



# Office of the City Clerk

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## Legislation Text

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### OFFICE OF THE MAYOR

CITY OF CHICAGO

LORI E. LIGHTFOOT

MAYOR

September 9, 2020

TO THE HONORABLE, THE CITY COUNCIL OF THE CITY  
OF CHICAGO

Ladies and Gentlemen:

At the request of the Commissioner of Transportation, I transmit herewith an ordinance adding new section 9-80-190 to the Municipal Code regarding installation of bollards and barriers in the public way.

Your favorable consideration of this ordinance will be appreciated.

### ORDINANCE

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

SECTION 1. Section 2-102-030 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, as follows:

## **2-102-030 Commissioner - Powers and duties.**

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

*(Omitted text is not affected by this ordinance)*

(z) To negotiate and execute, jointly with the Commissioner of Fleet and Facility Management, 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" has the meaning set forth in Section 2-51-050(mm).

(aa) To administer and implement the installation of vehicle impact protection devices as provided in Section 9-80-190.

SECTION 2. Chapter 9-80 of the Municipal Code of Chicago is hereby amended by adding a new Section 9-80-190, as follows:

### **9-80-190 Installation of vehicle impact protection devices.**

(a) Definitions. The following definitions shall apply for purposes of this Section:

"Commissioner" means the City's Commissioner of Transportation.

"Barrier" means planters, benches or other devices that are designed or intended to prevent vehicles from encroaching into areas which are solely intended for non-vehicular use or pedestrian travel.

"Bollard" means any raised concrete or metal post that are designed or intended to prevent vehicles from encroaching into areas which are solely intended for non-vehicular use or pedestrian travel.

"Public way" means any sidewalk, street, alley, highway or other public thoroughfare.

Page 1 of 3

"Vehicle Impact Protection Device" or "VIP device" means a device that is designed, engineered, and sited to separate areas of pedestrian and vehicular travel and prevent vehicles from encroaching into areas which are solely intended for non-vehicular use or pedestrian travel. The term "Vehicle Impact Protection Device" includes bollards and barriers.

b) Authorization. (1) The Commissioner, in consultation with the Executive Director of the Office of

Emergency Management and Communications and the Superintendent of Police, is authorized, either directly or through a contractor, to place, maintain, and remove Vehicle Impact Protection Devices on the public way.

(2) The Commissioner is authorized to enter into grant agreements, cooperation agreements and other agreements or contracts with other governmental entities, private businesses, civic and community groups, and individuals regarding the placement, maintenance or removal of Vehicle Impact Protection Devices on the public way.

c) Specifications. (1) In addition to other requirements provided by rule, installation of Vehicle Impact Protection Devices shall meet the following minimum requirements:

(i) VIP devices shall be installed in compliance with all applicable laws, including the City's building code and the Americans with Disabilities Act;

iii) VIP devices shall be set with the top of the post not less than 2 feet and 6 inches (762 mm) above ground;

iv) VIP devices shall be located not less than 3 feet (914mm) from the protected object; and

v) VIP devices shall be spaced in such a way as to reasonably prevent a motor vehicle from passing through them and onto the sidewalk.

(2) The Commissioner is authorized to provide additional VIP devices installation specifications by rule.

d) VIP devices by other persons. (1) In addition to the Commissioner's authority provided in subsection (b) of this section, other private or public persons or individuals may place, maintain, and remove VIP devices on private property or on the public way in accordance with this Section, rules promulgated hereunder, and other applicable rules promulgated by the Commissioner, including, but not limited to, Rules Regarding Construction on the Public way and Department of Transportation construction standards.

(2) Before installing VIP devices on the public way, such other private or public persons or individuals must: (i) obtain a public way use permit as provided in Chapter 10-28 of

Page 2 of 3

this Code; and (ii) obtain approval from the Commissioner of such installation pursuant to rules promulgated by the Commissioner.

(e) Rules. The Commissioner is authorized to adopt rules for the administration and implementation of this section.

SECTION 3. This ordinance shall take effect upon its passage and approval.