

SUBSTITUTE 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 adding the language underscored, and by deleting the language struck through, as follows:

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

(Omitted text is unaffected by this ordinance)

(b) In addition to any other penalties imposed under this section, the registered owner of record of any vehicle ~~who knew or should have known that his or her vehicle was used~~ in violation of Section 7-28-390, 7-28-440, or 11-4-1500 shall be jointly and severally liable with any person operating or in control of the vehicle at the time of the violation. A recorded image of the license plate on the vehicle shall create a rebuttable presumption that the person that last registered the plate is the registered owner of the vehicle.

(Omitted text is unaffected by this ordinance)

(f) In addition to the fines provided under this section, any motor vehicle that is used in violation of Section 7-28-390 or 7-28-440 shall be subject to seizure and impoundment pursuant to this section. The owner of record of any motor vehicle that is seized and impounded pursuant to this section shall be liable to the City for an administrative penalty of \$1,000, plus towing and storage fees. Whenever a police officer has probable cause to believe that a vehicle is subject to seizure and impoundment pursuant to this section, the police officer shall provide for the towing of the vehicle to a facility controlled by the City or its agent. Before or at the time the vehicle is towed, the police officer shall notify any person identifying himself as the owner of the vehicle at the time of the alleged violation or any 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 preliminary 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 motor vehicle is seized and impounded pursuant to this section.

(g) The City may obtain permanent or temporary injunctive relief in the Circuit Court of Cook County, Illinois, for any violation of Section 7-28-390, 7-28-440, or 11-4-1500.

(h) Use of a vehicle owned by a business licensed or required to be licensed under Title 4 of the Code to commit a violation of Section 7-28-390 or 7-28-440 shall be grounds for suspension or revocation of the business license, in accordance with Section 4-4-280, or for denial of an application for a business license, in accordance with Section 4-4-060. Identification of the business on the vehicle by words, symbols, images, or otherwise, shall be prima facie evidence that the vehicle is owned by the business.

(Omitted text is unaffected by this ordinance)

SECTION 2. This ordinance shall be in full force and effect 10 days following passage and publication.