

ORDINANCE

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

SECTION 1. Section 2-28-030 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, and by deleting the language struck through, as follows:

2-28-030 Commissioner – Powers and duties.

The duties and powers of the Commissioner shall be as follows:

(Omitted text is unaffected by this ordinance)

(n) To approve, in coordination with the Commissioner of Transportation, the planning and coordination of the activation of any outdoor public enjoyment area, including, but not limited to, accepting and approving applications for musical or theatrical performances, small markets, and vendor stalls for the sale of food, beverages, or other goods, by the Alderman of the ward in which such outdoor public enjoyment area is located. Nothing in this section shall be deemed to require the applicable Alderman to assume responsibility for performing any general maintenance, landscaping, upgrades, or modifications to the outdoor public enjoyment area.

SECTION 2. Section 2-102-030 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, and by deleting the language struck through, as follows:

2-102-030 Commissioner – Powers and duties.

The Commissioner of Transportation shall have the following powers and duties:

(Omitted text is unaffected by this ordinance)

~~(v) In addition to exercising authority over the public way as specified in Title 9 of the Code, to administer the "Make Way for People – People Spots and People Streets" program and other programs to develop outdoor public enjoyment areas in accordance with Section 2-102-045. Such outdoor public enjoyment areas may be used to conduct outdoor special events pursuant to Section 10-8-335 of this Code. Temporary vendor structures may be placed, constructed, maintained, and used on such outdoor public enjoyment areas in accordance with agreements that the commissioner is authorized to execute pursuant to this subsection. The commissioner is authorized to negotiate and execute agreements to accomplish these programs' purposes, and to perform any and all acts, including the expenditure of funds subject to appropriation therefor, as shall be necessary or advisable in connection with the implementation of such agreements, including any renewals thereto. The commissioner is further authorized to regulate, by permit or other appropriate means, any entity's occupancy, maintenance or other use of or function bearing on the affected portion of the public way, or any structure placed thereon, pursuant to an agreement authorized by this paragraph. In addition, the commissioner is authorized to negotiate and execute agreements regarding temporary vendor structures on outdoor public enjoyment areas, including, but not limited to, agreements regarding the placement, construction, maintenance, use and removal of such temporary vendor structures.~~

(Omitted text is unaffected by this ordinance)

SECTION 2. Chapter 2-102 of the Municipal Code of Chicago is hereby amended by inserting a new Section 2-102-045, as follows:

2-102-045 Outdoor Public Enjoyment Areas.

(a) Pursuant to Section 2-102-030(v), the Commissioner is authorized to develop outdoor public enjoyment areas, including by administering the "Make Way for People – People Spots and People Streets" program. Such outdoor public enjoyment areas may be used to conduct outdoor special events pursuant to Section 10-8-335 of this Code. Temporary vendor structures may be placed, constructed, maintained, and used on such outdoor public enjoyment areas in accordance with agreements that the commissioner is authorized to execute pursuant to this subsection. The Commissioner is authorized to negotiate and execute agreements to accomplish these programs' purposes, and to perform any and all acts, including the expenditure of funds subject to appropriation therefor, as shall be necessary or advisable in connection with the implementation of such agreements, including any renewals thereto. Except as otherwise provided in subsection (b), the Commissioner is further authorized to regulate, by permit or other appropriate means, any entity's occupancy, maintenance or other use of or function bearing on the affected portion of the public way, or any structure placed thereon, pursuant to an agreement authorized by this paragraph. In addition, the Commissioner is authorized to negotiate and execute agreements regarding temporary vendor structures on outdoor public enjoyment areas, including, but not limited to, agreements regarding the placement, construction, maintenance, use and removal of such temporary vendor structures.

(b) Notwithstanding anything in this section to the contrary, and pursuant to Section 2-28-030(n), the Alderman of the ward in which an outdoor public enjoyment area is located may, subject to the approval of the Commissioner of Cultural Affairs and Special Events, and in consultation with the Commissioner, may plan and coordinate the activation of an outdoor public enjoyment area, including, but not limited to, accepting and approving applications for musical or theatrical performances, small markets, and vendor stalls for the sale of food, beverages, or other goods. Nothing in this section shall be deemed to require the applicable Alderman to assume responsibility for performing any general maintenance, landscaping, upgrades, or modifications to the outdoor public enjoyment area.

SECTION 3. Section 4-8-040 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, and by deleting the language struck through, as follows:

4-8-040 Special event food licenses.

(a) *Definitions.* For purposes of this section, the following definitions shall apply:

(Omitted text is unaffected by this ordinance)

"Multiple special events" means one or more special events that occur within a 10-day, 180-day or one-year period, depending on which period is applicable. The term "multiple special events" also means one or more special events that occur at an outdoor public enjoyment area developed pursuant to Section 2-102-045. ~~2-102-030~~.

(Omitted text is unaffected by this ordinance)

SECTION 4. Section 10-8-335 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, and by deleting the language struck through, as follows:

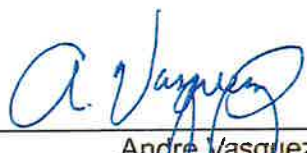
10-8-335 Outdoor special events.

(Omitted text is unaffected by this ordinance)

(i) Except as otherwise provided in this subsection (i), no permit issued under this section may authorize the operation of a special event for a period longer than ten days. Provided, however, that a permit issued under this section may authorize the operation of a special event for up to 180 calendar days: (i) on an outdoor public enjoyment area developed pursuant to Section 2-102-045; ~~2-102-030~~; or (ii) if the event is an independent farmers market within the meaning of Section 10-8-331(b)(1).

(Omitted text is unaffected by this ordinance)

SECTION 5. This ordinance takes effect upon passage and publication.



Andre Vasquez
Alderperson, 40th Ward