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Legislation Text

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Emma Mitts Chairman, Committee on License
& Consumer Protection

Chicago City Council Meeting
Wednesday February 22, 2017 10:00
a.m.

License and Consumer Protection Committee Report

To the President and Members of the City Council: I AM

REPORTING FOR THE JOINT
**COMMITTEE ON LICENSE and CONSUMER PROTECTION and
COMMITTEE ON ZONING and LAND USE.**

WE HELD A MEETING on February 8, 2017, TO CONSIDER THE
FOLLOWING ORDINANCES:

02016-8628 An ordinance to amend Titles 2, 4 and 13 of the Municipal Code consolidating regulations and enforcement provisions for issuance of building permits and related licenses^ (Mayor Emanuel and the Commissioner of Buildings)

\$02016-8687 A substitute ordinance to amend Titles 4, 9, 11, 13, 15 and 17 of the Municipal Code regarding consolidation of business licensing and inspections.
(Mayor Emanuel and the Commissioner of Business Affairs and Consumer Protection)

These recommendations were concurred in by a Voice vote of the members of the Joint License and Zoning Committee February 8, 2017.

MR. PRESIDENT -1 MOVE THAT THE CITY COUNCIL CONCUR IN THE RECOMMENDATIONS OF THE LICENSE COMMITTEE BY THE SAME ROLL CALL AS ITEM NUMBER ONE (1) OF THE COMMITTEE ON FINANCE REPORT, AND THE SAME UNSUCCESSFUL MOTION TO RECONSIDER.

THAT CONCLUDES MY REPORT OF THE LICENSE COMMITTEE TO THE CITY COUNCIL, MR. PRESIDENT. THANK YOU!!

SUBSTITUTE ORDINANCE

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

ARTICLE I. HOME OCCUPATIONS

SECTION 1. Section 4-6-270 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

4-6-270 Home occupations.

(a) Definitions. As used in this section:

"Accessory use," "accessory building" or "accessory structure" have the meaning ascribed to those terms in Section 17-9-0201-B.

"Base metal" means any metal in unwrought, semi-processed (e.g. as powder, wire, rods, cable) or waste/scrap form, including, but not limited to, iron, steel copper, nickel, aluminum, calcium, lead, magnesium, tin, titanium, zinc, and zirconium.

"Dwelling unit" has the meaning ascribed to that term in Section 17-17-0248.

"Hazardous material" has the meaning ascribed to that term in Section 4-6-210.

(Omitted text is unaffected by this ordinance)

"Non-resident external employeefs)" or "external employee(s)" have the meaning ascribed to those terms in subsection (g)(9)(ii) of this section.

"Non-resident internal employeefs)" or "internal employeefs)" have the meaning ascribed to those terms in subsection (g)(9)(i) of this section.

"Residential building" has the meaning ascribed to the term in Section 17-17-02146.

(Omitted text is unaffected by this ordinance)

(c) Application - Additional information required. In addition to the requirements set forth in Section 4-4-050, an application for, and, if requested, renewal of, a regulated business license to engage in a home occupation shall be accompanied by the following information:

(Omitted text is unaffected by this ordinance)

(9) ~~the total square footage of the dwelling unit that will be permanently used or occupied to carry on the home occupation~~ whether any accessory building or accessory structure, such as a garage, will be permanently used to store any material used in connection with the occupations) identified pursuant to item (4) of this subsection Cc), and, if so, the total

1

square footage of the floor area of such accessory building or accessory structure that will be used for such purpose.

d) License issuance and renewal - Prohibited when. No regulated business license to engage in a home occupation shall be issued to the following persons:

(Omitted text is unaffected by this ordinance)

(5) any applicant or licensee, as applicable, if the home occupation does not comply with Section 17-9-0202 or the other applicable provisions of the Chicago Zoning Ordinance.

e) Activities not subject to licensure as a home occupation - Standards. The following activities shall not be licensed as home occupations under this section:

- 1) any repair of motorized vehicles, including the painting or repair of automobiles, trucks, trailers, boats, and lawn equipment;
- 2) the dispatch, for compensation of any type, of any type of motor vehicle:
- 3) animal hospitals;
- 4) astrology, card reading, palm reading or fortune-telling in any form;
- 5) kennels;
- 6) stables;
- 7) bird keeping facilities;
- 8) barber shops or beauty parlors;
- (9) dancing schools;
- (10) restaurants;
- 11) massage establishments, including massage therapy;

- 12) caterers/catering/food preparation businesses/shared kitchens;
- 13) funeral chapels or funeral homes;
- 14) crematoria;
- 15) mausoleums; ~~any facility where products are manufactured, produced or assembled when the home occupation licensee is not the retail point of sale for such products;~~
- 16) medical or dental services and/or clinics;
- 17) public places of amusement;

2

- (18) the sale of firearms, antique firearms as ~~thaHerro-~~is defined in section 8-20-010, or ammunition;
 - 19) a weapons dealer;
 - 20) firearm training or instruction; ~~eaterers;~~
 - 21) construction businesses or landscaping businesses that provide the for storage of goods and materials to be utilized in the operation of the business or use;
 - 22) warehousing; and
 - 23) welding or machine shopsy; and
 - 24) any activity that requires a children's services facility license under Chapter 4-75 of this Code.

Provided, however, that nothing in this subsection (e) shall prohibit the performance of emergency medical services in a residential dwelling.

f) Legal duties - Standards. Each licensee engaged in a home occupation shall have a duty to:

(1) conduct the home occupation and all related activities, including storage, completely within the dwelling unit. No home occupation shall be operated from an accessory structure or garage. Provided, however, that services offered or performed in conjunction with the home occupation may be provided off-site. Provided further, that an attached or unattached accessory building or accessory structure, such as a garage, may be used for incidental storage of materials, supplies and business records related to the home occupation if all of the following requirements are met: (i) the accessory building or structure is fully enclosed; (ii) no chemicals, hazardous materials, base metals, or unfinished goods or products related to the home occupation are stored in the accessory building or structure; (iii) if business records or paper supplies are stored in the accessory building or structure, such records or supplies are enclosed in boxes, file cabinets or other containers and such storage complies with all applicable provisions of this Code, including applicable ordinances relating to fire prevention; and (iv) the square footage limitations set forth in subsection (g)(7) of this section are not exceeded.

g) Prohibited acts - Standards. It shall be unlawful for any licensee engaged in a home occupation to:

1) conduct a home occupation in violation of Section 17-9-0202 or the other applicable provisions of the Chicago Zoning Ordinance;

2) allow the home occupation to become the principal use of the dwelling unit. The home occupation shall be accessory, incidental and secondary to the principal residential use of the dwelling unit;

3) add to the dwelling unit a separate entrance from the outside of the building for the sole use of the home occupation;

3

4) display signage or ~~create~~ any other ~~external~~ evidence of the operation of the home occupation: (i) on the exterior of the dwelling unit or residential building in which the dwelling unit is located, or (ii) if the dwelling unit is located in a residential building containing 2 or more dwelling units, on any interior wall or other interior location within such residential building other than the interior of the dwelling unit itself, or (iii) in any location within the dwelling unit or residential building that is clearly visible from the public way;

5) make any internal or external structural alterations or construction to the dwelling unit, whether permanent or accessory, of the type that would will change the residential character of the dwelling unit or the residential building in which the dwelling unit is located;

