION 3. Chapter 10-8 of the Municipal Code of Chicago is hereby amended by inserting new Section 10-8-600, as follows:

ARTICLE VII. CHICAGO PLOW THE SIDEWALKS PILOT PROGRAM

10-8-605 Definitions.

As used in this Section, the following definitions shall apply:

"Program" means the Chicago Plow The Sidewalks Pilot Program established under this Section.

"Department" means the Department of Streets and Sanitation, or its successor Department.

"Commissioner" means the Commissioner of the Department of Streets and Sanitation, or its successor Department, or the Commissioner's designee.

"Sidewalk Snow and Ice Clearance" means municipal services provided to Eligible Recipient Communities entered into a selection lottery under the Program.

"Zones" means one or more prioritized pilot areas considered in Section 10-8-615.

"Eligible Recipient Communities" means:

- (i) Those selected through a random lottery; and
- (ii) Belonging to one or more prioritized pilot areas considered in Section 10-8-615.

"Lottery" means community participants eligible to be entered into a random selection.

"Enrollee" means an Eligible Recipient Community selected through random lottery to be in the Program.

10-8-610 Title and Purpose.

This Section shall be known and may be cited as the "Chicago Plow The Sidewalks Pilot Program Ordinance" (Chicago PTS or the Program).

It is the purpose of this Section is to establish a Sidewalk Snow and Ice Clearance pilot to: (i) ensure safe and equitable transit and mobility access (ii) that increases economic opportunity within selected pilot areas identified in Section 10-8-615, while also, (iii) ensuring a better understanding of Program impact on general welfare, community and government collaboration, social and economic benefits, City revenue, and business engagement.

10-8-615 Pilot Area.

(a) During the term set forth in Section 10-8-650, the Program shall apply to a total of four zones, randomly selected by lottery, at minimum of 2.5 square-miles each. Specifically, two zones will focus on persons with disabilities, and two zones will focus on population-dense areas.

(b) All four zones will consider one or more of the following priorities:

- (1) Significant senior population above the age of 65;
- (2) Areas with high transit activity;
- (3) Zero-car households or increased ridership;
- (4) Historically disinvested in;
- (5) Low-income households; and
- (6) Significant population of families with children under the age of 5.

10-8-620 Regulatory Authority.

(a) Promulgation of Standards. The Department shall compile, regularly update, and make available for public inspection on its website the Program standards. The initial Program standards shall be promulgated no later than 120 days after enactment of this Section.

In promulgating the Program standards, the Department shall: (i) consult with disability community experts; transportation experts; public health experts; federal, State, and local regulatory mandates; community organizations; and other sources as determined by the Commissioner; and (ii) provide a meaningful forum for public input and comment on the current regulations and any proposed changes. The Department shall solicit feedback on the Program standards not less than once per year, regardless of whether the Department has proposed changes to the regulations.

(b) The Department may promulgate rules and regulations to administer this Section. Any rulemaking activity related to this Section shall include a meaningful forum for public input and comment. The subject of rulemaking activities shall include, but is not limited to:

- (1) Clarifying the composition and role of the advisory committee and participating community organizations under this Section;
- (2) Establishing eligibility criteria for the selection of the Eligible Recipient Communities;
- (3) Establishing goals of the Program; and
- (4) Establishing Study and criteria indicating measure of Program success.

(c) Notification. The Commissioner shall notify the Alderperson of each ward that is located or partially located within the pilot area 30 days prior to implementation of the Program.

10-8-625 Education and Outreach Activities.

(a) Partnership with Community Organizations. The Department shall work with and support community organizations to reach out to Eligible Community Participants and educate them about the Program under this Section, including through community events, notices and flyers, and help lines. Each participating community organization seeking to become listed under this Section shall be required to undergo Department-sponsored training about the Program.

(b) Comments and Recommendations from Community Organizations. The Department shall

establish a process by which participating community organizations may regularly provide comments and recommendations to the Department about the Program.

