

**FISCAL YEAR 2007 ORDINANCES**

<b><u>DATE OF MEETING</u></b>	<b><u>ORD. #</u></b>	<b><u>DESCRIPTION/SPONSORS</u></b>
<b>12-04-06 (Special)</b>	<b>NONE</b>	
<b>12-06-06</b>	07-O-01	An Amendment to the Cook County Code, Chapter 2 Administration, Sections 2-101 through 2-108 (Rules of Organization and Procedure).
<b>12-06-06 (Special)</b>	<b>NONE</b>	
<b>12-19-06</b>	07-O-03	(Zoning) An Amendment to the Billboard and Off-Premises Outdoor Advertising Sign Ordinance, Chapter 114 Signs, Section 114-33. Sponsor: Commissioner Silvestri.
	07-O-04	(Zoning) An Amendment to the Cook County Zoning Ordinance, Appendix A, Article 14 Rules and Definitions, Section 14.2. Sponsor: Commissioner Silvestri.
	07-O-05	An Amendment to the Cook County Code, Chapter 50 Library, Section 50-1 through 50-8 (Legislative Reference Services Act). Sponsors: President Stroger and Commissioner Goslin.
<b>01-09-07</b>	<b>NONE</b>	
<b>01-23-07</b>	07-O-07	An Amendment to the Cook County Code, Chapter 32 Fees, Section 32-1 (Vital Records). Sponsor: Commissioner Quigley.
<b>02-06-07</b>	<b>NONE</b>	
<b>02-20-07 (Special)</b>	07-O-10	An Ordinance enacting Chapter 2 Administration, Section 2-320 (Internet Advertising Ordinance). Sponsors: Commissioners Quigley and Suffredin.
	07-O-11	An Amendment to the Cook County Code, Chapter 74 Taxation, Section 74-35 and Chapter 32 Fees, Section 32-1. Sponsors: Commissioner Quigley and Suffredin.
	07-O-12	An Amendment to the Cook County Building Ordinance, Part E (New Fees for the Department of Building and Zoning). Sponsor: Commissioner Quigley.
	07-O-13	An Amendment to the Cook County Code, Chapter 32 Fees, Section 32-1 (Liquor and Roadhouse Licenses). Sponsor: Commissioner Quigley.

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<b>02-21-07</b>	07-O-15	An Ordinance enacting Chapter 54 Licenses, Permits and Miscellaneous Business Provision, Sections 54-330 through 54-335 (Cook County Inter-Track Wagering Location Facility Entrance Fee). Sponsors: Commissioners Sims and Butler; Co-Sponsors: President Stroger and Commissioners Beavers, Claypool, Collins, Daley, Maldonado, Moreno, Murphy, Quigley, Steele and Suffredin.
	07-O-16	An Amendment to the Cook County Code, Chapter 32 Fees, Section 32-1 (Environmental Control). Sponsor: Commissioner Quigley; Co-Sponsors: Commissioners Goslin, Maldonado and Murphy.
	07-O-17	An Ordinance enacting Chapter 58 Offenses and Miscellaneous Provisions, Sections 58-164 through 58-165 (Motor Vehicles, Seizure and Impoundment). Sponsor: Commissioner Suffredin.
	07-O-18	An Ordinance enacting Chapter 54 Licenses, Permits and Miscellaneous Business Regulations, Sections 54-330 through 54-343 (Police Alarm Systems). Sponsor: Commissioner Suffredin.
	07-O-19	Cook County Sulfur Dioxide Emission Tax. Sponsor: Commissioner Maldonado; Co-Sponsors: Commissioners Collins, Murphy and Quigley. <b>Note: This ordinance was vetoed by President Stroger March 1, 2007.</b>
<b>03-01-07</b>	<b>NONE</b>	
<b>03-20-07</b>	07-O-20	An Ordinance enacting Chapter 22 Elections, Section 22-1 (Creating a Cook County Employees as Election Day Workers Program). Sponsor: Commissioner Suffredin; Co-Sponsors: President Stroger and Commissioners Daley, Goslin, Murphy, Silvestri, Sims and Steele.
<b>04-03-07</b>	07-O-21	(Highway) An Amendment to the Cook County Code, Chapter 106 Floodplains, Section 106-2 (Floodplain Ordinance Amendment). Sponsor: President Stroger.
	07-O-22	An Ordinance enacting Chapter 2 Administration, Section 2-315 (Cook County Assessor's Office Database Fees Ordinance). Sponsor: Commissioner Gorman; Co-Sponsors: Commissioners Beavers, Butler, Collins, Goslin, Maldonado, Moreno, Murphy, Quigley, Schneider, Silvestri, Steele and Sims.
	07-O-23	An Amendment to the Cook County Code, Chapter 34 Finance, Section 34-123 (Living Wage Ordinance). Sponsor: Commissioner Maldonado.

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<b>04-18-07</b>	07-O-26	An Amendment to the Cook County Code, Chapter 2 Administration, Section 2-311 (Auditor - Office created; general functions). Sponsors: Commissioners Daly, Goslin and Quigley; Co-Sponsors: President Stroger and Members.
	07-O-27	A Second Amendment to an Amendatory Ordinance granted to Illinois Bell Telephone Company, its Successors and Assigns, Certain Rights in the County of Cook, State of Illinois (85-O-18). Sponsor: President Stroger.
<b>05-01-07</b>	<b>NONE</b>	
<b>05-15-07</b>	07-O-29	An Amendment to the Cook County Code, Chapter 30 Environment, Sections 30-3, 30-231 and 30-233 (Environmental Control Ordinance). Sponsor: President Stroger.
	07-O-30	An Amendment to the Cook County Code, Chapter 74 Taxation, Sections 74-62 and 74-63 (Real Property Assessment Classification Ordinance). Sponsor: Commissioner Quigley.
<b>06-05-07</b>	07-O-32	An Amendment to the Cook County Code, Chapter 32 Fees, Section 32-1 and Chapter 74 Taxation, Sections 74-559 and 74-568 (Wheel Tax Ordinance). Sponsors: Commissioners Suffredin and Gorman.
<b>06-19-07</b>	07-O-33	An Ordinance enacting Chapter 66 Roads and Bridges, Sections 66-50 through 66-102 (Public Way Regulatory Ordinance). Sponsors: President Stroger and Commissioner Moreno.
	07-O-34	An Ordinance enacting Chapter 66 Roads and Bridges, Sections 66-125 through 66-131 (Procedure and Fees for Highway Haul Permits by Overweight and Oversize Vehicles Using County Highways). Sponsors: President Stroger and Commissioner Moreno.
	07-O-36	An Amendment to the Cook County Code, Chapter 54 Licenses, Permits and Miscellaneous Business Regulations, Division 4 (Renaming Division 4 the Blair Holt Assault Weapons Ban). Sponsors: Commissioners Sims and Suffredin.
<b>07-10-07</b>	07-O-47	An Amendment to the Cook County Code, Chapter 34 Finance, Sections 34-121 through 34-133; Sections 34-151 through 34-156; Sections 34-181 through 34-185; and Sections 34-211 through 34-221. (Procurement and Contracts) Sponsor: President Stroger; Co-Sponsors: Commissioners Beavers, Daley, Suffredin, Butler, Claypool, Collins, Gorman, Goslin, Murphy, Peraica, Quigley, Schneider, Silvestri, Sims and Steele.
	07-O-48	An Amendment to the Cook County Code, Chapter 2 Administration, Section 2-589 (Financial Disclosure). Sponsors: Commissioners Quigley, Gorman, Goslin, Silvestri, Claypool, Daley and Suffredin; Co-Sponsors: Commissioners Schneider, Peraica, Beavers, Butler, Collins, Murphy, Sims and Steele.

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<b><u>DATE OF MEETING</u></b>	<b><u>ORD. #</u></b>	<b><u>DESCRIPTION/SPONSORS</u></b>
<b>07-10-07 (cont'd)</b>	07-O-49	An Amendment to the Cook County Code, Chapter 2 Administration, Section 2-585 (Code of Ethical Conduct). Sponsors: Commissioners Quigley, Gorman, Goslin, Silvestri, Claypool, Daley and Suffredin; Co-Sponsors: Commissioners Schneider, Peraica, Beavers, Butler, Collins, Murphy, Sims and Steele.
	07-O-50	An Amendment to the Cook County Code, Chapter 34 Finance, Section 34-124 (Prevailing Wage Ordinance). Sponsor: President Stroger.
	07-O-51	An Amendment to the Cook County Code, Chapter 2 Administration, Section 2-174 and Chapter 32 Fees, Section 32-1 (Genealogical Records). Sponsor: Commissioner Quigley.
<b>07-31-07</b>	07-O-52	An Amendment to the Cook County Code, Chapter 2 Administration, Sections 2-281 through 2-293 (Independent Inspector General Ordinance) Sponsors: President Stroger and Commissioners Quigley and Daley; Co-Sponsors: Commissioners Butler, Claypool, Gorman, Goslin, Maldonado, Moreno, Peraica, Schneider, Silvestri and Steele.
<b>09-06-07</b>	07-O-53	An Amendment to the Cook County Code, Chapter 114 Signs, Section 114-34 (Cook County Billboard and Off-Premises Outdoor Advertising Sign Ordinance). Sponsor: Commissioner Silvestri.
<b>09-18-07</b>	07-O-54	An Amendment to the Cook County Code, Chapter 2 Administration, Section 2-671 through 2-674 (County Vehicle Policy Ordinance). Sponsor: Commissioner Mike Quigley.
<b>10-01-07</b>	<b>NONE</b>	
<b>10-02-07</b>	07-O-56	An Amendment to the Cook County Code, Chapter 34 Finance, Section 34-159 (Responsible Bidder Process for Construction Contracts). Sponsor: Commissioners Silvestri and Murphy.
	07-O-57	The Cook County Energy Efficiency and Climate Change Mitigation Act. Sponsor: Commissioners Claypool and Quigley; Co-Sponsors: Commissioners Gorman, Maldonado, Peraica and Silvestri.
	07-O-58	An Amendment to the Cook County Code, Chapter 26 Emergency Management and Services, Sections 26-31 through 26-43, (Emergency Management Agency Ordinance). Sponsor: President Stroger.
	07-O-59	Raffle Licensure Requirement. Sponsor: Commissioner Silvestri.
<b>10-10-07</b>	<b>NONE</b>	

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<b>10-16-07</b>	07-O-65	An Ordinance enacting Chapter 82 Traffic and Vehicles, Article IV, Sections 82-101 through 82-104 (Cook County Automated Red Light Traffic Safety System Ordinance). Sponsors: President Stroger and Commissioner Moreno; Co-Sponsors: Commissioners Claypool, Silvestri and Goslin.
	07-O-68	An Amendment to Cook County Code Chapter 74 Taxation, Article II Real Property Taxation, Division 1 Generally, Section 74-41 Duplicate tax bill fee (An Amendment to the Duplicate Tax Bill Fee Ordinance). Sponsor: President Stroger; Co-Sponsors: Members.
	07-O-69	An Ordinance enacting Chapter 74 Taxation, Article II Real Property Taxation, Division I Generally, Section 74-44 (Bulk Payment Correction Fee Ordinance). Sponsor: President Stroger; Co-Sponsors: Members.
	07-O-70	An Amendment to Cook County Code Chapter 32, Section 32-1 and Chapter 114, Section 114-32, Annual Fee for Billboards (Cook County Billboard and Off-Premises Outdoor Advertising Signs Ordinance). Sponsor: Commissioner Goslin.
	07-O-71	An Amendment to the Cook County Code, Chapter 32 Fees, Section 1 (Sheriff Merit System Application and Examination Fee). Sponsor: Commissioner Silvestri.
	07-O-72	An Ordinance enacting Chapter 10 Animals, Article IV Managed Care of Feral Cats, Section 10-95 through 10-99. Sponsors: President Stroger and Commissioners Murphy and Quigley; Co-Sponsors: Members.
<b>10-22-07 (9:30 A.M. [1])</b>	07-O-73	The Cook County Neighborhood Preservation Homeowner Exemption Ordinance ("N.P.H.E."). Sponsor: President Stroger; Co-Sponsors: Commissioners Beavers, Butler, Claypool, Daley, Gorman, Goslin, Moreno, Murphy, Peraica, Quigley, Sims, Steele and Suffredin.
<b>10-22-07 (9:30 A.M. [2])</b>	NONE	
<b>10-22-07 (1:00 P.M.)</b>	NONE	

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<b>11-06-07</b>	07-O-75	An Amendment to the Cook County Code, Chapter 54 Licenses, Permits and Miscellaneous Business Regulations, Sec. 54-360 through Sec. 54-371 Raffle Licensure Requirement. Sponsor: Commissioner Silvestri.
	07-O-76	An Amendment to the Cook County Code, Chapter 6 Alcoholic Liquor, Sec. 6-1, Sec. 6-38 and Sec. 6-76 Allowing the Sale of Alcoholic Liquor at Gas Stations that Operate a Convenience Store on the Same Premises. Sponsor: Commissioner Gorman; Co-Sponsors: Commissioners Moreno, Murphy, Quigley, Silvestri and Sims.
	07-O-77	An Amendment to the Cook County Code, Chapter 2 Administration, Sec. 2-214 GIS Fee and Chapter 32 Fees, Sec. 32-1. Sponsor: President Stroger.
	07-O-78	An Amendment to the Cook County Code Chapter 2 Administration, Sec. 2-315 Cook County Assessor's Office database fee,. Sponsors: Commissioner Gorman and Quigley; Co-Sponsors: Commissioner Murphy.
<b>11-20-07</b>	07-O-79	An Amendment to the Cook County Code, Chapter 2 Administration, Article 1, Section 2-80 Legislative and Fiscal Impact Review. Sponsor: Commissioner Daley; Co-Sponsors: Commissioners Goslin, Moreno, Murphy, Schneider, Silvestri, Sims, Gorman and Peraica.