6) install any equipment of the type that would will change the residential character of the dwelling unit or the residential building in which the dwelling unit is located;

7) allow the total square footage of any home occupation, including any accessory building or accessory structure used for storage or other home occupation business-related activities, to permanently occupy more than ten percent of the floor area of any single-family residence or more than 15 percent of the floor area of any dwelling unit in a building containing multiple dwellings. Provided, however, that in no instance shall one or more home occupations in any single dwelling unit, including any accessory building or accessory structure used for storage or other home occupation business-related activities, permanently occupy, in any combination, more than 300 square feet of such dwelling unit or accessory building or structure;

8) produce or emit any noise, vibration, smoke, dust or other particulate matter, odorous matter, heat, humidity, glare or any other effect that unreasonably interferes with any person's enjoyment of his or her residence;

9) (i) hire or retain, or otherwise permit or allow, more than one nonresident employee to work within the dwelling unit in connection with the home occupation. All other employees of the licensee who work within the dwelling unit shall reside in the dwelling unit in which the home occupation is located.

ii) Nothing in this subsection (g)(9) shall be construed to prohibit a licensee under this section from hiring or retaining non-resident employees to work exclusively outside the dwelling unit in connection with the home occupation.

iii) In the event of an alleged violation of subparagraph (i) of this subsection (g)(9), the following requirements shall apply: (A) A rebuttable presumption shall exist that an employee has been authorized by the licensee to work within the dwelling unit in connection with the home occupation if such employee is present in the dwelling unit for more than three consecutive hours in any given day. (B) The burden of proof shall be on the licensee to prove, by a preponderance of evidence, that the non-resident employee is an external employee;

(£10) regardless of whether a dwelling unit is used for one or more home occupations: (i) allow more than two patrons or clients or non-resident external employees of the home occupation to be present, in any combination, in the dwelling unit at any one time; or (ii) allow more than ten patrons or clients or external employees of the home

occupation to be

4

present, in any combination, in the dwelling unit during at any 24-hour period; or (iii) allow any person, other than the person(s) who reside in the dwelling unit and not more than one nonresident internal employee, to perform any work in the dwelling unit in connection with the home occupation(s) being carried on in such dwelling unit. Provided, however, that the restrictions set forth in this subsection (g)(10) on the number of patrons, clients and persons

non-resident external employees allowed in a dwelling unit shall apply to all home occupations within such dwelling unit and shall not be cumulative. Provided further, that in the event of an alleged violation of this subsection (g)(10), the rebuttable presumption and burden of proof set forth in items (A) and (B), respectively, of subsection (g)(9)(iii) of this section shall apply;

(4011) permit any tractor trailer delivery; or

(4412) permit the direct sale of any product on display shelves or racks?; or

(13) permit or accept more than one bulk delivery per day (in addition to United States mail service, Federal Express, U.P.S. and messenger services). Any such bulk delivery shall occur between the hours of 8:00 a.m. and 5:00 p.m.

(Omitted text is unaffected by this ordinance)

SECTION 2. Section 17-9-0202-C of the Chicago Zoning Ordinance, Title XVH of the Municipal Code of Chicago, is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

17-9-0202-C Standards. A dwelling unit may be used for one or more home occupations subject to compliance with all of the ~~following~~ minimum standards in subsections (e), (f) and (g) ¹ of Section 4-6-270.;

~~i-. The home occupation must be accessory and secondary to the use of a dwelling unit for residential purposes, and the home occupation must not change the residential character of the residential building or adversely affect the character of the surrounding neighborhood.~~

~~Or. No more than one non-resident employ ceis allowed in conjunction with a home occupation. All other employees must reside in the dwelling unit in which the home occupation is located. No more than two patrons or clients may be present in the dwelling unit at any one time, and no more than 10 clients or patrons may be present in the dwelling unit during any 24-hotir period.~~

~~3^ No separate entrance from the outside of the building may be added to the residential building fur the sole use of the home occupation.~~

~~4-. The home occupation may not display or create any external evidence of the operation of the home occupation.~~

~~There may be no internal or external structural alterations or construction, either permanent or accessory, to the dwelling unit, nor the installation of any~~

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building.

ties, including storage; may not be operate

than 10% of the floor area of any detached house or 15% of the floor area of any other type of dwelling unit; provided, however, that in no instance may one or more home occupations in any single dwelling unit permanently occupy more than 300 square feet of the dwelling unit.

No direct sale of any product on display shelves or racks is

9- Bulk deliveries related to a home occupation are limited to one per day (in addition to United States mail service, Federal Express, U.P.S. and messenger services) and may only occur between the hours of 8:00 a.m. and 5:00 p.m. No delivery via tractor trailer is permitted.

4& No home occupation may produce or emit any noise, vibration, smoke, dust, or other particulate matter, odorous matter, heat, humidity, glare, or any other effect that unreasonably interferes with any person's enjoyment of their residence.

4-k *The following uses are expressly prohibited as home occupations:*

a) any repair of motorized vehicles, including the painting or repair of automobiles, trucks, trailers, boats, and lawn equipment?

b) animal hospitals;

(c) kennels;

(e) bird-keeping facilities;

(4) barber shops or beauty parlors;

g) dancing schools;

h) restaurant-si

(+) catering/food preparation businesses or shared kitchens

(4t) funeral chapels or homes;

(4) crematoria;

(rn) mausoleums;

assembled when the home occupation licensee is not the

- (p) public places of amusement;
- (q) the sale of firearms or ammunition?
- (f) caterers;
- (s) ~~construction businesses or landscaping businesses that~~ provide the storage of goods and materials to be utilized in the operation of the business or use;
- (t) warehousing; and
ing-er

ARTICLE II. SHARED KITCHEN USERS

SECTION 1. Section 4-8-020 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

4-8-020 Licensing requirements- Exceptions.

(Omitted text is unaffected by this ordinance)

(e) (1) Except as otherwise provided in subsection (e)(4) of this section, no person shall engage in the business of a shared kitchen long-term user or shared kitchen short-term user without first having obtained a shared kitchen user license under Section 4-8-039.

2) If a person holds a valid shared kitchen user license under this chapter to engage in the business activity of shared kitchen long-term user or shared kitchen short-term user, such person shall not be required to obtain a retail food establishment license to engage in ~~the business of a shared kitchen~~ user such activity in a properly licensed shared kitchen.

3) If a person holds a valid shared kitchen user license under this chapter to engage in the business activity of shared kitchen long-term user or shared kitchen short-term user, such person shall not be required to obtain a wholesale food establishment license to sell or offer for sale at wholesale any article of food, confection, condiment, drink or ice prepared by such person in a properly licensed shared kitchen.

7

(4) If a person holds a valid outdoor special event permit issued under Section 10-8-335^ such person

shall not be required to obtain a shared kitchen user license under this chapter to rent, lease or otherwise use kitchen space in a properly licensed shared kitchen to prepare any article of food, confection, condiment, drink or ice used or intended for use at the outdoor special event for which such outdoor special event permit has been issued.

(Omitted text is unaffected by this ordinance)

SECTION 2. Section 4-8-039 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

4-8-039 Shared kitchen user license.

- a) Definitions. As used in this section, unless the context clearly indicates otherwise:

(Omitted text is unaffected by this ordinance)

"Shared kitchen licensee" shall mean any person licensed or required to be licensed under subsection (d) of Section 4-8-020.

