



# Office of the City Clerk

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## Legislation Text

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### ORDINANCE

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

SECTION 1. Title 2 of the Municipal Code of the City of Chicago is hereby amended by inserting a new Chapter 2-41, as follows:

#### CHAPTER 2-41 COMMUNITY ORIENTED MEDIA PROGRAM

##### 2-41-010 Definitions.

For purposes of this Chapter, the following terms shall have the following definitions:

"Agency" means any City department or other administrative unit, office, commission, board, or other division of the government of the City.

"Community oriented media outlet" means any media outlet that: (i) serves particular communities of people based on native language, race, color, gender, national origin, ethnicity, religion, sexual orientation, disability, or immigration status; (ii) targets a discrete neighborhood, geographic region, or population within the City rather than the City as a whole; or (iii) falls within a specifically tailored subject matter.

"Department" means the Department of Procurement Services.

"Media outlet" means a publication that provides news or other media content through print or digital means, and any television or radio outlet.

##### 2-41-020 Community Media Outlet, Advertising.

Each agency shall seek to direct at least 50 percent of its total spending on advertising to community oriented media outlets, provided that an agency may apply to the Chief Procurement Officer for an annual waiver of this goal. Any such application shall provide a particularized explanation regarding the public purpose that would be served by the issuance of a waiver.

##### 2-41-030 List of Outlets.

The Chief Procurement Officer, with input from the members of City Council and any relevant agencies, shall develop and annually update a list of community oriented media outlets for agencies to use in connection with complying with this Chapter. The Chief Procurement Officer shall publish guidelines setting forth a process for the development of this list. Prior to finalizing the list each year, the Chief Procurement Officer shall submit a draft list to the Committee on Contracting Oversight and Equity for a subject matter hearing.

##### 2-41-040 Agency Coordinator.

Each agency that expends funds on advertising shall designate a community media coordinator on or before February 15, 2023 to oversee the creation and execution of an agency-specific community media outlet policy

and implementation plan.

**2-41-045 Compliance Plan.**

Beginning one year after developing a community media outlet policy and implementation plan and continuing each year thereafter, each agency shall prepare and submit to the Chief Procurement Officer a compliance plan, detailing progress in the year concluded and plans for the year ahead, including the amount spent on advertising that may be exempt from this Chapter under Section 2-41-050 and Section 2-41-055.

**2-41-050 Federal Funding.**

If any agency contract is eligible to be paid for or reimbursed, in whole or in part, with federal aid funds, grants, or loans, and the provisions of this Chapter would result in the loss of those federal-aid funds, grants, or loans, then the provisions of this Chapter shall not apply to any advertising in connection with such contract in order to remain eligible for such federal aid funds, grants, or loans. In implementing the requirements of this Chapter, an agency shall omit the publication cost of advertising for such contracts from its total advertising budget before calculating its required community oriented media outlet spending.

**2-41-055 Legally Required Notices.**

To the extent this Chapter conflicts with an agency's obligation to issue notices or publication required by law to be posted or distributed in media outlets, the provisions of this Chapter shall not apply to the extent this Chapter conflicts with the agency's notice or publications obligations. In implementing the requirements of this Chapter, an agency shall omit the publication cost of such legally required notices from its total advertising budget before calculating its required community oriented media outlet spending.

**2-41-060 No private right of action.**

Nothing in this Chapter shall be construed to create a private right of action.

**SECTION 2. This ordinance shall take effect January 1, 2023.**

JASON C. ERVIN Alderman, 28<sup>th</sup>  
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