



Office of the City Clerk

City Hall
121 N. LaSalle St.
Room 107
Chicago, IL 60602
www.chicityclerk.com

Legislation Text

File #: SO2019-8537, **Version:** 1

CITY OF CHICAGO

COMMITTEE ON THE BUDGET AND GOVERNMENT OPERATIONS
CITY COUNCIL CITY HALL -
ROOM 200 121 NORTH
LASALLE STREET CHICAGO,
ILLINOIS 60602

ALDERMAN PAT DOWELL CHAIRMAN
PHONE: 312-744-3166 FACSIMILE: 312-744-9009

November 20, 2019
CHICAGO, ILLINOIS

TO THE PRESIDENT AND MEMBERS OF THE CITY COUNCIL:

Your Committee on the Budget and Government Operations which was referred a substitute ordinance, as amended, amending various Municipal Code provisions concerning department functions and duties (2020 Management Ordinance). (SO2019-8537)

Having the same under advisement, begs leave to report and recommend that Your Honorable Body Pass the proposed substitute ordinance transmitted herewith.

This recommendation was concurred in by a unanimous vote of the members of the committee present with no dissenting votes.

Pat Dowell, Chairman
Committee on the Budget and Government
Operations

SUBSTITUTE MANAGEMENT ORDINANCE

WHEREAS, The City of Chicago is a home rule unit of government as defined in Article VII, Section 6(a) of the Illinois Constitution; and

WHEREAS, As a home rule unit of government, the City of Chicago may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, The management, structure, powers, and functions of its departments and agencies is a matter pertaining to the government and affairs of the City of Chicago; now, therefore,

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

This ordinance is organized into thirteen Articles, as follows:

Article I. ^J	Codification of Authority for the Department of Housing
Article II.	Worker's Compensation Reorganization
Article III.	Department of Assets, Information, and Services
Article IV.	Chief Risk Officer
Article V.	Office of Public Safety Administration
Article VI.	Chicago Minimum Wage
Article VII.	Police Board Appeals
Article VIII.	Fuel Hedging
Article IX.	Signs
Article X.	Miscellaneous
Article XI.	Water and Refuse
Article XII.	Severability; Repealer
Article XIII.	Effective Dates

ARTICLE I. CODIFICATION OF AUTHORITY FOR THE DEPARTMENT OF HOUSING

SECTION 1. The ordinance granting authority for the Commissioner of Housing to allocate low-income housing tax credits passed November 4, 1987, and published on pages 5989 through 5991 of the Journal of Proceedings of the City Council for that date, is hereby repealed, as well as amendments passed on March 29, 2006, published on pages 73284 through 73288 of the Journal of Proceedings of the City Council for that date, and June 8, 2011, published on page 586 of the Journal of Proceedings of the City Council for that date.

SECTION 2. Section 2-44-005 of the Municipal Code of Chicago is hereby amended by adding the language underscored as follows:

2-44-005 Definitions.

As used in this chapter, unless the context clearly indicates otherwise:

"Commissioner" means the Commissioner of Housing or the Commissioner's designee.

"Department" means the Department of Housing.

"Qualified Allocation Plan" shall mean the plan required under Section 42(m) of the Internal Revenue Code of 1986, as amended, and adopted by the Department in connection with low-income housing tax credits.

SECTION 3. Section 2-44-050 of the Municipal Code of Chicago is hereby amended by adding the language underscored as follows:

2-44-050 Commissioner of Housing - Powers and duties.

a) The Commissioner is authorized to:

(Omitted text is not affected by this ordinance)

7) Either personally or through a designee, administer and/or allocate low-income housing tax credits pursuant to Section 42 of the Internal Revenue Code of 1986 (for purposes of this section, "Section 42") in connection with qualified low-income housing projects.

8) Enter into, negotiate, and execute such agreements or documents and to promulgate and amend such rules as are necessary to maximize the use of low-income housing tax credits administered and/or allocated by the City in connection with qualified low-income housing projects for expanding affordable housing within the City, all consistent with the requirements of Section 42 and, any regulations promulgated thereunder.

b) It shall be the duty of the Commissioner to:

(Omitted text is not affected by this ordinance)

SECTION 4. Section 2-44-065 of the Municipal Code of Chicago is hereby amended by adding the language underscored and by deleting the language struck through, as follows:

2-44-065 Program applications, administration, and related fees.

(a) The Commissioner shall have the authority to charge fees in the amount specified and provided in this section for the processing of program applications and program administration and closing costs of programs administered by the Department. Such fees shall not be refundable and shall not guarantee approval of an application or adequacy of funding. The amount of fees shall be as follows:

1) Application Fee for multifamily finance, including loans, grants, bonds, and tax credits - \$1,500 for for-profit applicants and \$750 for nonprofit applicants

2) Program application fees

A) New Homes for Chicago and Building Neighborhoods and Affordable Homes City
Lots for Working Families - \$1,000

B) TaxSmart Mortgage Credit Certificate Program - \$375 per
applicant

C) TaxSmart Mortgage Credit Certificate Refinance Issuance - \$100

3) Tax Credit Reservation Fees - an amount equal to five percent (5%) of the annual Tax Credit amount referenced in the conditional Tax Credit reservation agreement or tax credit agreement for projects financed with

low-income housing tax credits and/or tax-exempt multi-family housing revenue bonds, as applicable

- 4) Tax Credit Carryover Allocation Fee - \$250

2

5) An administrative fee of 1.5% of the principal amount of tax-exempt, multi-family housing revenue bonds issued by the City in connection with a project, provided such fee does not exceed the maximum amount permitted under Section 148 of the Internal Revenue Code of 1986 (for purposes of this section, "Section 148") to avoid characterization of the tax-exempt bonds as "arbitrage bonds" as defined in Section 148

6) Tax Exempt Bond Issuer Fee - up to 15 basis points of the bond amount issued at closing, provided such fee does not exceed the maximum amount permitted under Section 148 to avoid characterization of the tax-exempt bonds as "arbitrage bonds" as defined in Section 148; provided, however, that any fees and penalties imposed by the Department shall comply with Section 42 of the Internal Revenue Code of 1986 and any regulations promulgated thereunder. The fee shall be determined by the Commissioner and published in a Qualified Allocation Plan.

- 7) Donations Tax Credit Reservation Fee - 3% of reservation amount

8) Compliance Monitoring Fee - \$25 per unit annually for all housing units (affordable and market rate) in a project or building

9) Compliance Monitoring Late Fee - \$20 per unit for all housing units in a project or building in addition to the Compliance Monitoring fee.

(b) The Commissioner is authorized to waive any fees or penalties imposed in this section pursuant to a determination by the Commissioner that such waiver is in the best economic interests of the City. The Commissioner shall memorialize and maintain on file the justification for any waiver granted.

ARTICLE II. WORKERS' COMPENSATION REORGANIZATION

SECTION 1. Section 2-32-1400 of the Municipal Code of Chicago is hereby amended by adding the language underscored as follows:

2-32-1400 Program administration.

(a) The Comptroller is authorized to administer a Workers' Compensation Program for the City, in accordance with the Workers' Compensation Act, codified at 820 ILCS 305, and the Workers' Occupational Diseases Act, codified at 820 ILCS 310. Administration of the Workers' Compensation Program shall include authority to settle controverted claims that do not require City Council approval.

(Omitted text is unaffected by this ordinance)

SECTION 2. Section 2-32-1500 of the Municipal Code of Chicago is hereby amended by adding the language underscored as follows:

2-32-1500 Program administration.

(a) The Comptroller is authorized to administer a program to provide for payment of reasonable and necessary expenses for medical care, hospital treatment and vocational retraining, if appropriate, for Police or Fire Department personnel who sustain non-fatal injuries while in the performance of duty, in accordance with Article 22, Division 3 of the Illinois Pension Code, codified at 40 ILCS 5/22-301, et seq., and to that end may authorize payment of such expenses.

3

(b) The Comptroller may carry out the duties set forth in subsection (a) of this section either directly, or through

a designee, agent or contractor, and is authorized to enter into one or more agreements to secure the services of such designee, agent of contractor.

ARTICLE III. DEPARTMENT OF ASSETS, INFORMATION, AND SERVICES

SECTION 1. Section 1-8-080 of the Municipal Code of Chicago is hereby amended by adding the language underscored and by deleting the language struck through, as follows:

1 8-080 Manufacture and custody of flags and badges.

The ~~commissioner~~ Commissioner of ~~fleet and facility management~~ Assets, Information, and Services shall cause to be made, in accordance with the design fixed in this chapter, such number of flags as he the Commissioner may deem proper and necessary i and of suitable size^ for use on the City Hall and other buildings and structures owned by the eity City.

The ~~city-clerk~~ City Clerk shall be the custodian of the corporate seal and of the municipal flag, standard and badge, drawn to scale.

SECTION 2. Section 2-8-110 of the Municipal Code of Chicago is hereby amended by adding the language underscored and by deleting the language struck through, as follows:

2 8-110 Term of off ice.

All items of personal property purchased by an alderman from his or her aldermanic contingency expense allowance are the property of the City of Chicago and are to be returned to the City of Chicago when no longer used by an alderman or an alderman's staff in connection with the performance of the alderman's official duties. In the event of a vacancy or change in the office of an alderman, any personal property purchased with eity City funds in the possession of the vacating alderman shall transfer to the alderman's successor. If the successor alderman determines that use of any such personal property is no longer necessary₁ then such personal property shall be transferred to the ~~committee on committees, rules and ethics~~ City Council Committee on Committees and Rules, and if not wanted by any other alderman, then to the ~~department of fleet and facility management~~ Department of Assets, Information, and Services for treatment as surplus or salvage property.

If^ on the one hundred and twentieth day after the end of the prior calendar year_A any unexpended funds remain in an alderman's aldermanic contingency account^ such unexpended funds shall be returned as property of the City of Chicago and shall be remitted to the ~~comptroller of the City of Chicago~~ City's Comptroller by the alderman within 10 days thereafter.

SECTION 3. Chapter 2-51 of the Municipal Code of Chicago is hereby amended by adding the language underscored and by deleting the language struck through, as follows:

CHAPTER 2-51 DEPARTMENT OF FLEET AND FACILITY MANAGEMENT **DEPARTMENT OF ASSETS, INFORMATION. AND SERVICES**

4

2-51-010 Definitions.

T-he As used in this chapter, the following terms ~~whenever used in this chapter~~ shall have' the following meanings,, unless a different meaning appears from the context indicates otherwise:

"Commissioner" means the Commissioner of Assets, Information, and Services or the Commissioner's designee.

(a) "Department" means the department of fleet and facility management of the City of Chicago Department of Assets, Information and Services.

~~(e) "Commissioner" means the commissioner of fleet and facility management of the City of Chicago.~~

~~(e) "City" means the City of Chicago.~~

(4) "Environmental requirements" means all local, state and federal environmental laws and regulations.

e) "Environmentally significant projects and activities" means any project, activity or purchase which is undertaken by the etty City which:

1) Requires the etty City to submit an Environmental Impact Statement, Environmental Assessment or statement of Finding of No Significant Impact to a state or federal agency, or for which an environment permit or license is required under applicable environmental requirements;

2) Involves construction or major rehabilitation (other than routine maintenance and repair) of buildings owned or leased, in whole or in part, by the etty City or contracts forthe procurement of energy-consuming equipment;

3) Involves vehicle acquisitions or leases and the purchase of vehicle fuels;

4) Involves the collection, sorting, recycling, disposal, or volume reduction of waste^ which is the responsibility ofthe etty City to collect or the collection of which is regulated by the etty City; or

5) Involves alterations to, construction, demolition, excavation, placement of fill on or in or discharges into: (i) Lake Michigan and all other bodies of water within the etty City; (ii) shorelines and riverbanks; (jii) the Lake Michigan lakefront; (iy) parks or other public open space; (v) wetlands; (vi)floodplains; and (vii) floodways.

f) "Fleet" means any automobiles, vehicles, light-, mediunv and heavy-duty heavy-duty trucks, and related motorized or nonmotorized non-motorized equipment owned or leased by the etty City for use ef by any etty City department or agency.

(§) "Fleet maintenance system" means an on-line inventory management system to monitor inventory of fleet acquisitions, repairs, maintenance and mileage.

(h) "Fuel management system" means an on-line inventory management system to monitor use and expenditure of nonemergency non-emergency fuel.