"Shared kitchen long-term user" shall mean a shared kitchen user who utilizes, leases or rents kitchen space at any licensed shared kitchen for a term of two years.

"Shared kitchen short-term user" shall mean a shared kitchen user who utilizes, leases or rents kitchen space at a shared kitchen for 90 or fewer consecutive calendar days.

b) ~~§1} License classifications. Shared kitchen user licenses shall be divided into the classifications which follow:~~ Shared kitchen user license required - Covered activities. A shared kitchen user license under this section shall be required to engage in any of the following business activities ("covered business activities"): (1) shared kitchen long-term user; or (2) shared kitchen short-term user. The business activity authorized under the shared kitchen user license shall be indicated on the face of such license.

(2) Shared kitchen user license - Scope of authorized activity.

(i) Long-term user License: Shared kitchen long-term user. The holder of a long-term user license A shared kitchen user license under this section authorizing the holder of such license to engage in the business of shared kitchen long-term user is subject to no limitation on (1) the number of calendar days that such long-term user properly licensed shared kitchens that such long term user licensee may utilize, lease or rent a properly licensed shared kitchen during the applicable two-year license period, or (2) the number of properly licensed shared kitchens that such long-term user may utilize, lease or rent during the applicable two-year license

period. ~~Provided, however, that nothing in this section~~ Nothing in this subsection (b)(2)(i) shall be construed to prohibit a shared kitchen from renting, leasing or otherwise authorizing the use of such licensee's shared kitchen for a period of less than two years.

(ii) ~~Short term-user licensee~~ Shared kitchen short-term user. ~~The holder of a A shared kitchen user license under this section authorizing the holder of such license to engage in the business of shared kitchen short-term user license is entitled~~ entitles such licensee to utilize, lease or rent space at a properly licensed shared kitchen,, or any combination thereof of properly licensed shared kitchens, for a period not to exceed 90 consecutive calendar days, as measured from the date that such shert-term-user shared kitchen user license is issued. ~~Provided, however, that nothing~~ Nothing in this section subsection (b)(2)(h) shall be construed to prohibit a shared kitchen licensee from renting, leasing or authorizing the use of such licensee's shared kitchen for a period of less than 90 consecutive calendar days.

c) License application. In addition to meeting the requirements set forth in Section 4-8-030, ~~all applicants~~ an application for, and, if requested, a renewal of for a shared kitchen user license under this section shall be ~~required, as part of the license application, to submit~~ accompanied by the following information:

(1) whether the applicant or licensee, as applicable, is seeking to utilize, lease or rent space at a licensed shared kitchen for (a) 90 or fewer calendar days ("short-term shared kitchen user") or (b) for a two year term ("long-term shared kitchen user")

(44(2) a menu of the food items that such user intends to prepare, store, taste test, develop, package or otherwise handle or use for food-related purposes at the applicable shared kitchen; and

(24(3) a written statement, signed by the owner or operator of each applicable licensed shared kitchen that the applicant uses or intends to use, containing the following information about each such shared kitchen: (i) the name and address of the shared kitchen, (ii) the shared kitchen's license number, (iii) a written authorization, signed by the owner or operator of the shared kitchen, stating that the applicant for the shared kitchen user license has been authorized by such owner or operator to rent, lease or utilize kitchen space at such shared kitchen; and (iv) the start date and, if any, the end date to which such authorization applies.

(Omitted text is unaffected by this ordinance)

d) License issuance prohibited when. In addition to the prohibitions set forth in Section 4-8-025, no shared kitchen user license shall be issued under this section:

(1) if the department of health fails to approve as safe the contents of any menu required under subsection ~~(e)(1)~~ (c)(2) of this section to be submitted as part of the license application;

9

(Omitted text is unaffected by this ordinance)

(f) License fee- Duration of license.

1) ~~Long term~~ Shared kitchen long-term user ~~license~~: The fee for a shared kitchen user license to engage in the business of shared kitchen long-term user license shall be as set forth in Section ~~4-5-010~~ 4-8-041 of this Code. Provided, however, that such fee shall be waived for a properly licensed mobile food vendor as set forth in Section 4-8-041(c). Stteh A shared kitchen long-term user license shall expire on the date indicated on the face of the license.

2) ~~Short term Shared kitchen short-term user license~~: The fee for a shared kitchen user license to engage in the business of shared kitchen short-term user license shall be as set forth in Section ~~4-5-010~~ 4-8-041. Provided, however, that such fee shall be waived for a properly licensed mobile food vendor as set forth with Section 4-8-041(c). ~~Such~~ A shared kitchen short-term user license shall expire 90 consecutive calendar days from the date of its issuance.

(Omitted text is unaffected by this ordinance)

SECTION 3. Section 4-8-041 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

4-8-041 License fees.

~~The~~ Except as otherwise provided in this section, the license fees shall be as set forth in Section 4-5-010 ~~of this Code~~ and shall be paid before any license may be issued. All licenses shall expire on the date indicated on the face of the license.

(Omitted text is unaffected by this ordinance)

c) Mobile food vendor license. A separate mobile food vendor license is required for each mobile food vehicle, cart or produce stand used by the mobile food vendor in the conduct of his business. The fee for such license shall be as set forth in Section 4-5-010. Provided, however, that if a mobile food vendor also requires a shared kitchen user license under Section 4-8-039 for a vehicle, cart or stand, such mobile food vendor shall be exempt from the applicable shared kitchen user license fee for such vehicle, cart or stand.

d) Shared kitchen and shared kitchen user licenses. ~~The~~ Except as otherwise provided in subsection (c) of this section, the fees for a shared kitchen long-term user and shared kitchen short-term user shall be as set forth in Section 4-5-010.

(Omitted text is unaffected by this ordinance)

ARTICLE III. SECONDHAND DEALERS

SECTION 1. Section 4-264-005 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

4-264-005 Definitions.

(Omitted text unaffected by this amendment)

"Secondhand dealer" means any person who engages in the business of purchasing, selling, receiving, trading, consignment selling or otherwise transferring for value any secondhand property. Notwithstanding the foregoing, nothing

in this chapter applies to: (i) pawnbrokers licensed under Chapter 4-240; junk peddlers licensed under Section 4-6-150; junk facilities permitted under Chapter 11 -4 of this Code; or manufacturing establishments licensed under Chapter 4-224; (ii) sales or exchanges of used articles and materials conducted by or controlled by charitable or religious organizations; (iii) any person/who purchases used articles or materials from a charitable or religious organization for the purpose of resale, if the person spends in excess of \$ 1,000,000.00 per annum on purchases of used articles and materials from religious and charitable organizations for purposes of resale, and maintains an indoor facility of not fewer than 10,000 square feet for the sale of such used articles and materials; (iv) the sale of Chicago Transit Authority fare tokens pursuant to permission of the Authority; (v) the purchase or sale of precious metals or currency on the Chicago Mercantile Exchange or on a similar exchange, wherever located; (vi) the exchange of currency by a licensed currency exchange, national bank, federal savings bank or other financial institution as defined in the Illinois Banking Act; or (vii) a provider of commercial mobile service, as defined in 47 U.S.C. 332(d), and such provider's authorized agents and retailers that have contractual relationships with the provider to sell the provider's authorized products and services.