**07-O-01  
ORDINANCE**

**DIVISION 2. RULES OF ORGANIZATION AND PROCEDURE**

**Section 2-101. Purpose.**

- (a) The provisions of this division shall constitute the rules of the Board.
- (b) It is the purpose of this division:
  - (1) To provide appropriate procedures and organization for the Board of Commissioners to conduct its business in an orderly and efficient manner;
  - (2) To protect the right of all Commissioners to participate fully in the legislative process;
  - (3) To foster accountability in County government; and
  - (4) To promote openness and maximize participation in the business and affairs of the Board.

**Section 2-102. Definitions.**

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- (a) **Board** means the County Board.
- (b) **Commissioner** means any duly elected or duly appointed County Board Commissioner, and means the same as “member” of the Board. “Commissioner” includes the President only in the President’s capacity as a Commissioner, if the President is a Commissioner.
- (c) **Committee** means a committee of the Board and includes a standing committee, a special committee and a standing or special subcommittee of a committee.
- (d) **Clerk** means the Clerk of the Board.
- (e) **Committee of the whole** means a committee comprised of all Commissioners as required by this division.
- (f) **Majority** means a simple majority of those Commissioners present and entitled to vote on a question, while a **Majority vote** means the vote of a simple majority of those Commissioners present and entitled to vote on a question.
- (g) **Majority of those elected** means a majority of the total number of Commissioners entitled by law to be elected to the Board, irrespective of the number of elected or appointed Commissioners actually serving in office. So long as 17 Commissioners are entitled to be elected to the Board, a vote of a “majority of those elected” shall mean nine affirmative votes.

- (h) **President** means the President of the Board in the capacity as President, and not in the capacity as a Commissioner if the President is also a Commissioner.
- (i) **Secretary** means the Secretary of the Board.
- (j) **Term** means the four-year term of office established by State law for the President and the Commissioners.

**Section 2-103. Interpretation, force and effect.**

- (a) **Applicability.** The meetings and actions of the Board, including all of its committees, shall be governed by this division.
- (b) **Effect of State law.** Except as otherwise specifically provided in this division, this division supersedes all provisions of Illinois statute to the extent of any conflict or inconsistency, except for statutes that, by their terms, specifically limit home rule units pursuant to Article VII, Section 6(g) or 6(h) of the 1970 Constitution of the State of Illinois.
- (c) **Effective date.** This division shall be in full force and effect upon adoption, and shall remain in full force and effect except as amended in accordance herewith, or until superseded by new rules adopted as part of the organization of a newly-constituted Board at the commencement of a term.
- (d) **Interpretation.** This division shall be interpreted and applied to foster the goals and purposes set forth in Section 2-101. This division is to be construed in accordance with the customary American usage and meaning of parliamentary terms and expressions and the plain meaning of the ordinary words appearing herein. In case of ambiguous application, this division shall be applied in a manner that fosters openness, accountability and fairness in the operation of the Board.

**Section 2-104. Transition.**

- (a) **Transition, 2006-2010 term.**
  - (1) The standing committees and subcommittees created by Ordinance previously adopted December 3, 2002, are replaced by the standing committees and subcommittees set forth in this division.
  - (2) The resolution appointing Chairs and Vice-Chairs to such committees, which was adopted on December 3, 2002, shall be replaced pursuant to resolution of the Board adopted pursuant to Section 2-105. The appointments made pursuant to such resolution shall remain in effect for the current term.
  - (3) The resolution appointing members of committees and subcommittees which was adopted on December 3, 2002, shall be replaced pursuant to resolution of the Board adopted pursuant to Section 2-105. The appointments made pursuant to such resolution shall remain in effect for the current term.
- (b) **Items pending in committee at conclusion of term.** All items relating to pending litigation, workers' compensation claims or applications made pursuant to the Cook



County Zoning Ordinance of 2001 at the conclusion of the 2006-2010 term and each term thereafter shall automatically be referred to the successor committee during the succeeding term. Except as otherwise provided in this section, upon conclusion of the 2006-2010 term, all legislation and other items referred to any committee or subcommittee shall automatically be discharged from Committee and shall automatically be received and filed by the Board. The Secretary shall issue a report not less than 60 days prior to the expiration of the 2006-2010 term and each term thereafter to the chair of each committee listing all items pending in such person's committee.

**Section 2-105. Organization.**

- (a) ***President Pro Tempore.*** At the commencement of a term, the Board shall by resolution elect one Commissioner as President Pro Tempore for such term. The President Pro Tempore shall, in the absence of the President, preside over meetings of the Board. In addition, in the event the President is temporarily unable to act in performing the remainder of his or her official duties, the President Pro Tempore shall perform such duties and possess all the rights and powers of the President until such time as the President is able to perform such duties or, in the event of a vacancy in the Office of the President, until such vacancy is filled. If the President Pro Tempore shall cease to be a Commissioner or shall resign the office of President Pro Tempore, the Board shall elect another Commissioner to serve as President Pro Tempore for the remainder of the term.
- (b) ***Adoption of rules.*** At the commencement of a term, the Board may adopt new rules of organization and procedure by ordinance setting forth such rules in their entirety and repealing these rules. Such ordinance must be adopted by a majority of those elected. Rules so adopted shall supersede these rules.
- (c) ***Committees.***
  - (1) The committees of the Board shall be:
    - a. The standing committees and their standing subcommittees listed in Subsection (f) of this section;
    - b. Special committees created by Board resolution under Subsection (e) of this section; and
    - c. Special subcommittees created by standing committees or by special committees under Subsection (e) of this section. Subcommittees may not create subcommittees.
  - (2) The President shall be an ex officio member of all committees. When the President is also a Commissioner, he or she shall have only one vote on a committee. When the President is not also a Commissioner, he or she shall not have a vote.
  - (3) A vacancy on a committee, or in the Chair or Vice-Chair position on a committee, shall be created when a member resigns from such position or ceases to be a Commissioner. Resignations shall be made in writing to the Secretary, who shall promptly notify the President and all Commissioners.

- (4) Vacancies on committees or in the positions of Chair or Vice-Chair shall be filled by appointment by the same appointing authority as the initial appointments to such committee. In the case of committee appointments made by the Board, the Board shall fill vacancies by resolution. In the case of vacancies on special subcommittees that were created by committees, the parent committee shall fill the vacancy by motion.
- (5) Any Commissioner, regardless of whether a Chair, Vice-Chair or member of the committee, and the President shall be afforded the courtesy of participating in debate on any item before a committee.
- (6) The Chair of a committee or subcommittee shall have the authority to call and preside at meetings of such committee or subcommittee. In the absence of the Chair, the Vice-Chair shall perform the functions of the Chair.
- (7) The Secretary shall, at the end of each fiscal year, submit to the Board a summary of all items pending in each committee.

(d) ***Membership and officers of standing committees.***

- (1) At the commencement of each term, the members of each standing committee and standing subcommittee shall be appointed for the term by resolution adopted by a majority of those elected.
- (2) At the commencement of each term, the Chair and Vice-Chair of each standing committee and standing subcommittee shall be appointed for the term by resolution of the Board adopted by a majority of those elected.

(e) ***Special committees and subcommittees.***

- (1) The Board may create special committees by resolution adopted by a majority of those elected. The appointed members of a special committee shall be designated by resolution.
- (2) A committee may create a special subcommittee by motion adopted by a majority of the Commissioners who are members of the committee.
- (3) The resolution or motion creating a special committee or special subcommittee shall specify the subject matter of the special committee or subcommittee and the number of members to be appointed thereto, and may specify a reporting date during the term in which event the special committee or subcommittee shall be abolished as of such date. Unless an earlier date is specified by resolution or motion, special committees and subcommittees shall expire at the end of the term.

(f) ***Standing committees.*** The standing committees, the standing subcommittees and the number of members to be appointed to each (including Chair and Vice-Chair, but excluding ex officio members) are as follows:

- (1) Audit, seven members. (The County Auditor and Chief Financial Officer are ex-officio, nonvoting members of the Audit Committee.)

- (2) Construction, nine members.
  - (3) Contract Compliance, nine members.
  - (4) Criminal Justice, Committee of the Whole.
  - (5) Environmental Control, seven members.
  - (6) Finance, Committee of the Whole, with the following subcommittees with the number of members indicated:
    - a. Labor, seven members.
    - b. Litigation, seven members.
    - c. Real Estate and Business and Economic Development, nine members.
    - d. Tax Delinquency, seven members.
    - e. Workers' Compensation, five members.
  - (7) Health and Hospitals, Committee of the Whole, with the following subcommittees with the number of members indicated:
    - a. Oak Forest Hospital, seven members.
    - b. Provident Hospital, seven members.
    - c. Public Health, seven members.
    - d. Stroger and Cermak Hospitals, nine members.
  - (8) Human Relations, seven members.
  - (9) Information Technology and Automation, nine members.
  - (10) Law Enforcement, nine members.
  - (11) Legislation, Intergovernmental and Veterans Relations, Committee of the Whole.
  - (12) Roads and Bridges, Committee of the Whole.
  - (13) Rules and Administration, nine members.
  - (14) Workforce, Job Development and Training Opportunities, five members.
  - (15) Zoning and Building, Committee of the Whole.
- (g) ***Referrals to committees.*** The Board may by motion refer any item before the Board to a committee or to a subcommittee. The Chair of a committee may refer an item pending in

that committee to a subcommittee of that committee. An item referred by the Board to any committee or subcommittee, or by a committee chair to a subcommittee, shall not be jointly referred to any other committee or subcommittee. Only upon the return of the item to the Board, either by report of the committee or by the Board's discharge of the item from the committee or subcommittee, may the Board refer the item to another committee or subcommittee.

All items referred to committee or subcommittee by the Board shall be designated with a Communication Number as assigned by the Clerk. No committee or subcommittee shall meet for any purpose other than to consider one or more items designated by Communication Numbers.

- (h) ***Reporting by committees.*** Notwithstanding any action to be undertaken by committees or subcommittees pursuant to this section, only the Board may take final action on any item referred to a committee or subcommittee. Committees shall report to the Board, and subcommittees shall report to their parent committees, subsequent to adjournment of a meeting of the committee or subcommittee.

The report of any committee or subcommittee shall be comprised of two sections.

The first section of the report, "the text," shall constitute the minutes of the meeting for which the report was prepared and shall contain: a list of the attendees; an account of the items considered; a summary of the deliberations, including motions and amendments proposed and/or adopted; all votes taken; the result of said votes; and, any attachments to the record as ordered by the Chair.

The second section of the report shall include a summary of certain actions taken at the meeting for which the report was prepared. For purposes of this paragraph, action is defined as motions, duly seconded and carried, to adopt one of the six (6) following statements of intent with respect to a Communication Numbered item:

- (1) Recommend for Approval;
- (2) Recommend for Approval as Amended;
- (3) Not Recommended for Approval;
- (4) Not Recommended for Approval as Amended;
- (5) Recommended for Receiving and Filing; and
- (6) Returned With No Recommendation.

The committee's adoption of any one of the above six (6) statements of intent, as reported to the Board, shall constitute conclusive action by the committee on a Communication Numbered item, and shall automatically discharge the committee from further jurisdiction of the item. Absent the attachment of one of these six (6) statements of intent to the Communication Numbered item, such item will remain in committee unless discharged by the Board.

The Board's approval of a committee report that contains a statement(s) of intent as set forth in numbers (1) through (5) above in this section will constitute final Board action on the item(s) attached to the statement(s) of intent. The Board's approval of a committee report that contains a statement of intent as set forth in number (6), "Returned With No Recommendation," places the item before the Board for immediate consideration.

Commissioners present and voting on a motion to approve a committee report retain the right to divide their vote with regard to each item contained in the second section of the report, or to request a separate vote, either by voice or roll call, on such items, regardless of whether the first section has been approved.

- (i) ***Public Hearings of committees.*** Any committee meeting may, at the discretion of the Chair, be designated as a public hearing; provided that the following requirements are satisfied:
  - (1) a paid notice containing the time, place, subject matter of the hearing, and solicitation of pertinent public testimony shall be published in a newspaper of general circulation in Cook County;
  - (2) a like notice shall be posted on the website maintained by the Secretary;
  - (3) a court reporter is present and reporting all written and oral testimony by members of the public;
  - (4) all oral testimony by members of the public shall be the first order of business after the committee is called to order; and,
  - (5) any other meeting notification requirements found elsewhere in this section.
- (j) ***Discharge of committee by the Board.*** The Board may discharge any item from committee by a majority vote.
- (k) ***Confirmation of presidential appointments.*** All appointments and reappointments of the President requiring the advice and consent of the Board shall be referred to the Legislation, Intergovernmental and Veterans Relations Committee upon the President's submission. The Committee shall promptly hold such hearings as it deems appropriate and shall, no later than 60 days after referral, report all such appointments to the Board with a recommendation for action. If the Committee has not made a timely report on any appointment, the appointment shall, at the next regular meeting of the Board following the expiration of such 60 days, be referred to the Board with "no recommendation" by the Committee.

#### **Section 2-106. Budget matters.**

- (a) ***Finance committee.***
  - (1) The President's executive budget recommendations and all motions, resolutions or ordinances that propose, amend, transfer or supplement any appropriations of funds or budget measure shall be referred to the Finance Committee. The executive budget recommendations shall provide the basis upon which the annual appropriation ordinance is prepared and enacted.

