

ORDINANCE

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

SECTION 1. Chapter 10-40-260 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, and by deleting the language struck through, as follows:

10-40-260 Operation restrictions.

No person shall operate, or authorize or knowingly permit the operation of, a vessel upon the waters of Lake Michigan or upon any waterway within the city:

(Omitted text is unaffected by this ordinance)

(j) unless each occupant of a vessel used for recreational purposes is wearing an approved personal flotation device as defined in the Boat Registration and Safety Act, codified at 625 ILCS 45/1-1 et seq., as amended. Provided, however, that this requirement shall not apply to persons who are (1) below deck; ~~or (2) in a totally enclosed cabin space.~~ Provided, further, that this requirement shall not apply to (3) any vessel used for recreational purposes that is docked or moored; or (4) the occupants of any of the following vessels who have certified to the operator in writing their ability to swim and have executed a release assuming responsibility for the risks of failing to wear an approved personal flotation device: (i) any commercial passenger vessel licensed under Chapter 4-250 of this Code; ~~(ii) any vessel used for recreational purposes that is being operated on private property, (iii) any vessel used for recreational purposes that is docked, or (iv) or (ii) any vessel used for recreational purposes that is not docked or moored. 21 feet or more in length.~~ For purposes of this subsection (j), the term "vessel used for recreational purposes" means any watercraft, sailboat, recreational boat, personal watercraft or specialty prop-craft as defined in the Boat Registration and Safety Act, as amended.

Any person who shall violate any provision of this section shall be fined not less than \$100.00 nor more than \$1,500.00, or imprisoned for not less than ten days nor more than six months, or both, for each offense.

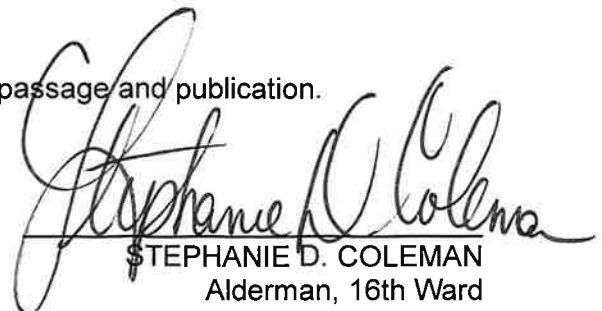
SECTION 2. Chapter 10-40 of the Municipal Code of Chicago is hereby amended by inserting a new Chapter 10-40-262, as follows:

10-40-262 Mandatory wearing of personal floatation device.

(a) Each occupant of a vessel used for recreational purposes shall wear an approved personal flotation device, as defined in the Boat Registration and Safety Act, unless exempt under Section 10-40-260(j). For the purposes of this section, the term "vessel used for recreational purposes" means any watercraft, sailboat, recreational boat, personal watercraft or specialty prop-craft as defined in the Boat Registration and Safety Act, as amended.

(b) Any person found in violation of this section shall be fined not less than \$100.00 nor more than \$500.00.

SECTION 3. This ordinance takes effect 10 days after passage and publication.



STEPHANIE D. COLEMAN
Alderman, 16th Ward