(t) "Safety-enhancing Safety-enhancing equipment" means motor vehicle equipment that has the potential to reduce traffic fatalities and injuries. The term "safety-enhancing safety-enhancing equipment" includes? but is not limited toJ lateral protective devices, crossover mirrors or convex mirrors, as these terms are defined in Section 2-92-597.

2-51-020 Establishment - Composition.

An There is hereby established an executive department of the municipal government of the etty City, te which shall be known as the ~~department of fleet and facility management~~, is hereby established Department of Assets, Information, and Services. The ~~department~~ Department shall include the ~~commissioner of fleet and facility management~~ Commissioner of Assets, Information, and Services and such other personnel as may be provided in the annual appropriation ordinance.

5

All employees of the ~~department~~ Department shall be under the direction and supervision of the ~~commissioner of fleet and facility management~~ Commissioner of Assets, Information, and Services and shall perform such duties as may be required of them by the ~~commissioner~~ Commissioner or by the provisions of under this Code.

2-51-030 Commissioner - Appointment and authority.

The office of the ~~commissioner of fleet and facility management~~ Commissioner of Assets, Information, and Services is hereby established. The ~~commissioner~~ Commissioner shall be appointed by the mayor Mayor, subject to the approval of the ~~city council~~ City Council, and shall have management and control of all matters and activities pertaining to the ~~department of fleet and facility management~~ Department of Assets, Information, and Services.

2-51-040 Transfer of rights, powers and duties.

a) The ~~commissioner~~ Commissioner and the ~~department of fleet and facility management~~ Department of Assets, Information, and Services shall assume, respectively, all rights, powers, duties, obligations and responsibilities of the former: (1) ~~the former commissioner~~ Commissioner and ~~department of fleet management~~ Department of Fleet Management, and (2) ~~the former commissioner~~ Commissioner and ~~department of general services~~ Department of General Services; and (3) Chief. Information Officer and Department of Innovation and Technology. All personnel, books, records, property and funds relating to such former departments and such rights, powers, duties, obligations and responsibilities are transferred to the ~~department of fleet and facility management~~ Department of Assets, Information, and Services. The ~~commissioner of fleet and facility management~~ Commissioner of Assets, Information, and Services shall succeed such former commissioners and officers in the administration of any federal, state, local or private grant or loan programs relating to such rights, powers, duties, obligations and responsibilities. The ~~commissioner of fleet and facility management~~ Commissioner of Assets, Information, and Services shall succeed to the rights and duties of such former commissioners and officers under existing contracts, grant agreements, redevelopment agreements, leases, indentures or other agreements or ordinances relating to such transferred rights, powers, duties, obligations and responsibilities. All rules of regulations issued by such former commissioners or officers relating to such rights, powers, duties, obligations and responsibilities in effect as of January 1, 2042 2020, shall remain in effect until amended or repealed by the ~~commissioner of fleet and facility management~~ Commissioner of Asset and Information Management.

b) The ~~commissioner~~ Commissioner and the ~~department of fleet and facility management~~ Department of Assets, Information, and Services shall assume all rights, powers, duties, obligations and responsibilities of the former ~~commissioner~~ Commissioner and ~~department of the environment~~ Department of the Environment related to energy, utilities and brownfields redevelopment, including:

(Omitted text is unaffected by this ordinance)

All rules or regulations issued by the former ~~commissioner of the environment~~ Commissioner of the Environment relating to energy, utilities and brownfields redevelopment, in effect as of January 1, 2042 2020, shall remain in effect until amended or repealed by the ~~commissioner of fleet and facility management~~ Commissioner of Assets, Information, and Services.

6

2-51-050 Commissioner of ~~fleet and faaility~~ Assets, Information, and Services - Powers and duties - Rulemaking.

(a) Duties and responsibilities. The Commissioner of Fleet and Facility Assets, Information, and Services shall have the following duties and responsibilities:

ar[_1] To operate, manage and maintain: (1) all public buildings' and public grounds owned or occupied by the city City, subject to lease provisions, except] (i) airport properties; or (ii) the public way and public transit rights of way; or (iii) properties managed by the Department of Planning and Development or Department of Housing; or (iv) property within any redevelopment or project area designated by the ~~community development commission~~ Community Development Commission pursuant to the provisions of Chapter 2-124 of this Code; or (v) the sale of surplus land pursuant to Chapters 2-158 and 2-159 of this Code, and except as may otherwise be provided by this Code; and (2) the Chicago Riverwalk as defined in Section 2-32-1300(a);

br(2) To coordinate, supervise and inspect the installation, repair and maintenance of all telecommunications equipment in buildings and structures owned or used by the city City, except the telecommunications system for the police and fire Fire departments and for all city City airports; provided, however, that the chairman of the appropriate city City Council committee may direct the ~~commissioner~~ Commissioner on the management, operation and maintenance of telephone services for the city City Council chambers, the city City Council offices, and the areas adjacent thereto^ except the access corridors and the press room;

ev(3) To supervise city City storerooms and warehouses;

dr(4) Subject to approval of the City Council, to negotiate to purchase, sell, lease or let real estate and to purchase, sell, lease or let real estate on behalf of the City; provided, however, that this provision shall not apply to: (i) airport developments; or (ii) street or public transit improvements; or (iii) properties managed by the Department of Planning and Development or Department of Housing; or (iv) property within any redevelopment or project area

designated by the Community Development Commission pursuant to the provisions of Chapter 2-124 of this Code; or (v) the sale of surplus land pursuant to Chapters 2-158 and 2-159 of this Code;

er(5) To appoint appraisers to determine the rent to be paid on renewal of any lease, the fair market value of property to be purchased upon expiration of any lease or the fair market value of any property to be bought or sold by or on behalf of the City, except for (i) street or public transit improvements; or (ii) property within any redevelopment or project area designated by the ~~community development commission~~ Community Development Commission pursuant to the provisions of Chapter 2-124 of this Code; or (iii) the sale of surplus land pursuant to Chapters 2-158 and 2-159 of this Code;

tr(6) To maintain and hold all deeds, mortgages, leases and articles of conveyance for property owned or occupied by the City, except for property acquired by the ~~community development commission~~ Community Development Commission;

3t(7) To permit any department of City government to use any real estate owned or leased by the City; ^N
>.

frr(8) To inspect and supervise the installation, repair and maintenance of all appliances, fixtures and electrical equipment and electrical wiring in all buildings and structures owned or used by the City, except for public-safety-related radio communications and equipment, which is subject to the jurisdiction of the ~~executive director of emergency management and communication~~ Executive Director of Emergency Management and Communications pursuant to Section 2-29-040(14);

ir(9) To have charge of all engineering and architectural services, and all labor, equipment and materials^A required in the construction, rehabilitation and repair of City buildings;

7

HIP) To collect, audit and remit to the ~~comptroller~~ Comptroller all funds received from the operation of City facilities, except City parking lots and airports and as may be otherwise provided by ordinance;

MID To enter into curtailment agreements with electric utility companies and other curtailment service providers;

1(12) Subject to the approval of the ~~corporation counsel~~ Corporation Counsel as to form and legality, and except as otherwise provided in this subsection, to negotiate and execute on behalf of the City any lease, right-of-entry agreement or other document evidencing an agreement for the use and occupancy of real property for a term not to exceed 30 days. Such initial agreement may be extended, renewed or continued for up to an additional 150 days. Provided, however, that no extension, renewal or continuation of such initial agreement shall extend beyond a totality of 180 days, unless: (1) the agreement is referred to the Chicago City Council for review and full disclosure as to all parties, particulars, events and justifications meriting such extension, renewal or continuation; and (2) the Chicago City Council approves an extension, renewal or continuation of such agreement beyond a totality of 180 days. Provided^T further, however, that the ~~power of the commissioner~~ Commissioner's power to negotiate and execute on behalf of the City any lease, right-of-entry agreement or other agreement for the use and occupancy of real property within the Chicago Riverwalk^A including concession agreements for food, beverages, goods and services within the Chicago Riverwalk, shall be governed by Section 10-36-145;

fflr(13) To provide in-house design, artwork, reproduction, printing, photography, publications and other artistic services to City government;

«t(14) To sell, either directly or through a designee, graphics-related products (for example, digital and print photographs, calendars, posters and postcards), for the purpose of generating revenue to benefit the City of Chicago and promoting the City and the City's attractions, and to enter into contracts in order to accomplish such sales;

er(15) To enter into intergovernmental agreements with other units of local government and school districts for services provided by the ~~department~~ Department related to graphics and reproduction, including printing, design, photography and marketing services;

£7(16) To take such actions that the ~~commissioner~~ Commissioner considers necessary or appropriate to protect the City's intellectual property rights in publications and other products produced or facilitated by the ~~department~~ Department;

%[17] To enter into contracts for the sale and purchase of natural gas, renewable energy, renewable energy credits and carbon emission credits, subsequent to competitive solicitation, and containing such terms as are useful, customary and appropriate for such transactions in the industry, including but not limited to the following provisions: (1) supplying a bond, letter of credit or other performance-related security to the vendor, (2) indemnifying the vendor, (3) addressing the sale of natural gas back into the market at a loss, and {4} addressing damages for the City's late payment,

early termination or failure to perform; and to execute any ancillary documents necessary to affect any transactions contemplated by such contracts. Any such contracts shall be subject to the availability of funds duly appropriated for such contracts and to review and approval by the City's ~~chief financial officer~~ Chief Financial Officer;

fr(18) To procure and oversee public utilities for ~~city-owned~~ City-owned or leased City-leased facilities, including airport facilities^ and to oversee the implementation of public utility franchise agreements;

f-4r(19) To operate, oversee and maintain the etty's City's opt-out electricity aggregation program;

S7(20) To enter into grant agreements with government entities, private businesses and civic groups necessary to implement energy conservation programs at all public buildings and public grounds operated, managed and maintained by the ~~department~~ Department;

M21) To coordinate document retention services and facilitate storage of records;

8

tfr(22) To administer the etty's City's fleet and to hold title to it in the ~~city's~~ City's name;

Vt(23) To ensure that the fleet is maintained in good working order and in accordance with all etty City, state and federal requirements;

v-4r(24) To develop rules and guidelines regarding the configuration and use of emergency and non-emergency lights and sound equipment on the fleet, consistent with applicable etty City, state and federal laws, and in consultation with etty City departments that use fleet vehicles that are so equipped;

Wt(25) To coordinate, supervise, monitor and inspect the maintenance and repair of the fleet, except as otherwise provided in the annual appropriation ordinance;

w~4t(26) To retrofit, or cause to be retrofitted, any vehicle in the fleet with ~~safety-enhancing~~ safety-enhancing equipment or ~~function-enhancing~~ function-enhancing equipment that is ~~appropriate or~~ necessary or appropriate for such vehicle, as determined by the ~~commissioner~~ Commissioner, in consultation with the etty City department or agency that controls or uses the vehicle;

*r(27) To establish and coordinate a loan pool for the fleet;

Vt(28) To review specifications for ~~purchase~~ purchasing and leasing of fleet for all etty City agencies and department^ including the ~~departments~~ Departments of Police, Fire and ~~aviation~~ Aviation;

fc(29) To receive and review all requisitions for fleet^ and to coordinate its the purchase and leasing of approved requisitions for fleet with the ~~chief procurement officer~~ Chief Procurement Officer, except as otherwise provided in the annual appropriation ordinance;

aar(30) Subject to the annual availability of duly appropriated funds and the approval of the Corporation Counsel as to form and legality, to negotiate and execute fleet leases on behalf of the City. The duration of such leases shall not be subject to the time and term limitations in 65 ILCS 5/8-1-7;

bbr(31) To receive, review and process requisitions for ~~non-emergency~~ non-emergency fuel from all agencies and departments^ including ~~police, fire~~ the Departments of Police, Fire and ~~aviation~~ Aviation, and to provide for its delivery and disbursement;

eer(32) To implement and maintain a fleet maintenance system and a fuel management system;

ddr(33) With regard to the types of vehicles, equipment and services within the ~~commissioner's~~ Commissioner's jurisdiction, to enter into intergovernmental agreements with other units of local government and school districts for maintenance and repair; provision of fuel; or disposition of surplus, obsolete or worn-out inventory;

eer(34) To conduct advisory evaluations of environmentally significant projects and activities within or affecting the etty City, which are undertaken by etty City departments or agencies, including a review for compliance with environmental requirements and the environmental policy implications of such activities, and to provide such evaluations to the ~~mayor~~ Mayor;

f4?(35) Subject to the approval of the ~~corporation counsel~~ Corporation Counsel, to negotiate and execute^ on behalf of the etty City, leases, ~~rights-of-entry~~ right-of-entry agreements or other agreements authorizing the temporary use or occupation of etty City property by others for purposes of conducting environmental assessments, remediation or related activities authorized by this chapter;