- (2) After considering the executive budget recommendations submitted by the President and all other budget measures submitted by Commissioners, the Finance Committee shall prepare an annual appropriation ordinance in tentative form, which in such tentative form shall be made conveniently available to public inspection for at least ten days prior to final action thereon, by publication in the journal of the proceedings of the Board or in such other form as the Board may prescribe; and not less than one week after publication of such tentative appropriation bill and prior to final action thereon, the Finance Committee shall hold at least one public hearing thereon, notice of which shall be given by publication in a newspaper having general circulation in the County at least one week prior to the time of such hearing. It shall be the duty of the Finance Committee to prepare such tentative appropriation bill and make it so available to public inspection and also to arrange for and hold such public hearing or hearings.
- (b) *Debate.* The proponent of any budgetary measure shall be afforded the right of debate provided for in Section 2-108(m).

**Section 2-107. Impact notes.**

The Board shall adhere to all procedural requirements mandated under:

- (1) The Correctional Budget Impact Review Ordinance, Section 2-78, correctional budget impact review.
- (2) The Fiscal Impact Review Ordinance, Section 2-76;
- (3) The Debt Impact Review Ordinance, Section 2-77; and
- (4) Legislative Impact Review Ordinance, Section 2-80.

**Section 2-108. Parliamentary rules.**

(a) *Meetings.*

- (1) The Board shall hold regular meetings pursuant to an annual calendar adopted by resolution of the Board.
- (2) It shall be the duty of the President to call special meetings of the Board whenever the President believes such meetings are necessary. The President must give no less than two business days' advance written notice of such special meetings to the Commissioners and to the public.
- (3) In the event that the President states that an emergency exists, the President may call a special meeting, providing 24 hours' advance written notice to the Commissioners and to the public, unless not reasonable under the circumstances. In such case notice shall be given as soon as practicable.
- (4) Special meetings shall also be held whenever requested by at least one-third of the Commissioners (six Commissioners). At least two business days' advance

written notice of such special meetings shall be given to the remaining Commissioners and the public.

- (5) All notices of special meetings must include an agenda for such meeting, and such meeting shall be limited to the subjects and items specified in the call of the meeting. The notice of the call of the meeting shall be read at the beginning of the meeting.
- (6) Special meetings shall be held at the hour of 10:00 a.m., unless another hour is specified in the call.
- (7) All regular meetings shall be held at the County Seat, in the County Office Building, unless another place within the County shall be designated by the Board.

(b) ***Emergency polling.***

- (1) In an emergency situation, an item may be approved by a poll of all Commissioners. Such request shall be transmitted to the Secretary, who shall post a notice of the subject of the poll and conduct the poll by communicating to each Commissioner individually.
- (2) If any Commissioner shall object to the polling, such polling shall not be conducted or completed.
- (3) If a majority of Commissioners vote “aye,” and the polling is not objected to by any Commissioner, the item in question shall be considered to have Board approval. The poll vote on the item shall be set forth in the agenda item. Such item shall be placed on the agenda for ratification purposes at the next regular meeting of the Board.
- (4) Whenever such a poll occurs, the Secretary, upon completion of the poll, shall place a public notice in a prominent place in or near the Office of the Board of Commissioners stating the nature of the item polled and the results of the poll.

(c) ***Presiding officer.*** The President shall preside at all meetings of the Board and shall generally perform the duties customarily performed by a presiding officer. In the absence of the President, or during the temporary inability of the President to act, the President Pro Tempore shall preside at meetings of the Board.

(d) ***Quorum.*** A majority of those elected (nine Commissioners) shall constitute a quorum for a meeting of the Board or a meeting of a committee of the whole. A majority of Commissioners appointed to any committee, other than a committee of the whole, shall constitute a quorum for a meeting of such committee or subcommittee.

(e) ***Majority votes.*** Except as otherwise provided in these rules, and except for questions for which a higher majority is required by law, all questions shall be determined by a majority vote of those Commissioners entitled to vote. A vote of “present” shall not be counted in determining the number of Commissioners voting on a question.

(f) ***Absence of quorum.***

- (1) Should a quorum not be present at any regular meeting of the Board, the meeting shall stand adjourned from day to day, to the same hour of each day, until a quorum shall attend.
- (2) Should a quorum not be present at any special meeting of the Board or at any committee meeting, the Board or committee meeting shall not thereby stand adjourned, but the Commissioners present shall be competent to adjourn, receive public testimony but take no formal action, or recess the meeting to a specified date and time by a majority vote of those Commissioners present and entitled to vote.

(g) ***Order of business.***

- (1) At each regular meeting of the Board, the order of business (unless otherwise directed by the Board) is as follows:
  - a. Approval and correction of minutes of previous meetings.
  - b. Old business.
  - c. New business.
  - d. Consent calendar.
  - e. Committee reports:
    1. The first section of the committee report as set forth in Section 2-105(h) of this division.
    2. The second section of the committee report as set forth in Section 2-105(h) of this division.
- (2) The Board may grant members of the public leave to speak on items pending before the Board.
- (3) All questions relating to the priority of business shall be decided by the presiding officer, without debate, subject to appeal.

(h) ***Prior notice to public; agendas.***

- (1) No less than three full business days before any meeting of the Board or of a committee or subcommittee, notice and an agenda for such meeting shall be provided to the President, all Commissioners and all news media that have requested notice of meetings, shall be posted in the Office of the County Clerk and at the location where the meeting is to be held, and shall be made available to the public in the office of the Secretary. In addition, notices and agendas of all meetings shall be posted on the County's website.
- (2) The agenda shall briefly describe all items that will be considered at the meeting, except for items to be included in the consent calendar as set forth in Subsection



(gg) of this Section. Material pertinent to an item on a Board agenda shall be supplied, along with the agenda, to the President and to each of the Commissioners, and all material pertinent to any item on a committee agenda shall be supplied, along with the agenda, to each member of the committee. With the exception of materials that are confidential as provided by law, such material shall also be available to the public in the office of the Secretary.

- (3) Items may be placed on an agenda not later than noon of the day previous to the day on which an agenda is required to be distributed. This subsection shall not apply to items reported to the Board by any of its committees of the whole.
- (4) Items may be placed on the agenda of a Board meeting by the President or any Commissioner. Committee reports shall be placed on the agenda of a Board meeting by the Chair of the committee. Items may be placed on the agenda of a committee meeting by a Commissioner who is a member of the committee or the President, in his ex officio capacity, provided that such item has been referred to the committee by the Board pursuant to Section 2-105(g).
- (5) It shall be the duty of the Clerk to prepare, post and distribute all agendas for meetings of the Board, and it shall be the duty of the Secretary to prepare, post and distribute agendas for committee meetings.
- (6) No issuance of any debt instrument which pledges the full faith and credit of the County shall be the subject of final action by the Board of Commissioners unless it has been preceded by at least one public hearing on the prospective matter by the Finance Committee. Notification of such hearing shall be the responsibility of the Finance Committee, which notice shall be as set forth in Section 2-105(i).

(i) ***Floor privileges.***

- (1) During all meetings of the Board, access to the floor shall be limited to the following persons, except pursuant to leave granted by the Board:
  - a. The President, Clerk, Secretary, Parliamentarian and Sergeant-at-Arms;
  - b. Commissioners;
  - c. Other elected Cook County officers;
  - d. Former Commissioners;
  - e. Staff of the Board; and
  - f. Staff of the President.
- (2) At the direction of the President or at the request of any Commissioner, the floor shall be cleared of staff. At the request of any Commissioner, unauthorized persons shall be ordered removed from the floor.

(j) ***Decorum.***

- (1) The presiding officer shall preserve order and decorum, may speak to points of order in preference to other Commissioners, and shall decide all questions of order, subject to appeal.
  - (2) In case of any disturbances or disorderly conduct the presiding officer shall have the power to require the chamber to be cleared.
- (k) ***Sergeant-at-Arms.*** The President may, with the advice and consent of the Board, appoint a Sergeant-at-Arms of the Board, who shall preserve order and obey the directions of the Board and of the presiding officer. The Sergeant-at-Arms shall be removable at the will of the President or pursuant to written petition, filed with the Clerk, by a majority of those elected.
- (l) ***Recognition for debate.*** A Commissioner desiring to obtain the floor shall address the presiding officer. If two or more Commissioners shall properly request recognition, the presiding officer shall recognize the one who first spoke. A Commissioner shall not proceed with remarks until recognized and named by the presiding officer. In debate a Commissioner shall confine himself to the question before the Board, avoid personalities, and in general observe all parliamentary rules pertaining to orderly procedure and decorum in debate. The President and all Commissioners shall be given a full opportunity to participate in the debate on all debatable questions, except when the Board has called the previous question.
- (m) ***Debate.*** No Commissioner shall speak more than twice or longer than a total of ten minutes on the same question, without leave of the Board. Responses by witnesses and County staff to questions of a Commissioner shall not be counted against the speaking time allotted to such Commissioner. The proponent of the item under consideration, or the Chairman of a committee whose report is under consideration, as the case may be, shall have the right to open and close debate.
- (n) ***Voting and roll call.***
- (1) When a question is put to the Board, every Commissioner present shall vote thereon, unless excused by the Board or unless the Commissioner is personally interested therein and declares a personal conflict of interest.
  - (2) If any Commissioner requests it, a roll call upon any question shall be taken and entered in the Journal of Proceedings, but a roll call shall not be taken unless called for prior to, during or immediately after any vote on the question.
  - (3) A roll call once ordered shall not be interrupted. When a roll call has commenced, all debate on the question before the Board shall be deemed concluded. During the taking of the roll call, Commissioners shall respond to the calling of their names by answering “yea,” “nay,” or “present” and shall be allowed one minute to explain their votes at that time.
- (o) ***Submission of ordinances, resolutions and motions.***
- (1) All ordinances, resolutions, or motions, except motions of procedure, shall be submitted in writing by the President or a Commissioner and then may be read by the Clerk at the direction of the presiding officer or by leave of the Board. Each

ordinance, resolution or motion shall be numbered by the Clerk in the following fashion:

- a. For an ordinance: the last two numbers of the year, O, and the next chronological number.
  - b. For a resolution: the last two numbers of the year, R, and the next chronological number.
  - c. For all other items, the last two numbers of the year, the name of the committee to which the item is assigned or an appropriate abbreviation, and the next chronological number.
- (2) After an ordinance, resolution or motion has been stated by the presiding officer or read by the Clerk, it shall be deemed the property of the Board and may be withdrawn at any time before final action by leave of the Board.
  - (3) Any substantive amendment to ordinances or resolutions shall be submitted in writing by the President or a Commissioner to the Secretary prior to the noticed time of the meeting at which the ordinance or resolution is to be considered. The Secretary shall promptly distribute such amendment(s) to the President and the Commissioners.
- (p) ***Division of questions.*** If any question presented contains several separable propositions, a demand by any Commissioner or the President to “divide the question” shall be in order.
  - (q) ***Appeal from a ruling of the chair.*** Any Commissioner may appeal to the Board, committee or subcommittee from a ruling of the Chair. The Commissioner making the appeal may briefly state the reason for the appeal, and the Chair may briefly explain the ruling; but there shall be no debate on the appeal and no other member shall participate in the discussion. The Chair shall then put the question, “Shall the decision of the Chair be sustained?” If a majority of the Commissioners present, and entitled to vote, vote “nay,” the decision of the Chair shall be overruled; otherwise, it shall be sustained. If sustained, the ruling of the Chair shall be final.
  - (r) ***Personal privilege.*** The right of the President or a Commissioner to address the Board, a committee or subcommittee on a question of personal privilege shall be limited to cases in which the President’s or Commissioner’s integrity, character, or motives are assailed, questioned or impugned.
  - (s) ***Special order of business.*** Any item before the Board, committee or subcommittee and referenced in an agenda provided to the President, the Commissioners and the public in accordance with these rules may be set down as a special order of business at a time certain unless a majority of the Commissioners present object.
  - (t) ***Entry of ordinances, resolutions or motions in journal.*** In all cases where a ordinance, resolution or motion is entered in the Journal, the name of the Commissioner(s) moving and seconding the same shall be entered also.

- (u) ***Order of precedence during debate.*** When a question is under debate, the following motions shall be in order and shall have precedence over each other in order, as listed:
  - (1) To adjourn to a day certain (amendable, debatable).
  - (2) To adjourn.
  - (3) To take a recess (debatable).
  - (4) To lay on the table.
  - (5) To call the previous question.
  - (6) To refer (debatable).
  - (7) To amend (amendable, debatable).
  - (8) To defer to a time certain (debatable).
  - (9) To defer indefinitely (amendable, debatable).
  
- (v) ***Motion to adjourn.*** A motion to adjourn is always in order except:
  - (1) When a Commissioner has the floor.
  - (2) When the roll is being called or the Commissioners are voting.
  - (3) When the previous motion was a motion to adjourn.
  - (4) When the “previous question” has been ordered.
  
- (w) ***Putting and ordering the previous question.*** The “previous question” shall be put as follows: “Shall the main question be now put?” If carried by a two-thirds vote of the Commissioners (twelve Commissioners) present and entitled to vote, the “previous question” shall be ordered. An order for the “previous question” shall end all debate, and bring the Board to a direct vote upon the options before the Board in the order of their precedence.
  
- (x) ***Motion to reconsider.***
  - (1) A vote or question may be reconsidered at any time during the same meeting, or at the first regular meeting held thereafter, but not after the matter has become law.
  - (2) A motion for reconsideration, having been once made and decided in the negative, shall not be renewed, nor shall a motion to reconsider be reconsidered.
  - (3) A motion to reconsider must be made by a Commissioner who voted on the prevailing side of the question to be reconsidered.
  - (4) This subsection does not apply to motions to override vetoes.

