



# City of Chicago



O2015-8286

Office of the City Clerk

## Document Tracking Sheet

**Meeting Date:**

11/18/2015

**Sponsor(s):**

Mitts (37)  
Osterman (48)  
Taliaferro (29)  
Sposato (38)  
Ervin (28)  
Laurino (39)  
Scott, Jr. (24)  
Moore (49)  
Silverstein (50)  
Cappleman (46)  
Foulkes (16)  
Mell (33)  
Arena (45)  
Waguespack (32)  
Curtis (18)  
Santiago (31)  
O'Connor (40)  
Reboyas (30)  
Villegas (36)  
Moreno (1)  
Dowell (3)  
Solis (25)  
Burnett (27)  
Zalewski (23)  
Munoz (22)  
Hairston (5)  
Sawyer (6)  
Cochran (20)  
Brookins (21)  
O'Shea (19)  
Mitchell (7)  
Harris (8)  
Moore (17)  
Sadlowski Garza (10)  
Thompson (11)  
Cardenas (12)  
Burns (4)  
Smith (43)  
Napolitano (41)  
Ordinance

**Type:**

**Title:**

Amendment of Municipal Code Section 10-28-015 by

**Committee(s) Assignment:**

modifying public way use permit process  
Committee on Transportation and Public Way

1/16/2014

**ORDINANCE**

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

**SECTION 1.** Section 10-28-015 of the Municipal Code of Chicago is hereby amended by deleting the language struck through and by adding the language underscored, as follows:

**10-28-015 Public way use permits – Application and issuance.**

*(Omitted text is unaffected by this ordinance)*

(c) (1) The public way use permit process shall be governed by this subsection (c)(1) or subsection (c)(2), whichever is applicable. If the commissioner finds that the applicant meets the applicable requirements, the commissioner shall provide the application to the alderman of the affected ward. Upon passage and publication of an ordinance approving the application, the commissioner shall issue the public way use permit to the applicant. If approval by ordinance is withheld, the commissioner shall deny the application and shall notify the unsuccessful applicant in writing of the denial within ten business days after the denial.

A public way use permit shall be denied or revoked if: (i) the granting of the public way use is not in the best interest of the public, would have a deleterious impact on the neighborhood, or would create a nuisance either on the public way or in the surrounding area; (ii) the design of, or materials used in, the public way use does not comport with the quality or character of the existing streetscape; (iii) the use interferes with or impedes the flow of pedestrian or vehicular traffic, or ingress or egress from any surrounding building, the use of any pole, traffic signs or signals, hydrants, mailboxes or other objects located near the location of the proposed use; or (iv) the applicant makes any false statements, submits any false information or misrepresents any information required under this section.

(2) (A) Upon an application, the commissioner of business affairs and consumer protection is authorized to issue a public way use permit for a wall sign, as that term is defined in section 17-17-02191, if the wall sign:

- (i) is an on-premise sign, as that term is defined in section 17-17-2109;
- (ii) projects 12 inches or less into the public way; and
- (iii) after review by the appropriate departments, the wall sign meets the applicable standards and requirements of the code, including any safety standards.

For purposes of this subsection (c)(2), a wall sign shall include any associated sign structure and appendages, including lights, cameras, flags, banners, or other items attached to or suspended from the sign or sign structure.

(B) Prior to the approval or disapproval of an application for a permit under this subsection (c)(2), the commissioner shall notify the affected alderman and solicit a recommendation based on the alderman's analysis of any relevant factors set forth in this subsection (c)(2). The alderman shall have 10 days after such notice is sent to respond in writing with his specific recommendation, if any.

(C) A permit application under this subsection (c)(2) shall be denied if the commissioner determines that:

- (i) the granting of a permit would create a nuisance either on or above the public way or in the surrounding area;
- (ii) the design of, or materials used in, the wall sign does not comport with the quality or character of the existing streetscape;
- (iii) the wall sign interferes with or impedes the flow of pedestrian or vehicular traffic, or ingress or egress from any surrounding building, the use of any pole, traffic signs or signals, hydrants, mailboxes or other objects near the location of the proposed sign; or
- (iv) the applicant makes any false statements, submits any false information or misrepresents any information required under this section.

(D) All other provisions applicable to public way use permits shall apply, including the applicable fees in section 10-28-017 and the required insurance in subsection (e)

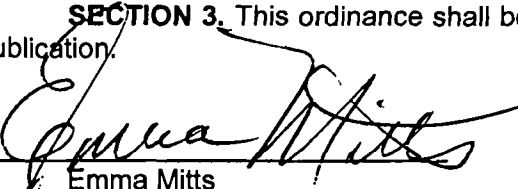
(d) The term of a public way use permit shall be for five years; provided that if the permittee has demonstrated that the wall sign remains in accordance with the original permit and all other applicable public way use permit provisions, including the required insurance, a public way use permit issued pursuant to subsection (c)(2) shall be renewed at the beginning of the new permit period upon proper application and payment of the required fee, for an additional five-year period, and every five years thereafter.

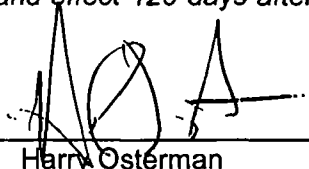
The annual fee for the first year shall be due at the issuance of the permit and the remaining annual fees shall be paid, as provided for in rules ~~and regulations~~; provided that the proof of insurance required as a condition of the permit be submitted annually, as provided for in the rules ~~and regulations~~.

*(Omitted text is unaffected by this ordinance)*

**SECTION 2.** The commissioner of business affairs and consumer protection is authorized to implement this ordinance in a graduated fashion, pursuant to a schedule that conforms to the operational and administrative needs of the office of the department of business affairs and consumer protection. The commissioner shall establish the graduated phase-in with full implementation of this ordinance no later than December 31, 2016.

**SECTION 3.** This ordinance shall be in full force and effect 120 days after passage and publication.

  
\_\_\_\_\_  
Emma Mitts  
Alderman, 37<sup>th</sup> Ward

  
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Harry Osterman  
Alderman, 48<sup>th</sup> Ward



Cliff Teap (28)

~~Cliff Teap~~ (28) WARD

John Smith 24 WARD

John Smith 20 WARD

John Smith 16 WARD

John Smith 15 WARD

John Smith 18 WARD

John Smith 40th WARD

John Smith 36th WARD

John Smith 3rd WARD

John Smith 27th WARD

John Smith 22 WARD

John Smith (6) WARD

John Smith 21 WARD

John Smith 17 WARD

Marked Smith 38th WARD

Marked Smith 39 WARD

Joseph A. Moore 49 WARD

James Appleman 46 WARD

Bill Miller 33 WARD

Soft Wagoner 32 WARD

Ally City (31) WARD

Joe Miller 30 WARD

Joe Miller 154 WARD

Samuel Di 25 WARD

James Smith 23 WARD

John Smith 5 WARD

John Smith 20 WARD

Wm J. O'H 19 WARD

Marshall A. Dax 8 WARD

John Smith 10 WARD

*John H. Roy* 11  
WARD  
*W. C. Curd* *W. C.*

WARD  
*Will J. King* 4

WARD  
*Nicholas L. King*

WARD  
*John* 4/15

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