§§r(36) Subject to the approval of the ~~corporation counsel~~ Corporation Counsel, to negotiate and execute^ on behalf of the etty City, leases, ~~rights-of-entry~~ right-of-entry agreements or other agreements authorizing the etty City to use or occupy, on a temporary basis, land owned or controlled by another for purposes of conducting an inspection, investigation or other activities authorized by this chapter;

~~investigation~~ investigations and research with public and private agencies and

9

organizations, relating to energy efficiency and brownfields redevelopment, as the ~~commissioner~~ Commissioner may deem ~~advisable and necessary~~ or advisable;

41r(38) To advise, consult and cooperate with other agencies of the state and federal governments and other governmental agencies to advance energy efficiency and brownfields redevelopment;

jjr(39) To enter into grant agreements, cooperation agreements and other agreements or contracts with governmental entities, private business and civic and community groups to implement contaminated sites remediation and waste disposal programs^r and to enter into and execute all such other instruments and to perform any and all acts, including the allocation and expenditure of funds subject to appropriation therefor, as shall be necessary or advisable in connection with the implementation of such agreements, including any renewals thereto;

kk(40) To participate or otherwise engage in the city's City's emergency preparedness and emergency response activities;

tir(41) To establish and administer a City-wide Environmental Health and Safety Compliance Program (the "Program") for all City employees^r except sworn members of the Police and Fire Departments. All included employees and their department heads shall cooperate with the Commissioner in implementing and participating in the Program. The Program's objectives are to: (i) protect employee health and safety and reduce risk to the environment ~~hazards and risks for employees and the public with whom they interface~~, (ii) ensure compliance with OSHA and EPA reporting requirements, (iii) create efficiencies in implementing the Program across City departments with standardized programs and training, (iv) improve employee productivity and morale, (v) ~~establish a documented risk management program~~, (vi) improve, accelerate and expand incident reporting, and (vi)(~~¥~~tt) reduce the number of incidents that result in employee lost time;

fflllr(42) To negotiate and execute, jointly with the Commissioner of Transportation, agreements pertaining to the operation, maintenance, development, and improvement of the Pedway, non-limiting examples of which include leases, easements, and agreements providing for right-of-entry, operation and maintenance, and capital improvements. For purposes of this subsection, "Pedway" means the system of grade-separated walkways below and above the street level that runs through various public and private facilities and buildings in the Central Business District; and

43) To assess the City's data and technology requirements;

44) To advise the Mayor and City departments on the effective use of data and information technology;

45) To review and approve requests from City departments and agencies for the procurement of data and technology goods and services; provided, however, that this provision shall not apply to the procurement of such goods or services required by the City Council or any of its committees;

46) To train and assist City departments and agencies in the use of data and information technology;

47) To operate the City's technology infrastructure for the efficient maintenance of municipal records;

48) To contract with information technology companies, at the request of the Mayor's Office or a using department or agency of City government, for the testing and pilot application of hardware, software, peripherals, technology services or any combination thereof, in order to determine suitability for use by the requesting department or agency. Contracts for this purpose may be for products or services that are experimental, under development, not yet marketed, or adapted for use by the requesting department or agency. Such contracts shall be subject to approval by the Corporation Counsel as to form and legality and by the Budget Director as to funding;

10

49) To participate with the Chicago Board of Education, Chicago Park District, Chicago Housing Authority, Community College District Number 508, Chicago Transit Authority and other governmental agencies in jointly procuring, awarding, executing and purchasing under contracts, and purchasing under contracts already validly entered into by such agencies for computer systems, technology services, computer hardware and software, peripherals and related equipment and services to reduce costs and increase benefits to the participating agencies. Such agreements shall be subject to approval of the: (i) Chief Procurement Officer, (ii) Corporation Counsel as to form and legality, and (iii) governing body of the participating agencies, either by

specific action or by delegation:

50) To enter into agreements with other government entities regarding shared use of communications and other data transmission infrastructure. Any such agreement shall comply with applicable federal or State restrictions or limitations on shared use;

51) To enter into agreements with the Illinois Secretary of State in order to access, use or share data necessary or useful to carrying out City functions. The Commissioner may enter into such agreements, which may include provisions providing indemnification, directly or through a designee. Such designee may include a designee of another City department if the information at issue directly impacts that department. The Commissioner is further authorized to execute such other instruments and to perform such acts, including the expenditure of funds subject to appropriation therefor, as shall be necessary or advisable in connection with the implementation of such agreements, including any renewals thereto;

52) To enter into agreements regarding: (i) access to, or use or sharing of City or third-party data, (ii) cooperative development and ownership of intellectual property, or (iii) incorporating City data or other intellectual property into cooperative work created pursuant to an agreement authorized under this subsection. Any agreement authorized under this subsection shall not include the expenditure of City funds, but may include provisions providing indemnification. The Commissioner shall provide a quarterly written report to the Chairman of the City Council Committee on the Budget and Government Operations summarizing, and attaching the text of, any agreement entered into pursuant to this subsection for the preceding calendar quarter;

53) To enter into agreements to make City applications available for download on digital application distribution platforms. The Commissioner may enter into such agreements, which may include terms as are useful, customary and appropriate for such agreements in the industry, including but not limited to indemnification of such platforms. Notwithstanding any provision of this Code to the contrary, any contracts entered into pursuant to this subsection shall be solely on such terms and conditions as are acceptable to the Commissioner. Such agreements shall be subject to approval of the Corporation Counsel as to form and legality; and

~~ftfr~~(54) To do any and all other acts which may be necessary for the implementation of other powers conferred on the Commissioner and the Department under this chapter ~~the Commissioner and the department~~ ~~Department under this chapter~~ ~~Coder~~

b) Rulemaking authority. The Commissioner of Assets, Information, and Services is authorized to promulgate rules necessary or appropriate to implement this chapter and other powers conferred on the Commissioner and Department under this Code.

c) When applicable, the foregoing powers and duties shall be exercised in conjunction with the Executive Director of the Office of Public Safety Administration pursuant to Section 2-96-040.

11

2-51-060 Purchases of real estate by the City - Documents required.

Unless otherwise authorized by the ~~city council~~ City Council, all purchases of real estate on behalf of the City shall be conditioned upon delivery to the City of a deed or other evidence of title satisfactory to the ~~corporation~~ ~~counsel~~ Corporation Counsel, ~~or the owner's duplicate certificate of title or certified copy thereof issued by the registrar of titles of Cook County, Illinois, showing title in the city free and clear of all encumbrances, liens and charges, excepting acts done or suffered by the city.~~

2-51-070 Charges for products or services related to graphics or reproduction.

Charges for products or services related to graphics or reproduction shall be assessed based upon: (1) the average cost of such products or services, or (2) other reasonable basis criteria as determined by the ~~commissioner~~ Commissioner.

2-51-080 Responsibilities of municipal departments and agencies.

All municipal departments and agencies shall, at the earliest possible date, provide to the ~~commissioner of fleet and facility management~~ Commissioner notification of involvement in environmentally significant activities as defined in Section 2-51-010, and shall cooperate with the ~~commissioner~~ Commissioner to effectuate the purposes of this chapter.

SECTION 4. Chapter 2-68 of the Municipal Code of Chicago is hereby repealed in its entirety.

SECTION 5. Section 2-92-140 of the Municipal Code of Chicago is hereby amended by adding the language underscored and by deleting the language struck through, as follows:

2-92-140 Department of cultural affairs and special events - Powers and duties.

(Omitted text is unaffected by this ordinance) (f) to maintain artwork(s) in the public art program collection in cooperation with the ~~department of fleet and facility management~~ Department of Assets, Information, and Services;

(Omitted text is unaffected by this ordinance)

SECTION 6. Section 2-92-597 of the Municipal Code of Chicago is hereby amended by adding the language underscored and by deleting the language struck through, as follows:

2-92-597 ~~Safety-enhancing~~ Safety-enhancing vehicle equipment contracting.

(Omitted text is unaffected by this ordinance) "Commissioner" means the ~~city's commissioner of fleet and facility management~~ Commissioner of Assets, Information, and Services.

(Omitted text is unaffected by this ordinance)

SECTION 7. Section 2-102-030 of the Municipal Code of Chicago is hereby amended by adding the language underscored and by deleting the language struck through, as follows:

2-102-030 Commissioner - Powers and duties.

The ~~commissioner of transportation~~ Commissioner of Transportation shall have the following powers and duties:

12

(Omitted text is unaffected by this ordinance)

(x) The powers and duties conferred in this section shall not apply to the operation, management and maintenance of the Chicago Riverwalk, as defined in Section 2-32-1300(a), which shall be under the jurisdiction of the ~~Commissioner of fleet and facility management~~ Commissioner of Assets, Information, and Services.

(Omitted text is unaffected by this ordinance)

SECTION 8. Section 2-120-100 of the Municipal Code of Chicago is hereby amended by adding the language underscored and by deleting the language struck through, as follows:

2-120-100 Establishment and composition.

There is hereby established a commission to be known as the "North Park Village Commission". The commission shall consist of eight members, including the alderman of the ward where North Park Village is located or a representative selected by the alderman. The other seven members shall be selected and appointed by the Mayor, including representatives from the ~~Department of Fleet and Facility Management (2FM)~~ Assets, Information, and Services;

Department of Housing; Department of Planning and Development; Chicago Police Department; Department of Streets and Sanitation, Bureau of Forestry; Chicago Park District; and the manager of senior housing at North Park Village. The chairperson shall be the representative of 2F-M the Department of Assets, Information, and Services. The members shall serve until the Mayor appoints a replacement. The members shall serve without compensation.

SECTION 9. Section 2-156-520 of the Municipal Code of Chicago is hereby amended by adding the language underscored and by deleting the language struck through, as follows:

2-156-520 Access to list of current contractors.

(a) ~~The department of innovation and technology~~ Department of Assets, Information, and Services shall compile a list of all contractors, who did business during the preceding four reporting years^A as set forth in Section 2-156-445 of this Code, with the City, Chicago Transit Authority, Board of Education/Chicago School Reform Board of Trustees, Chicago Park District, Chicago City Colleges and the Metropolitan Pier and Exposition Authority. The list shall be updated electronically. The list shall be made available to all officials and employees, and to the public via the Internet.

(Omitted text is unaffected by this ordinance)

SECTION 10. Section 4-8-040 of the Municipal Code of Chicago is hereby amended by adding the language underscored and by deleting the language struck through, as follows:

4-8-040 Special event food licenses.

(Omitted text is unaffected by this ordinance) (c) Classification of special event food licenses. The Commissioner is authorized to issue the following two classes of special events food license: (i) A single special event food license shall be issued for serving food, subject to this section and, if applicable, Section 10-8-335, at a single special event; (ii) A multiple special events food license shall be issued for a 10-

13

day, 180-day or one-year period. Subject to this section and, if applicable, Section 10-8-335, a multiple special events food licensee may serve food at multiple special events that occur within the duration of the license. In addition, subject to this section and Section 4-60-074, a multiple special events food licensee may serve food at any Chicago Riverwalk venue for the duration of any concession agreement executed pursuant to Section ~~2-51-050(4)~~ 10-36-145.

(Omitted text is unaffected by this ordinance)

SECTION 11. Section 7-58-020 of the Municipal Code of Chicago is hereby amended by adding the language underscored and by deleting the language struck through, as follows:

7-58-020 Submittal of emergency energy plan.

(a) Every electric utility company must adopt and maintain an emergency energy plan. Every new electric utility company shall adopt its plan within 30 days after becoming an electric utility company. Every such company shall submit to the Executive Director of Emergency Management and Communications, Superintendent of Police, Fire Commissioner, and Commissioner of ~~Fleet and Facility~~ Assets, Information, and Services any emergency energy plan adopted by the company within 24 hours of the time the plan is adopted. The company shall notify those officials within 24 hours of any significant revisions to a plan and the rationale for the revisions. Such revisions shall be submitted by the company as soon as practicable and shall be reviewed and approved by the Executive Director in accordance with Section 7-58-030.

(Omitted text is unaffected by this ordinance)

SECTION 12. Section 7-58-030 of the Municipal Code of Chicago is hereby amended by adding the language

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

7-58-030 Review of plan.