- (y) ***New business.*** All new business must originate with the Board. Items may be introduced only by the President or by Commissioners. Each communication, motion, resolution, or ordinance, after being read by the Clerk, may be acted upon immediately by the Board, or referred to committee, as ordered by the Board. Where the President or a Commissioner(s) introduces an ordinance or resolution, he or she shall be listed as sponsor(s) of such ordinance or resolution.
- (z) ***Amendment or suspension of rules.***
- (1) Any provision of this division may be temporarily suspended by a vote of two-thirds of all Commissioners (twelve Commissioners) entitled by law to be elected, upon motion of any Commissioner specifying the rule to be suspended.
  - (2) The provisions of this division shall not be altered or amended in whole or in part except by ordinance adopted by vote of two-thirds of all Commissioners (twelve Commissioners) entitled by law to be elected, except that amendments to these rules limited to procedural restrictions on matters that increase real estate taxes may be adopted by resolution or ordinance approved by a majority of those elected (nine Commissioners). This subsection does not apply to the adoption of new rules in accordance with Section 2-105(b).
- (aa) ***Rules for committee meetings.*** The rules of procedure for all committee, subcommittee and special committee meetings shall be the same as for Board meetings, except that committees composed of less than the entire Board shall require only a majority of the committee for a quorum.
- (bb) ***Robert's Rules of Order.*** The rules of parliamentary practice set forth in "Robert's Rules of Order" (Newly Revised, 10th Edition) by Henry M. Robert III et al. shall govern the Board in all cases in which they are applicable and not inconsistent with the provisions of this division.
- (cc) ***Prayer and invocation at meeting.*** Meetings of the Board may commence with a prayer and invocation.
- (dd) ***Public testimony.*** Subject to the provisions herein, public testimony will be permitted at committee meetings, other than committees of the whole convened subsequent to a recess of a regular meeting of the Board of Commissioners that was scheduled concurrent with the committee(s) of the whole. Public testimony must be germane to a specific item(s) on the meeting agenda of the committee, and must not exceed three minutes. Authorization as a public speaker shall only be granted to those individuals who have submitted in writing, their name, address, subject matter, and organization (if any) to the Secretary. Duly authorized public speakers shall be called upon to deliver testimony prior to the taking of a vote to attach a committee recommendation to the subject matter of the testimony.

Nothing in this division shall preclude the chair or member of a committee of the whole from seeking leave of the body to suspend Section 2-108(dd) for purposes of allowing a person who is not a member of the committee to respond to an inquiry by the chair or member of the committee, while said committee is in a meeting convened subsequent to a

recess of a regular meeting of the Board of Commissioners that was scheduled concurrently.

- (ee) ***Recordings of meetings.*** The Secretary is responsible for tape recording all public meetings of the Board. The tape recordings of Board meetings shall be retained by the Secretary who shall make them available to the President and Commissioners upon request. Members of the public shall be allowed to listen to recordings of open meetings during regular office hours except when the recordings are in immediate use by persons exercising official County duties. The Secretary may require a notice in writing to be submitted 24 hours prior to the time when the recordings are desired. Any member of the public wishing to purchase a copy of a recording of an open meeting may do so upon payment to the County of the cost of its reproduction.
- (ff) ***Veto on agenda.*** If the President vetoes any ordinance or resolution or other item, the Clerk shall place the veto message and the corresponding ordinance or resolution or other item on the agenda of the next regular meeting.
- (gg) ***Consent calendar.*** The Consent Calendar is a compilation of proposed resolutions concerning deaths, anniversaries, and congratulations for notable achievements. Only proposed resolutions conforming to this description may be submitted to the Secretary for inclusion on the Consent Calendar, and it shall be the duty of the Secretary to prepare the Consent Calendar for any regular meeting of the Board. Proposed resolutions on the Consent Calendar are non-debatable, and shall not be read in to the record or otherwise considered individually, but shall be part of a motion to approve the Consent Calendar in its entirety. Any item on the Consent Calendar may be removed by a motion, seconded and approved, and shall then be subject to the provisions of this division as provided herein.

Approved and adopted this 6th day of December 2006.

**07-O-03  
ORDINANCE**

**Sponsored by**

**THE HONORABLE PETER N. SILVESTRI, COUNTY COMMISSIONER**

**AMENDMENT TO THE BILLBOARD AND OFF – PREMISES OUTDOOR  
ADVERTISING SIGN ORDINANCE**

**BE IT ORDAINED**, by the Cook County Board of Commissioners that Chapter 114, Article II, Section 114-33, of the Cook County Code is hereby amended as follows:

**Sec. 114-33. General requirements applicable to all signs amended as follows:**

(l) Signs shall not contain any fluttering, undulating, swinging, rotating, flashing or other moving parts, except (1) signs that give time and temperature information and (2) multiple message signs with displays that change not more frequently than once every ten (10) seconds.

Approved and adopted this 19th day of December 2006.

**07-O-04  
ORDINANCE**

**Sponsored by**

**THE HONORABLE PETER N. SILVESTRI, COUNTY COMMISSIONER**

**AMENDMENT TO THE COOK COUNTY ZONING ORDINANCE**

**BE IT ORDAINED**, by the Cook County Board of Commissioners that Appendix A, Article 14.2, of the Cook County Code is hereby amended as follows:

**14.2 Definitions**

*Sign, multiple message.* A “multiple message sign” means a billboard or off-premises outdoor advertising sign that displays a series of message changes, regardless of the technology used. A multiple message sign provides for a fixed message of at least ten seconds in length with a transition time between message changes of three seconds or less. Multiple message signs contain a default design that will freeze the message in one position if a malfunction occurs.

Approved and adopted this 19th day of December 2006.



**07-O-05  
ORDINANCE**

**Sponsored by**

**THE HONORABLE TODD H. STROGER, PRESIDENT  
AND GREGG GOSLIN, COUNTY COMMISSIONER**

**LEGISLATIVE REFERENCE SERVICES ACT**

**WHEREAS**, the Board of Commissioners of Cook County, Illinois (“Board”), is the legislative body of the County of Cook (“County”), a home rule unit of local government as provided for in the Illinois Constitution of 1970; and

**WHEREAS**, the County as a home rule unit of local government adopts Ordinances and Resolutions which apply within and pertain to the affairs of the County; and

**WHEREAS**, the Board improved the ability to retrieve general and permanent County Ordinances through the adoption of the County Code of Ordinances which is available to the public on the internet; and

**WHEREAS**, in order to ensure maintenance of the County Code of Ordinances as well as provide assistance to the Board and President in the research, drafting and preparation of Ordinances and Resolutions, the County should employ the services of a Legislative Reference Director; and

**WHEREAS**, the Legislative Reference Director shall provide legislative reference services to the Board as well as the President; said Director and services shall be a division of the Cook County Law Library.

**NOW, THEREFORE, BE IT ORDAINED**, by the Cook County Board of Commissioners that Chapter 50, Article I, Section 50-1 through 50-7 of the Cook County Code is hereby enacted as follows:

- 50-1 Title.**
- 50-2 Recitals.**
- 50-3 Public Purpose.**
- 50-4 Director, Staff and Duties.**
- 50-5 Confidentiality.**
- 50-6 Rules and Regulations.**
- 50-7 Effective Date.**

**Sec. 50-1. Title.** This Ordinance shall be known as the Legislative Reference Services Act and may be cited as such.

**Sec. 50-2. Recitals.** The President and the Board of Commissioners of the County of Cook find that all of the recitals contained in the preambles to this Ordinance are full, true and correct and do incorporate them into this Ordinance by this reference.

**Sec. 50-3. Public Purpose.** It is hereby found, determined and declared that the purpose of this Ordinance is to assist the Board and President in the research and drafting of amendments, ordinances and resolutions for consideration before the Board; ensure that ordinances and resolutions prepared are accurate in form, structure and uniformity; maintain a legislative library and make certain that the County’s Code is updated accurately.

**Sec. 50-4. Director, Staff and Duties.**

- (a) The President shall appoint the Legislative Reference Director who shall be responsible for assisting the Board and President in the research and drafting of amendments, ordinances and resolutions for consideration before the Board; ensure that ordinances and resolutions prepared are accurate in form, structure and uniformity; maintain a legislative library and make certain that the County's Code is updated accurately.
- (b) The Legislative Reference Director shall serve under the Executive Law Librarian and have access to Cook County Law Library Research Assistants and Staff as needed and directed.
- (c) The Executive Law Librarian shall provide assistance, materials and research materials as needed for use by the Legislative Reference Director.
- (d) The Legislative Reference Director shall notify the Clerk of the Board that the ordinances and resolutions prepared are accurate in form, structure and uniformity.

**Sec. 50-5. Confidentiality.** Documents, research and ordinance material submitted to the Legislative Reference Director shall be confidential and publication shall not be issued without the consent of the requestor.

**Sec. 50-6. Rules and Regulations.** The Legislative Reference Director shall promulgate rules and regulations to carry out the provisions of this Act.

**Sec. 50-7. Effective Date.** This Ordinance shall take effect immediately upon passage.

Approved and adopted this 19th day of December 2006.

**07-O-07  
ORDINANCE**

**Sponsored by**

**THE HONORABLE MIKE QUIGLEY, COUNTY COMMISSIONER**

**AN AMENDMENT TO CHAPTER 32 FEES (VITAL RECORDS)**

**WHEREAS**, the County Clerk of Cook County maintains marriage, birth and death records for Cook County; and

**WHEREAS**, the County Clerk of Cook County is charged by statute with the legal duty to provide the public with copies of vital records; and

**WHEREAS**, the costs of providing the initial copy of vital records has increased in recent years, while the fees charged and collected by the County Clerk have remained unchanged; and

**WHEREAS**, Section 25 of the Vital Records Act, 410 ILCS 525/25, allows the County Clerk to collect a fee for initial copies of records equal to the fees collected by the Illinois Department of Public Health, i.e., \$15.00; and

**WHEREAS**, other large urban counties, such as Los Angeles, Miami-Dade, Wayne, and King Counties and the New York City boroughs, charge from \$14.00 to \$22.00 for vital records.

**NOW, THEREFORE, BE IT ORDAINED**, by the Cook County Board of Commissioners that Chapter 32 of the Cook County Code is hereby amended as follows:

**Sec. 32-1. Fee Schedule.**

The fees or charges provided for or required by the below listed sections shall be as shown below:

<b>Code Section</b>	<b>Description</b>	<b>Fees, Rates, Charges (in dollars)</b>
<b>Chapter 2, ADMINISTRATION</b>		
2-174(a)	Birth records, first copy	\$13.00
	Each additional copy	\$ 2.00
2-174(b)	Marriage records, first copy	\$13.00
	Each additional copy	\$ 2.00
2-174(c)	Death records, first copy	\$13.00
	Each additional copy	\$ 2.00

Effective Date: This Ordinance will take effect upon passage.

Approved and adopted this 23rd day of January 2007.

**07-O-10  
ORDINANCE**

**Sponsored by**

**THE HONORABLE MIKE QUIGLEY AND LARRY SUFFREDIN  
COUNTY COMMISSIONERS**

**INTERNET ADVERTISING ORDINANCE**

**WHEREAS**, the Cook County Assessor's Office (CCAO) maintains an Internet Website which provides property tax assessment information to the public; and

**WHEREAS**, this Website is made available to all Internet users, free of charge; and

**WHEREAS**, the maintenance and operation of the Website necessitates the expenditure of County funds; and

**WHEREAS**, these costs could be offset by providing Commercial and Non-Commercial Internet Advertising Space on the CCAO's Website; and

**WHEREAS**, the Cook County Board of Commissioners recognizes the desire to reduce the reliance on County funds to maintain this valuable public resource; and

**WHEREAS**, reasonable limits should be placed on the content and sponsors of advertising placed on the Cook County Assessor's Website.

**BE IT ORDAINED**, by the Cook County Board of Commissioners, that Chapter 2, Article IV, Division 7, Section 2-320 of the Cook County Code is hereby enacted as follows:

**Sec. 2-320. Internet Advertising Ordinance.**

(a) Definitions. The following terms used in this Ordinance shall have the meanings as set forth below:

*Advertising* means internet advertising, which may include, but is not limited to, banners and icons that may include links to commercial and/or non-commercial Internet sites. Internet advertising shall not include "spy-ware", "mal-ware" and/or any "viruses" and/or programs considered to be malicious.

*Website* means the Cook County Assessor's Office site, website, Internet page, and/or web page, with the Internet address [www.cookcountyassessor.com](http://www.cookcountyassessor.com); this website is meant to provide the public with information pertaining to the assessment process and property assessments.

(b) The Cook County Assessor is herein authorized to place commercial and non-commercial advertising on the Cook County Assessor's website, at the Assessor's discretion.

The Assessor's Office may make requests for proposals for the purpose of identifying potential advertisers.

(c) The Assessor's Office will identify qualified advertisers and qualified advertising material by reviewing the submissions pursuant to the policy considerations as stated in Exhibit A (the Internet Advertising Guidelines). The guidelines are for the purpose of establishing standards for the acceptance of advertisements for the website.

(d) The Assessor's Office is authorized to enter into agreements with qualified advertisers for the purpose of providing advertising space on the website and charge a fee for that service. The fee charged shall be based on the contract for services between the Assessor's office and the advertiser.

(e) The website shall be used exclusively to provide information from the Cook County Assessor to the public and shall not be used as a public forum.

Approved and adopted this 20th day of February 2007.

**EXHIBIT A**  
**INTERNET ADVERTISEMENT POLICY**

**Purpose:**

The Cook County Assessor's Office's website is available to anyone using the Internet. Government websites, such as the Assessor's website are unique, as they are also subject to government laws and regulations. Visitors to the website expect accurate information, with this in mind; the Assessor has the responsibility to insure that sponsorship, i.e., advertisers, are sensitive to a diverse customer audience.

