

SUBSTITUTE ORDINANCE

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

This ordinance is organized into the following articles:

- Article I. Amendments to Chapter 9-108
- Article II. Miscellaneous Amendments
- Article III. Effective Date

ARTICLE I. AMENDMENTS TO CHAPTER 9-108

SECTION 1. Chapter 9-108 of the Municipal Code of Chicago is hereby amended by deleting the language struck through and by inserting the language underscored, as follows:

CHAPTER 9-108 **SMART STREETS PILOT PROGRAM**

9-108-010 Definitions.

For purposes of this chapter, the definitions in Section 9-4-010 and the following definitions shall apply:

"Automated parking enforcement system" means a device, mounted on public transit vehicles, City vehicles, vehicles leased or operated under an agreement with the City, City property, and other locations identified by the Chicago Department of Transportation which records, through photographic means, a vehicle and the vehicle registration plate of a vehicle used in the commission of a covered offense. An image recorded by an automated parking enforcement system shall display the time, date, and location of the covered offense.

"Covered offense" means a parking or standing violation ~~within the pilot area~~ of Section 9-12-060, 9-40-060, 9-64-020(b), 9-64-040, 9-64-080, 9-64-100, 9-64-110, 9-64-140, 9-64-150, 9-64-160(b), 9-64-180, or 9-64-190 of this Code.

~~"Pilot area" means the streets or parts of streets within the City's jurisdiction within the area bounded by a line, inclusive of both sides of the street, as follows: beginning at the easternmost point of West Irving Park Road extended to Lake Michigan; then west on West Irving Park Road to North Ashland Avenue; then south on Ashland Avenue to South Archer Avenue; then northeast on South Archer Avenue to South Senour Avenue; then southeast on South Senour Avenue and continuing through its change to easterly on West 27th Street to South Halsted Street; then north on South Halsted Street to West 26th Street; then east on Roosevelt Road to its easternmost point extended to Lake Michigan; then north along the shoreline of Lake Michigan to the beginning point.~~

9-108-020 Purpose — Establishment of automated parking enforcement pilot program Establishment.

(a) ~~The purpose of this chapter is to provide for~~ There is hereby established a pilot program that utilizes automated parking enforcement systems to record covered offenses and enforce parking and standing regulations, ~~within the pilot area.~~ The program shall be administered by the Department of Transportation and Department of Finance. The program shall be enforced through a system of administrative adjudication within the Department of Administrative Hearings.

(b) The Mayor, the Chief Financial Officer, the Comptroller, and the Commissioner are each authorized, severally or jointly, to negotiate, execute, and deliver any and all agreements, contracts, cost reimbursement or revenue-sharing partnerships, or instruments ~~(for purposes of this subsection, collectively referred to as “contractual arrangements”)~~ as the executing officer shall deem necessary, advisable, or appropriate in connection with the implementation of the pilot program established under this chapter, and to take all additional actions as necessary or appropriate to carry out the pilot program. ~~Should the Smart Street Pilot Program be extended or made permanent, each authorized officer specified in this subsection may, severally or jointly, extend any such contractual arrangement, as the executing officer shall deem necessary, advisable, or appropriate, until such time as a new contractual arrangement is duly entered into.~~

(Omitted text is not affected by this ordinance)

(d) Prior to the ~~installation~~ first deployment of an automated parking enforcement system within a ward, the Commissioner shall notify the alderman of the ward, ~~in which the automated parking enforcement system is to be installed and solicit a recommendation for the location of such installation based on the alderman's analysis of any relevant factors.~~

9-108-030 Parking and standing violations.

