



# Office of the City Clerk

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## Legislation Text

File #: O2011-6420, Version: 1

City Council July 28, 2011

Refer to:

Committee on Zoning Landmarks and Buildings

### **ORDINANCE**

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

SECTION 1. Chapter 4-76 of the Municipal Code of the City of Chicago is hereby amended by adding the language underscored and by deleting the language struck through, as follows:

4-76-010 Definitions.

For purposes of this chapter the following terms shall apply:

"Amusements" shall have the meaning as ascribed to that term in section 4-156-010.

"Applicant" means a person; or any partner, if a general partnership; any general partner, if a limited partnership; any principal officer, if a corporation; any managing member, if a limited liability company; or any owner of 5% or more of the applicant.

"Automatic amusement device" shall have the meaning as ascribed to that term in section 4-156-150.

"Children's activities facility" or "facility" means any person who provides recreational, cognitive or educational activities to children 17 years or younger. A "Children's activities facility" shall not include:

- (1) programs operated by private entities on the grounds of public or private elementary schools or secondary schools;
- (2) programs operated by public or private schools or secondary level schools;
- (3) programs operated by the State Board of Education or the Board of Education of Chicago;
- (4) programs operated by government agencies or conducted on government premises;
- (5) programs operated by or conducted on the premises of colleges or universities;
- (6) programs operated primarily for religious instruction;
- (7) programs operated by hospitals or other health care facilities;
- (8) any day care center licensed or required to be licensed by the federal, state or local government;-ef
- (9) any entity licensed or required to be licensed as a public place of amusement pursuant to this code-; or
- (10) any parent supervised instruction.

"Department" means the department of business affairs and consumer protection.

"Commissioner" means the commissioner of business affairs and consumer protection.

"Parent supervised instruction" means any individual who provides one-on-one recreational, cognitive, or educational instruction to children 17 years or younger, where instruction is supervised by a legal parent or guardian.

"Private event" means a party or other similar type of event which the primary purpose of the event is for children, such as birthday and holiday parties for children. The private event may include food, non- alcoholic beverages and entertainment.

*(Omitted text is unaffected by this ordinance)*

4-76-020 License requirement.

It shall be unlawful for any person to operate a children's activities facility or provide parent supervised instruction within the city without first obtaining a license.

The license shall be valid only to the person to whom it was issued and it shall not be subject to sale, assignment, or transfer, voluntary or involuntary, nor shall the license be valid for any premises other than that for which it was originally issued.

The license shall be displayed in a conspicuous place in the facility.

No license under this chapter shall be issued for any location that is licensed as a public place of amusement.

*(Omitted text is unaffected by this ordinance)*

4-76-080 Prohibited activities.

No children's activities facility or provider of parent supervised instruction shall:

- (a) have a liquor license for the sale of alcohol at the licensed facility;
- (b) have a license for the sale of tobacco products at the licensed facility;
- (c) permit the consumption of alcohol at the licensed facility; or
- (d) hold or conduct any other amusement, other than those authorized in section 4-76-070, at the licensed premises.

4-76-090 Inspections.

Every children's activities facility and provider of parent supervised instruction shall be inspected annually by the fire department's bureau of fire prevention and department of buildings, and shall be open at all reasonable times for inspection by such departments.

*(Omitted text is unaffected by this ordinance)*

4-76-110 Rules and regulations.

The department may adopt and enforce rules and regulations relating to the operation and conduct of children's activities facility and providers of parent supervised instruction licensed under this chapter.

SECTION 2. Chapter 17-2 of the Municipal Code of the City of Chicago is hereby amended by adding the language underscored, as follows:

17-2-0207 Use Table and Standards.

USE GROUP	Zoning Districts								Use Stand ard	Parki ngSta ndard
Use Category	RS	RS	RS	RT	RT	RM	RM	RM		
Specific U1	2	3	3.5	4	4.5	5-5.5	6-6.5			

P= permitted by-right S = special use approval req'd PD = planned development approval

req'd - = Not allowed

*(Omitted text is unaffected by this ordinance)*

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17-17-0104-RR Parent Supervised Instruction.

Any individual who provides one-on-one recreational, cognitive, or educational instruction to children 17 years or younger, where instruction is supervised by a legal parent or guardian.

SECTION 3. If any provision of this ordinance or its application is held invalid, its invalidity shall not affect other provisions of the ordinance.

SECTION 4. This ordinance shall be effective after its passage.

Alderman, 25th Ward Alderman, 6th Ward