The Cook County Assessor's Office's website is a non-public forum. The Cook County Assessor's Office neither endorses nor supports individual private commercial enterprises.

This governmental website will be reasonably restricted based on the policies listed below. The restrictions are not an effort to suppress expression but to insure that the quality and caliber of the content submitted by advertisers is appropriate and compatible with the website's purpose. Advertisements are restricted to size and design determined by the Assessor's Office.

**Definitions:**

**Advertising:** Internet advertising may include, but is not limited to, banners and icons that may include links to commercial and/or non-commercial internet sites. Internet advertising shall not include "spy-ware", "mal-ware" and/or any "viruses" and/or programs considered to be malicious.

**Website:** means the Cook County Assessor's Office site, website, internet page, and/or web page, with the Internet address [www.cookcountyassessor.com](http://www.cookcountyassessor.com); this website is meant to provide the public with information pertaining to assessment process and property assessments.

**Non-public forum:** means the Website that is used exclusively to provide information from the Cook County Assessor to the public.

The Cook County Assessor's Office will consider advertisers and advertising content based on the following general policies:

1. It is the intent of the Cook County Assessor's Office to offer the opportunity to advertise only to advertisers who meet the Assessor's Internet Advertisement Policy guidelines, regardless of age, sex, ethnic origin, gender or other factors. The Assessor's Office will review potential advertisers and advertising content in order to insure that no appearance of endorsement by the Assessor's Office is created.
2. Advertising for attorneys or taxpayer representatives who file appeals with the Assessor's Office will not be accepted.
3. No advertisements or links to sites containing inappropriate material will be accepted. The Assessor's Office reserves the right to deny any and all requests for inclusion of inappropriate advertisements on the website. In addition, the Assessor's Office reserves the right of removal of any inappropriate link and/or advertisement from the website.

Inappropriate material includes but is not limited to the following:

Inappropriate advertising examples include:

- Unauthorized or unapproved use of the Assessor’s advertisement assets (such as, talent, logos, characters, etc.),
- Gun advertisements (firearms, bullets, etc.),
- Pornography advertisements, including but not limited to any site selling, showing, linking, offering for free or otherwise, sex related matters in any medium and/or media, products or services that include massage parlors, escort services and/or matters with sexual overtones,
- Potentially slanderous or libelous content,
- Bad language, body parts, proxies for bad language,
- Indecent language or behavior,
- Gambling,
- Hostility or violence,
- Illegal discrimination of any group,
- Attacks considered ethnic, racial, sexual, or religious,
- Harmful to children, emotionally or physically.
- Alcoholic beverages,
- Tobacco products,
- Inherently dangerous products,
- Advertisements and/or links for products and/or services that violate the law,
- Advertising that is false, misleading, deceptive and/or offensive to the moral standards of the community, or contrary to good taste,
- Advertising which might be contrary to the best interests of the County, its departments, appointed and elected officials, respectively, states or suggests that proponents or opponents of the persons or measures advertised are vulgar, greedy, immoral, monopolistic, illegal or unfair,
- Political advertising,
- Involve or refer to political, religious, moral or environmental issues subject to public debate,
- Any information that would subject the website to be a public forum,
- Links to sites that contain malicious software that may be uploaded and/or downloaded to the internet user’s computer, including but not limited to spyware, adware, malicious pop-ups, and/or viruses. Non-malicious “Cookies”, a very small text document that often includes anonymous unique identifiers, are excepted.

**WHEREAS**, the Cook County Assessor’s Office maintains a database (the “Database”) of certain property identification numbers, address information, property characteristics, and images for all parcels in Cook County for the purposes of real estate taxation; and

5. Advertisement requirements

- a. The Assessor reserves the right to reject or to suspend any advertisement that is deemed by the Assessor, in his/her sole discretion, to disrupt site service or performance or is reported to negatively affect user experience.
- b. The advertising content must be clearly identifiable as an advertisement.
- c. The advertiser must fulfill the advertised offer as stated in the advertisement, including without limitation, not altering any offer periods, product offers or prices that are stated in the advertisement unless advertiser has obtained the assessor's prior approval.
- d. Advertisements cannot mislead the user. For example, they may not mimic or resemble Windows/Mac/Unix dialog boxes, error messages, or the like.
- e. Advertisements cannot resemble cookcountyassessor.com content.

- f. Advertisements cannot solicit or collect, or appear to solicit or collect, any personally identifiable information from cookcountyassessor.com visitors without their knowledge.
  - g. Advertisements cannot contain graphics that simulate interactivity (i.e. Dropdown menus, search boxes etc.).
  - h. Advertisements cannot mimic news headlines in design, tone, third person sentence structure, or topic.
  - i. Audio events:
    - 1. Must be initiated by user click
    - 2. Must include a clearly labeled button or link to stop audio
    - 3. Audio clips cannot loop
    - 4. Additional specifications that amend or supersede these general guidelines may apply for individual ad products.
6. Click-through URLs and third-party code
- a. After clicking on any ad unit, users must be able to return to cookcountyassessor.com by clicking on the browser's back button.
  - b. Any destination URLs that result in a trap door effect (i.e. The user cannot return to cookcountyassessor.com by clicking the browser's "back" button), are not permitted.
  - c. User clicks cannot launch stand-alone video/audio players or otherwise display content outside the standard browser window.
  - d. User clicks on advertisement may not result in the launch of multiple browser windows.
  - e. Advertisement cannot launch windows when served.
  - f. Advertisement can launch a new browser window upon user click
  - g. All advertisements, including any javascript and/or tracking code, placed on any online properties of the assessor must be served from a secure location/server. Otherwise, the assessor reserves the right not to place the campaign due to security reasons.
  - h. The advertiser's site must include a privacy policy that is clearly posted.
7. IAB (Internet Advertising Bureau, IAB.net) standards
- a. Advertising must comply with the standards established by the Internet Advertising Bureau, among other requirements stated in this guideline.
  - b. Additional specifications that amend or supersede these general guidelines may apply for individual ad products.
8. Acceptable advertising materials include but are not limited to:
- b. Public Benefit Facilities and Venues. The County has established and maintains certain facilities and venues that promote the arts, science, cultural studies and other public purposes. Advertising and promotion of events, programs and exhibits at such facilities.
  - c. Commercial Enterprise in which the County has a Financial Interest. The County possesses leasehold and other financial interests in certain commercial enterprises, and derives a financial benefit from their activities.



- d. County Program Sponsors and Donors - County program sponsors and cash or services donors may be acknowledged through a display of their names, logos or other information.
- e. Government Agencies; Academic Institutions; Public-Private Partnerships; Professional, Cultural, Community-Based and Non-Profit Organizations
- f. Advertisements from commercial and/or non-commercial entities not contrary to the intent of these guidelines.

9. Notice of Leaving County Website and a Disclaimer

When providing links to Non-County sites, the Assessor must include a disclaimer on their home page disavowing endorsement or responsibility for the material on sites being linked. The Assessor shall use a standardized alert or redirect script page that warns users they are leaving the County site and allows them to proceed or cancel. This alert would read: "You are now leaving the Assessor's website and linking to a website. The Assessor does not endorse or support any of the advertising, products and/or services that may be on the website. The Assessor shall not be responsible for any injury, damage, punitive or otherwise from linking to this site. Do you wish to continue? "Yes" or "No."

10. Contractors that Create Websites

All advertisers who contract to place advertisements on the Website shall be provided a copy of this policy. Adherence to these policies will be a condition of the contract.

11. Authority of the Assessor

The Assessor is authorized to order removal of material from the website that is noncompliant with these adopted guidelines, including but not limited to cancellation of the internet advertising contracts.

12. Link Maintenance

The Assessor shall routinely check links on their websites to ensure they are functional and contain no material that violates this policy, including but not limited to inappropriate material and/or links to inappropriate materials.

13. Rights Reserved

The empowering Ordinance and Guideline shall not be considered a vested right, public or private, to have internet advertisement displayed on governmental websites. The Assessor's Office shall have discretion in the selection of any and all entities that respond to Requests for Proposal for internet advertisement and also retains the right to reject any and all proposals for internet advertisement.

**07-O-11  
ORDINANCE**

**Sponsored by**

**THE HONORABLE MIKE QUIGLEY AND LARRY SUFFREDIN  
COUNTY COMMISSIONERS**

**WHEREAS**, the Cook County Assessor's Office provides the taxpayers of Cook County with essential services and information; and

**WHEREAS**, these important resources are provided to the taxpayers of Cook County at the County's expense; and

**WHEREAS**, in order to defray the cost of providing these resources the Cook County Board of Commissioners authorizes the charging of fees in order to offset the cost of providing these resources.

**BE IT ORDAINED**, by the Cook County Board of Commissioners, that Chapter 74, Section 74-35 of the Cook County Code is hereby amended as follows:

**Sec. 74-35. Assessor's fee for copy of Commercial/Industrial Manual.**

The County Assessor shall charge a fee as set out in Section 32-1 for furnishing a copy of the Cook County Commercial/Industrial Manual containing guidelines and data related to assessing industrial and commercial property.

(a) Certified document copy fee. The Assessor is hereby authorized to charge, as set out in Section 32-1, a fee to provide certified reproductions of documents or records. Requests for certified copies shall be limited to documents in their entirety.

(b) Incentive fees. The Assessor is hereby authorized to charge fees, as set out in Section 32-1, for filing of the original application and supporting documentation, any change or amendment to the original application or supporting documentation, any additional filing required to complete the incentive requirements, a request to reclassify, or a request to renew an incentive classification as provided for in the Cook County Real Property Assessment Classification Ordinance.

(c) Division requests. The Assessor is hereby authorized to charge a fee for the filing of each petition for division and/or consolidation, plat of subdivision, plat of vacation, plat of vacation and dedication or condominium declaration that is submitted for the purpose of dividing, consolidating or otherwise reconfiguring parcels or portions of real property.

(d) Amended division requests. The Assessor is also hereby authorized to charge a fee for the filing of each amendment to a petition for division and/or consolidation, plat of subdivision, plat of vacation, plat of vacation and dedication or condominium declaration submitted for the purpose of a division or consolidation of parcels or portions of real property.

(e) Division requests filed between September 1 and October 31. The Assessor is hereby authorized to charge a fee for the filing of any petition for division or consolidation that is filed between September 1 and October 31 along with a request that the work be processed in that following year.

(f) Collection and enforcement. The Assessor is hereby authorized to charge the above fees in this section as set out in Section 32-1. The fees shall be charged and collected by the Assessor in the manner in which all other fees or costs are collected. These fees shall be in addition to all other fees and charges of such Assessor.

**BE IT FURTHER ORDAINED**, by the Cook County Board of Commissioners, that Chapter 32, Section 32-1 of the Cook County Code is hereby amended as follows:

**Sec. 32-1. Fee Schedule.**

The fees or charges provided for or required by the below listed sections shall be as shown below:

<b>Code Section</b>	<b>Description</b>	<b>Fees, Rates, Charges (in dollars)</b>
<b>CHAPTER 74, TAXATION</b>		
74-35	County Assessor's Fee for Copy of Commercial/Industrial Manual	125.00
74-35(a)	Certified Document	20.00
74-35(b)	Incentive Application Filing	500.00
74-35(b)	Amend Original Incentive Application	100.00
74-35(b)	Class 9 Part II Incentive Filing	100.00
74-35(b)	Incentive Class Change	100.00
74-35(c)	Division/Consolidation Petition – 3 tracts	50.00
	Each additional tract	10.00
74-35(d)	Filing of Amendment to Petition to Divide/Consolidate Fee	25.00
74-35(e)	Division/Consolidation Petitions filed between September 1 and October 31 - 3 tracts	100.00
	Each additional tract	20.00

Approved and adopted this 20th day of February 2007.

**07-O-12  
ORDINANCE**

**Sponsored by**

**THE HONORABLE MIKE QUIGLEY, COUNTY COMMISSIONER**

**AN AMENDMENT TO PART E OF  
THE COOK COUNTY BUILDING ORDINANCE**

**WHEREAS**, Cook County is a home rule unit of local government pursuant to Article 7, Section 6a of the Illinois Constitution of 1970 with power to regulate those matters which pertain to its government and affairs; and

**WHEREAS**, Cook County building and zoning fees have not been raised in a decade, yet the Consumer Price Index has risen more than 25 percent over that same period.

**BE IT ORDAINED**, by the Cook County Board of Commissioners, that Part E of the Cook County Building Ordinance is hereby amended as follows:

**PART E.  
NEW FEES  
DEPARTMENT OF BUILDING AND ZONING  
CONTRACTOR'S BUSINESS REGISTRATION FEE**

Fee for initial registration of all contractors\* shall be Seventy-Five (\$75) Dollars, which sum shall be paid by Applicant in advance and upon filing application; provided, however, that any Registrant may renew his registration upon the payment of the Annual Renewal Fee of Thirty-seven Dollars and Fifty Cents (\$37.50).

All registrations will run concurrent to the County fiscal year, December 1st to November 30th.

\* Contractor registration will be applicable to all those in the building trades who contract to supply certain materials or do certain work for a stipulated sum. Property owners (i.e. homeowners) can serve as their own general contractor without registering and/or paying registration fees.

**ANNUAL INSPECTIONS**

Annual Inspections shall be at the rate of \$45.00 per hour, per inspector and include but not limited to the following inspections: plumbing, electrical, building, fire, elevator, and liquor and/or food dispensing establishments.

Extenuating inspections shall be billed at double the normal rate and with the approval of the Building Commissioner.

**LOCAL PUBLIC ENTITIES AND NON-PROFIT ORGANIZATION FEES**

A. All building and zoning permit fees shall be waived for public entities defined as county, township, municipality, municipal corporation, school district, forest preserve district, park district, fire protection district, sanitary district, library systems and all other local governmental bodies; provided, however, that annual inspection fees (where applicable) remain at the hourly rate of Forty-five (\$45) Dollars.