"Secondhand dealer - non-valuable" means a secondhand dealer who does not engage in the business of purchasing, selling, receiving, trading, consignment selling or otherwise transferring for value any jewelry or watch made of precious metal or precious stone or gem; article made of precious metal or precious stone or gem; or currency.

"Secondhand property" means any previously owned audio-video equipment; ~~children's product?~~ construction materials, including, but not limited to, plumbing, electrical, roofing, masonry and carpentry supplies; jewelry or watch made of precious metal or precious stone or gem; article made of precious metal or precious stone or gem; sporting or athletic gear or equipment, including a bicycle; or currency.

(Omitted text unaffected by this amendment)

SECTION 2. Section 4-264-010 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, as follows:

4-264-010 License - Required.

It shall be unlawful for any person to engage in the business of a secondhand dealer without first obtaining a license therefor for each separate place, premises or location where such business is to be conducted. The license issued pursuant to this chapter shall be administratively categorized as either secondhand dealer or secondhand dealer - non-valuable ("collectively, "secondhand dealer").

ARTICLE IV. BLASTING AND EXPLOSIVES

SECTION 1. Section 15-4-310 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-4-310 License application and certificate of fitness.

(a) License application

A written application for a license under this chapter shall be made to the commissioner of business affairs and

consumer protection in conformity with the general requirements of this Code relating to applications for licenses. In addition, the applicant shall set forth the location at which it is desired or intended to keep such explosives, or any other substance mentioned in the preceding section, the maximum amount of such explosives, or any of them intended to be kept on hand at any one time at such place, and shall state whether such explosives are to be kept in bulk or in barrels, canisters, or other containers, and the number of loaded shells, loaded cartridges, blank cartridges, percussion caps, primers or detonators, or the number of pounds of flashlight powder, intended to be kept on hand at any one time in such place. Any applicant engaging in blasting operations or in any other activity using explosives shall further state in his application the nature of the work to be performed, the site of the proposed work, the location of the magazine in which it is intended to keep such explosives, and the quantity and kind of explosives to be kept therein.

Upon request from the commissioner of business affairs and consumer protection, the fire commissioner shall make, or cause to be made, an investigation for the purpose of ascertaining whether the place at which it is desired or intended to keep, sell, offer for sale, use or give away such explosives or other aforementioned substances is so situated that a license to keep such loaded paper shells, metallic shot, loaded cartridges, blank cartridges, percussion caps, primers, detonators or flashlight powder in the quantity desired would not be so dangerous as to constitute a nuisance or be a menace to the safety of the public or of adjoining property, and also whether the conditions under which such explosives, cartridges, percussion caps, flashlight powder, or any of them, are to be kept or handled shall be such as to provide the maximum of safety.

12

Licenses issued pursuant to this chapter shall have a term of two years. (b) Certificate of fitness

Before any operation shall begin under a license for the transportation of any explosives, or for the use of explosives in any manner, or for blasting, the licensee shall file with the fire commissioner, in writing, the name or names of the person or persons designated by the fire commissioner to handle said explosives or to load holes or discharge explosives, to prepare charges and load the holes, to transport by vehicle or otherwise, or to have the care of magazines.

Any such person, before being permitted to exercise any of such functions, shall file a written application with the fire commissioner for a "certificate of fitness", and before the issuance of any such certificate the fire commissioner shall examine such applicant as to his qualifications to fill such position or positions, under the conditions herein described. No person shall be permitted to have the actual care and handling of such explosives without first having obtained a certificate of fitness as herein provided. Such certificate of fitness shall be subject to inspection by any member of the fire and police departments at all times.

To receive a certificate of fitness the person must:

- 1) Be at least 21 years of age;
- 2) Be able to understand and speak the English language;
- 3) Have letters of recommendation from his last two employers (if any), and, if he has not been in the service of his last employer for at least three years, a letter testifying to his good character and capacity from his last employer;

4) Be familiar with the laws and the provisions of this Code governing the transportation, storage and use of explosives, particularly the part relating to the service to be performed by the applicant; and

(5) Be familiar with the risks incident to the service to be performed by him, and
capable of taking all necessary precautions-

Nothing herein contained shall prevent a licensee from applying for and obtaining a certificate of fitness if entitled to the same under the provisions of this section. The actual work done must at all times be conducted by a person holding a certificate of fitness.

SECTION 2. Section 15-4-320 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

13

15-4-320 License fee.

The annual license fee for each license and certificate of fitness issued pursuant to the provisions of this chapter shall be the sum of \$25 ~~provided, that if the applicant shall apply for the sole purpose of keeping, selling, or giving away within the city lead shells, metallic shot loaded cartridges, or blank cartridges designed or intended to be used~~
Or as set forth in Section 4-5-010.

license fee

SECTION 3. Section 15-4-340 of the Municipal Code of Chicago is hereby repealed in its entirety.

ARTICLE V. PUBLIC GARAGES

SECTION 1. Section 4-232-150 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

4-232-150 License - Required.

No person shall engage in the business of a public garage or accessory garage without first having obtained a public garage license therefor. ~~No person shall engage in the business of an accessory garage without first having obtained an accessory garage license therefor.~~

SECTION 2. Section 4-232-160 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

4-232-160 License - Application - Investigation.

An application for ~~either of the said~~ license shall be made in conformity with the general requirements of this Code relating to applications for licenses. The applicant shall also specify the construction of said building, the number of stories in such building, and the number of square feet of floor area in each of the stories in such building.

SECTION 3. Section 4-232-170 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through, as follows:

14

4-232-170 License - Classification - Fee.

The fee for a public garage license shall be as set forth in Section 4-5-010. ~~The fee for an accessory garage license is the same as the fee for a public garage license.~~

ARTICLE VI. PRIVATE SCAVENGER

SECTION 1. Section 4-6-130 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

4-6-130 Private scavenger.

(Omitted text unaffected by this ordinance)

b) Application - Additional information required. In addition to the requirements set forth in Section 4-4-050, an application for, and, if requested, renewal of, a regulated business license to engage in the business of private scavenger shall be accompanied by the following information:

- 1) the number of scavenger vehicles that the applicant intends to operate or use in connection with said business;
- 2) the method of disposal and place of disposal of garbage or other waste being proposed by the applicant;
- 3) ~~in the case of renewal of any license, an~~ a valid and current inspection approval ~~certificate~~ license,

issued by the ~~department of streets and sanitation and dated not earlier than 60 days preceding the date of application,~~ State of Illinois for each scavenger vehicle used in the conduct of the business.

c) License issuance and renewal - Prohibited when. No regulated business license to engage in the business of private scavenger shall be issued to the following persons:

4) ~~any applicant or licensee, as applicable, if the application for an initial license has not been approved by the department of streets and sanitation for compliance with the applicable health, sanitation and safety provisions of this Code;~~

(3) (1) any applicant or licensee, as applicable, if such person has not obtained an inspection approval ~~certification~~ license meeting the requirements of subsection (b)(3) of this ~~section~~ article for each scavenger vehicle used in the conduct of the business;

15

(34) (2) any applicant or licensee, as applicable, if the commissioner of streets and sanitation does not approve the adequacy of any recycling program required to be developed and made available by the private scavenger pursuant to subsection (e)(4) of this section;

(4) (3) any applicant or licensee, as applicable, who fails to provide proof of compliance with requirements set forth in subsection (e)(5) of this section.

