



Office of the City Clerk

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Legislation Text

File #: O2013-9147, Version: 1

Committee on Finance

ORDINANCE

WHEREAS, the City of Chicago is a home rule unit 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, petroleum coke ("petcoke") is a solid by-product of petroleum refining which generally contains high concentrations of carbon, sulfur and also may include trace elements of metals such as vanadium, nickel, chromium and lead; and

WHEREAS, black dust from petcoke has reportedly covered the homes, yards and cars of Chicago residents living in neighborhoods near petcoke storage facilities located along the banks of the Calumet River; and

WHEREAS, inhaling pet coke can contribute to respiratory health problems, particularly for individuals who suffer from heart and lung disease; and

WHEREAS, the Illinois Attorney General recently filed suit against a petcoke site, alleging that the mounds of refinery waste are sending clouds of black dust into nearby residential areas on Chicago's southeast side; and

WHEREAS, the mayor of Detroit, MI recently ordered the removal of petcoke piles stored along the Detroit River; and

WHEREAS, the State of California has long regulated the storage of petcoke piles at its ports; and

WHEREAS, the City of Chicago intends to prevent the public nuisance being caused by the emissions of airborne particulates from the storage, handling, and transport of petcoke; and

WHEREAS, the City Council of the City of Chicago hereby finds that it is in the best interest of the public health, safety and welfare to prohibit the storage, handling, and transport of petcoke within the City of Chicago;
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 11-4 of the Municipal Code of Chicago is hereby amended by inserting a new section 11-

4-765 as follows:

11-4-765 Petroleum coke - storage prohibited.

- a) For purposes of this section, "petroleum coke" means the solid carbonaceous residue remaining after all cracking and distillation of a petroleum refining operation.
- b) No person shall operate or maintain, or cause to be operated or maintained, any building, structure, premises, open area, right-of-way or enterprise which stores, handles, transports, contains or uses petroleum coke within the City of Chicago.
- c) The department of health and the department of streets and sanitation are authorized to enforce the provisions of this section.

SECTION 3. This ordinance shall be in full force and effect 10 days after its passage and approval.