(a) The registered owner of record of a vehicle shall be liable for a covered offense and the applicable fine set forth in Section 9-100-020 when an image of the covered offense is recorded by an automated parking enforcement system, ~~within the pilot area.~~

(b) For a parking or standing violation of Section 9-12-060 enforced pursuant to this section:

(1) except as otherwise provided in subsection (b)(2) of this section, when a bus lane ~~within the pilot area~~ is designated and indicated by appropriate signs or markings, it shall be unlawful for any vehicle, other than an authorized bus or a vehicle servicing a bus, to enter or use such lane at any time, except when making a right hand turn or accessing a driveway or other allowable curbside parking or loading location; and

(Omitted text is not affected by this ordinance)

9-108-040 Notice of violation.

(Omitted text is not affected by this ordinance)

~~(b) (1) No citation for a covered offense enforced pursuant to Section 9-108-030 shall be issued until after the expiration of 30 days after the installation of a new automated parking enforcement system. For any covered offense occurring during such 30-day period, the Department of Finance shall, within 30 days after receiving information about the registered owner of the vehicle from the Secretary of State, mail a warning notice to the registered owner of the vehicle used in the commission of the covered offense; provided that if the vehicle is leased and the lessor has provided the name and address of the lessee pursuant to Section 9-100-140(a), the Department of Finance shall mail a warning notice to the lessee of the vehicle within 30 days after the lessor notifies the Traffic Compliance Administrator of the name and address of the lessee. The warning shall advise such owner or lessee that the vehicle was used in the commission of a covered offense and any further violations may result in the issuance of a citation.~~

~~(2) In addition to the warning notice provided in subsection (b)(1), for~~ For the first commission of a covered offense, the Department of Finance shall, within 30 days after receiving information about the registered owner of the vehicle from the Secretary of State, mail a warning notice to the registered owner of the vehicle used in the commission of the covered offense; provided that if the vehicle is leased and the lessor has provided the name and address of the lessee pursuant to Section 9-100-140(a), the Department of Finance shall mail a warning to the lessee of the vehicle within 30 days after the lessor notifies the Traffic Compliance Administrator of the name and address of lessee. The warning notice shall advise such owner or lessee that the vehicle was used in the commission of a covered offense and any further violations of any covered offense will result in the issuance of a citation. After the first warning notice issued to the owner or lessee pursuant to this subsection ~~(b)(2)~~ (b), the Department of Finance shall issue a notice of violation in compliance with subsection (a).

(Omitted text is not affected by this ordinance)

9-108-050 Administrative adjudication.

(Omitted text is not affected by this ordinance)

(b) In addition to those grounds set forth in Section 9-100-060(a), one or more of the following grounds shall be a defense to a covered offense enforced pursuant to Section 9-108-030:

(1) the owner of the vehicle was issued a uniform traffic citation or a parking citation, as applicable, for the covered offense;

(2) the vehicle was an authorized emergency vehicle; ~~or~~

~~(3) the covered offense occurred outside the pilot area.~~

(Omitted text is not affected by this ordinance)

9-108-070 Report Reports to City Council.

~~No later than 120 days prior to the expiration of the Smart Streets Pilot Program~~
On or before the final day of each calendar quarter, the Chicago Department of Transportation and the Department of Finance shall jointly submit a written report to the City Council Committee on Pedestrian and Traffic Safety regarding the performance of the Smart Streets ~~Pilot~~ Program. The report shall include, but shall not be limited to, information to assess the ~~impact~~ impacts of the ~~pilot~~ program ~~and the future potential of automated parking enforcement systems during the preceding three months on:~~ the following components: traffic safety, especially impacts affecting the most vulnerable road users; vehicle idling and emissions; traffic flow, bus service operations, cycling mobility, and pedestrian mobility; bus service operations; compliance with the City's laws; ticketing, especially including impacts as they affect different population groups and geographic areas; the number of citations issued, the underlying covered offense types, and the collection rate, disaggregated by plate type; and other relevant outcomes. ~~The report shall also make recommendations to the City Council regarding the establishment of a permanent program that utilizes automated parking enforcement systems.~~

~~9-108-080 Expiration.~~

~~This chapter shall be repealed, and the Smart Streets Pilot Program shall expire and be terminated, without further action by the City Council, on December 21, 2026.~~

ARTICLE II. MISCELLANEOUS AMENDMENTS

SECTION 1. Section 9-4-010 of the Municipal Code of Chicago is hereby amended by deleting the language struck through and by inserting the language underscored, as follows:

9-4-010 Definitions.