ARTICLE VII. ESTABLISHMENT OF LICENSE FEES

SECTION 1. Section 4-5-010 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

4-5-010 Establishment of license fees.

This chapter shall establish fees for various licenses created by this title unless otherwise provided. The following fees shall apply for the specified licenses. The chapter in which each fee requirement is created is also provided. Unless otherwise stated, fees shall be assessed every two years. For every license application which includes fingerprinting of the applicant as part of the application process, a fingerprint fee sufficient to cover the cost of processing fingerprints will be assessed in addition to the below fees. The fingerprint fee will be assessed regardless of whether the license applied for is issued or denied. The amount of the fee will be set forth by regulation promulgated by the commissioner of business affairs and consumer protection.

(Omitted text not affected by this amendment)

Retail Food Establishment (4-8)

(Omitted text not affected by this amendment)

Mobile Food Vendor - Mobile Prepared Food Vendor

Provided, however, that the fee shall be \$50.00 if the licensee is: 65 or more years of age at the time of

application: or a veteran of the armed forces of the United States, whose discharge from military or naval service was other than dishonorable; or a person with a physical or mental disability, as certified by a medical doctor.

(Omitted text not affected by this amendment)

~~(49)-Garage-Accessory (4-232)~~

16

ARTICLE VIII. INSPECTIONS

SECTION 1. Section 4-6-080 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

4-6-080 Adult family care center.

(Omitted text is unaffected by this ordinance)

c) *Departmental duties - Inspections.*

(Omitted text is unaffected by this ordinance)

3) Except as otherwise provided in subsection (d)(4) of this section, the The: (i) department of health? and department of family and support services, and (ii) either the fire department and or department of buildings^ pursuant to a coordinated inspection schedule, shall conduct annual inspections of every adult family care center licensed or required to be licensed under this section. If, within the 12-month period prior to the date of any inspection required under this section, the adult family care center was inspected either by the fire department or department of buildings in connection with a permit inspection, periodic inspection, code compliance inspection or certificate of occupancy, such inspection shall be deemed to meet the applicable inspection requirement in item (ii) of this subsection (c)(3) and in subsection (d) (4).

4) The In addition to the inspections mandated in subsection (c)(3), the department of health, department of family and support services, fire department and department of buildings is are authorized to ~~inspect any adult family care center licensed or required to be licensed under this chapter~~ conduct such additional inspections as they deem necessary to maintain health and safety.

d) License issuance and renewal - Prohibited when. No regulated business license to engage in the business of adult family care center shall be issued to:

(Omitted text is unaffected by this ordinance)

(4) any applicant or licensee, as applicable, unless, prior to issuance of any initial license, ~~the department of health, fire department and department of buildings inspect~~ the premises identified in the license application are

inspected in accordance with subsection (c)(3) to determine whether the adult family care center is in compliance with the requirements of this Code and any rules and regulations promulgated thereunder pertaining, respectively, to healthy and sanitation, fire prevention? and the building provisions of this Code;

17

(Omitted text is unaffected by this ordinance)

SECTION 2. Section 4-6-090 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

4-6-090 Assisted living establishment.

(Omitted text is unaffected by this ordinance)

c) *Departmental duties - Inspections.*

(Omitted text is unaffected by this ordinance)

3) The: (i) department of health, and (ii) either the fire department and or department of buildings, pursuant to a coordinated inspection schedule, shall conduct bi-annual inspections of every assisted living establishment licensed or required to be licensed under this chapter section. If, within the 12-month period prior to the date of any inspection required under this section, the assisted living establishment was inspected either by the fire department or department of buildings in connection with a permit inspection, periodic inspection, code compliance inspection or certificate of occupancy, such inspection shall be deemed to meet the applicable inspection requirement set forth in item (ii) of this subsection (c)(3) and in subsection (d)(2).

4) T-he In addition to the inspections mandated in subsection (c)(3). the department of health, department of family and support services, fire department and department of buildings is are authorized to ~~inspect any assisted living establishment licensed or required to be licensed under this chapter~~ conduct such additional inspections as they deem necessary to maintain health and safety.

d) License issuance and renewal - Prohibited when. No regulated business license to engage in the business of assisted living establishment shall be issued to the following persons:

(Omitted text is unaffected by this ordinance)

(2) any applicant or licensee, as applicable, unless, prior to issuance of any initial license to engage in the business of assisted living establishment, the ~~department of health, fire department and department of buildings inspect~~ the establishment identified in the license application is inspected in accordance with subsection (c)(3) to determine whether the establishment is in compliance with the requirements of this Code and any rules and regulations-promulgated thereunder pertaining, respectively, to healthy and sanitation, fire prevention and the building provisions of this Code.

(Omitted text is unaffected by this ordinance)

18

SECTION 3. Section 4-6-100 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

4-6-100 Long-term care facility.

(Omitted text is unaffected by this ordinance)

c) *Departmental duties - Inspections.*

(Omitted text is unaffected by this ordinance)

3) Except as otherwise provided in subsection (d)(2) of this section, the The (j) department of health, and (ii) either the fire department and or department of buildings, pursuant to a coordinated inspection schedule, shall conduct bi-annual inspections of every long-term care facility licensed or required to be licensed under this chapter section. If, within the 12-month period prior to the date of any inspection required under this section, the long-term care facility was inspected either by the fire department or department of buildings in connection with a permit inspection, periodic inspection, code compliance inspection or certificate of occupancy, such inspection shall be deemed to meet the applicable inspection requirement in item (ii) of this subsection (c)(3) and in subsection (d)(2).

4) The In addition to the inspections mandated in subsection (c)(3), the department of health, department of family and support services, fire department and department of buildings is. are authorized to ~~inspect any long term care facility licensed or required to be licensed under this chapter~~ conduct such additional inspections as they deem necessary to maintain health and safety.

d) License issuance and renewal - Prohibited when. No regulated business license to engage in the business of long-term care facility shall be issued to the following persons:

(Omitted text is unaffected by this ordinance)

(2) any applicant or licensee, as applicable, unless, prior to issuance of any initial license to engage in the business of long-term care facility, the ~~department of health, fire department and department of buildings inspect the premises identified in the license application are inspected in accordance with subsection (c)(3) to determine whether the facility is in compliance with the requirements of this Code and any rules and regulations promulgated thereunder pertaining, respectively, to health and sanitation, fire prevention and the building provisions of this Code.~~

(Omitted text is unaffected by this ordinance)

SECTION 4. Section 4-6-110 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

4-6-110 Adult family care home.

(Omitted text is unaffected by this ordinance)

- c) *Departmental duties.*

(Omitted text is unaffected by this ordinance)

(i) department of health, and (ii) either the fire department and or department of buildings^ pursuant to a coordinated inspection schedule, shall conduct bi-annual inspections of every adult family care home licensed or required to be licensed under this section. If, within the 12-month period prior to the date of any inspection required under this section, the adult family care home was inspected either by the fire department or department of buildings in connection with a permit inspection, periodic inspection, code compliance inspection or certificate of occupancy, such inspection shall be deemed to meet the inspection requirement in item (ii) of this subsection (c)(3) and in subsection (d)(2).