B. Valid not-for-profit organizations will be required to pay ten (10) percent of the standard fees as established by ordinance.

**ZONING FEE SCHEDULE**

**1-Z. REVISED FEES FOR PETITIONERS FOR PUBLIC HEARINGS ON MAP AND TEXT AMENDMENTS, SPECIAL USES AND VARIATION TO THE COOK COUNTY ZONING ORDINANCE AS COMPREHENSIVELY AMENDED.**

A	Petition for a Text Amendment	\$ 375.00
B.	Petition for a Map Amendment	
	1. Less than one acre	300.00
	2. One acre to five acres	675.00
	3. Five acres to ten acres	1,350.00
	4. Ten acres to twenty acres	1,800.00
C.	Petitions for the Following Special Uses	
	1. Excavations for Artificial Lake on which Subdivision is proposed	1,500.00
	2. If sand, gravel, rock or fill to be sold from above item, additional	3,000.00
	3. Extraction of rock, sand, gravel, peat or any type of Borrow Pit	3,000.00
	4. Extraction of Top Soil	750.00
	5. Sanitary Land Fill	4,500.00
	6. Dry Land Fill	
	Under five acres	375.00
	Over five acres	3,000.00
	7. All hospitals, sanitariums, convalescent homes, nursing and rest homes for profit	1,500.00
	8. Planned Developments	
	Five acres and under	300.00
	Over five acres to ten acres	675.00
	Over ten acres to fifteen acres	1,050.00
	Over fifteen acres	1,800.00
	9. All other listed Special Uses as provided for in the Zoning Ordinance	375.00
D.	Petitions for Variations	
	1. All variations in all residential districts, regardless of number of different variations sought	\$112.50 or \$22.50 per lot whichever is greater
	2. All variations in all commercial and industrial districts, regardless of number of variations sought	\$225.00 plus cost of court reporter transcript
E.	Any combination of petitions, such as an Amendment, Special Use, and Variation, if requested by the applicant, will be treated as individual petitions as far as fees are concerned, but will be consolidated and heard at the designated time for the Public Hearing, before the Zoning Board of Appeals of Cook County.	
F.	Fees for any other uses not included in this list or new uses not yet conceived, shall be determined by the Commissioner of Building and Zoning until such time as a resolution can be presented to the Board of Commissioners of Cook County.	

**2-Z. FOR USES OF LAND NOT INVOLVING BUILDINGS**

NOTE: All Acreage Computed on Gross Acres as Computed by Surveyor on Plat of Survey.

- A. Sanitary Land Fill (Garbage Disposal or Organic Materials)  
\$450.00 + \$150.00 per acre or fraction thereof.
- B. Commercial Land Fill (Filling Holes with Non-combustible Materials, Stone, Concrete, Clay, Etc.)  
\$450.00 + \$150.00 per acre or fraction thereof.
- C. Quarries (Extraction of Rock, Stone, Etc.)  
\$450.00 + \$150.00 per acre or fraction thereof.
- D. Borrow Pits (Extraction of Gravel or Soil)  
\$450.00 + \$150.00 per acre or fraction thereof.
- E. Commercial Peat Bogs (Extraction of Peat)  
\$375.00 + \$105.00 per acre or fraction thereof.
- F. Commercial Stripping of Top Soil  
\$450.00 + \$150.00 per acre or fraction thereof.
- G. Golf Courses, including Par 3 (Establishment of Fairways and Greens)  
\$375.00 + \$105.00 per Fairway and Green
- H. Miniature Golf Courses.  
\$450.00.
- I. Golf Driving Ranges  
\$450.00.
- J. Barge Slips (Any Size)  
\$525.00
- K. Creation of Artificial Lakes and Ponds or Detention Ponds.  
\$225.00 + \$112.50.
- L. Any other uses not included in this list or new uses not yet conceived to be at the discretion of the Commissioner of Building and Zoning until such time resolution can be presented to the Board of Commissioners of Cook County to establish fee schedule.
- M. These fees do not include the cost of any buildings or any plumbing or electrical work that may be needed in conjunction with the project. Additional fees will be assessed separately based on the existing construction fee schedule.

**3-Z. FOR USES OF LAND INVOLVING BUILDINGS AND/OR NEW CONSTRUCTION**

- A. Single Family Residence District (R-1 through R-5)
  - 1. Plan examination fee for principal uses 75.00
  - 2. Plan examination fee for accessory uses 60.00
- B. General Residence Districts (R-6 and R-8)
  - 1. Plan examination fee for principal uses for a two to six dwelling structure 75.00  
plus \$15.00 for each additional dwelling unit
  - 2. Plan examination fee for a single accessory use for a two to six dwelling units structure 60.00  
plus \$15.00 for each additional accessory use when included with the submission of a principal use or accessory use.
- C. Business District (C-1 through C-8)
  - 1. Plan examination fee for principal uses. 112.50
  - 2. Plan examination fee for accessory uses. 90.00

D. Manufacturing District (I-1 through I-4)	
1. Plan examination fee for principal uses.	112.50
2. Plan examination fee for accessory uses.	90.00
E. Miscellaneous Uses	
1. Plan examination fee for special uses.	75.00
2. Floodplain, Drainage, Grading and Soil Erosion, Sediment Control Permits.	
a. Residential:	
One (1) Acre or less	56.25
Over One (1) to Two (2) Acres	112.50
Over Two (2) to Three (3) Acres	168.75
Over Three (3) to Five (5) Acres	225.00
Over Five (5) Acres Constitutes a Landfill and a Special Use is required.	
b. Commercial, Industrial and Public Land:	
One (1) Acre or less	131.25
Over One (1) to Two (2) Acres	187.50
Over Two (2) to Three (3) Acres	262.50
Over Three (3) to Five (5) Acres	300.00
Over Five (5) Acres Constitutes a Landfill and a Special Use is required.	
F. Grading and Drainage Highway Review	
1. Residential	
One (1) Acre or less	37.50
Over One (1) to Two (2) Acres	75.00
Over Two (2) to Three (3) Acres	112.50
Over Three (3) to Five (5) Acres	187.50
Over Five (5) Acres	225.00
2. Commercial, Industrial and Public Land	
One (1) Acre or less	225.00
Over One (1) to Two (2) Acres	300.00
Over Two (2) to Three (3) Acres	375.00
Over Three (3) to Five (5) Acres	450.00
Over Five (5) Acres	750.00

Where a plan submittal is rejected a third time, an additional fee of \$150.00 shall be paid before a fourth review is made. An additional fee of \$150.00 shall be charged for each subsequent submittal and review.

### **BUILDING PERMIT FEE SCHEDULE**

<b>1-B. NEW CONSTRUCTION</b>	
Minimum Fee of	52.50
or \$15.00 each for each 1,000 cubic fee of volume, or fractional part of space computed from the basement to the highest part of the roof including all projections.	
<b>2-B. PRIVATE GARAGES – SHEDS</b>	
Minimum Fee is	40.50
or \$15.00 each for each 1,000 cubic fee of volume, or fractional part computed from the basement to the highest part of the roof including all projections.	

<b>3-B. ALTERATIONS, REMODELING AND MISCELLANEOUS ITEMS OF CONSTRUCTION</b>	
Minimum Fee is	52.50
plus \$15.00 for each additional \$1,000.00 of estimated cost in excess of \$5,000.00. The estimated cost shall be based on the cost as shown on contracts signed between the owner and all contractors for the actual cost of the project.	
<b>4-B. DEMOLITION</b>	
A. One (1) story or single family detached dwelling	112.50
B. Sheds or private garages	75.00
C. Other than above	1.5% of cost of work, minimum \$450.00
<b>5-B. TRAILER CAMPS</b>	
Minimum Fee is	150.00
plus \$37.50 for each trailer site.	
<b>6-B. AMUSEMENT PARKS</b>	
A. Portable Devices – for each exhibit	75.00
B. Permanent Devices – for each exhibit	300.00
<b>7-B. CANOPIES</b>	
Fee	150.00
<b>8-B. MARQUEES – SIGNS – BILLBOARDS</b>	
A. 100 Square Feet or less (other than Billboards)	37.50
B. 101 to 250 Square Feet (other than Billboards)	75.00
C. Each additional 100 sq. ft. above 250 sq. ft. (other than Billboards)	22.50
D. Billboards 100 sq. ft. or less	300.00
Over 100 sq. ft.	600.00
<b>9-B. ISOLATED CHIMNEYS</b>	
Fee	150.00
<b>10-B. FENCES OVER FIVE (5) FEET IN HEIGHT</b>	
Minimum Fee is	225.00
plus \$1.50 for each 10 lineal feet in excess of 100 lineal feet.	
<b>11-B. FIRE ESCAPES</b>	
Minimum Fee is	52.50
plus \$15.00 for each floor in excess of 2nd floor.	
<b>12-B. STORAGE TANKS ABOVE GROUND</b>	
Minimum Fee is	300.00
<b>13-B. ROOF RECOATING OR COVERING</b>	
Residential	No Fee
Commercial fee for 1,000 square feet is	150.00
Each additional 100 square feet above 1,000 square feet	30.00
<b>14-B. TEMPORARY TRAILERS FOR OFFICE OR OTHER PERMITTED USE</b>	
(For one year only) Minimum Fee	375.00



**15-B. PERMIT PENALTY FEES**

A penalty shall be added to a permit fee whenever construction is started prior to departmental approval or exceeds departmental approval in the case of a Temporary Permit.

A penalty, as noted below, shall be added to a permit fee whenever construction is started prior to departmental approval or exceeds departmental approval in the case of a Temporary Permit.

Single Family 300.00  
All Others 675.00

or minimum 10% of total permit fee, whichever is greater.

**16-B. MISCELLANEOUS USES**

Temporary Tent 450.00\*\*  
Antennas  
    Below seventy-five (75) feet 225.00  
    Above seventy-five (75) feet 375.00  
Gas Pumps 20.00\*\*  
Spray Booth 225.00  
Satellite Dish 225.00

Swimming Pool—Minimum \$75 or \$37.50 per 1000 cubic feet

Underground Storage Tank—Minimum \$75 to 1000 gallon or \$45/1000 gallon above 1000

\*\*plus applicable plumbing and electrical fees

**MECHANICAL PERMIT FEES**

**1-M. BOILER FEES**

A. For each low pressure boiler 75.00  
B. High pressure boiler 150.00  
C. Unfired pressure vessel 37.50  
D. Steam 75.00  
E. Hot water coil 37.50  
F. Steam coil 37.50

**2-M. REFRIGERATION**

A. Cooler unit per each 75.00  
B. Freezer unit per each 112.50  
C. Single family dwelling air conditioning 45.00  
    Minimum to 3½ tons & \$15 each ton above 3½  
D. Multiple family dwelling air conditioning each unit 45.00  
    Minimum to 3½ tons & \$15 each ton above 3½  
E. Non-residential air conditioning 22.50  
    per ton,  
    Minimum  
    \$150.00

**3-M. WARM AIR FURNACES**

A. Fee for single family 75.00  
22.50/100,000  
B. Others (gas or electric) BTU,  
Minimum  
\$112.50  
C. Air handling units 112.50

<b>4-M. MECHANICAL VENTILATING SYSTEMS</b>	
(Except for Single and Multiple Family Dwellings)	
A. Supply or Exhaust – Minimum Fee	45.00
plus \$15.00 for each 1,000 cubic feet of air per minute in excess of 1,000 cubic feet of air per minute. Add \$37.50 for each exhaust fan.	
B. Increase in capacity – \$7.50 for each 1,000 cubic feet of air per minute. Add \$37.50 for each exhaust fan.	
NOTE: The capacity of the system is the sum of supply and exhaust.	
C. Single Family Dwellings	37.50
D. Multiple Family Dwellings each apartment unit	37.50
<b>5-M. ELEVATORS AND ESCALATORS</b>	
Minimum Fee is	225.00
plus an additional fee of \$75.00 per floor, for each floor above three (3).	
<b>6-M. LIFTS</b>	
Fee	37.50
<b>7-M. DUMBWAITERS</b>	
A. Power Operated – Minimum Fee	37.50
plus \$7.50 for each floor above three (3).	
B. Hand Operated – Minimum Fee	11.25
plus \$7.50 for each floor above three (3).	
<b>8-M. STAGE CURTAINS</b>	
A Fee of \$52.50 will be assessed for each set of mechanical or electrically operated stage curtains.	52.50
<b>9-M. FIREPLACE</b>	
Fee	22.50

**ELECTRICAL PERMIT FEE SCHEDULE**

<b>1-E. SINGLE FAMILY DWELLINGS</b>		
0 to 499 Square Feet		52.50
500 to 799 Square Feet		67.50
800 to 1599 Square Feet		82.50
1600 to 1999 Square Feet		105.00
2000 and Over		127.50
<b>2-E. MULTI-FAMILY DWELLINGS, COMMERCIAL &amp; INDUSTRIAL</b>		
A.		
	15	20
CIRCUITS	AMPERES	AMPERES
1	23.25	27.38
2	38.25	52.50
3	52.50	70.13
4	67.88	88.13
5	83.25	108.00
6	102.75	127.88
7	119.25	149.25
8	124.13	162.38
9	135.38	177.75
10	147.75	198.00
11	155.25	207.38

CIRCUITS		15 AMPERES		20 AMPERES
12		162.75		217.50
13		173.25		231.38
14		183.38		235.13
15		189.75		240.38
16		195.38		255.00
17		204.75		267.38
18		210.38		276.75
19		216.00		288.00
20		229.88		300.00
21		239.63		312.38
22		249.38		321.75
23		257.25		332.63
24		266.25		342.38
25		279.75		355.13
26 to 50 inclusive, each add'l cir.	9.38	236.25	12.00	300.00
51 to 75 inclusive, each add'l cir.	9.00	227.63	12.00	288.00
76 to 100 inclusive, each add'l cir.	8.25	206.25	10.13	257.25
more than 100	7.50	948.75	9.38	1,200.00

B. 3 Wire Circuit – 15 or 20 Ampere 2 pole – Double number of circuits shown above.

30 Ampere Circuits – Double amount of 15 ampere circuits shown above.

3-Phase – 4 Wire Circuit – 15 or 20 Ampere 3 pole – Triple number of circuits shown above.