Upon submission of the emergency energy plan required under Section 7-58-020, the Executive Director, in consultation with the Superintendent of Police, Fire Commissioner, and Commissioner of Fleet and Facility Assets, Information, and Services, or their respective departmental designees, shall review the plan. In order to assure appropriate coordination with public health and safety agencies, the Executive Director shall have the right to approve or reject the plan or any element thereof based on: (1) the potential impact of the plan on public health and safety, (2) the potential impact of the plan on the duties of the City's public health and safety agencies; and (3) what steps the company has taken to mitigate those potential health or safety problems. Within 30 days after the date on which the plan is submitted, the Executive Director shall notify the electric utility company, in writing, whether the submitted plan has been approved or rejected. If the plan is rejected, the reasons therefor shall be stated in writing. In such case, within 30 days after notice of the rejection is given, the electric utility company shall submit a revised plan to the Executive Director, Superintendent of Police, Fire Commissioner and Commissioner of Fleet and Facility Assets, Information, and Services, or their respective designees. Following consultation with the Superintendent of Police, Fire Commissioner and Commissioner of Fleet and Facility Assets, Information, and Services, the Executive Director shall approve or reject the revised plan, in writing, within 30 days after the date on which it is resubmitted. An electric utility company shall be in violation of this chapter if such company fails to have in place an emergency energy plan approved by the Executive Director within 120 days after the plan is required to be submitted under subsection 7-58-020(a).

14

SECTION 13. Section 7-58-040 of the Municipal Code of Chicago is hereby amended by adding the language underscored and by deleting the language struck through, as follows:

7-58-040 Implementation of emergency energy plan.

a) Whenever an electric utility company determines that it is necessary to implement an emergency energy plan, the company shall notify the Executive Director, Superintendent of Police, Fire Commissioner, and Commissioner of Fleet and Facility Assets, Information, and Services, or their respective designees, pursuant to a notification procedure approved by the Executive Director after consultation with the Superintendent of Police, Fire Commissioner, and Commissioner of Fleet and Facility Assets, Information, and Services. The notification shall be made as soon as practicable and shall be made prior to implementation of the plan. The Executive Director may waive the notice requirement to accommodate exigent circumstances.

b) Notice of the implementation of each level or stage of the emergency energy plan shall be made under this section pursuant to rules promulgated by the Executive Director after consultation with the Superintendent of Police, Fire Commissioner, and Commissioner of Fleet and Facility Assets, Information, and Services. The notification shall be made for each of the following actions:

(Omitted text is unaffected by this ordinance)

SECTION 14. Section 8-4-280 of the Municipal Code of Chicago is hereby amended by adding the language underscored and by deleting the language struck through, as follows:

8-4-280 Removing sod or earth.

No person shall dig, cut, or remove any sod or earth from any public way within the City without first having obtained a permit from the ~~commissioner of transportation~~ Commissioner of Transportation, or from any other public place within the City without first having obtained a permit from the ~~commissioner of fleet and facility management~~ Commissioner of Assets, Information, and Services, or from any premises not his own without first having obtained the consent of the owner, under a penalty of not less than \$50.00 for each offense.

SECTION 15. Section 9-76-040 of the Municipal Code of Chicago is hereby amended by adding the language underscored and by deleting the language struck through, as follows:

9-76-040 Horns and warning devices.

(Omitted text is unaffected by this ordinance) (b) No vehicle shall be equipped with, nor shall any person use upon a vehicle^a any siren, whistle or bell, except that this prohibition shall not apply to: (i) an authorized emergency vehicle as otherwise permitted in the traffic code; (ii) a city-owned or city-leased vehicle equipped with a siren, whistle, air-horn or bell, when such sound equipment is used in accordance with rules or guidelines developed by the city's ~~commissioner of fleet and facility management~~ Commissioner of Assets, Information, and Services; and (iii) a vehicle equipped with a siren, whistle or bell as otherwise permitted under the Illinois Vehicle Code, codified at 625 ILCS 5/1-100, et seq. when such sound equipment is used in accordance with applicable law.

15

SECTION 16. Section 9-80-010 of the Municipal Code of Chicago is hereby amended by adding the language underscored and by deleting the language struck through, as follows:

9-80-010 Blue lights and flashing, rotating or oscillating blue beams.

a) No person shall drive or move any vehicle or equipment upon any street with any device thereon displaying a blue light visible directly in front thereof, or place, maintain, or display upon or in view of any public way a flashing, rotating or oscillating blue beam, except: (i) a vehicle ~~owned and operated by a police department~~; (ii) a city-owned or city-leased vehicle that displays such light in accordance with rules or guidelines developed by the city's ~~commissioner of fleet and facility management~~ Commissioner of Assets, Information, and Services; or (iii) a vehicle that displays such light as otherwise permitted under the Illinois Vehicle Code, codified at 625 ILCS 5/1-100, et seq.

b) ~~The city's commissioner of fleet and facility management~~ Commissioner of Assets, Information, and Services may allow, by rule, the use of blue oscillating, rotating or flashing lights in combination with green oscillating, rotating or flashing lights on certain city-owned or city-leased vehicles ~~which are not owned and operated by the department of police~~ Department of Police.

SECTION 17. Section 9-80-020 of the Municipal Code of Chicago is hereby amended by adding the language underscored and by deleting the language struck through, as follows:

9-80-020 Red lights and flashing lights.

(Omitted text is unaffected by this ordinance)

(c) *This section shall not apply to: (i) authorized emergency vehicles; (ii) city-owned or city-leased vehicles that display red or flashing lights in accordance with rules or guidelines developed by the city's ~~commissioner of fleet and facility management~~ Commissioner of Assets, Information, and Services; or (iii) vehicles that display red or flashing lights as otherwise permitted under the Illinois Vehicle Code, codified at 625 ILCS 5/1-100, et seq.*

SECTION 18. Section 10-29-060 of the Municipal Code of Chicago is hereby amended by adding the language underscored and by deleting the language struck through, as follows:

10-29-060 Commissioner authorized to establish additional regulations.

The ~~commissioner~~ Commissioner is authorized to establish rules and regulations as shall be necessary or appropriate to further the purposes of this chapter and to ensure that access to, use or occupancy of space on, under or over the public way or public property be is conducted and maintained in a safe and efficient manner consistent with the provisions of this Code, in a manner so as to not physically or visually interfere with or obstruct the public way or public property, or in a manner which that does not overburden the limited capacity of the space. In regard to the use of city light poles, such regulations rules shall be established after consultation with the ~~executive director~~ Executive Director, the city's chief information officer- Commissioner of Assets, Information, and Services, and the ~~commissioner of streets and sanitation~~ Commissioner of Streets and Sanitation, and shall be drafted and administered on a competitively neutral

and nondiscriminatory basis. Such regulations rules shall additionally take into account, in furtherance of the factors set forth in Section 10-29-030, on a per location basis: (i) public safety and structural limitations, (ii) compatibility of wires, including antennas and other

16

peripheral equipment with the proposed use of city-City light poles or other city City property, (iii) interference with or prevention of current or reasonably anticipated city City projects, operations or infrastructure, including communications and information services provided or sponsored by the city- City, (iv) adequacy of electric service and efficient use of scarce physical space, including potential collocation, (v) regulatory restrictions on the use of such facilities by private parties, (vi) the existence of commercially reasonable alternatives to the use of city City light poles (such as existing private utility and telecommunications poles) and (vii) material aesthetic considerations. Preference shall be given to the use of city City alley poles over ordinary light poles or traffic signal poles and preference shall be given to ordinary light poles over traffic signal poles. Such regulations rules shall not extend to the use of city City airport property by private users. Notwithstanding the foregoing, such regulations rules specifically may allow for the use of traffic signal poles on a case-by-case basis if such use does not preclude the city City from either undertaking its own telecommunications or information projects or permitting similar projects for the benefit of the public even if conducted or operated by third parties. The regulations rules may permit the replacement of city City light poles through private donations of similar poles which more readily permit the internal placement of wires so long as such replacement poles and the construction thereof do not require the expenditure of city City funds, meet city City specifications and regulatory requirements, do not violate any financing requirements and are dedicated to, and become the property of, the city City after completion. The ~~commissioner~~ Commissioner is authorized to accept any such replacement poles and to issue permits for the use of such replacement poles consistent with the purposes and limitations set forth in this chapter. The regulations rules may also permit the use of available city City conduit for wires in the immediate vicinity of or contained within such city City light poles for the limited purpose of connection with electric sources of power and communication networks if such connection will avoid construction in and deterioration of the city's City's public ways; provided, however, that such use of city City conduits shall: (a) be limited to the purposes set forth above, shall (b) be at the prevailing rates of compensation for such use as determined by the ~~commissioner~~ Commissioner, shall (c) not require the expenditure of city City funds, and (d) not violate any city City financing requirements, shall meet city City specifications and regulatory requirements, and such wires shall become city City property after termination of the related permit following default or abandonment. At least 20 days prior to the issuance of any permit for installation of equipment or wires owned by a private party on city City light poles, notice shall be given by the ~~commissioner~~ Commissioner or the executive director Executive Director to the alderman Alderman in whose ward such light poles are located.

SECTION 19. Section 10-30-050 of the Municipal Code of Chicago is hereby amended by adding the language underscored and by deleting the language struck through, as follows:

10-30-050 Rules and regulations.

The ~~commissioner~~ Commissioner, after consultation with the executive director Executive Director, the ~~commissioner of streets and sanitation~~ Commissioner of Streets and Sanitation and the chief information officer Commissioner of Assets, Information, and Services, is authorized to establish rules and regulations on a competitively neutral and nondiscriminatory basis as shall be necessary to: (1) further the purposes of this chapter; and to (2) manage the public ways, as defined in this chapter; and to (3) ensure that access to, or use or occupancy of space on, under or over the public way is conducted and maintained in a safe and efficient manner consistent with the provisions of this Code.

SECTION 20. Section 10-36-145 of the Municipal Code of Chicago is hereby amended by adding the language underscored and by deleting the language struck through, as follows:

10-36-145 Chicago Riverwalk.

(Omitted text is unaffected by this ordinance)

"Commissioner" means the Commissioner of Fleet and Facility Assets, Information, and Services.

(Omitted text is unaffected by this ordinance)

SECTION 21. Section 11-4-575 of the Municipal Code of Chicago is hereby amended by adding the language underscored and by deleting the language struck through, as follows:

11-4-575 Emission reduction credit banking and trading program.

(a) Definitions.

(Omitted text is unaffected by this ordinance) (7) "Emission reduction credit banking and trading committee" or "E.R.C. committee" means a City interdepartmental committee that includes the chairman of the City Council Committee on Health and Environmental Protection City Council Committee on Environmental Protection and Energy or his or her designee and representatives from the department of fleet and facility management, department of planning and development and department of law Department of Assets, Information, and Services, Department of Planning and Development, and Department of Law.

(Omitted text is unaffected by this ordinance)

(g) Program Administration.

(Omitted text is unaffected by this ordinance)

(5) Copies of the plan shall be provided by the department of fleet and facility management Department of Assets, Information, and Services to the I.E.P.A. and interested parties upon request.

SECTION 22. Section 11-4-1100 of the Municipal Code of Chicago is hereby amended by adding the language underscored and by deleting the language struck through, as follows:

11-4-1100 Radiation Monitoring.

(a) Definitions. For purposes of this section, the following definitions shall apply:

"Carnotite Moratorium Area" means the area in and around the site of the former Carnotite Reduction Company near 434 East 26th Street, where the Department of Fleet and Facility Assets, Information, and Services has determined that radiologically contaminated material is potentially present, a map of which, as amended from time to time, is made publicly available by the Department of Fleet and Facility Assets, Information, and Services.

(Omitted text is unaffected by this ordinance) "Health and Safety Plan" means a health and safety radiation plan that sets forth requirements and designates protocols to be followed during subsurface soil disturbing

soil-disturbing work and environmental monitoring, which meets Occupational Health and Safety Administration regulations codified at 29 C.F.R. Part 1910.120(b), or successor regulations. For work outside the Carnotite Moratorium Area, the Health and Safety Plan shall be consistent with the model Health and Safety Plan made publicly available by

the Department; for work within the Carnotite Moratorium Area, the work shall be consistent with the Utility Emergency and Maintenance Plan, Former Carnotite Reduction Company Site, Chicago, Illinois, as amended, made publicly available by the Department of Fleet and Facility Assets, Information, and Services.

