

Legislative Reference Bureau
Legislation Introduced at City Council Meeting of October 21, 2015

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**Part 1: Municipal Code
Amendments**

Sponsor: **Moreno (1) and 11
others**

Referred to: **Finance**

Wards affected: **All**

O2015-7778

Amendment of Municipal Code Chapter 2-32 by creating new Section 2-32-627 assisting low and middle income families with property tax increase. This ordinance provides some tax relief from a property tax increase for homeowners in their principal place of residence whose Household income is less than \$100,000 per year. The Chief Financial Officer administers the rebate program. Homeowners can apply for a rebate equal to the amount their taxes have increased due to an increase in the City of Chicago's real estate tax assessment rate. Homeowners cannot get a rebate for increases in their taxes due to increased assessment rates of other taxing bodies or of an increase in the assessed value of the property. The program lasts for five years.

The ordinance grants additional relief for individuals who are at least 60, have lived in their residence for at least 18 years and whose assessed value increased by at least 30%. The relief would be unavailable to individuals eligible for the Senior Citizens Assessment Freeze or the Homestead Improvement Exemption. The amount of the relief would be equal to the increase in the homeowner's assessed value multiplied by the increase in the City's tax assessment rate.

Sponsor: **Ramirez-Rosa (35)
and 9 others**

Referred to: **Finance**

Wards affected: **All**

O2015-7719

Amendment of Municipal Code Chapters 3-12 and 11-12 by establishment of stormwater stress user fee. The ordinance creates a fee to compensate the Department of Water Management for stormwater management. The fee for single unit residences is a flat fee based on the average cost to serve each residence. In other words the fee will be the total cost to service single unit residences divided by the number of those residences.

The computation of the fee for other property is based on the square footage of impervious surface. A cost for a "unit" of impervious surface will be determined by taking the total cost of managing stormwater for these properties divided by the total number of units as determined by the Department of Water Management with the assistance of DOIT. Then for each property the cost per unit will be multiplied by the number of units to

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determine the fee for the property.

A portion of the fees collected will be used for implementing and managing the program. The remaining money will be deposited in the Sewer Fund. The money deposited will be set-off against all sewer bills based on the percentage that the money deposited is of the entire amount of the funds collected in sewer charges. All properties will get an equal percentage credit.

The Department of Water Management is responsible for establishing an appeal process for property owners regarding the square footage of impervious pavement. The department must also establish a process for granting exemption of the fee to the extent that the owner is eligible for a sewer exemption. These credits will be capped at 20% of the total fee.

The department must conduct an audit after one year to determine the impact of the fee on single unit water and sewer expenses. This analysis also will include a forecast of future costs for these units.

Sponsor: **Arena (45) and 10 others**
Referred to: **Finance**
Wards affected: **All**

O2015-7776

Amendment of Municipal Code Chapter 4-156-020 concerning amusement tax imposed on admission to artistic or musical performances. Currently not-for-profit organizations or societies that maintain symphony orchestras, opera performances and artistic presentations are exempted from the amusement tax ordinance. This amendment would limit the exemption to those instances when the performance is being facilitated by CPS or the Park District.

Sponsor: **Arena (45) and 9 others**
Referred to: **Finance**
Wards affected: **All**

O2015-7777

Amendment of Municipal Code Section 4-156-020 concerning imposition of amusement tax for horse drawn carriages. Currently the hiring of a horse-drawn carriage is exempted from the amusement tax ordinance. This amendment would eliminate this exemption.

Sponsor: **Arena (45) and 20 others**
Referred to: **Finance**
Wards affected: **All**

O2015-7693

Amendment of Municipal Code Chapters 3-46 and 9-115 concerning drivers for transportation network services. This ordinance would amend the above 2016 Revenue Ordinance as it pertains to transportation network providers ("TNP"), which currently are Uber, Sidecar and Lyft. The amendment would require any TNP

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picking up riders at the airports, McCormick Place or Navy Pier to have a valid restricted chauffeur license. These TNPs would be considered Class B Licensees.

The Commissioner of the Department of Business Affairs and Consumer Protection can authorize pickups at the airports if she determines, along with the Commissioner of Aviation, that these pickups can occur in a manner that does not interfere with safety, security, traffic flow and taxicab stands at the airports. The Commissioner is authorized to promulgate rules to implement these requirements. TNPs must comply with all applicable tax requirements, have no outstanding debt to the City and not be in arrears on child support payments. The amendment eliminates the \$5.40 fee for the drop off or pickup of passengers at the airports, McCormick Place or Navy Pier.

Sponsor: **Mayor and 24 aldermen**
Referred to: **Finance**
Wards affected: **All**

SO2015-7403 (substitute – changes from initial ordinance in *italics and underlined*)
Amendment of Municipal Code Titles 3, 4, 7, 9, 11 and 13 concerning various fines and fees (2016 Revenue Ordinance)

The ordinance provides that for purposes of the personal property lease transaction tax nonpossessory computer leases where the user accesses the provider's computer with a mobile device will be classified consistent with the standards in the Illinois Mobile Telecommunications Sourcing Conformity Act ("Act"), 35 ILCS 638. The tax rate on nonpossessory computer leases is reduced from 9% to 5.25%. Businesses operating less than 5 years with less than \$25 million in sales or revenue are exempt from collecting and paying this tax.

