

ORDINANCE

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

SECTION 1. Section 11-4-1600 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, and by deleting the text struck through, as follows:

4-4-280 License revocation.

(a) The Commissioner shall have the power to fine a licensee and/or to suspend or revoke any license for good and sufficient cause or if the issuing department determines that the licensee or its employee or agent has violated any provision of this Code or any rule promulgated thereunder or any applicable state or federal law. The Commissioner shall suspend or revoke any license if the issuing department determines that the licensee or its employee or agent has violated Sections 7-28-390 or 7-28-440. Provided, however, that no license shall be suspended or revoked unless the licensee is first given five calendar days' written notice of a public hearing, which shall provide the licensee with an opportunity to appear and defend. Such public hearing shall be held before a hearing officer, who shall report the findings to the Commissioner.

(Omitted text is unaffected by this ordinance)

SECTION 2. Section 11-4-1600 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, and by deleting the text struck through, as follows:

11-4-1600 Violation of Section 7-28-390, 7-28-440, or 11-4-1500 – Penalty.

(a) Fines.

(1) In addition to any other penalties imposed under this section, the owner of any vehicle used in violation of Sections 7-28-390, 7-28-440, or 11-4-1500 shall be fined according to the following schedule:

(i) Vehicles with a curb weight of 4,000 pounds and up to 10,000 pounds: not less than \$10,000 and not more than \$20,000

(ii) Vehicles with a curb weight more than 10,000 pounds and up to 15,000 pounds: not less than \$20,000 and not more than \$30,000

(iii) Vehicles with a curb weight of more than 15,000 pounds and up to 25,000 pounds: not less than \$30,000 and not more than \$40,000

(iv) Vehicles with a curb weight of more than 25,000 pounds: not less than \$40,000 and not more than \$150,000

~~(1) Any person found in violation of Sections 7-28-390, 7-28-440, or 11-4-1500 shall be fined according to the following schedule (quantities of solid waste appear as cubic yards and quantities of liquid waste appear as gallons):~~

~~— (i) Up to 20 cubic yards of solid waste and up to 20 gallons of liquid waste: not less than \$1,500.00 and not more than \$2,500.00~~

~~— (ii) Greater than 20 cubic yards or 20 gallons, but up to 50 cubic yards or 50 gallons: \$5,000.00~~

~~— (iii) Greater than 50 cubic yards or 50 gallons, but up to 100 cubic yards or 100 gallons: \$10,000.00~~

~~— (iv) Greater than 100 cubic yards or 100 gallons: \$30,000.00~~

~~(2) Solid waste quantities above 500 cubic yards, as determined by a topographical survey, shall be subject to an additional \$20.00 per cubic yard, plus the cost of the topographical survey. [Reserved.]~~

(Omitted text is unaffected by this ordinance)

(7) In addition to any other penalties imposed under this section, any person found in violation of Sections 7-28-390 or 7-28-440 may be punished by imprisonment for not less than 180 days.

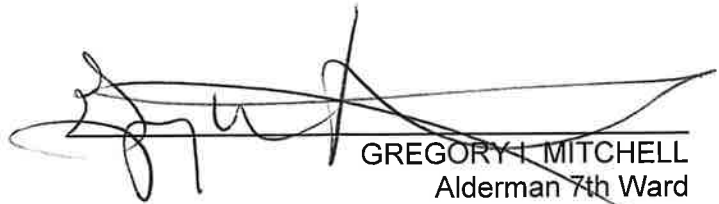
(Omitted text is unaffected by this ordinance)

(f) ~~[Reserved.]~~ In addition to the fines provided under this section, any vehicle used in violation of Sections 7-28-390 or 7-28-440 shall be subject to seizure and impoundment. Whenever a police officer or employee of the Department of Streets and Sanitation has probable cause to believe that a vehicle is subject to seizure and impoundment pursuant to this section, they shall provide for the towing of the vehicle to a facility controlled by the City or its agents. Before or at the time the vehicle is towed, the police officer or employee of the Department of Streets and Sanitation shall notify any person identifying themselves as the owner of the vehicle at the time of the alleged violation or the person who is found to be in control of the vehicle at the time of the alleged violation, if there is such person, of the fact of the seizure and of the vehicle owner's right to request a vehicle impoundment hearing to be conducted under Section 2-14-132 of this Code by serving such person with a copy of the vehicle impoundment seizure report. Section 2-14-132 shall apply whenever a vehicle is seized and impounded pursuant to this section.

(Omitted text is unaffected by this ordinance)

SECTION 3. The Department of Streets and Sanitation shall, as soon as practicable, update their rules and regulations to require the Department's inspectors to immediately report to the Office of Emergency Management and Communications any fly dumping or violations of Sections 7-28-390 or 7-28-440 of the City Code. The Office of Emergency Management and Communications shall also ensure that the City's 3-1-1 system, including the applicable internet-enabled application, connects any reports of illegal dumping to the Police Department or Department of Streets and Sanitation for enforcement. The Office of Emergency Management and Communications, in consultation with the Police Department, shall ensure, that any such notice is immediately transmitted to a beat officer for the Chicago Police Department to initiate investigation and arrest, as appropriate. The Chicago Police Department, Office of Emergency Management, and the Department of Streets and Sanitation shall jointly promulgate rules and regulations to implement the requirements of this ordinance.

SECTION 4. This ordinance takes 10 days after passage and publication.


GREGORY L MITCHELL
Alderman 7th Ward


Mitchell D. Davis 8th