



# Office of the City Clerk

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## Legislation Text

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File #: O2021-5206, Version: 1

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### ORDINANCE BE IT ORDAINED BY

#### THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. Section 10-8-320 of the Municipal Code of Chicago is hereby amended by deleting the language struck through as follows:

#### **10-8-320 Posting commercial advertising matter on public property - Prohibited.**

*(Omitted text is unaffected by this ordinance)*

(d) In addition to any other penalty provided by law, any person who violates this section shall be fined ~~not less than \$200.00 nor more \$1,000.00~~ for each offense. Each day that a violation continues shall constitute a separate and distinct offense.

*(Omitted text is unaffected by this ordinance)*

SECTION 2. Chapter 10-8 of the Municipal Code of Chicago is hereby amended by inserting new Section 10-8-321, as follows:

#### **10-8-321 Reward program for reporting violations of commercial advertising on public property.**

a) For purposes of this section, "illegal posting" means any violation of Section 10-8-320 of this Code.

b) The Commissioner of Streets and Sanitation shall establish a reward program for individuals who provide information regarding any illegal posting. City employees shall not be eligible for the reward authorized under this section.

c) Individuals who report instances of illegal posting to the City using the City's 3-1-1 service center will be eligible for a reward of \$250 if their report results in a conviction or finding of liability for any illegal posting, and the following requirements are met: (1) the individual provides to the 3-1-1 service center their name, contact information, and proof the individual is a resident of the City; (2) the individual completes and signs a witness report through the 3-1-1 service center; (3) the individual provides photographic evidence of the illegal posting to the 3-1-1 service center; and (4) the individual testifies at any hearing or legal proceeding that may ensue in response to their filing of a witness report, if required by the City.

d) If the Commissioner of Streets and Sanitation determines a witness report resulted in a conviction or finding of liability for illegal posting, the Commissioner of Streets and Sanitation shall

send to the Comptroller a notice containing the name and address of the individual entitled to the reward under this section, and any other information the Comptroller may require. Upon receipt of such notice, the Comptroller shall issue the reward to the individual identified in the notice. If, in a particular case, the Commissioner of Streets and Sanitation determines that more than one witness report resulted in conviction or finding of liability for an illegal posting, the reward provided under this section shall be divided equally among the individual(s) who signed the applicable witness reports.

e) Nothing in this ordinance shall be construed to create a private right of action to enforce this ordinance. The Commissioner of Streets and Sanitation shall determine whether an individual meets the eligibility criteria set forth in this section, and any decision shall be final and binding. The City reserves the right, in its sole discretion, with or without notice, to terminate at any time and for any reason the reward authorized under this section. The City shall not be liable for any damages, whether direct, indirect, incidental, special, or consequential, related in any way to such reward, or for any consequences following therefrom or related thereto.

f) Pursuant to Section 1-21-010 of this Code, false claims may be punishable by a civil penalty of not less than \$500 and not more than \$1,000, litigation and collection costs and attorney's fees, and up to three times the amount of damages.

SECTION 3. Any person who has distributed or caused others to distribute, as defined in Section 10-8-320(b) of this Code, any commercial advertising matter, as defined in Section 10-8-320(a) of this Code, shall identify the locations of such commercial advertising matter and report such locations to the City. Any such person who identifies such commercial advertising matter within 90 days after the effective date of this section shall pay a good-faith cleaning fee of \$100 to the City to have such commercial advertising matter removed from the public way. Any such person who reports such commercial advertising matter and pays the good-faith cleaning fee shall not be fined for such commercial advertising matter pursuant to Section 10-8-320 of this Code.

SECTION 4. Sections 1 and 2 of this ordinance shall take full force and effect 60 days after passage and publication of this ordinance, and Section 3 of this ordinance shall take full force and effect upon passage and publication of this ordinance.

BRIAN HOPKINS ALDERMAN, 2<sup>nd</sup>  
WARD