(Omitted text is unaffected by this ordinance)

(d) Work in the Carnotite Moratorium Area. Any person performing emergency or non-emergency subsurface soil-disturbing work in the Carnotite Moratorium Area shall:

- 1) Prior to the commencement of work, review all environmental and other information regarding the Carnotite Moratorium Area provided by the Department of Fleet and Facility Assets, Information, and Services;
- 2) Prior to the commencement of work, complete a Health and Safety Plan for the proposed work, and provide it to the Department of Fleet and Facility Assets, Information, and Services in electronic format, upon request;
- 3) Prior to the commencement of work, provide the Department of Fleet and Facility Assets, Information, and Services with the identity and contact information of the radiation specialist which will perform services required by the Health and Safety Plan for the proposed work;

(Omitted text is unaffected by this ordinance)

(5) Follow radiation monitoring and soil handling procedures for both emergency and non-emergency non-emergency work included in the Utility Emergency and Maintenance Plan and as determined by the Commissioner of the Department of Fleet and Facility Assets, Information, and Services;

(Omitted text is unaffected by this ordinance)

9) Provide the Department of Fleet and Facility Assets, Information, and Services with copies of radiation monitoring results and reports prepared or undertaken in connection with work at the site in electronic format within two weeks of the completion of work;

10) In the event radiologically contaminated material is encountered at the worksite, immediately notify the Department of Fleet and Facility Assets, Information, and Services and other regulatory agencies as directed by the Commissioner of Fleet and Facility Assets, Information, and Services;

11) In the event radiologically contaminated material from the worksite is disposed of, disposal documentation must be provided to the Department of Fleet and Facility Assets, Information, and Services in electronic format within two weeks of transport and acceptance to the final disposal location. Such documentation shall include: (i) sampling methodology and documentation; (ii) laboratory analytical reports of waste characterization; (iii) landfill correspondence and acceptance approval; and (iv) radiation material summary, including amounts disposed (tonnage), trucking and transportation documentation, and landfill tickets and material disposal documentation;

12) Provide the Department of Fleet and Facility Assets, Information, and Services access to inspect work performed at the site;

19

13) Provide the notifications, documentation and information required by this subsection (d) to other regulatory agencies as directed by the Commissioner of Fleet and Facility Assets, Information, and Services; and

14) Undertake such other measures as the Commissioner of Fleet and Facility Assets, Information, and Services may determine are necessary or advisable to protect human health and the environment.

(e) Compliance with Health and Safety Plan. Any person performing the subsurface soil-disturbing work at a location where the Commissioner or Commissioner of Fleet and Facility Assets, Information, and Services has determined that radiologically contaminated material is potentially present, and the radiation specialist for such work, shall maintain records demonstrating that work at the site complies with the Health and Safety Plan for the work. Such records shall be made available for inspection upon request, in a format approved by the Department or Department of Fleet and Facility Assets, Information, and Services, as applicable, and shall be maintained by the person performing the subsurface soil-disturbing work and the radiation specialist for a minimum of three years from the date the record is created.

(Omitted text is unaffected by this ordinance)

SECTION 23. Section 11-4-1680 of the Municipal Code of Chicago is hereby amended by adding the language underscored and by deleting the language struck through, as follows:

11-4-1680 Definitions.

(Omitted text is unaffected by this ordinance)

d) "Committee" means the ~~city council committee on health and environmental protection~~ City Council Committee on Environmental Protection and Energy or that committee designated by the ~~city council~~ City Council as having jurisdiction over the agreement.

e) "Commissioner" means the ~~commissioner of the department of fleet and facility management~~ Commissioner of Assets, Information, and Services.

(Omitted text is unaffected by this ordinance)

SECTION 24. Section 11-12-050 of the Municipal Code of Chicago is hereby amended by adding the language underscored and by deleting the language struck through, as follows:

11-12-050 Permit to use water.

(Omitted text is unaffected by this ordinance) The fees imposed by this chapter shall not apply to permits issued to the Department of ~~Fleet and Facility~~ Assets, Information, and Services or its contractors for work undertaken for public or governmental use.

SECTION 25. Notwithstanding any language to the contrary in Section 2-51-030, the Commissioner of Fleet and Facility Management serving upon the effective date of this ordinance shall become the Commissioner of Assets, Information, and Services without any further action required by the Mayor or City Council.

20

ARTICLE IV. CHIEF RISK OFFICER

SECTION 1. Chapter 2-4 of the Municipal Code of Chicago is hereby amended by adding a new Section 2-4-060, as follows:

2-4-060 Reserved. Chief Risk Officer.

a) The Mayor may appoint an officer to be known as the Chief Risk Officer, who shall serve at the pleasure of the Mayor.

b) If appointed, the Chief Risk Officer shall have the following powers and duties:

1) To develop and maintain a comprehensive risk management strategy for the City of Chicago to protect the assets, operations, and employees of the City, and to review such risk management strategy and make adjustments as necessary;

2) To identify and evaluate potential areas of risk exposure for City departments, employees, contractors, and agents, and conduct risk management reviews which may include, but are not

limited to, investigations, regular physical inspections of facilities, analyses of losses incurred, personal contact with governmental officers and employees, and review of data and records upon request;

3) To assist all City departments and Sister Agencies in developing a management plan for identifying, achieving, and maintaining acceptable loss levels and for treating and financing exposure to such loss. Such plan may include recommendations for insurance coverage;

4) To identify and recommend modifications to any City operation or facility that represents an actual or potential hazard to City employees or to the public, and to advise City departments in implementing such modifications;

5) To engage with public and private agencies and organizations and conduct joint investigation into and research on methods for identifying areas of risk exposure, methods of risk avoidance and reduction, and methods for addressing exposure that cannot be avoided or reduced;

6) To enter into grant agreements, cooperation agreements, and other agreements with governmental entities, civic and community groups, and other persons to effectuate the powers and duties of this Section, and to enter into and execute all such other instruments and to perform any and all acts, including the allocation and expenditure of funds subject to appropriation therefor, as shall be necessary or advisable in connection with the implementation of such agreements, including any renewals thereto; and

7) To perform such other duties related to risk management as may be required by the Mayor and to undertake any and all acts the Chief Risk Officer deems necessary to mitigate risk and advance the risk management goals of the City.

21

c) The Commissioner of Assets, Information, and Services shall consult and work in coordination with the Chief Risk Officer to advance the goals of the City set forth in Section 2-51-050(a)(41).

d) The Risk Manager and the Office of Risk Management shall consult and work in coordination with the Chief Risk Officer to advance the risk management goals of the City.

e) All City departments and, to the extent permitted by law, Sister Agencies shall cooperate with the requests, recommendations, and directions of the Chief Risk Officer to advance their respective risk management goals.

ARTICLE V. OFFICE OF PUBLIC SAFETY ADMINISTRATION

SECTION 1. Title 2 of the Municipal Code of Chicago is hereby amended by adding a new Chapter 2-96, as follows:

2-96-005 Definitions.

As used in this chapter, unless the context clearly indicates otherwise:

"Executive Director" means the Executive Director of Public Safety Administration or the Executive Director's designee.

"Interoperable communications systems" means land mobile radio and wireless public safety data systems used by first responders to communicate effectively across agencies regarding daily public safety tasks, emergency incidents,

and planned events.

"Office" means the Office of Public Safety Administration.

"Public Safety Departments" means the Fire Department and its Commissioner, the Police Department and its Superintendent, and the Office of Emergency Management and Communications and its Executive Director.

2-96-010 Establishment - Composition.

There is hereby established an executive department of the municipal government of the City, which shall be known as the Office of Public Safety Administration. The Office shall include the Executive Director of Public Safety Administration, and such deputies, assistants, and other employees as may be provided for in the annual appropriation ordinance. All employees of the Office shall be under the direction and supervision of the Executive Director and shall perform such duties as may be required of them by the Executive Director or by the provisions of this Code.

2-96-020 Executive Director of Public Safety Administration - Appointment.

There is hereby created the office of Executive Director of Public Safety Administration. The Executive Director shall be appointed by the Mayor, by and with the advice and consent of the City Council.

22

2-96-030 Transfer of rights, powers and duties.

a) Transfer of powers. The Executive Director and the Office shall assume all rights, powers, duties, obligations, and responsibilities (for purposes of this section, "powers") that were formerly exercised by the Public Safety Departments and transferred to the Executive Director and the Office pursuant to this Chapter 2-96, including, but not limited to:

- 1) The administration of all related personnel, books, records, property, and funds;
- 2) The management and administration of any related federal, state, local, or private grant or loan programs, except to the extent prohibited by the grantor or grant agreement; and
- 3) The related rights and duties under existing contracts, appropriations, grant agreements, leases, or other agreements or ordinances.

b) Legal status of existing rules. All rules and policies issued by the Public Safety Departments in connection with such transferred powers, and in effect as of the effective date of this Chapter 2-96, shall remain in effect until amended or repealed by the Executive Director.

2-96-040 Executive Director - Powers and duties.

The Executive Director is authorized to:

- 1) Manage procurement for the Public Safety Departments;
- 2) Manage the accounts of the Public Safety Departments and associated reimbursements;
- 3) Administer payroll and manage timekeeping for the Public Safety Departments;
- 4) Manage and administer the federal, state, local, or private grants and loan programs of the Public Safety Departments, except to the extent prohibited by the grantor or grant agreement;
- 5) Manage general support services, including administration of facilities management, fleet management, and asset management;
- 6) Manage the information systems, informational and technological infrastructure, and interoperable

communications systems of the Public Safety Departments;

7) Manage personnel administration for the Public Safety Departments, including human resource management, recruitment, and processing of promotions;

8) Manage the medical services of the Public Safety Departments, including but not limited to (i) the examination of members of the Public Safety Departments who are absent from duty on account of sickness or injury; (ii) the certification of Police or Fire Department personnel for any injury or illness sustained on or off duty; (iii) the certification of Police or Fire Department personnel for any injury sustained in the line of duty and the member is able to perform limited duty assignments; and (iv) the provision and management of all associated records, property, equipment, and supplies;

9) Assist the Public Safety Departments in responding to requests made under the Freedom of Information Act, 5 U.S.C. § 552; and

10) Adopt such rules as the Executive Director may deem necessary or appropriate for the proper administration and enforcement of this Chapter 2-96 and the

23

provisions of this Code pertaining to the rights, powers, duties, obligations and responsibilities of the Office.

When applicable, the foregoing powers and duties shall be exercised in conjunction with the Commissioner of Assets, Information, and Services pursuant to Section 2-51-050. None of the foregoing powers and duties shall be exercised so as to impair any rights under a collective bargaining agreement.

SECTION 2. Section 2-29-030 of the Municipal Code of Chicago is hereby amended by inserting the text underscored, and by deleting the text struck through, as follows:

2-29-030 Executive Director ~~director~~ - Appointment.

There is hereby established the office of the Executive Director of Emergency Management and Communications ~~executive director of emergency management and communications~~. The Executive Director ~~executive director~~ shall be appointed by the Mayor ~~mayer~~, subject to the approval of the City Council ~~city council~~, and shall have management and control of all matters and activities pertaining to the Office of Emergency Management and Communications, except for those matters under the jurisdiction of the Office of Public Safety Administration, ~~office of emergency management and communications~~.

SECTION 3. Section 2-29-040 of the Municipal Code of Chicago is hereby amended by inserting the text underscored, and by deleting the text struck through, as follows:

2-29-040 Executive Director ~~director~~ - Powers and duties.

The Executive Director ~~executive director~~ and such employees ~~his staff~~, as designated, shall have the following powers and duties:

(Omitted text is unaffected by this ordinance)

8. To acquire federal and other funding for homeland security and emergency management, including but not limited to disaster relief and emergency preparedness, and to assist other agencies in obtaining such funding in coordination with the Office of Public Safety Administration:

9. To negotiate and execute with other governmental units, non-profit and volunteer groups, and private parties, in coordination with the Office of Public Safety Administration:

a) memoranda of understanding or mutual aid agreements for personnel assistance or resources in

disasters, and

- b) agreements for:
 - i) the placement of city emergency telecommunications antennas and other equipment, or
 - ii) the sharing or use of video images,
- c) agreements for promoting public education and awareness, and
- d) agreements for tests and simulations to enhance first responder

preparedness,

if such memoranda or agreements are useful to the functions of the office or otherwise in furtherance of homeland security, emergency management or public safety, and to enter into

24

and execute all such other instruments and to perform any and all acts, including the expenditure of funds subject to appropriation therefor, as shall be necessary or advisable in connection with the implementation of such memoranda and agreements, including any renewals thereto, and including provisions providing indemnification, and to coordinate with neighboring municipalities to provide city resources in disasters to prevent injury or loss of life;

(Omitted text is unaffected by this ordinance)

SECTION 4. Chapter 2-29 of the Municipal Code of Chicago is hereby amended by adding a new Section 2-29-045, as follows:

2-29-045 Agreements related to training.

