

**ORDINANCE**

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

**SECTION 1.** Section 4-6-150 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

**4-6-150 Junk peddlers.**

*(Omitted text is unaffected by this ordinance)*

(f) *Prohibited acts.* It shall be unlawful for any licensee engaged in the business of junk peddler to:

*(Omitted text is unaffected by this ordinance)*

(9) remove any recyclable material from a recycling container located on the public way in violation of Section 11-5-085; and

(10) purchase, collect, transport or dispose of any air bag that is not attached to a motor vehicle, or any portion of a dismantled air bag that is reasonably identifiable as such.

*(Omitted text is unaffected by this ordinance)*

**SECTION 2.** Section 4-228-210 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

**4-228-210 Proper disposal of unrepairable or unclaimed vehicle and parts other than tires and, catalytic converters, and air bags.**

Motor vehicle repair shops shall lawfully dispose of all unrepairable or unclaimed motor vehicles and motor vehicle parts within their custody; Provided, however, that the disposal of tires shall be governed by the requirements set forth in Section 4-228-200. Provided further, that the disposal of catalytic converters shall be governed by Section 4-228-217. Provided further, that the disposal of air bags shall be governed by Section 4-228-218. Proof of proper disposal, in the form of a receipt, shall be maintained by each motor vehicle repair shop on the business premises of the repair shop for a minimum of at least one year. Upon request by any authorized city official, the receipt required under this section shall be made available for inspection by such authorized city official during the licensee's regular business hours.

**SECTION 3.** Section 4-228-215 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

**4-228-215 Unlawful acts and omissions.**

It shall be unlawful for any motor vehicle repair shop to perform any of the following acts or omissions related to the conduct of the business of the motor vehicle shop, whether done by the owner of the facility, the operator of the business or by any mechanic, employee, partner, officer or member of the motor vehicle repair shop:

*(Omitted text is unaffected by this ordinance)*

(m) purchasing from any person any air bag that is not attached to a motor vehicle, or any portion of a dismantled air bag that is reasonably identifiable as such, unless the person from whom such air bag or portion thereof is purchased is: (1) another properly licensed motor vehicle repair shop under Chapter 4-228 of this Code, or (2) a properly permitted Class IVA or Class IVB recycling facility under Chapter 11-4 of this Code, or (3) the original manufacturer of the air bag or portion thereof. In addition to any other penalty provided by law, any person who violates this subsection (m) shall be fined not less than \$2,000.00 nor more than \$4,000.00 for each offense.

*(Omitted text is unaffected by this ordinance)*

**SECTION 4.** Chapter 4-228 of the Municipal Code of Chicago is hereby amended by inserting a new Section 4-228-218, underscored as follows:

**4-228-218 Proper disposal of air bags – Maintenance of records – Required.**

(a) Air bags or parts of dismantled air bags shall only be sold, disposed of or otherwise transferred: (1) to another properly licensed motor vehicle repair shop under Chapter 4-228 of this Code, or (2) to a properly permitted Class IVA or Class IVB recycling facility under Chapter 11-4 of this Code, or (3) by returning the air bag or part thereof to its original manufacturer. Each air bag or part thereof that is sold, disposed of or otherwise transferred pursuant to this section shall be accompanied by a copy of the invoice required under subsection (b) of this section pertaining to such air bag or part.

(b) A dated invoice shall be prepared for each air bag that is removed from a vehicle. Such invoice shall include the full name, address, telephone number and driver's license number of the owner of the vehicle from which the air bag was removed, and the make, model, year and VIN number of such vehicle. The invoice required under this subsection shall be kept by the licensee for two years and, upon request by any authorized city official, shall be made available for inspection during the shop's regular business hours by such authorized city official.

**SECTION 5.** Section 4-240-150 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

**4-240-150 Prohibited pledges or purchases.**

*(Omitted text is unaffected by this ordinance)*

(f) No licensee under this chapter shall purchase, take or receive from any person in pawn or pledge, for money loaned, any air bag that is not attached to a motor vehicle, or any portion of a dismantled air bag that is reasonably identifiable as such. In addition to any other penalty provided by law, any person who violates this subsection (f) shall be fined not less than \$2,000.00 nor more than \$4,000.00 for each offense.