The ordinance creates the Chicago Liquid Nicotine Product Tax. Purchasers must pay a tax of \$1.25 per electronic cigarette, plus an additional \$0.25 per fluid milliliter of consumable liquid, gel, or other solution contained in the product. This tax cannot be passed absorbed by the liquid nicotine dealer but must be passed on to the consumer.

Wholesalers are responsible for collecting the tax and remitting it to the Department of Finance. Dealers have this responsibility if the wholesaler fails to collect and remit the tax. Within 24 days of the effective date of this section, the Comptroller must issue rules regarding filing dates and publish these rules at least 10 days prior to the deadline. Dealers must submit tax returns prior to that date indicating their inventory and submitting the

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applicable tax on those products. Failure to abide by this section will subject the person to a fine of \$100 per business in addition to those fines and penalties already provided for in the Code, provided these fines and penalties will be waived by the Comptroller for due causes. Filers of this return are entitled to 1% of the tax as an administrative fee.

The ordinance exempts tax levies for pensions from the requirements of the Property Tax Limitation Ordinance.

The amusement tax is extended to streaming and on-line gaming delivered electronically to mobile devices.

The ordinance creates a parking tax exemption for operators of lots of 3 or less who do not operate any larger lots.

Vehicle special permit fees will be increased annually based on CPI.

Uninsured motorists may be fined \$500 to \$1,000 for the first 2 offenses and \$1,000 thereafter. A person convicted of a first offense may be fined \$100 and placed on probation if they provide proof of insurance at the time of the court appearance. At the end of probation the person must submit evidence that he was insured throughout the period.

Building permit fees for new construction are increased by over 60% with the exact increase dependent on the classification of the property. The increases for alterations and modifications are much smaller. The ordinance increases review and flat fees substantially. A non-refundable permit issuance fee of \$300 is payable when drawings or plans are submitted for review.

The ordinance establishes a refuse collection fee applicable to dwelling units that are single, in a multiple dwelling of 4 units or less, a townhome compliant with the section, and bed and breakfasts of 4 units or less unless the Commissioner of Streets and Sanitation determines the facility generates excessive garbage and requires it to provide for its own refuse collection, or the bed and breakfast decides to provide for its own refuse collection. The fee of \$9.50 per unit per month is added to the unified statement that includes water and sewer charges. Senior citizens who own and reside in their unit and receive a Senior Citizen Assessment Freeze Homestead Exemption must pay \$4.75 per month. *The fee cannot be raised prior to 2020.* Full payment is due

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to the City within 24 days of the bill being mailed unless the amount of the refuse collection fee due is disputed prior to that date. The late charge will be 1.25% per month. Late payment also makes the premises eligible for cutoff of water service by the Commissioner of the Department of Water Management. If the service is cutoff, it will not be restored until all refuse collection fees and penalties in arrears are paid along with the costs of shutoff and restoration of water service.

A full payment certificate for refuse collection charges must be obtained prior to the transfer of real property. The cost of an application for this certificate is \$50 but not applicable where the sale is exempt from the real property transfer tax. Transfers of condominium property from developers to initial owners require this certificate at least 30 days prior to transfer. Where a townhome or condominium association's assessments include the refuse collection charge, the Comptroller may issue a certificate of condo or townhome owner payment upon application and payment of the \$50 fee.

The ordinance eliminates cash refunds for payments related to a unified statement. Partial payments are allocated pro-rata first to those charges outstanding from the unified statement.

The ordinance memorializes the City Council's approval of CPS imposing a construction levy provided that they report to City Council regarding the planned use of these funds. Alderman may submit resolutions objecting to any proposed expenditures.

The ordinance increases ride share provider fees from \$3 per day to \$3.50 per day with a maximum of \$98. Ride share providers must pay \$5.40 for every ride that includes a drop-off or pick-up at McCormick Place or the airports, and \$0.40 for all other rides; except that providers with licenses for operation on an average of more than 20 hours per week must pay fees of \$5.80 and \$0.80. A transportation network provider can get a credit of 50% of the tax on each ride to and/or from an underserved area up to 15% of the total tax. The Commissioner of the Department of Business Affairs and Consumer Protection will issue rules requiring transportation network drivers who seek to pick up passengers at the airports to register with the Commissioner of Aviation. These rules may also require distinctive signage to pick up passengers from the City's airports, McCormick Place and Navy Pier.

The amendment increases monthly taxicab fees from \$78 to \$98. Taxicab licenses cost \$1,000 for two years

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beginning on March 1st of the appropriate year, with an additional \$22 per month charge payable to the City's accessibility fund for vehicles that are not wheelchair accessible. Beginning in 2017, licensees must replace wheelchair accessible vehicles with the same type of vehicles if they have not yet met the 2018 requirements for accessibility. New requirements are 25% by January 1, 2022, 30% by January 1, 2025, and 50% by January 1, 2030. Within two years of these dates accessible vehicles must be replaced with accessible vehicles unless the licensee already has met the upcoming requirement.