The Executive Director, in coordination with and subject to the approval of the Office of Public Safety Administration, is authorized to: (1) negotiate and execute agreements with other governmental units, nonprofit and volunteer groups, and private parties to provide training and curriculum development for employees of the Office of Emergency Management and Communications or for persons required to be trained by the Office, or to provide training and testing for prospective employees of the Office; and (2) enter into and execute all such other instruments and to perform any and all acts, including the expenditure of funds subject to appropriation therefor, as shall be necessary or advisable in connection with the implementation of such agreements, including any renewals thereto, and including provisions providing indemnification.

SECTION 5. Section 2-36-200 of the Municipal Code of Chicago is hereby amended by inserting the text underscored, and by deleting the text struck through, as follows:

2-36-200 Fire Commissioner ~~commissioner~~ - Authority.

The Fire Commissioner ~~fire commissioner~~, who shall not be subject to active fire duty, shall enforce the fire regulations of this Code and shall manage and control all matters and things pertaining to the Fire Department ~~fire department~~ and all persons employed therein, except for those matters under the jurisdiction of the Office of Public Safety Administration. The Fire Commissioner ~~fire commissioner~~ shall be appointed by the Mayor ~~mayer~~, by and with the advice and consent of the City Council ~~city council~~. Any power or duty under this Code that is conferred upon or otherwise required to be exercised by a deputy Fire Commissioner ~~fire commissioner~~ or other head of any bureau or division of the Fire Department ~~fire department~~, or by any member of the uniformed service, shall also be conferred upon the Fire Commissioner ~~fire commissioner~~ and may be exercised by the Fire Commissioner, ~~fire commissioner~~.

SECTION 6. Section 2-36-230 of the Municipal Code of Chicago is hereby amended by inserting the text underscored, and by deleting the text struck through, as follows:

25

2-36-230 Recordkeeping.

The Fire Commissioner ~~fire commissioner~~ shall maintain, preserve and keep, with the exception of those records under the jurisdiction of the Office of Public Safety Administration: (1) all books, records and papers that belong to the Fire Department ~~fire department~~ or that are required by law to be filed with the Fire Department ~~fire department~~; and (2) a complete record of all business transactions in the Fire Department ~~fire department~~; and (3) a complete record of all property placed in the Commissioner's ~~commissioner's~~ or Department's ~~department's~~ custody or under their charge. Such books, records and papers shall be open, at all times, to inspection by the Comptroller ~~comptroller~~, the Mayor ~~mayor~~, and the City Council ~~city council~~ or any member thereof.

SECTION 7. Section 2-36-280 of the Municipal Code of Chicago is hereby amended by inserting the text underscored, and by deleting the text struck through, as follows:

2-36-280 Inspection results and other records - Accounting of fees.

(Omitted text is unaffected by this ordinance)

(d) The Fire Commissioner ~~fire commissioner~~ shall maintain in proper books, and in coordination with the Office of Public Safety Administration, an accurate account of all fees charged in connection with inspections or other operations authorized under this Code and conducted by any bureau of the Department ~~department~~, which shall include: (1) the names of the person to whom the fee is charged; (2) the date on which such charge is made; and (3) the amount of each such fee or charge.

SECTION 8. Section 2-36-430 of the Municipal Code of Chicago is hereby amended by inserting the text underscored, and by deleting the text struck through, as follows:

2-36-430 Agreements to use buildings for training.

The Fire Commissioner ~~fire commissioner~~ is authorized to execute agreements with public and private parties permitting structures that are scheduled for demolition or rehabilitation to be used for training by Fire Department ~~fire department~~ personnel. Any such agreement may include provisions for indemnification in a form approved by the Corporation Counsel ~~corporation counsel~~. Before executing any such agreement, the Fire Commissioner ~~fire commissioner~~ shall obtain confirmation from the alderman of the ward in which the structure is located that the proposed training will not have a detrimental effect on neighboring residents.

SECTION 9. Section 2-36-480 of the Municipal Code of Chicago is hereby amended by inserting the text underscored, and by deleting the text struck through, as follows:

2-36-480 Agreements related to training.

The Fire Commissioner ~~fire commissioner~~ is authorized to: (1) negotiate and execute agreements with other

governmental units, nonprofit and volunteer groups, and private parties

26

to provide training and curriculum development for members of the Fire Department ~~fire department~~ or for persons required to be trained by the Fire Department ~~fire department~~, or to provide training and testing for prospective members of the Department ~~department~~; and (2) enter into and execute all such other instruments and to perform any and all acts, including the expenditure of funds subject to appropriation therefor, as shall be necessary or advisable in connection with the implementation of such agreements, including any renewals thereto, and including provisions providing indemnification. Any such agreement that includes an expenditure of duly appropriated funds shall be subject to approval of the Office of Public Safety Administration.

SECTION 10. Section 2-36-490 of the Municipal Code of Chicago is hereby amended by inserting the text underscored, and by deleting the text struck through, as follows:

2-36-490 Agreements related to processing license applications and maintenance of records.

The Fire Commissioner ~~fire commissioner~~, in coordination with and subject to the approval of the Office of Public Safety Administration, is authorized enter into a service contract with a service provider to: (1) administer, on the Fire Department's ~~fire department's~~ behalf, licenses and certifications issued by the Fire Department ~~fire department~~, including, but not limited to, the (i) fire extinguisher serviceman license issued under Article VII of Chapter 15-4 of this Code, (ii) special fireguard license issued under Section 15-4-680, (iii) special stage fireman or fireguard license issued under Section 15-4-770, (iv) certification as a desk clerk under Article XIII of Chapter 15-4 of this Code, and (v) certification as a life safety director; and (2) maintain, preserve and keep, on the Fire Department's ~~fire department's~~ behalf, the records required to be kept by the Fire Commissioner ~~fire commissioner~~ under Section 2-36-280. The service contract may contain such terms as the Fire Commissioner ~~fire commissioner~~ deems necessary or appropriate, including, but not limited to, terms that specify the source and amount of the service provider's compensation. The Fire Commissioner ~~fire commissioner~~, either directly or through a service provider, is authorized to charge the chosen service provider a reasonable service fee in order to cover part or all of the City's costs associated with the service contract, including the costs of engaging a service provider. Such contract shall be subject to review by the Corporation Counsel ~~corporation counsel~~ and the Executive Director of the Office of Public Safety Administration as to form and legality.

The Fire Commissioner ~~fire commissioner~~ shall have power to adopt rules for the proper administration and enforcement of the provision of this Section, ~~section~~.

SECTION 11. Section 2-84-040 of the Municipal Code of Chicago is hereby amended by inserting the text underscored, and by deleting the text struck through, as follows:

2-84-040 Superintendent of Police ~~police~~ - Appointment as ~~administrative authority~~.

The Superintendent of Police ~~superintendent of police~~ shall be the chief executive officer of the Police Department ~~police department~~. The Superintendent He shall be appointed by the Mayor ~~mayor~~ upon recommendation of the Police Board ~~police board~~ and with the advice and

27

consent of the City Council ~~city council~~ and shall serve at the pleasure of the Mayor ~~mayor~~. The Superintendent ~~superintendent~~ shall be responsible for the general management and control of the Police Department ~~police department~~ and

shall have full and complete authority to administer the department, except for those matters under the jurisdiction of the Office of Public Safety Administration, in a manner consistent with the ordinances of the City, the laws of the state, and the rules and regulations of the Police Board, ~~police board~~.

SECTION 12. Section 2-84-050 of the Municipal Code of Chicago is hereby amended by adding the underscored text, and deleting the struck-through text, as follows:

2-84-050 Superintendent of Police ~~police~~ - Powers and duties.

Subject to the rules of the Department ~~department~~ and the instruction of the Board ~~board~~, said Superintendent ~~superintendent~~ shall have the power and duty:

- 1) ~~To administer the affairs of the department as its chief administrative officer;~~
- 2) ~~To organize the Department; department with the approval of the board;~~
- 2) (3) To make appointments, promotions, transfers of and to take disciplinary action against employees of the Department;
- 3) f4) ~~To appoint, discharge, suspend or transfer the employees of the Department department other than the secretary of the board and to issue instructions to said employees other than the secretary in the line of their duties. Subsections (2)(3f and (3)(44 shall be administered in coordination with the Office of Public Safety Administration, and are subject to the civil career service provisions of Chapter 2-74 of this Code;~~
- 4) {5) ~~To expend the funds of the department in accordance with the provisions of the budget appropriations and subject to the approval of the Office of Public Safety Administration:~~
- 5) {6) To develop recommend to the board an annual departmental budget covering the anticipated revenues and expenditures of the Department department conforming as far as practicable to the forms and dates provided for in relation to the general city City budget; and
- f7) ~~To certify all expenditures of the department to the city comptroller; and (6X&) To exercise such further powers in the administration of the department Department as may be conferred upon the Superintendent him by the Mayor, except for those powers exercised exclusively by the Office of Public Safety Administration, board.~~

SECTION 13. Chapter 2-84 of the Municipal Code of Chicago is hereby amended by adding a new Section 2-84-056,' as follows:

2-84-056 Agreements related to training.

The Superintendent, in coordination with and subject to the approval of the Office of Public Safety Administration, is authorized to: (1) negotiate and execute agreements with other governmental units, nonprofit and volunteer groups, and private parties to provide training and curriculum development for members of the Police Department or for persons required to be trained by the Department, or to provide training and testing for prospective members of the Department; and (2) enter into and execute all such other instruments and to perform any and all acts, including the expenditure of funds subject to appropriation therefor, as shall be

necessary or advisable in connection with the implementation of such agreements, including any renewals thereto, and including provisions providing indemnification.

SECTION 14. Section 2-84-090 of the Municipal Code of Chicago is hereby repealed in its entirety, shown by the following struck-through text. Section 2-84-090 Medical services section-Director

~~The director of the medical services section, under the direction of the superintendent of police, shall have the charge and direction of the medical services section, and shall be responsible for all medical activities of the department, all property and equipment used therein and all supplies issued thereto, and shall exercise general supervision over the duties and conduct of all personnel assigned to or retained by that section. When so directed by the superintendent of police, a physician designated by the director of the medical services section shall examine, or cause to be examined, sick and injured members of the department of police who are absent from duty on account of such sickness or injury, and shall make a report of the findings and conclusions thereon to the superintendent or his designee.~~

SECTION 15. Transition Period.

To enable an orderly, gradual, and efficient transfer of the functions set forth in Chapter 2-96 of the Code, a transition period, beginning on the date that Chapter 2-96 becomes law, is hereby established. During the transition period, the Public Safety Departments shall continue to exercise those functions until the Executive Director is appointed and confirmed and determines that the newly established Office is sufficiently operational to administer any specific function(s) transferred to it pursuant to Chapter 2-96. Upon making such determination, the Executive Director shall send written notification to the pertinent Public Safety Department, specifying the function(s) that the Office is assuming and the date of assumption. The Public Safety Departments shall give the Executive Director access to all equipment, inventory, and operational, financial, and personnel systems, determined necessary by the Executive Director, to execute the powers and duties of the Office. On the date specified, the Office will be deemed to have assumed the function(s). The transition period shall terminate, and the Office shall achieve full implementation of Chapter 2-96, no later than May 1, 2020.

SECTION 16. This ordinance shall be in full force and effect following due passage and approval.

ARTICLE VI. CHICAGO MINIMUM WAGE

SECTION 1. Chapter 1-24 of the Municipal Code of Chicago is hereby amended by adding the language underscored, and by deleting the language struck through, as follows:

29

1-24-010 Definitions.

For purposes of this chapter, the following definitions apply:

"Commissioner" means the ~~commissioner of business affairs and consumer protection~~ Commissioner of Business Affairs and Consumer Protection.