50 Ampere Circuits 3 Pole – Triple number of 20 ampere circuits shown above.

C. Single Family Dwellings

0 to 499 Square Feet 52.50

500 to 799 Square Feet 67.50

800 to 1599 Square Feet 82.50

1600 to 1999 Square Feet 105.00

2000 and Over 127.50

D. Motor and Other Forms of Power

Motors ¼ and over 52.50

Additional motors or devices 13.50

E.	Cut-Over Jobs	
	Fees on time basis: Per Hour	52.50
F.	Inspection of temporary installation, underground or overhead wires and apparatus	
	Fee on time basis: Per Hour	52.50
G.	Reinspection of any electrical apparatus – altered, changed or repaired	
	Fee on time basis: Per Hour	52.50
H.	Extra inspections due to faulty information or construction or failure to repair	
	Fee for each such inspection	52.50
	Minimum Electrical Inspection Fee	52.50
<b>3-E.</b>	<b>PERMIT FEES – INSTALLATION OR ERECTION OF:</b>	
	1. Smoke and/or Fire Detector Systems	
	1st 5 devices	52.50
	Each additional	13.50
	2. Central Vacuum Systems	
	Residential	52.50
	Multi-Family (Per Unit)	45.00
	3. Burglar Alarm Systems	52.50
	4. Garages	45.00
	5. Electric Heat	
	Residential	52.50
	Multi-Family (Per Unit)	52.50
	6. Wind-Powered Electrical Fees	52.50
<b>4-E.</b>	<b>INSPECTION FEES FOR ILLUMINATED SIGNS</b>	
	A. Permit fees and subsequent annual inspection fees for illuminated signs projecting over public property shall be the same and shall be computed at the rate of \$0.75 per square feet of area of each face.	
	B. Area of skeleton letter designs shall be computed as that area within the perimeter design of the letters. No fee shall be less than \$37.50.	
	C. Permit fees and subsequent annual inspection fees for illuminated signs over private property and for illuminated signs flat against a building and for illumination of painted wall signs or illumination of signboards shall be computed as follows:	
	15 square feet or less – Single Face	37.50
	15 square feet or less – Double Face	52.50
	16 to 32 square feet – Single Face	52.50
	16 to 32 square feet – Double Face	67.50
	Any sign over 32 square feet – Single Face	75.00
	Any sign over 32 square feet – Double Face	105.00
	D. Where sign is erected entirely over and above the roof of building, the permit fee and subsequent annual inspection fee for inspection of structure shall be \$381.00 for the first 500 square feet, and \$0.45 each per square foot over 500. Area shall be computed on the actual area of display surface.	

E.	The fees for permits issued for re-erection or alteration of any illuminated sign or for illumination on signboards shall be for	75.00
	1. Signs/signboards 100 sq. ft. or less	
	2. Signs/signboards over 100 sq. ft.	1.50 per square foot of display area.
F.	The fees for permits issued for illuminated signs to be erected for a period not to exceed thirty (30) days, shall be ¼ of the permanent sign fee. No fee shall be less than \$37.50.	
G.	The fee for cancellation of a permit shall be \$22.50 and shall be deducted before the remaining amount is refunded.	
<b>5-E.</b>	<b>SWIMMING POOL ELECTRICAL FEES</b>	
	A. Portable swimming pool (each)	37.50
	B. In-ground swimming pool (each)	67.50
<b>6-E.</b>	<b>CARNIVAL, CIRCUS AND TEMPORARY DISPLAY</b>	
	Minimum Fee	60.00
<b>7-E.</b>	<b>ELECTRIC CHANGE OF SERVICE FEES</b>	
	Residential	
	100 Amp to 200 Amp	52.50
	200 Amp to 400 Amp	90.00
	Temporary Service	
	Minimum Fee	52.50
	Commercial and Industrial	
	200 Amp to 400 Amp	90.00
	600 Amp	120.00
	800 Amp	150.00
	1200 Amp	180.00
	1600 Amp	210.00
	2000 Amp	240.00
	3000 Amp	300.00
	4000 Amp	420.00
<b>8-E.</b>	<b>COMMUNITY ANTENNA TELEVISION AND RADIO, SATELLITE COMMUNICATION SYSTEM FEES</b>	
	A. Minimum Permit Inspection Fee	52.50
	B. Service (Amplifier Booster Station)	22.50
	C. Single-Family Dwellings	22.50
	D. Multi-Family Dwellings, Commercial and Industrial	
	Individual Units	16.13
	Per Mile of Cable or part thereof	150.00
	Junction Box or Splicing Box	22.50
	Antenna	22.50
	Head in Electronics (Main Distribution)	45.00
<b>PLUMBING PERMIT FEE SCHEDULE</b>		
<b>1-P.</b>	<b>WATER SUPPLY</b>	
	A. Connections to Existing Supply – New Construction	60.00
	Repair to existing connections	40.50
	B. Well Drilling – New Construction	60.00
	Repair to existing well	40.50

	C. Change-over from Well to Municipal Water Supply	60.00
	D. Plug Well	60.00
<b>2-P.</b>	<b>SEWAGE DISPOSAL</b>	
	A. Septic System – New Construction	75.00
	Repair or alterations	60.00
	B. Sewer System – New Construction	52.50
	Repair or alterations	37.50
	C. Change-over from Septic to Sanitary Sewer	52.50
<b>3-P.</b>	<b>PLUMBING</b>	
	A. Minimum Fee	85.50
	plus \$9.75 for every fixture in excess of five fixtures	
	B. Replacement of Existing Fixtures	60.00
	plus \$7.50 for every fixture in excess of five fixtures	
	C. Water Heaters (each)	45.00
	D. Lawn Sprinkler System – single units	37.50
	plus \$2.40 per sprinkler head	
	E. Filling Stations – Permit Fees for the Storage of Flammable Liquids shall be:	
	1,065 gallons or less	90.00
	1,066 to 7,000 gallons	129.00
	7,001 to 25,000 gallons	193.50
	25,001 to 50,000 gallons	322.50
	50,001 to 100,000 gallons	387.00
	100,001 to 200,000 gallons	643.50
	F. Fire Line Sprinkler System	37.50
	plus \$1.50 per head.	
	G. Swimming Pools (In-ground)	97.50
	Swimming Pools (Above-ground)	37.50
	H. Sump and Ejector pumps and basins	15.00
	NOTE: Fixture Connections covered by permit include but are not limited to the following:	
	Bathtubs	
	Bidets	
	Dishwashers	
	Drinking Fountains	
	Floor Drains	
	Hose Connections	
	Kitchen Sinks	
	Laundry Tubs	
	Lavatories	
	Showers-where separate	
	from tub	
	Slop Sinks	
	Urinals	
	Washing Machines	
	Waste Openings	
	Water Closets	
	Water Openings	
	I. Drain Tile Installation	52.50
	J. Temporary Toilet Facilities (satellites) – Minimum Fee	75.00
	For every unit in excess of five (5)	15.00
<b>4-P.</b>	<b>ANNUAL PLUMBING INSPECTION FEE</b>	
	Per Hour	45.00

**TEMPORARY PERMIT FEE SCHEDULE**

<b>1-T.</b>	<b>TEMPORARY SEATING</b>	
	Fee	262.50
<b>2-T.</b>	<b>TEMPORARY PLATFORM FOR PUBLIC ASSEMBLY</b>	
	Fee	112.50

**3-T. FAMILY FALLOUT SHELTERS**

Family Fallout Shelters shall have no fee, but shall meet the requirements in the Cook County Building Ordinance as stated in Section 17.5-1.

**4-T. TEMPORARY CERTIFICATE OF OCCUPANCY**

- A. Temporary Certificates of Occupancy Fees shall be \$37.50 for one dwelling unit, \$40.50 for two dwelling units or \$15.00 per dwelling unit in structures with more than two dwelling units.
- B. Temporary Certificates of Occupancy Fees for other than residential structures shall be a minimum of \$37.50; and \$22.50 per hour or fraction thereof for those inspections lasting more than one (1) hour.

**5-T. TEMPORARY FOOTING AND FOUNDATION**

- A. Single family dwellings 225.00
- B. Multi-family dwellings, commercial units and other structures 450.00

**6-T. CERTIFICATE OF OCCUPANCY FOR EXISTING STRUCTURES**

- A. Certificate of Occupancy Fees shall be \$37.50 for one dwelling unit, \$41.25 for two dwelling units or \$15.00 per dwelling unit in structures with more than two dwelling units.

**PERIODICAL, SEMI-ANNUAL AND ANNUAL  
FIELD INSPECTION FEE SCHEDULE**

Whenever periodical, semi-annual or annual inspections are required in accordance with Section 5.4-3 of the Cook County Building Ordinance, a minimum fee of \$37.50 per hour or fraction thereof, for a building or zoning inspection.

**Effective Date:** This Ordinance shall take effect June 1, 2007.

Approved and adopted this 20th day of February 2007.

**07-O-13  
ORDINANCE**

**Sponsored by**

**THE HONORABLE MIKE QUIGLEY, COUNTY COMMISSIONER**

**AN AMENDMENT TO CHAPTER 32 FEES (LIQUOR AND ROADHOUSE LICENSES)**

**WHEREAS**, under the Illinois Liquor Control Act of 1934, Cook County is the liquor control authority for unincorporated areas of the County and has the power to issue licenses for the retail sale of alcohol and to set and collect the fees for such licenses; and

**WHEREAS**, fees for liquor licenses in Cook County have not been increased since 1990, yet the Consumer Price Index has risen by 54 percent since then.

**BE IT ORDAINED**, by the Cook County Board of Commissioners, that Chapter 32, Section 32-1 of the Cook County Code is hereby amended as follows:

**Sec. 32-1. Fee Schedule.**

The fees or charges provided for or required by the below listed sections shall be as shown below:

<b>Code Section</b>	<b>Description</b>	<b>Fees, Rates, Charges (in dollars)</b>
<b>CHAPTER 6, ALCOHOLIC LIQUOR</b>		
6-33(b)	Special late liquor license fee, annually	700.00
6-34(b)	Additional special late liquor license fee, annually	1,500.00
6-63	Application fee for license to sell alcoholic liquor	3,000.00
	Application fee for license for a beer garden	750.00
<b>CHAPTER 54, LICENSES, PERMITS AND MISCELLANEOUS BUSINESS REGULATIONS</b>		
54-63(b)	Roadhouse license fee	750.00

**Effective Date:** This Ordinance shall take effect May 1, 2007.

Approved and adopted this 20th day of February 2007.



**07-O-15  
ORDINANCE**

**Sponsored by**

**THE HONORABLE DEBORAH SIMS AND JERRY BUTLER, COUNTY COMMISSIONERS**

**Co-Sponsored by**

**THE HONORABLE TODD H. STROGER, PRESIDENT, WILLIAM M. BEAVERS,  
FORREST CLAYPOOL, EARLEAN COLLINS, JOHN P. DALEY, ROBERTO MALDONADO,  
JOSEPH MARIO MORENO, JOAN PATRICIA MURPHY, MIKE QUIGLEY,  
ROBERT B. STEELE AND LARRY SUFFREDIN, COUNTY COMMISSIONERS**

**COOK COUNTY INTER-TRACK WAGERING LOCATION FACILITY ENTRANCE FEE**

**BE IT ORDAINED**, by the Cook County Board of Commissioners that Chapter 54, Article VII, Sections 54-330 through 54-335 are hereby enacted as follows:

**Article VII. Wagering Location Facility Entrance Fee**

**Sec. 54-330. Title.**

Cook County Inter-Track Wagering Location Facility Entrance Fee.

**Sec. 54-331. Fee Imposed.**

A \$1, per person, admission fee to inter-track wagering location facilities that are located within Cook County, as authorized by section (f) of 230 ILCS 5/27.

**Sec. 54-332. Fee Requirements.**

The inter-track wagering location licensee shall collect the Cook County Inter-Track Wagering Location Facility Entrance Fees and, pursuant to section (f) of 230 ILCS 5/27, within 48 hours remit the fees to the Illinois Racing Board, which shall, pursuant to rule, cause the fees to be distributed to the Cook County Department of Revenue.

**Sec. 54-333. Use of Fee Revenue.**

The revenue generated from the Cook County Inter-Track Wagering Location Facility Entrance Fee shall be used for the purpose of funding the Cook County General Fund.

**Sec. 54-334. Rules and Regulations.**

The Cook County Department of Revenue may promulgate reasonable rules, definitions and regulations necessary to carry out the duties imposed upon it by this Ordinance.

**Sec. 54-335. Effective Date.**

This Ordinance shall be effective upon its passage by the Cook County Board of Commissioners.

**Secs. 54-336 – 54-339. Reserved.**

Approved and adopted this 21st day of February 2007.