The charge for each additional 1/9 of a mile is increased from \$0.20 to \$0.25. Taxicabs dispatched through any Internet-enabled application or digital platform for prearranged rides may be charged at a higher rate.

Administrative license transfer fees are set at the flat rate of \$2,500.

Lessors of taxicabs can charge additional lease rates on top of those provided for in this section. The limits of these additional charges are \$2.50 per day for 12 hour leases, and \$5.00 per day for 24 hour leases.

The provisions related to the personal property lease tax, amusement tax, board-up buildings and ground transportation are effective on passage and publication, while the remaining provisions are effective in 2016.

Sponsor: **Arena (45) and 8 others**

O2015-7774

Referred to: **Joint Committee of Finance and License and Consumer Protection**
Wards affected: **All**

Amendment of Municipal Code Chapter 10-28-205 regarding minimum fee for sidewalk café license. The Code currently provides that the Commissioner of the Department of Business Affairs and Consumer Protection will determine the cost of the license fee for a sidewalk café. This ordinance establishes that the rate of the annual fee must be at least \$1,200.

Sponsor: **Mayor**

O2015-7790 (Direct Introduction)

Referred to: **Budget and Government Operations**
Wards affected: **All**

Corrections and revisions of 2016 Budget Recommendations. The substantive change is to segregate the revenues obtained from the refuse collection tax into a separate fund to be used to pick up garbage. Most of the other changes are staff additions and salary increases.

Sponsor: **Mayor**

O2015-7789

Referred to: **Budget and**

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Government Operations Wards affected: All	Corrections and revisions of CDBG Year XLII Budget Recommendations. Two minor changes in the MOPD budget increasing the total by approximately \$7,000.
Sponsor: D. Moore (17) and 21 others Referred to: Committees, Rules and Ethics Wards affected: All	<p>O2015-7779</p> <p>Amendment of Municipal Code Chapter 2 by establishing new Chapter 2-174 entitled City of Chicago Equal Access Initiative. The ordinance creates the Office of Diversity and Outreach as a department under the Department of Human Resources. The Office will have a staff of at least ten people with the goal of achieving a goal of a City workforce that is 60% minority individuals.</p> <p>The Office will review and assist the departments in developing diversity and EEO plans. They will maintain statistic regarding the proportion of underrepresented group members at all levels and positions in the workforce. The Office will report quarterly on the impact on these groups of new hires, training, promotions and discipline actions. The Office is to make annual presentations to the City Council on February 1st of each year.</p> <p>The Office will counsel employees about diversity and EEO issues. The office will also facilitate diversity training programs and track their progress. The office will investigate complaints of discrimination in the workplace and provide mediation.</p> <p>The Office will identify effective recruitment methods for a diverse workplace, including participating in job fairs and activities at local academic and community-based institutions. The Office will ensure compliance will applicable EEO rules. The office will have direct participation in the hiring, termination and promotion of each City employee.</p> <p>The ordinance provides that the Mayor will appoint a Diversity and Outreach Officer for a 6 year term. The Officer will manage the Office and also be the City's Americans with Disabilities Coordinator.</p> <p>Thirty days after the effective date of the ordinance each department must present its equal access initiative plan designed to achieve a workplace of 60% minority to the Diversity and Outreach Officer and City Council. The departments must update the report annually.</p> <p>The Office is required to review each union contract to ensure it complies with applicable laws relating to the</p>

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goal of achieving a workforce consisting of 60% minority. The Diversity and Outreach Officer is authorized to terminate any such contract that does not meet these goals.

Sponsor: **Cochran (20)**
Referred to: **Pedestrian and Traffic Safety**
Wards affected: **All**

O2015-7697

Amendment of Municipal Code Section 9-68-020 concerning residential parking permit placards for aldermen and aldermanic staff. The ordinance authorizes the Clerk to issue one residential parking permit placard to each alderman annually. The placard must contain the ward number and a unique identifying number. The placard may be used by the alderman and his staff to park in residential parking permit zones in his ward or adjacent wards when performing city business. The placard must be displayed on the dashboard when in use.

The annual fee for the placard is \$200. Any lost or stolen placard must be immediately reported to the Clerk. A misuse of the placard is a violation of Section 2-156-060 of the Ethics Code regarding the use of City-owned property. Any person using a false, lost, stolen or altered placard is subject to a fine of \$500 to \$1,000 in addition to any other applicable penalty.

Part 2: Non-Ceremonial Resolution

Sponsor: **Villegas (36) and 20 others**
Referred to: **Health and Environmental Protection**
Wards affected: **All**

R2015-829

Call for U.S. Congress and Illinois General Assembly to take action to ensure railroads are sufficiently regulated regarding amelioration of nuisance conditions on property. The resolution urges Congress and the Illinois General Assembly to ensure railroads ameliorate nuisance conditions on their property.