(Omitted text is unaffected by this ordinance)

"Covered Employee" means any an Employee who is not subject to any of the exclusions set out in Section 1-24-050 below, and who, in any particular two-week period, performs at least two hours of work for an Employer while physically present within the geographic boundaries of the City. For purposes of this definition, time spent traveling in the City that is compensated time, including, but not limited to, deliveries, sales calls, and travel related to other business activity taking place within the City, shall constitute work while physically present within the geographic boundaries of the City; however, time spent traveling in the City that is uncompensated commuting time shall not constitute work while

physically present within the geographic boundaries of the City. "Covered Employee" does not include any individual permitted to work: (a) for an Employer who has fewer than four Employees, with the exception that: (1) all Domestic Workers, including Domestic Workers employed by Employers with fewer than four Employees, shall be Covered Employees if the individual meets the other requirements; and (2) for purposes of Section 1-24-045, any individual permitted to work by an Employer in an Occupation, regardless of the number of persons the Employer employs, shall be Covered Employees if the individual meets the other requirements; (b) as an outside salesman; (c) as a member of a religious corporation or organization; (d) at, and employed by, an accredited Illinois college or university at which the individual is a student who is covered under the Fair Labor Standards Act, as amended; (e) for a motor carrier and with respect to whom the U.S. Secretary of Transportation has the power to establish qualifications and maximum hours of service under the provisions of Title 49 U.S.C. or the State of Illinois under Section 18b-105 (Title 92 of the Illinois Administrative Code, Part 395 - Hours of Service of Drivers) of the Illinois Vehicle Code; (f) as a camp counselor employed at a day camp if the camp counselor is paid a stipend on a one-time or periodic basis and, if the camp counselor is a minor, the minor's parent, guardian or other custodian has consented in writing to the terms of payment before the commencement of such employment; (g) while subject to subsection 4(a)(2) of the Minimum Wage Law, with the exception of the categories of Employees described in subsections 4(a)(2)(A) and 4(a)(2)(B) of the Minimum Wage Law, who shall be entitled to the Wages that their Employer shall otherwise pay under Section 1-24-020(b) and 1-24-030 above, whichever applies, as well as the overtime compensation described in Section 1-24-040; and (h) for any governmental entity other than the City and its Sister Agencies.

(Omitted text is unaffected by this ordinance)

"Employee" means an individual that performs work for an employer in the capacity of an employee, as distinguished from a contractor, determined pursuant to Internal Revenue Service guidelines, "Gratuities", and "Occupation" have the meanings ascribed to those terms in the Minimum Wage Law, with the exception that: (1) all Domestic Workers, including Domestic Workers employed by Employers with fewer than four employees, shall fall under the definition of the term; and (2) for purposes of Section 1-24-045, any individual permitted to work by an Employer in an Occupation, regardless of the number of persons the Employer employs, shall fall under the definition of the term "Employee".

30

~~"Employer" means a person who any individual, partnership, association, corporation, limited liability company, business trust, or any person or group of persons that gainfully employs at least one Covered Employee. To qualify as an Employer, such individual, group, or entity must Employee (1) maintain a business facility within the geographic boundaries of the City and/or (2) be subject to one or more of the license requirements in Title A of this Code.~~

(Omitted text is unaffected by this ordinance)

"Gratuities" and "Occupation" have the meanings ascribed to those terms in the Minimum Wage Law.

(Omitted text is unaffected by this ordinance)

"Minimum Wage Law" means the Illinois Minimum Wage Law, 820 ILCS 105/1, et seq. as currently in force and hereafter amended.

"Outside salesman" means an Employee regularly engaged in making sales or obtaining orders or contracts for services where most of such duties are performed away from his employer's place of business.

(Omitted text is unaffected by this ordinance)

1-24-020 Minimum hourly wage.

(a) Except as provided in Sections 2-92-610 and 1-24-030 of this Code, every Employer shall pay no less than the following Wages to each Covered Employee for each hour of work performed for that Employer, no less than while physically present within the geographic boundaries of the City: the greater of (1) the minimum hourly Wage set by the Minimum Wage Law; (2) the minimum hourly Wage set by the Fair Labor Standards Act; or (3) the City's minimum hourly Wage.

a) Beginning on July 1, 2015, the greater of: (1) the minimum hourly Wage set by the Minimum Wage Law; (2) the minimum hourly Wage set by Fair Labor Standards Act; or (3) \$10.00 per hour.

b) Beginning on July 1, 2016, the greater of: (1) the minimum hourly Wage set by the Minimum Wage Law; (2) the minimum hourly Wage set by the Fair Labor Standards Act; or (3) \$10.50 per hour.

fs) Beginning on July 1, 2017, the greater of: (1) the minimum hourly Wage set by the Minimum Wage Law; (2) the minimum hourly Wage set by the Fair Labor Standards Act; or (3) \$11.00 per hour.

d) Beginning on July 1, 2018, the greater of: (1) the minimum hourly Wage set by the Minimum Wage Law; (2) the minimum hourly Wage set by the Fair Labor Standards Act; or (3) \$12.00 per hour.

e) Beginning on July 1, 2019, the greater of: (1) the minimum hourly Wage set by the Minimum Wage Law; (2) the minimum hourly Wage set by the Fair Labor Standards Act; or (3) \$13.00 per hour.

(9)

(b) The City minimum hourly Wage shall be as follows:

(1) For Employers who have 21 or more Employees:

31

A) Beginning on July 1, 2020, \$14.00 per hour.

B) Beginning on July 1, 2021, \$15.00 per hour.

(C) Beginning on July 1, 2020, 2022, and on every July 1 thereafter, the greater of: (1) the minimum hourly Wage set by the Minimum Wage Law; (2) the minimum hourly Wage set by the Fair Labor Standards Act; or (3) the City's minimum hourly Wage from the previous year, increased in proportion to the increase, if any, in the CPI, provided, however, that if the CPI increases by more than 2.5 percent in any year, the City minimum Wage increase shall be capped at 2.5 percent, and that there shall be no City minimum Wage increase in any year when the unemployment rate in Chicago for the preceding year, as calculated by the Illinois Department of Employment Security, was equal to or greater than 8.5 percent. Any increase pursuant to this subsection 1-24-020(f)(3)(b)(1)(G) shall be rounded up to the nearest multiple of \$0.05. Any increase pursuant to subsection 1-24-020ff(b) shall remain in effect until any subsequent adjustment is made.

2) For Employers who have more than 3, but fewer than 21 Employees, and Employers who have more than 0, but fewer than 21 Employees who are Domestic Workers:

A) Beginning on July 1, 2020, \$13.50 per hour.

B) Beginning on July 1, 2021, \$14.00 per hour.

C) Beginning on July 1, 2022, \$14.50 per hour.

D) Beginning on July 1, 2023, \$15.00 per hour.

(E) Beginning on July 1, 2024, the Wage will be the same as for subsection (b)(1)(C) Covered Employees.

3) For Subsidized Temporary Youth Employment Programs, for Subsidized Transitional Employment Programs, for Covered Employees who are under 18 years of age, and those subject to Section 6 of the Minimum Wage Law:

A) Beginning on July 1, 2020, \$10.00 per hour.

B) Beginning on July 1, 2021, \$11.00 per hour.

C) Beginning on July 1, 2022, \$12.00 per hour.

D) Beginning on July 1, 2023, \$13.50 per hour.

E) Beginning on July 1, 2024, \$15.00 per hour.

(F) Beginning on July 1, 2025, the Wage shall rise by the lesser of \$1.50 or the Wage set by subsection (b)(1)(C). This increase shall occur every year until the Wage is the same as the Wage set by subsection (b)(1)(C), after which the Wage will continue being the same as for subsection (b)(1)(C) Covered Employees.

4) Sister Agencies shall be subject to the Wage requirements in subsection (b)(1) beginning on July 1, 2021.

5) An Employer in possession of a special license issued by the Director of Labor described by Section 5 of the Minimum Wage Law, or in possession of a federal certificate that the United States Department of Labor issues to a work activities center or other sheltered workshop to allow the work activities center or sheltered workshop to pay an individual less than the wage otherwise required for that individual under the Fair Labor Standards Act, shall be subject to the Wage requirements in subsection (b)(1) as to those Covered Employees beginning on July 1, 2024.

(c) On or before June 1, 2020 2022, and on or before every June 1 thereafter, the ~~commissioner~~ Commissioner shall make available to Employers a bulletin announcing the adjusted minimum hourly Wage for the upcoming year.

32

1-24-060 Application to collective bargaining agreements.

Nothing in this chapter shall be deemed to interfere with, impede, or in any way diminish the right of Employees to bargain collectively with their Employers through representatives of their own choosing in order to establish wages or other conditions of work in excess of the applicable minimum standards of the provisions of this chapter. The minimum wage requirements of this chapter may be waived in a bona fide collective bargaining agreement, but only if the waiver is set forth explicitly in such agreement in clear and unambiguous terms. Nothing in Section 1-24-045 shall be deemed to affect the validity or change the terms of bona fide collective bargaining agreements in force on ~~the effective date of this amendatory ordinance of 2016*~~ July 1, 2017. After that date, requirements of Section 1-24-045 may be waived in a bona fide collective bargaining agreement, but only if the waiver is set forth explicitly in such agreement in clear and unambiguous terms. In no event shall Section 1-24-045 apply to any Employee working in the construction industry who is covered by a bona fide collective bargaining agreement.

SECTION 2. Section 1-24-030 of the Municipal Code of Chicago is hereby repealed in its entirety and replaced with the following new Section 1 -24-030:

1-24-030 Minimum hourly wage in occupations receiving gratuities.

a) Every Employer of a Covered Employee engaged in an Occupation in which Gratuities have customarily constituted part of the remuneration is entitled to an allowance for gratuities as part of the hourly wage rate provided in Section 1-24-020(b) in an amount not to exceed 40% of the applicable minimum wage rate.

b) Every Employer that pays a Covered Employee the Wage described in subsection (a) shall transmit to the Commissioner, in a manner provided by rule, substantial evidence establishing: (1) the amount the Covered Employee received as Gratuities during the relevant pay period; and (2) that no part of that amount was returned to the Employer. If an Employer is required by the Minimum Wage Law to provide substantially similar data to the Illinois Department of Labor, the Commissioner may allow the Employer to comply with this subsection (b) by filing a copy of the state documentation.

c) The Commissioner shall make available to Employers a bulletin announcing the City's minimum hourly Wage for the upcoming year for workers who receive Gratuities.

SECTION 3. The Commissioner of Business Affairs and Consumer Protection shall conduct a one-year study, covering calendar year 2020, that examines the economic impact of tipped wages and the effectiveness of current enforcement.

SECTION 4. Section 1-24-050 is hereby repealed in its entirety.

SECTION 5. Section 2-92-610 is hereby repealed in its entirety.

33

ARTICLE VII. POLICE BOARD APPEALS

SECTION 1. Section 2-84-030 of the Municipal Code of Chicago is hereby amended by deleting the language struck through and by inserting the language underscored, as follows:

2-84-030 Police board - Powers and duties.

The board shall exercise the following powers:

1. When a vacancy occurs in the position of superintendent of police, to nominate three candidates to fill the position and to submit those nominations to the mayor;
2. To adopt rules and regulations for the governance of the police department of the city; and City;
3. To serve as a board to hear disciplinary actions for which a suspension for more than the 30 days expressly reserved to the superintendent is recommended, or for removal or discharge involving officers and employees of the police department in the classified civil service of the city; and
4. To serve as a board to consider appeals, pursuant to Section 2-84-035, by applicants for a probationary police officer position who have been removed from the Department of Police's eligibility list due to the results of a background investigation.

(Omitted text is not affected by this ordinance)

SECTION 2. Chapter 2-84 of the Municipal Code of Chicago is hereby amended by adding a new section 2-84-035, as follows:

2-84-035 Appeals by applicants removed from eligibility list.

(a) Definitions. For purposes of this section, the following definitions shall apply:

"Applicant" means a person who has applied for a probationary police officer position with the Department.

"Board" means the Police Board created pursuant to Section 2-84-020. "Department" means the City's Department of Police.

"Eligibility list" means the Department's list of eligible applicants for a probationary police officer position with the Department.

(b) Appeals. Appeals by applicants who have been removed from the eligibility list

due to the results of a background investigation shall be governed by the following procedure and

applicable rules:

1) The applicant shall be given written notice by the Department of the Department's decision to remove the applicant from the eligibility list, along with the reason(s) for the disqualification decision.

2) The applicant may, no later than 60 calendar days from the date on the notice, appeal the decision of the Department by filing with the Board a written request specifying why the Department erred in the factual determinations underlying the disqualification decision, or bringing to the Board's attention additional facts directly related to the reason(s) for the disqualification decision.