(4) The In addition to the inspections mandated in subsection (c)(3), the department of health, department of family and support services, fire department and department of buildings is are authorized to ~~inspect any adult family care home licensed or required to be licensed under this chapter~~ conduct such additional inspections as they deem necessary to maintain health and safety.

- d) License issuance and renewal - Prohibited when. No regulated business license to engage in the business of adult family care home shall be issued to the following persons:

(Omitted text is unaffected by this ordinance)

(2) any applicant or licensee, as applicable, unless, prior to issuance of any initial license to engage in the business of adult family care home, the ~~department of health, fire department and department of buildings inspect the adult family care home~~ premises identified in the license application are inspected in accordance with subsection (c)(3) to determine whether the adult family care home is in compliance with the requirements of this Code and any rules and ~~regulations~~ promulgated thereunder pertaining, respectively, to healthy and sanitation, fire prevention and the building provisions of this Code.

(Omitted text is unaffected by this ordinance)

SECTION 5. Section 4-6-180 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

4-6-180 Hotel.

(Omitted text is unaffected by this ordinance)

- (d) *Departmental duties.*

(1) The department of buildings shall inspect each licensed hotel at least twice every year. Such inspection shall verify that the premises comply in all respects with the ventilation^ and sanitary, fire prevention and building provisions of this Code and the laws of the State of Illinois pertaining to such establishments. If, within the 12-month period prior to the date of any such bi-annual inspection, the hotel was inspected by the department of buildings in connection with a periodic inspection, code compliance inspection or certificate of occupancy, such inspection shall be deemed to meet the inspection requirement set forth herein. The department of health, fire department and department of buildings are authorized to conduct such additional inspections as they deem necessary to maintain health and safety.

(Omitted text is unaffected by this ordinance)

SECTION 6. Section 4-6-220 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

4-6-220 Single-room occupancy building.

(Omitted text is unaffected by this ordinance)

c) *Departmental duties.*

(1) Each building operated and maintained, in whole or in part, as a single-room occupancy building shall be inspected annually either by the building commissioner and or the fire commissioner or their respective designees, pursuant to a coordinated inspection schedule. In addition, it shall be the responsibility of the commissioner of health or the commissioner's designee to inspect those units in a single-room occupancy building, if any, that are maintained for transient occupancy. If, within the 12-month period prior to the date of any inspection required under this subsection, the single-room occupancy building was inspected either by the department of buildings or fire department in connection with a permit inspection, periodic inspection, code compliance inspection or certificate of occupancy, such inspection shall be deemed to meet the inspection requirement herein and in subsection (d)fp. The buildings department, fire department and department of health are authorized to conduct such additional inspections as they deem necessary to maintain health and safety.

(Omitted text is unaffected by this ordinance)

d) License issuance and renewal - Prohibited when. No regulated business license to engage in the business of single-room occupancy building shall be issued to the following persons:

(1) any applicant or licensee, as applicable, unless either the building commissioner or fire commissioner, or the commissioner's designee their respective designees,

has have conducted an annual inspection of the single-room occupancy building and determined that the premises comply with all building, fire prevention and sanitary provisions of this Code;

(Omitted text is unaffected by this ordinance)

SECTION 7. Section 4-6-290 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

4-6-290 Bed-and-breakfast establishment.

(Omitted text is unaffected by this ordinance)

d) *Departmental duties.*

1) The Either the department of buildings and or the fire department pursuant to a coordinated inspection schedule, shall inspect each bed-and-breakfast establishment before any initial license is issued for such establishment. ~~Provided, however, that~~

12 month period prior to the date of submission of the license application, the applicant obtained a permit inspection or certificate of occupancy from the department of buildings for the premises identified in the license application. Thereafter, either the department of buildings and the or fire department pursuant to a coordinated inspection schedule, shall inspect the establishment once every two years to .determine whether the establishment complies with all applicable requirements of this Code. If, within the 12-month period prior to the date of any inspection required under this section, the bed-and-breakfast establishment was inspected either by the department of buildings or fire department in connection with a permit inspection, periodic inspection, code compliance inspection or certificate of occupancy, such inspection shall be deemed to meet the applicable inspection requirement set forth herein. The department of buildings and fire department are authorized to conduct such additional inspections as they deem necessary to maintain health and safety.

e) License issuance and renewal - Prohibited when. No regulated business license to engage in the business of bed-and-breakfast establishment shall be issued to the following persons:

(Omitted text is unaffected by this ordinance)

2) any applicant or licensee, as applicable, unless, prior to issuance of any initial license, the premises identified in the license application are inspected in accordance with subsection (d)(1) of this section ~~the department of buildings and the fire department inspect the establishment before the initial license is issued; provided, however, that no pre license issuance inspection shall be required by the department of buildings if, within the 12 month period prior to the date of submission of the license application, the applicant obtained a permit inspection or certificate of occupancy from the department of buildings for the premises identified in the license application. Thereafter, the department of buildings and the fire department shall inspect~~

22

(Omitted text is unaffected by this ordinance)

SECTION 8. Section 4-8-042 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

4-8-042 Inspections of and inspection fees for a place for eating.

(a) The building commissioner shall make an annual inspection of all places for eatings that Such annual inspection shall be conducted as one inspection, which shall consist tha^Gonsists of inspections pursuant to

Sections 13-20-020, 13-20-290 and 13-20-530. If, within the 12-month period preceding such annual inspection, the place of eating was inspected by the department of buildings in connection with a permit inspection, periodic inspection, code compliance inspection or certificate of occupancy, such inspection shall be deemed to meet the annual inspection requirement herein. The department of buildings is authorized to conduct such additional inspections as the department deems necessary to maintain health and safety.

(Omitted text is unaffected by this ordinance)

SECTION 9. Section 4-60-042 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

4-60-042 Conditional approval.

A person may seek conditional approval for a consumption on premises-incidental activity license, package goods license, tavern license, or for an expanded establishment amended liquor license, at a premises to be constructed, reconstructed or substantially rehabilitated. The application for conditional approval shall be submitted to the department of business affairs and consumer protection in accordance with the rules ~~and regulations~~ promulgated by the local liquor control commissioner. The applicant shall also pay all required license fees for the subject license. Upon receipt of the application for conditional approval and the fee, the department of business affairs and consumer protection shall forward the information to the local liquor control commissioner and to appropriate departments for review. Upon completion of the review, which shall take place no longer than 90 days after the date the license fee is paid, the local liquor control commissioner shall notify the applicant whether the applicant is conditionally approved to receive the described license for the subject premises, conditioned upon: (i) the applicant completing the structure substantially as presented in the building plans and floor plan submitted with the application for conditional approvals; and (ii) ~~upon~~ inspection approval by: (a) ~~the fire department?~~ the department of healthy and (b) either the fire department or department of buildings, pursuant to a coordinated inspection schedule. If, within the 12-

23

month period preceding the date of notification from the local liquor control commissioner that the applicant has been conditionally approved to receive the described license, the subject premises were inspected either by the fire department or department of buildings in connection with a permit inspection, periodic inspection, code compliance inspection or certificate of occupancy, such inspection shall be deemed to meet the inspection requirement set forth herein. The department of health, fire department and department of buildings are authorized to conduct such additional inspections as they deem necessary to maintain health and safety. The conditional approval shall be valid for one year from the date of issuance. The commissioner of business affairs and consumer protection shall have authority to issue ~~regulations~~ rules for the administration of this section.

SECTION 10. Section 4-75-040 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

4-75-040 License issuance and renewal - Prohibited when.

- (a) No license under this chapter shall be issued to the following persons:

(Omitted text is unaffected by this ordinance)

(6) In the case of an initial application for a license under this chapter, any applicant or licensee, as applicable, unless the fire department and or department of buildings[^] pursuant to a coordinated inspection schedule, inspect the premises identified in the license application and determine that such premises are in compliance with all applicable requirements of this Code. If the facility identified in the license application is a day care center or child care facility, the department of health shall also inspect such facility for compliance with the requirements of this Code. If, within the 12-month period prior to the date of submission of an initial license application, the subject premises were inspected either by the fire department or department of buildings in connection with a permit inspection, periodic inspection, code compliance inspection or certificate of occupancy, such inspection shall be deemed to meet the inspection requirement herein. The fire department, department of buildings and health department are authorized to conduct such additional inspections as they deem necessary to maintain health and safety;

(Omitted text is unaffected by this ordinance)

SECTION 11. Section 4-75-160 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

24

4-75-160 Departmental duties - Annual inspection - Required.

Every facility licensed under this chapter shall be inspected annually either by the fire department and or department of buildings, pursuant to a coordinated inspection schedule. If, within the 12-month period preceding such annual inspection, the facility was inspected either by the fire department or department of buildings in connection with a permit inspection, periodic inspection, code compliance inspection or certificate of occupancy, such inspection shall be deemed to meet the annual inspection requirement herein. Day care-centers may also be inspected by the department of health. The fire department, department of buildings and department of health are authorized to conduct such additional inspections as they deem necessary to maintain health and safety.

SECTION 12. Section 4-156-570 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

4-156-570 Issuance of license - Prohibited when.

No license shall be issued under this Article unless all of the following requirements are met:

(Omitted text is unaffected by this ordinance)

(h) either the department of buildings and the or fire department, pursuant to a coordinated inspection schedule, have inspected the establishment at least once during the 12-month period preceding the event and have determined that the establishment complies with all applicable life safety requirements of this Code necessary to ensure the safety of public assembly units. If, within the preceding 12-month period, the establishment was inspected either by the department of buildings or fire department in connection with a permit inspection, periodic inspection, code compliance inspection or certificate of occupancy, such inspection shall be deemed to meet the inspection requirement herein. The department of buildings and fire department are authorized to conduct such additional inspections as they deem necessary to maintain health and safety.

(Omitted text is unaffected by this ordinance)

SECTION 13. Section 4-156-820 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

4-156-820 Issuance of license - Prohibited when.

No license shall be issued under this Article unless all of the following requirements are met:

25

(Omitted text is unaffected by this ordinance)

(f) either the department of buildings and-the or fire department, pursuant to a coordinated inspection schedule, have inspected the establishment at-least once during the preceding 12-month period ~~preceding~~ and have determined that the establishment and building in which the establishment is located comply with all applicable life safety requirements of this cede Code. If, within the preceding 12-month period, the establishment and building in which the establishment is located were inspected either by the department of buildings or fire department in connection with a permit inspection, periodic inspection, code compliance inspection or certificate of occupancy, such inspection shall be deemed to meet the inspection requirement herein. The department of buildings and fire department are authorized to conduct such additional inspections as they deem necessary to maintain health and safety.

(Omitted text is unaffected by this ordinance)

SECTION 14. Section 4-388-075 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

4-388-075 Annual inspections.

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The Either the building commissioner and or fire commissioner shall conduct an annual inspection of the building, pursuant to a coordinated inspection schedule, including the special club license location and all other uses in the building, for compliance with the applicable provisions of the Municipal Code. The annual inspection shall be performed within 90 days preceding the annual effective date of the license. If, within the 12-month period prior to the

date of any inspection required under this section, the building was inspected either by the fire department or department of buildings in connection with a permit inspection, periodic inspection, code compliance inspection or certificate of occupancy, such inspection shall be deemed to meet the inspection requirement herein. The buildings department and fire department are authorized to conduct such additional inspections as they deem necessary to maintain health and safety.

SECTION 15. Section 11-4-900 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

11-4-900 Inspection - Hydrostatic tests.

~~containing six or fewer living units, as to which the inspections specified in this section shall be made when necessary in the judgment of the buildings commissioner pursuant to regulation, it shall be the duty of the buildings commissioner and his deputies to inspect all~~ All boilers, tanks, jacketed kettles, generators or other apparatus used for generating or transmitting steam for

26

power, or using steam under pressure for power, or using steam under pressure for heating or steaming purposes., and all other tanks, jacketed kettles and reservoirs under pressure of ~~whatsoever~~ any kind, ~~except as hereinafter provided as often as once a year by making-~~ shall be inspected under the authority or pursuant to the mandate of the building commissioner as often as the commissioner deems necessary. If a hydrostatic pressure test ~~where such test shall be~~ is deemed necessary?., ~~provided, however, that~~ the hydrostatic pressures used in such "test shall not exceed the maximum working pressure of such the apparatus being tested by more than 50 percent and ~~by making~~ a careful external and internal examination of the apparatus shall be made prior to administering the test. In all cases where a hydrostatic pressure test is used, an internal examination of such apparatus shall ~~afterwards~~ be made after the test is administered.

SECTION 16. Section 13-20-020 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

13-20-020 Buildings - Inspection required.

(a) Subject to subsection (b) of this section, either the fire commissioner or the buildings commissioner, pursuant to a coordinated inspection schedule, and or their respective assistants! shall make an annual inspection of all theaters, churches, schools, public assembly units, public places of amusement and open air assembly units? ~~and also all buildings over one story in height, except single dwellings, multiple use buildings consisting of business and dwelling units two stories or less in height, and multiple dwellings three stories or less in height? unless such multiple dwellings are lodging or roominghouses with sleeping accommodations for~~ 2:0 of mors persons. The following buildings shall be inspected by the fire commissioner or buildings commissioner as often as deemed necessary: (1) any three-story building with a basement apartment or living space; or (2) any three-story building that has commercial space on the first floor and residential space on the upper two floors; or (3) any two-story building that is commercial; or (4) any building with four or more stories that is not a single-family residence. With respect to any establishment requiring a public place of amusement license, either the fire commissioner or the buildings commissioner, pursuant to a coordinated inspection schedule, and or their respective assistants^ shall make an inspection within the 90 days preceding the deadline for the

annual renewal application for the license. If, within the 12-month period preceding any inspection under this section, the applicable premises were inspected either by the fire department or department of buildings in connection with a permit inspection, periodic inspection, code compliance inspection or certificate of occupancy, such inspection shall be deemed to meet the inspection requirement herein. The fire department and department of buildings are authorized to conduct such additional inspections as they deem necessary to maintain health and safety. It shall be the duty of every owner, agent, lessee, or occupant of any such building and of the person in charge or control of ~~the same~~ such building to permit the making of ~~such annual~~ any inspection required or authorized under this section by the fire commissioner? or ~~by the building~~ buildings commissioner or by a duly authorized inspector at any time upon demand being duly made.

27

(b) Inspections by the buildings commissioner of places for eating, as that term is defined in Section 4-8-010, shall be controlled by Section 4-8-042; provided, however, that nothing in this section shall be construed to limit inspections of any place for eating by the fire commissioner.

SECTION 17. Section 13-20-080 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

13-20-080 Inspection of amusement park buildings - Fee.

The Either the fire commissioner ~~and the building~~ or buildings commissioner[^] pursuant to a coordinated inspection schedule, shall inspect, or cause to be inspected, all buildings to be used for purposes of exhibition, amusement, or entertainment, which are attended by the public, that are within or connected with an amusement park, each year before said buildings are open to the public, for the purpose of ascertaining whether they said buildings comply with the provisions of this Code and the rules ~~and regulations~~ of promulgated thereunder by the buildings department and fire department. If, within the 12-month period preceding such annual inspection, the applicable premises were inspected either by the fire department or department of buildings in connection with a permit inspection, periodic inspection, code compliance inspection or certificate of occupancy, such inspection shall be deemed to meet the annual inspection requirement herein. The fire commissioner and buildings commissioner are authorized to conduct such additional inspections as they deem necessary to maintain health and safety. The fee for ~~such~~ an annual inspection under this section shall be the same as that charged for an annual inspection of public assembly units under Section 13-20-050⁷ for each building so inspected.

SECTION 18. Section 13-20-100 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

13-20-100 Elevators, escalators and moveable platforms - Inspection required.

~~Except with respect to elevators in single family homes, as to which the inspections specified in this section shall be made when necessary in the judgment of the buildings commissioner pursuant to regulation, every~~ Every elevator, moving walk, material lift, stairway chairlift[^] vertical reciprocating conveyor, movable stage, movable orchestra floor, platform lift, or escalator now in operation, or which may hereafter be installed, together with the hoistway and all

equipment thereof, shall be inspected under the authority or pursuant to the mandate of the ~~building~~ buildings commissioner as often as ~~deemed necessary by the building~~ buildings commissioner based on a risk assessment deems necessary, and in no case shall any new equipment be placed in operation until an initial acceptance inspection of ~~the same~~ such equipment has been made. It shall be the duty of every owner, agent, lessee, person responsible for the equipment within the meaning of section 18-30-005! or occupant of any building ~~wherein~~

28

in which any such equipment is installed, and of the person in charge or control of any such equipment, to permit the ~~making of a test~~ testing and inspection of such elevator, or escalator, or other equipment set forth in this section., and all devices used in connection therewith^ upon within five days after a demand being for testing and inspection is made by the building buildings commissioner or by-his the commissioner's authorized elevator inspector ~~within five~~

SECTION 19. Section 13-20-290 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

13-20-290 Mechanical ventilating systems - Inspection required.

Every mechanical ventilating system shall be inspected ~~when, in the judgment of the buildings commissioner pursuant to regulation, public safety would be served~~ under the authority or pursuant to the mandate of the buildings commissioner as often as the buildings commissioner deems necessary: provided, however, that ~~nothing in this section sha-U-r-quire the buildings commissioner to make annual~~ inspections of mechanical ventilating systems in places for eating, as that term is defined in Section 4-8-010, shall be governed by Section 4-8-042.

SECTION 20. Section 13-20-790 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

13-20-790 Inspections.

~~T-he building commissioner or her or his assistants shall inspect, or mandate the inspection of, all~~ All parts of all mechanical refrigeration systems employing any refrigerant ~~which~~ that is expanded, vaporized, liquefied, or compressed in its refrigeration cycle, including piping, machinery, tanks, jacketed kettles, generators, shell brine coolers, shell condensers, shell absorbers, purifiers, pipe condensers, compressors and pipes used therein, and the apparatus connected therewith and the extensions thereunto, ~~whenever, in her or his judgment, pursuant to regulation, inspection is necessary for the protection of life and property~~ shall be inspected under the authority or pursuant to the mandate of the buildings commissioner as often as the buildings commissioner deems necessary. Whenever such inspection discloses that on account of age, obsolescence, wear and tear, or for any other cause! such refrigeration system has become or is likely to become dangerous to life and health, the commissioner shall give notice in writing to the person owning, leasing, or controlling such refrigeration system, directing him such person to make such changes, alterations, or repairs as in the judgment of the commissioner are necessary to make the refrigeration system safe for the occupants of the premises. The notice shall: (I) state briefly the nature of the work required to be done^and shall (2) specify the time in which the work shall be completed, which shall be fixed by the ~~building~~ buildings commissioner upon consideration of the condition of such refrigeration system, or parts thereof, and the danger to life or property which may result from its unsafe condition.

Upon failure of such person to

29

comply with the requests set forth in such notice within the time fixed in such notice, the commissioner is hereby authorized to order the system shut down and the refrigerant pumped from the system and to prohibit its further use until the aforesaid directions are complied with. Any expenses or outlay incurred by the commissioner in shutting down the refrigeration system shall be a charge upon, and shall be collected from! the owner, lessee⁷ or person controlling such refrigeration system by legal proceedings prosecuted by the department of law.

ARTICLE IX. MISCELLANEOUS

SECTION 1. Section 3-46-073 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

3-46-073 Registration emblems.

(Omitted text is unaffected by this ordinance)

B. Every license holder that is required to pay the tax imposed by this chapter and every transportation network provider shall affix or display, in a manner determined by rule, a registration emblem issued by the department of business affairs and consumer protection on or in the front windshield of every ground transportation vehicle that is used in the city, other than vehicles having a seating capacity of more than 24 passengers or vehicles that are required to display a sticker license emblem or a metal plate pursuant to Chapter 9-108, 9-112, 9-114 or 9-115 of this Code. If a ground transportation vehicle does not affix or display a registration emblem as required by this subsection, then the license holder of the vehicle and the transportation network provider shall be prohibited from using or permitting the use of the vehicle as a ground transportation vehicle in the city.

(Omitted text is unaffected by this ordinance)

SECTION 2. Section 9-115-150 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

9-115-150 Transportation network drivers - Requirements.

(Omitted text is unaffected by this ordinance)

(3) After receiving: (i) the attestation provided pursuant to subsection (b)(2), and (ii) any other application information , as the Commissioner deems appropriate, the Commissioner shall issue a transportation network chauffeur license, in a form prescribed by the Commissioner to each applicant that the Commissioner determines to be eligible for such license. A transportation network chauffeur license shall be issued for a maximum of a one₂year period,~~and~~

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~~may be renewed as provided by rule-~~ The Commissioner is authorized to issue initial transportation network chauffeur licenses for less than a one-year period to establish an efficient system for issuing and renewing chauffeur licenses in a manner that the Commissioner determines by rule. A transportation network chauffeur license shall bear the name and photograph of the licensee and a license number. No person shall alter, modify or replicate a transportation network chauffeur license without authorization by the Department.

(Omitted text is unaffected by this ordinance)

ARTICLE X. EFFECTIVE DATES

Section 4-8-039(f)(l) of ARTICLE II (Shared Kitchen Users) of this Ordinance shall take full force and effect upon its passage and approval.

ARTICLE VIII (Inspections) and ARTICLE IX (Miscellaneous) of this Ordinance shall take full force and effect upon its passage and approval, and shall be deemed to apply retroactively to January 1, 2017.

The remainder of this Ordinance shall take full force and effect upon its passage and approval. Following the effective date, the Commissioner may implement such remainder of this Ordinance in a graduated fashion, with full implementation to be achieved no later than January 1, 2018.