**SECTION 6.** Section 4-264-090 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

**4-264-090 Prohibited purchases.**

(f) No secondhand dealer shall purchase, take or receive from any person any air bag that is not attached to a motor vehicle, or any portion of a dismantled air bag that is reasonably identifiable as such. In addition to any other penalty provided by law, any person who violates this subsection (f) shall be fined not less than \$2,000.00 nor more than \$4,000.00 for each offense.

**SECTION 7.** Section 11-4-2657 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

**11-4-2657 Prohibited activities.**

No recycling facility permittee shall:

*(Omitted text is unaffected by this ordinance)*

(h) accept, receive, purchase or acquire any material that is delivered to the facility in any (1) city-owned or government-owned garbage container or cart; or (2) city-owned or government-owned recycling container or cart; or (3) retail store shopping cart of the type commonly provided by big-box stores and supermarkets for use by customers to transport merchandise to the checkout counter during shopping; or

(i) purchase, or otherwise acquire for consideration of any type, any catalytic converter that is not attached to a motor vehicle unless the detached catalytic converter is accompanied by the motor vehicle from which it was removed, or any portion of a dismantled catalytic converter that is reasonably identifiable as such, unless the person selling, disposing of or otherwise transferring such catalytic converter or portion thereof to the permittee: (1) is a properly licensed motor vehicle repair shop under Chapter 4-228 of this Code and provides the permittee with a copy of the invoice required under Section 4-228-217(b), or (2) is another properly permitted Class IVA or Class IVB recycling facility under Chapter 11-4 of this Code, and in addition (3) is a regular customer of the permittee with an established customer account within the meaning of Section 11-4-2625(a) containing proof of the required licensure and meeting the criteria for an established customer account as set forth in the department's rules and regulations governing such accounts. Provided, however, that if a motor vehicle repair shop is located outside of the corporate limits of the city and is not required to be licensed under Chapter 4-228 of this Code, such motor vehicle repair shop shall: (i) provide the permittee with all of the information set forth in Section 4-228-217(b) pertaining to the catalytic converter or portion thereof that is being sold, disposed of or transferred to the permittee, and (ii) have an established customer account with the permittee meeting the criteria for an established customer account as set forth in the department's rules and regulations governing such accounts.

In addition to any other penalty provided by law, any person who violates this subsection (i) shall be fined not less than \$1,000.00 nor more than \$2,000.00 for the first violation; not less than \$2,000.00 nor more than \$3,500.00 for the second violation for the same offense within one year of the first offense; and not less than \$3,500.00 nor more than \$5,000.00 for the third and each subsequent violation for the same offense within one year of the previous offense; ~~or~~ or

(i) purchase, or otherwise acquire for consideration of any type, any air bag that is not attached to a motor vehicle unless the detached air bag is accompanied by the motor vehicle from which it was removed, or any portion of a dismantled air bag that is reasonably identifiable as such, unless the person selling, disposing of or otherwise transferring such air bag or portion thereof to the

permittee: (1) is a properly licensed motor vehicle repair shop under Chapter 4-228 of this Code and provides the permittee with a copy of the invoice required under Section 4-228-218(b), or (2) is another properly permitted Class IVA or Class IVB recycling facility under Chapter 11-4 of this Code, and in addition (3) is a regular customer of the permittee with an established customer account within the meaning of Section 11-4-2625(a) containing proof of the required licensure and meeting the criteria for an established customer account as set forth in the department's rules and regulations governing such accounts. Provided, however, that if a motor vehicle repair shop is located outside of the corporate limits of the city and is not required to be licensed under Chapter 4-228 of this Code, such motor vehicle repair shop shall: (i) provide the permittee with all of the information set forth in Section 4-228-218(b) pertaining to the air bag or portion thereof that is being sold, disposed of or transferred to the permittee, and (ii) have an established customer account with the permittee meeting the criteria for an established customer account as set forth in the department's rules and regulations governing such accounts.

In addition to any other penalty provided by law, any person who violates this subsection (j) shall be fined not less than \$2,000.00 nor more than \$4,000.00 for the first violation; not less than \$4,000.00 nor more than \$6,000.00 for the second violation for the same offense within one year of the first offense; and not less than \$6,000.00 nor more than \$8,000.00 for the third and each subsequent violation for the same offense within one year of the previous offense.

**SECTION 8.** This ordinance takes effect 10 days after passage and publication.



---

GILBERT VILLEGAS  
Alderman, 36th Ward