

ORDINANCE

WHEREAS, The City of Chicago (the “City”) is a home rule municipality pursuant to Section 6 of Article VII of the 1970 Illinois Constitution (the “Illinois Constitution”) and, as such, may exercise any power and perform any function related to its government and affairs; and

WHEREAS, The City owns and operates an airport known as Chicago Midway International Airport (“Midway”); and

WHEREAS, Pursuant to authority granted by (a) an ordinance adopted by this City Council on February 7, 1996, and published in the *Journal of the Proceedings of the City Council of the City of Chicago, Illinois* (the “Journal”) of such date at pages 15381-15392, as amended by an ordinance adopted on September 14, 2005, and published in the Journal of such date at pages 55205-55207, as further amended by Ordinance Number O2010-5920 adopted on November 17, 2010, and published in the Journal of such date at pages 107924-107935, as further amended by Ordinance Number O2015-7376 adopted on November 18, 2015, and published in the Journal on such date at pages 13617-13628, as further amended by Ordinance Number O2020-6233 adopted on January 27, 2021, and published in the Journal on such date at pages 26550-26561; (b) Section 10 of Article VII of the Illinois Constitution; and (c) the Intergovernmental Cooperation Act (5 ILCS 220/1 *et seq.*), the City entered into an intergovernmental agreement relating to the Midway Noise Compatibility Commission (the “Agreement”) by and among the City and various municipalities and Cook County; and

WHEREAS, The Midway Noise Compatibility Commission (the “Midway Commission”) was established pursuant to the Agreement and provides a common forum for interested parties to have a voice in the aircraft noise issues related to Midway; and

WHEREAS, The City desires to amend the Agreement and extend the term for five additional years; now, therefore,

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. The foregoing recitals are hereby adopted as the findings of this City Council and are hereby incorporated in this ordinance by this reference.

SECTION 2. The Commissioner of the Chicago Department of Aviation (the “Commissioner”) is hereby authorized to execute an amendment to the Agreement substantially in the form attached hereto as Exhibit A (the “Amended Agreement”), and to execute any and all instruments and take such additional actions which the Commissioner determines to be necessary or desirable to implement the terms of the Amended Agreement. The Amended Agreement shall become effective upon passage and approval of this ordinance and upon associated approval of the Amended Agreement as specified in Section 6.H. of the Amended Agreement.

SECTION 3. The Commissioner shall provide notice of the amendments to the Agreement proposed by this ordinance to each Member of the Midway Commission as provided

in Section 6.H. of the Amended Agreement.

SECTION 4. To the extent that any ordinance, resolution, rule, order, or provision of the Municipal Code of Chicago, or any part thereof, is in conflict with the provisions of this ordinance, the provisions of this ordinance shall be controlling. If any section, paragraph, clause, or provision of this ordinance shall be held invalid, the invalidity of such section, paragraph, clause, or provision shall not affect any of the other provisions of this ordinance.

SECTION 5. This ordinance shall be effective immediately upon its passage and approval.