



# Office of City Clerk

## City Council Document Tracking Sheet

City Hall  
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[www.chicityclerk.com](http://www.chicityclerk.com)

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**Matter ID:** SO2023-0002990

**Meeting Date:** 7/19/2023

**Sponsor(s):** Lopez (15) \*

**Type:** Ordinance

**Title:** Amendment of Municipal Code Chapter 10-28  
by modifying various sections and adding new  
Article II-A (Section 10-28-125) requiring public  
way use permit for public bookcases

**Committee Assignment:** Committee on Transportation and Public Way

**SUBSTITUTE**  
**ORDINANCE**

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

**SECTION 1.** Section 10-28-010 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, and by deleting the language struck through, as follows:

**10-28-010 Permission required.**

(a) For purposes of Sections 10-28-010 through 10-28-020, and as used in Sections 10-28-046 and 10-29-020, the following definitions apply:

*(Omitted text is unaffected by this ordinance)*

"Kiosk" means a free standing, permanent structure erected as an accessory to a building, and used to provide information concerning the building and its occupants.

"Public bookcase" means a freestanding, permanent structure on the sidewalk or parkway erected for free exchange and storage of books by the general public. "Public bookcase" shall not include any arrangement or structure for the display or sale of goods, wares, or merchandise, including books.

*(Omitted text is unaffected by this ordinance)*

(b) Unless otherwise authorized by this Code, it shall be unlawful for any person to construct, install, or maintain any of the following on, under, or above the public way without a public way use permit:

*(Omitted text is unaffected by this ordinance)*

(10) a bench that does not contain advertisements, slogans, or messages; ~~or~~

(11) a public bookcase; or

(12) any other structure or device, including a sign, except for a City digital sign, that is on, over, or under the public way.

*(Omitted text is unaffected by this ordinance)*

**SECTION 2.** Section 10-28-017 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, and by deleting the language struck through, as follows:

**10-28-017 Public way use permit – Fees.**

*(Omitted text is unaffected by this ordinance)*

(b) For all other public way uses not specified in subsection (a), the fees shall be as follows:

***Type of Public Use***

***Annual Fee***

*(Omitted text is unaffected by this ordinance)*

(7) security camera, bicycle rack, landscaping and its associated structures, portable smoking management receptacle, bench, trash container, public bookcase

No fee

*(Omitted text is unaffected by this ordinance)*

**SECTION 3.** Article II-A of Chapter 10-28 of the Municipal Code of Chicago is hereby deleted in its entirety, and replaced with a new Article II-A, as follows:

**ARTICLE II-A. PUBLIC BOOKCASES (10-28-125 et seq.)**

**10-28-125 Permit required.**

(a) For purposes of this Section 10-28-125, the terms "public bookcase" and "public way use permit" have the same meaning ascribed to those terms in Section 10-28-010.

(b) Each public bookcase shall require a public way use permit. It shall be the duty of the owner of the public bookcase to obtain the public way use permit for such public bookcase. Unless otherwise provided in this Article II-A, the provisions of Sections 10-28-010 through and including 10-28-017 shall be applicable to public way use permits for public bookcases.

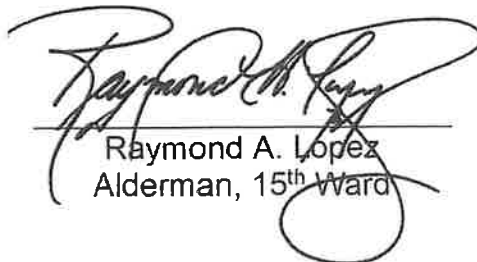
(c) Only organizations, not-for-profit entities, and licensed businesses are eligible for public way use permits for public bookcases. Nothing in this Section shall prohibit the operation of a bookcase by any person if such bookcase is located wholly on private property, whether or not such bookcase is accessible to the general public.

(d) An application for a public way use permit for a public bookcase use shall be made in accordance with Section 10-28-015 and the fees for such use shall be as set forth in Section 10-28-017, provided that if the applicant for a public way use permit for a public bookcase is not the owner of the property which abuts the public way or other public place where the public bookcase will be located, the applicant shall submit written consent of the abutting property owners as part of their application for a public way use permit.

(e) Each permit holder shall paint, plainly mark, or otherwise permanently affix the permit number and the permit holder's name, address, and telephone number on the outside of each public bookcase.

(f) The Commissioner is authorized to promulgate rules specifying location and design requirements and to carry out the purposes of this article. A permittee shall comply with the rules promulgated pursuant to this article, which shall have the force and effect of law.

**SECTION 4.** After passage and publication, this ordinance shall take effect on January 1, 2024.



Raymond A. Lopez  
Alderman, 15<sup>th</sup> Ward