Whenever the following words and phrases are used in Chapters 9-4 through 9-102 of this Code, they shall have the meanings respectively ascribed to them in this section:

(Omitted text is not affected by this ordinance)

"Stop", when required, means the complete cessation of ~~from~~ movement. "Stop" or "stopping", when prohibited, means any halting even momentarily of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of an authorized officer or traffic control device.

(Omitted text is not affected by this ordinance)

SECTION 2. Section 9-12-060 of the Municipal Code of Chicago is hereby amended by deleting the language struck through and by inserting the language underscored, as follows:

9-12-060 Bus lanes.

(Omitted text is not affected by this ordinance)

(b) When a bus lane is designated and indicated by appropriate signs or markings, it shall be unlawful for any vehicle other than an authorized bus or a vehicle servicing a bus to enter or use such lane, including for the purposes of standing or parking, except: (1) when making a ~~right-hand turn~~, right-hand turn; or (2) to access a driveway or other allowable curbside parking or loading location.

SECTION 3. Section 9-40-060 of the Municipal Code of Chicago is hereby amended by deleting the language struck through and by inserting the language underscored, as follows:

9-40-060 Driving, standing, or parking on bicycle paths or lanes prohibited.

(a) *Prohibition.*

(Omitted text is not affected by this ordinance)

(2) The driver of a vehicle shall not: (i) stop, stand, or park a vehicle upon any on-street path or lane designated by official signs or markings for the use of bicycles; (ii) stand or park a vehicle upon any lane designated by pavement markings for the shared use of motor vehicles and bicycles; or (iii) stand ~~the~~ or park a vehicle in such a manner as to impede bicycle traffic on such path or lane.

(Omitted text is not affected by this ordinance)

(4) Notwithstanding subsections (a)(1) and (a)(2), the driver of a bus may stop the bus in any such path or lane: (i) at a designated bus stop for the purpose of loading or unloading of passengers; (ii) in case of an emergency; or (iii) as permitted in Section 9-48-050(d) of this Code.

(Omitted text is not affected by this ordinance)

SECTION 4. Section 9-92-030 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, as follows:

9-92-030 Authority to impound or otherwise relocate vehicles.

Members of the Police Department and employees of the Department of Streets and Sanitation, and employees of the Department of Aviation with respect to violations occurring at O'Hare International Airport, are authorized to issue a notice of parking violation and may authorize the removal of a vehicle from any public way to a City vehicle pound or authorized garage or other legal parking space in the public way under the following circumstances:

(Omitted text is not affected by this ordinance)

(c) When an unattended vehicle is parked, stopped, or standing in violation of Section 9-12-060, 9-40-060, 9-64-020; 9-64-050, 9-64-060, 9-64-070, 9-64-100, 9-64-110, 9-64-120, 9-64-130(b), 9-64-140(b), 9-64-150(b), 9-64-160(b), 9-64-165(f), 9-64-170, 9-64-210, 9-76-160(a)(6), 9-80-080(a), or 9-80-130;

(Omitted text is not affected by this ordinance)

III. EFFECTIVE DATE

SECTION 1. The program authorized by this ordinance shall be implemented in a phased manner. The Department of Transportation and Department of Finance shall establish an implementation schedule that prioritizes locations based on demonstrated need, traffic and safety conditions, the concentration of transit and bicycle infrastructure, and other factors deemed appropriate by the departments. Implementation may proceed in successive phases to facilitate effective deployment, operational readiness, public notice and education, and appropriate allocation of resources.

SECTION 2. This ordinance shall take effect upon passage and approval.