3) The Department may file a written response, and the applicant may file a written reply to the Department's response, as provided in the Board's rules of procedure.

4) The Board shall render a decision on the appeal, as provided in the Board's rules of procedure.

34

c) Burden of proof. The applicant shall have the burden of showing, by a preponderance of the evidence, that the Department's decision to remove the applicant from the eligibility list was erroneous.

d) Hearing officers and final decisions. The Board may appoint hearing officers to consider applicants' appeals in accordance with this section and the rules of procedure adopted by the Board. Each hearing officer shall be an attorney admitted to the practice of law in the State of Illinois in good standing. Hearing officers may make findings of fact, conclusions of law, and recommendations to the Board. The Board shall be the final decision-making authority regarding any appeal under this section, and such decision shall constitute a final decision for purpose of judicial review by a court of competent jurisdiction.

e) Documentary review. The Board's consideration of the appeal provided in this section is limited to review of: (1) the applicant's request and reply; (2) the Department's response; (3) any relevant documentary evidence submitted with such request, reply or response; and (4) the hearing officer's findings, conclusions, and recommendations. There shall not be a hearing (whether in person or by video or audio conference) on the Department's decision to remove the applicant from the eligibility list.

f) Failure to file timely appeal. If an applicant does not file a timely appeal as provided in subsection (b), such applicant shall be deemed to have waived his or her right under this section to appeal the Department's decision to remove the applicant from the eligibility list.

g) Rules. The Board is authorized to promulgate rules of procedure not inconsistent with this section regarding the conduct of appeals under this section.

ARTICLE VIII. FUEL HEDGING

SECTION 1. The ordinance granting authority for fuel hedging passed March 31, 2004, and published on pages 20995 through 20998 of the Journal of Proceedings of the City Council for that date, is hereby repealed.

■ SECTION 2. Chapter 2-92 of the Municipal Code of Chicago is hereby amended by adding a new Section 2-92-418 as follows:

2-92-418 Fuel purchasing.

The Chief Procurement Officer, or his designee, is authorized to enter into contracts with vendors for a specific quantity of fuel to be delivered to the City on a specific date or dates at a "not-to exceed" price. The fuel delivery date

may not be more than three years after the date on which the contract is entered.

SECTION 3. This ordinance shall have no effect on actions taken and agreements entered into that were based upon the repealed provision.

35

SECTION 4. This ordinance shall be in full force and effect following due passage and approval.

ARTICLE IX. SIGNS

SECTION 1. [Reserved.]

SECTION 2. The following Chapter 4-4 of the Municipal Code of Chicago is hereby amended by adding a new Section 4-4-100, as follows:

4-4-100 Fast-track business sign.

- a) Each business that is either licensed by the City or exempt from licensure pursuant to Section 4-4-020(a) (3) and that is located on a ground floor shall be allowed one fast-track business sign without the need for a sign permit issued by the Department of Buildings, subject to the restrictions of this Section 4-4-100.
- b) The Commissioner may promulgate rules for the administration of the fast-track business sign program, including, but not limited to, requiring that the sign display a Department issued decal.
- c) For purposes of this section, the term "fast-track business sign" is defined as an on-premise sign, as that term is defined in Section 17-17-02109, of no more than 16 square feet (4.87 m²) in area located in the interior side of a ground floor window of the on-premise business. In no event may the sign extend over the public way, be a dynamic image display sign, a flashing sign, or a video display sign. Further, the sign must be of a type allowed for that location under Title 17 of this Code. An on-premise ground floor window sign that is electrically powered must comply with Chapter 14E of this Code. A business sign that is electrically hardwired is subject to issuance of an electrical permit and must be installed by a registered electrical contractor pursuant to that electrical permit. The exemption from a sign permit requirement under this section is for one on-premises sign per business only and the 16 square feet (4.87 m²) allotment may not be divided among multiple signs. The sign authorized by this Section is in addition to window signs allowed under Section 13-20-550(d) of this Code. The sign authorized by this Section shall be not counted in the calculation of the total sign area restrictions imposed by Section 17-12-1003.
- d) The fee for each fast-track business sign shall be \$250.00.

SECTION 3. Section 13-20-550 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

13-20-550 Permit Required.

- (a) Unless a valid permit has been obtained from the ~~department of buildings~~ Department of Buildings, it shall be unlawful for any person:

- 1) to own, maintain, erect, install, alter, repair or enlarge any sign, eity City digital sign, or associated sign structure covered by the provisions of this article;
- 2) to commence to erect, install, alter, repair or enlarge any sign, etty City digital sign, or associated sign structure covered by the provisions of this article;
- 3) to cause any sign, eity City digital sign, or associated sign structure covered by the provisions of this article to be erected, installed, altered, repaired or enlarged;

(Omitted text is unaffected by this ordinance)

(d) Notwithstanding the provisions of this section to the contrary, a sign permit is not required to erect, maintain, install, alter, repair or enlarge (i) a fast-track on-premise ground level interior window sign as defined in Section 4-4-100 of this Code, or (ii) an on-premise sign that is:

- 1) constructed wholly from paper, fabric, vinyl, or similar materials and attached to a window for no more than 60 days; or
- 2) painted directly onto the window or made of plastic film or similar material and fully adhered to the window by means of adhesive or static cling for any duration provided that the total area of all such signs in a single window does not exceed 25% of the glazing area of that window. Lettering that is painted directly onto the glass of a window and less than 2 inches in height will not be counted in the calculation of the 25% if it is an on-premises sign. For purposes of this subsection, a glazed panel in a door shall be treated as a window. The signs authorized by this subsection (d) shall not be counted in the calculation of the total sign area restrictions imposed by section 17-12-1003.

(Omitted text is unaffected by this ordinance)

ARTICLE X. MISCELLANEOUS

SECTION 1. Section 2-92-290 of the Municipal Code of Chicago is hereby amended by adding the language underscored, and by deleting the language struck through, as follows:

2-92-290 Official newspaper for city publications.

~~The chief procurement officer~~ Chief Procurement Officer shall annually, ~~on the first Monday of December,~~ advertise in such daily newspaper or newspapers published in the city as he may select, inviting proposals for the following contract:

For the publication in any newspaper published in the English language, being published at least five times a week, of those matters and things required by law or any ordinance of the eity City to be published in a newspaper.

All such bids shall be received, opened and acted upon in conformity with ~~the provisions of the Municipal Purchasing Act for cities of 500,000 or more population, being Article 22A of the Revised Cities and Villages Act of Illinois 65 ILCS 5/8-10-1 et seq., as amended.~~

No advertisement for any eity City printing whatsoever shall be given or let to any newspaper in the city which in its columns has taught, or teaches, advocates, or abets any measures, or any people, who have for their object the overthrow by force or illegal means, of the laws of the nation, the state, or the eity City.

Nothing in this section shall be held to apply to any printing, notices or advertisements of the ~~board of local i~~ ~~mprovements~~ Board of Local Improvements.

SECTION 2. Section 3-12-050 of the Municipal Code of Chicago is hereby amended by deleting the language stricken and adding the language underscored, as follows:

3-12-050 Senior citizens exempted when. ■

(a) Persons aged 65 or over, residing in their own residence with separate metered water service or a separate eity City water assessment for that residential unit, shall be exempt from payment of the sewer service charge for their residence. This exemption shall apply regardless of whether the person is in arrears in the payment of any refuse collection, water or sewer charges for the subject residence.

(b) Persons aged 65 or over who reside in their own residence but do not qualify for an exemption under subsection (a) because their residence is a townhouse, condominium unit or cooperative apartment that does,not have separate metered water service or a separate eity Citv water assessment forthe residential unit may apply fora refund in lieu of exemption pursuant to this subsection. The amount of such refund shall be \$50.00 per qualified residence for each calendar year.

Application fora refund in lieu of exemption shall be made to the ~~alderman of the ward in which the applicant resi~~ ~~des~~ City Comptroller no later than August 1st ofthe calendar year for which a refund is requested. The application shall be made on a form prescribed by the eky ~~council committee on finance~~ Comptroller? and shall include such affidavits or other reasonable proof of qualifications for a refund that the ~~committee~~ Comptroller may require. ~~An alderman receiving a complete application under this subsection shall introduce into the city council an ordinance authorizing the payment of a refund in lieu of exemption to the applicant. A single ordinance may authorize refunds based upon more than one applicati~~ ~~on. The ordinance shall be accompanied by all applications for which refunds are sought. After introduction into the city council, all ordinances submitted pursuant to this subsection shall be referred to the city council committoo on finance. If, after review, the committee on finance determines that the applicant is qualified fora refund under this subsection, the committee shall rocommend to the city council that the payment of the refund be approved. If the city council Comptroller approves the refund, the city comptroller~~ Comptroller shall promptly pay the applicant a refund in the amount of \$50.00.

(c) Persons residing in residences qualified foran exemption or refund under this section shall qualify for the exemption or refund by the submission of a copy of the applicant's birth certificate, or the applicant's driver's license, state-issued identification card or the Matricula Consular identification card specified in Section 2-160-065 ofthe Code, showing the applicant is aged 65 or over; proof of their qualification for homeowners exemption; and proof of residency. The acceptable document to prove residency shall be a copy of a utility bill forthe residence. Acceptable documents to prove home ownership shall be a copy of: (i) the deed to the residence, (ii) property tax bill, or (iii) with regard to a residence held in trust, a declaration executed by the trustee, affirming that the residence is held in trust and that the trust gives the

named applicant the right to occupy the residence. In lieu of the forms of proof specified in this paragraph (c), the ~~comptroller~~ Comptroller is authorized to accept alternative forms of proof that in his the Comptroller's judgment are genuine and probative of the information sought. The ~~comptroller~~ Comptroller shall provide information regarding the process for obtaining an exemption or refund, and the associated forms, in Spanish as well as English.

(d) If the ~~comptroller's~~ Comptroller's processing of a full payment certificate for a given property serves to terminate any senior exemption applicable to that property, the ~~comptroller~~ Comptroller shall send written notification of such termination to the address at issue.

SECTION 3. Section 11-4-1540 of the Municipal Code of Chicago is hereby amended by adding the language underscored, and by deleting the language struck through, as follows:

11-4-1540 Reports.

Owners or operators of sanitary landfills, incinerators, resource recovery facilities, or liquid waste handling facilities in the City of Chicago who are required to file with the Illinois Environmental Protection Agency or the Illinois Pollution Control Board any report or plan pursuant to regulation of that authority shall maintain a copy of each report or plan so filed on the premises within the corporate limits of the city. Said reports or plans shall be available to the ~~commissioner~~ Commissioner or his the Commissioner's authorized agent for inspection at all times during normal business hours and upon reasonable notice at other times to ~~insure~~ ensure compliance with this chapter. Owners or operators of sanitary landfills, resource recovery facilities, liquid waste handling facilities, transfer station facilities, and incinerators shall also report monthly, on forms provided by the ~~commissioner~~ Commissioner, the total volume in cubic yards of incoming and outgoing waste materials.

ARTICLE XI. WATER AND REFUSE

SECTION 1. Section 7-28-250 of the Municipal Code of Chicago is hereby repealed, pursuant to the automatic repeal provision, effective February 1, 2016, contained therein.

SECTION 2. Rebate requests that were properly submitted and referred to the Committee on Finance prior to February 1, 2016, pursuant to Section 7-28-250, are hereby transferred for processing to the Comptroller, who is authorized to process rebate requests in conformity with Section 7-28-250, notwithstanding its repeal.

ARTICLE XII. SEVERABILITY, REPEALER

SECTION 1. The provisions of this Ordinance are declared to be separate and severable. The invalidity of any provision of this Ordinance, or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of this Ordinance, or the validity of its application to other persons or circumstances.

SECTION 2. All ordinances, resolutions, motions or orders inconsistent with this Ordinance are hereby repealed to the extent of such conflict.

ARTICLE XIII. EFFECTIVE DATES

SECTION 1. Following passage and approval, Article VI: Chicago Minimum Wage and Article VII: Police Board Appeals of this ordinance shall be effective on July 1, 2020.

SECTION 2. Article VIII: Fuel Hedging shall be effective upon passage and approval.

SECTION 3. Following due passage and approval, Article IX: Signs of this ordinance shall take effect March 1, 2020.

SECTION 4. Following passage and approval, the remainder of this ordinance shall take effect on January 1, 2020.

40

Approved

DATED: