



# Office of the City Clerk

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## Legislation Text

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CHICAGO, June 28, 2017

To the President and Members of the City Council:

Your Committee on the Budget and Government Operations, having had under consideration an Ordinance introduced by Alderman Carrie M. Austin (34) authorizing an amendment to Chapter 9 of the Municipal Code of Chicago providing for a Possessory Lien in favor of the City of Chicago for immobilized vehicles; and having had the same under advisement, begs leave to report and recommend that Your Honorable Body pass the Ordinance transmitted herewith.

This recommendation was concurred in by a viva voce vote of the members of the Committee.

Carrie M. Austin, Chairman

### ORDINANCE

#### ***8½ /T ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:***

WHEREAS, in response to a growing practice of individuals attempting to escape financial liability for their immobilized or impounded vehicles, in November of 2016 the City Council of the City of Chicago (the "City") amended the Municipal Code of Chicago (the "Code") to clarify that the City has a possessory lien on those vehicles; and

WHEREAS, the Code amendment referred solely to "impounded" vehicles, with the unintended consequence that the owners of vehicles that are immobilized in place, but not impounded, continue to avail themselves of a loophole and thereby avoid paying monies due to the City; now, therefore,

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

SECTION 1. Section 9-100-120 of the Code is hereby amended by inserting the underscored text, as follows:

#### **9-100-120 Immobilization program.**

*(Omitted text is unaffected by this ordinance)*

(i) Notwithstanding any other provision of this section, no impounded vehicle shall be released and operated on the public ways of the city without a current state registration plate registered to the impounded vehicle and unless the vehicle is covered by a liability insurance policy. In addition, if an impounded vehicle is required to be licensed under

Chapter 3-56 of this Code, no such vehicle shall be released without a valid City of Chicago wheel tax license emblem. The owner of an impounded rental or commercial motor vehicle may meet the wheel tax license emblem requirement of this subsection by presenting proof of ownership of the impounded rental or commercial motor vehicle and a receipt issued by the office of the city clerk showing that the owner has purchased wheel tax license emblems for the owner's rental or commercial motor vehicles in accordance with Chapter 3-56 of this Code.

(j) Any vehicle immobilized by the City or its designee shall be subject to a possessory lien in favor of the City in the amount required to obtain release of the vehicle.

Carrie M. Austin Alderman, 34<sup>th</sup> Ward

SECTION 2. This ordinance shall be in full force and effect upon its passage and approval.