10-8-630 Advisory Committee.

(a) Establishment of an Advisory Committee. The Department shall establish an advisory committee no later 60 days after enactment of this Section. The advisory committee shall be comprised of representatives of at least six community organizations serving different neighborhoods in the City, including at least one disability community advocacy representing the entire City, at least one transportation advocacy representing the entire City, at least one public health expert, and such other experts and organizations that the Department deems necessary and proper.

(b) Participant Selection of Advisory Committee. In selecting persons or organizations to participate in the advisory committee, the Department shall promote the representation of diverse geographic areas, populations, and interests affected by the Program.

(c) Purpose of Advisory Committee. The purpose of the advisory committee is to assist with the implementation and administration of the Program, including by:

- (1) Educating and engaging community members about the Program;
- (2) Providing ongoing comment, recommendations, and consultation to the Department regarding operations and activities under this Section;
- (3) Reviewing and providing comment and recommendations on Program data collected by the Department, including the processes for collecting and analyzing such data; and
- (4) Participating in Departmental and external evaluations of the Program.

(d) Regular Meetings. The advisory committee shall meet no less than quarterly during the term of the Program. A record of the meetings shall be made publicly available, including on the Department's website.

(e) Stipends. The Department shall pay a reasonable stipend to members of the advisory committee, in a manner and amount as the Department shall determine by rule from time to time, together with reimbursement or payment of out-of-pocket expenses associated with attendance at advisory committee meetings and functions.

(f) Transparency. The meetings and activities of the advisory committee shall be subject to the Illinois Open Meetings Act, 5 ILCS 120/1 et seq., and the Illinois Freedom of Information Act, 5 ILCS 140/1 et seq.

10-8-635 Study.

Recipients may be asked to voluntarily share information connected to the Program. Using that information, the Department shall prepare a statistical and financial report that analyzes the impacts of the Program on Recipients and the City as a whole, including general welfare, community and government collaboration, social and economic benefits, City revenue, and business engagement.

The Department may enter into an agreement with a third-party to complete this study upon consideration and discussion with the advisory committee.

10-8-640 Recipient Protections.

No information gathered through the Program, including information obtained, acquired, or learned that concerns individual recipients, including immigration status, in connection with shared information to the Program, otherwise by consent or other circumstances, may be disclosed to any other City Department or local, State, or federal law

enforcement or social services officials.

10-8-645 Report to City Council.

No later than 120 days prior to the expiration of the Program, the Chicago Department of Streets and Sanitation, upon consideration and discussion with the advisory committee, shall submit a written report to the City Council Committee on Pedestrian and Traffic Safety regarding the performance of the Program.

The report shall include, but is not be limited to, information to assess the impact of the Program and the future Program Zones on the following: general welfare; community and government collaboration; social and economic benefits; City revenue; business engagement; and other relevant outcomes.

The report shall also make recommendations to the City Council regarding the establishment of a permanent Chicago Plow The Sidewalks Program, or identify any outstanding findings a new Pilot can better assess in determination of the establishment of such permanent program.
10-8-650 Term.

The Term of the Program shall commence on the effective date of this Section and shall end six months after the final report under Section 10-8-645 is submitted to City Council, unless prior to that date the City Council adopts an ordinance providing continuation or expansion of the Program.

However, should the City Council not adopt an ordinance providing continuation or expansion of the Program prior, then the City will assess the Program's findings, and should the City conclude the Program resulted in agreed upon indications of success, the City will continue support through adoption of an ordinance that continues the Program's mission permanently.

SECTION 4. To the extent that any ordinance, resolution, rule, order or provision of the Municipal Code, or part thereof, conflicts with the provisions of this ordinance, the provisions of this ordinance shall control. If any selection, paragraph, clause or provisions of this ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this ordinance.

SECTION 5. This ordinance shall take effect upon passage and publication.

Gilbert Villegas Alderman, 36th Ward