**07-O-16  
ORDINANCE**

**Sponsored by**

**THE HONORABLE MIKE QUIGLEY, COUNTY COMMISSIONER**

**Co-Sponsored by**

**THE HONORABLE GREGG GOSLIN, ROBERTO MALDONADO  
AND JOAN PATRICIA MURPHY, COUNTY COMMISSIONERS**

**AN AMENDMENT TO CHAPTER 32 FEES (ENVIRONMENTAL CONTROL)**

**WHEREAS**, Cook County is a home rule unit of local government pursuant to Article 7, Section 6a of the Illinois Constitution of 1970 with power to regulate those matters which pertain to its government and affairs; and

**WHEREAS**, the Cook County Department of Environmental Control enforces the Environmental Control Ordinance, which regulates air pollutants, noise, vibration, indoor asbestos abatement, and solid waste management; and

**WHEREAS**, the Department of Environmental Control charges fees to offset the cost of inspecting and permitting regulated activities and to encourage the prudent use of natural resources; and

**WHEREAS**, the costs of operating the Department of Environmental Control and the public health costs of air-pollution-related illnesses have grown in recent years, while the fees charged by the Department of Environmental Control have not changed in more than a decade; and

**WHEREAS**, fees for similar services charged by the City of Chicago and State of Illinois are significantly higher than the fees currently charged by Cook County.

**NOW, THEREFORE, BE IT ORDAINED**, by the Cook County Board of Commissioners that Chapter 32 of the Cook County Code is hereby amended as follows:

**Sec. 32-1. Fee Schedule.**

The fees or charges provided for or required by the below listed sections shall be as shown below:

<b>Code Section</b>	<b>Description</b>	<b>Fees, Rates, Charges (in dollars)</b>
<b>CHAPTER 30, ENVIRONMENT</b>		
30-96	Installation permit fee schedule:	
30-96(1)	Filing fee for the evaluation of plans: The first ten units or multiples of ten including domestic incinerators and open burning applications, except domestic heating	\$20.00
30-96(2)	Fuel-burning equipment used for space heating, steam and hot water generation, or to generate power, except for domestic heating, for each unit: <i>Rated Input in BTU/hr.</i> Less than 288,000	\$20.00

<b>Code Section</b>	<b>Description</b>	<b>Fees, Rates, Charges (in dollars)</b>
	288,000 to less than 1,000,000	\$30.00
	1,000,000 to less than 2,880,000	\$50.00
	2,880,000 to less than 6,000,000	\$70.00
	6,000,000 to less than 10,000,000	\$90.00
	10,000,000 to less than 20,000,000	\$110.00
	20,000,000 to less than 100,000,000	\$130.00
	10,000,000 or more	\$170.00
30-96(3)	Refuse-burning equipment for each unit: <i>Total square feet of burning area</i>	
	less than 5.0	\$40.00
	5.0 to less than 10.0	\$50.00
	10.0 to less than 15.0	\$60.00
	15.0 to less than 20.0	\$70.00
	20.0 to less than 40.0	\$80.00
	40.0 or more	\$100.00
	<i>Pathological waste (crematory) incineration:</i>	
	less than 20#/hr.	\$70.00
	20 to less than 40	\$120.00
	40 to less than 80	\$170.00
	80 to less than 120	\$200.00
	120 to less than 200	\$250.00
	200 to less than 300	\$300.00
	Over 300	\$350.00
	<i>Combustion of toxic, hazardous waste:</i>	
	Less than 100#/hr	\$100.00
	100 to less than 200	\$200.00
	200 to less than 300	\$300.00
	300 to less than 400	\$400.00
	400 or more	\$500.00
30-96(4)	Storage tank, for each unit:	
30-96(4)a	Storing organic material having a vapor pressure more than 2.5 psi at standard conditions: <i>Rating capacity in gallons</i>	
	Less than 10,000	\$20.00
	10,000 to less than 40,000	\$30.00

<b>Code Section</b>	<b>Description</b>	<b>Fees, Rates, Charges (in dollars)</b>
	40,000 to less than 60,000	\$40.00
	60,000 to less than 100,000	\$50.00
	100,000 or more	\$60.00
30-96(4)b	Storing organic materials having a vapor pressure less than 2.5 psi at standard conditions: <i>Rated capacity in gallons</i>	
	Less than 10,000	\$20.00
	10,000 to less than 20,000	\$30.00
	20,000 to less than 40,000	\$40.00
	40,000 or more	\$50.00
30-96(4)c	Storing liquid inorganic materials with potential of emission to the atmosphere: <i>Rated capacity in gallons</i>	
	10,000 to less than 50,000	\$20.00
	50,000 to less than 100,000	\$30.00
	100,000 or more	\$40.00
	The fee for tanks of capacities less than 20,000 gallons shall be based on the aggregate capacity.	
30-96(4)d	Storing of toxic or hazardous substance material (as listed in the Hazardous Toxic Chemical Substance List in the "Toxic Substance Control Act" (Public Law List 94-469)): <i>Rated capacity in gallons</i>	
	less than 5,000	\$20.00
	5,000 to less than 25,000	\$30.00
	15,000 to less than 25,000	\$50.00
	25,000 or more	\$70.00
	The fee for tanks of capacities less that 20,000 gallons shall be based on the aggregate capacity.	
30-96(5)	Process equipment or device, per each unit	\$40.00

Code Section	Description	Fees, Rates, Charges (in dollars)
30-96(6)	Any device or apparatus to control pollution for each unit:	
	<i>SCFM</i>	
	less than 2,000	\$30.00
	2,000 to less than 5,000	\$40.00
	5,000 to less than 10,000	\$50.00
	10,000 to less than 15,000	\$60.00
	15,000 to less than 20,000	\$70.00
	20,000 to less than 30,000	\$90.00
	30,000 to less than 40,000	\$110.00
	40,000 to less than 100,000	\$130.00
	100,000 or more	\$160.00
30-97	Original inspection fee schedule:	
30-97(1)	Fuel-burning equipment used for space heating, steam and hot water generation, or to generate power, except domestic heating, for each unit:	
	<i>Input capacity in BTU/hr.</i>	
	less than 288,000	\$20.00
	288,000 to less than 1,000,000	\$30.00
	1,000,000 to less than 2,400,000	\$50.00
	2,400,000 to less than 6,000,000	\$100.00
	6,000,000 to less than 10,000,000	\$110.00
	10,000,000 to less than 20,000,000	\$120.00
	20,000,000 to less than 100,000,000	\$200.00
	100,000,000 or more	\$220.00
30-97(2)	Refuse-burning equipment for each unit:	
	<i>Total square feet of burning area</i>	
	less than 5.0	\$60.00
	5.0 to less than 10.0	\$80.00
	10.0 to less than 15.0	\$100.00
	15.0 to less than 20.0	\$120.00
	20.0 to less than 40.0	\$140.00
	40.0 or more	\$180.00
	<i>Pathological waste (crematory) incineration</i>	
	less than 20#/hr.	\$100.00
	20 to less than 40	\$120.00

<b>Code Section</b>	<b>Description</b>	<b>Fees, Rates, Charges (in dollars)</b>
	40 to less than 80	\$170.00
	80 to less than 120	\$220.00
	120 to less than 200	\$260.00
	200 to less than 300	\$320.00
	Over 300	\$360.00
	<i>Combustion of toxic, hazardous waste</i>	
	less than 100#/hr.	\$120.00
	100 to less than 200	\$220.00
	200 to less than 300	\$320.00
	300 to less than 400	\$420.00
	400 or more	\$520.00
30-97(3)	Storage tank, for each unit:	
30-97(3)a	Storing organic material having a vapor pressure more than 2.5 psi at standard conditions:	
	<i>Rating capacity in gallons</i>	
	less than 10,000	\$20.00
	10,000 to less than 40,000	\$30.00
	40,000 to less than 60,000	\$40.00
	60,000 to less than 100,000	\$50.00
	100,000 or more	\$60.00
30-97(3)b	Storing organic materials having a vapor pressure less than 2.5 psi at standard conditions:	
	<i>Rated capacity in gallons</i>	
	10,000 to less than 50,000	\$20.00
	50,000 to less than 100,000	\$30.00
	100,000 or more	\$40.00
	The fee for tanks of capacities less than 20,000 gallons shall be based on the aggregate capacity.	
30-97(3)d	Storing of Toxic or Hazardous substance material (as listed in Hazardous, Toxic Chemical Substance List in the "Toxic Substance Control Act" (Public Law List 94-469)	
	<i>Rated capacity in gallons</i>	
	less than 5,000	\$20.00
	5,000 to less than 15,000	\$40.00
	15,000 to less than 25,000	\$60.00

<b>Code Section</b>	<b>Description</b>	<b>Fees, Rates, Charges (in dollars)</b>
	25,000 or more	\$90.00
30-97(4)	Process equipment or device, per each unit	\$40.00
30-97(5)	Any device or apparatus to control pollution for each unit: <i>Standard cubic feet per minute</i>	
	2,000 to less than 5,000	\$66.00
	5,000 to less than 10,000	\$82.00
	10,000 to less than 15,000	\$100.00
	15,000 to less than 20,000	\$130.00
	20,000 to less than 30,000	\$164.00
	30,000 to less than 40,000	\$196.00
	40,000 to less than 100,000	\$260.00
	100,000 or more	\$326.00
30-98	Annual inspection fees:	
30-98(1)	Fuel-burning equipment used for space heating, steam and hot water generation, or generation of power for each unit (except domestic heating): <i>Rated input in BTU/hr.</i>	
	1,000,000 to less than 2,400,000	\$80.00
	2,400,000 to less than 6,000,000	\$130.00
	6,000,000 to less than 10,000,000	\$140.00
	10,000,000 to less than 20,000,000	\$170.00
	20,000,000 to less than 100,000,000	\$230.00
	100,000,000 or more	\$250.00
	In case of multiple fuel-burning equipment, or rated input less than 1,000,000 BTU/hr. each, the fee shall be assessed on an aggregate rating. If the aggregate rating is less than 1,000,000 BTU/hr., no fee will be assessed.	
30-98(2)	Refuse-burning equipment for each unit: Total square feet of burning area	
	less than 5.0	\$100.00
	5.0 to less than 10.0	\$130.00
	10.0 to less than 15.0	\$164.00
	15.0 to less than 20.0	\$196.00
	20.0 to less than 60.0	\$326.00
	60.0 or more	\$652.00

<b>Code Section</b>	<b>Description</b>	<b>Fees, Rates, Charges (in dollars)</b>
	<i>Pathological waste (crematory) incineration</i>	
	less than 20#/hr.	\$100.00
	20 to less than 40	\$160.00
	40 to less than 80	\$320.00
	80 to less 120	\$400.00
	120 to less than 200	\$480.00
	200 to less than 300	\$560.00
	300 or more	\$680.00
	<i>Combustion of toxic, hazardous waste</i>	
	less than 100#/hr.	\$160.00
	100 to less than 200	\$260.00
	200 to less than 300	\$360.00
	300 to less than 400	\$460.00
	400 or more	\$560.00
30-98(3)	Per one unit of process equipment or device	\$44.00
30-98(4)	Any device or apparatus to control pollution, for each unit:	
	<i>Standard cubic feet per minute</i>	
	less than 2,000	\$50.00
	2,000 to less than 5,000	\$66.00
	5,000 to less than 10,000	\$82.00
	10,000 to less than 15,000	\$100.00
	15,000 to less than 20,000	\$164.00
	20,000 to less than 30,000	\$196.00
	30,000 to less than 40,000	\$230.00
	40,000, to less than 100,000	\$290.00
	100,000 or more	\$320.00
30-98(5)	Storage tanks for each unit:	
30-98(5)a	Storing organic material having a vapor pressure more than 2.5 psi at standard conditions:	
	<i>Rated capacity in gallons</i>	
	less than 250	No Fee
	250 to 10,000	\$20.00
	10,001 to 20,000	\$34.00
	20,001 to 50,000	\$50.00
	50,001 to 100,000	\$66.00



<b>Code Section</b>	<b>Description</b>	<b>Fees, Rates, Charges (in dollars)</b>
	100,001 or more	\$82.00
30-98(5)b	Storing organic material having a vapor pressure less than 2.5 psi at standard conditions: <i>Rated capacity in gallons</i>	
	less than 250	No Fee
	250 to 10,000	\$10.00
	10,001 to 20,000	\$20.00
	20,001 to 50,000	\$34.00
	50,001 or more	\$50.00
30-98(5)c	Storing inorganic materials with potential of emission to the atmosphere: <i>Rated capacity in gallons</i>	
	less than 250	No Fee
	250 to 10,000	\$10.00
	10,001 to 50,000	\$20.00
	50,001 to 75,000	\$50.00
	75,001 or more	\$66.00
30-98(5)d	Storing of toxic and hazardous substance material (as listed in Hazardous Toxic Chemical Substance List in the "Toxic Substance Control Act: (Public Law 94-469)): <i>Rated capacity in gallons</i>	
	less than 5,000	\$34.00
	5,000 to less than 15,000	\$66.00
	15,000 to less than 25,000	\$100.00
	25,000 or more	\$130.00
30-98(6)	Fees are due upon receipt; a \$25.00 late fee handling charge in addition to amounts due will be assessed on accounts outstanding 60 days after the date of billing.	
30-544(b)(2)a.	Demolition permit fee	
30-544(b)(2)a.1	Filing fee	\$50.00
30-544(b)(2)a.2	Inspection fee	\$150.00
30-544(b)(2)b.	Asbestos removal permit	
30-544(b)(2)b.1	Filing fee	\$200.00
30-544(b)(2)b.2	Inspection fee shall not exceed \$2,000.00 per project or the following, whichever is the lesser:	

<b>Code Section</b>	<b>Description</b>	<b>Fees, Rates, Charges (in dollars)</b>
30-544(b)(2)b.2(i)	Asbestos-containing material, per linear foot	\$2.00
30-544(b)(2)b.2(ii)	Asbestos-containing material, per square foot	\$6.00

Effective Date: This Ordinance shall take effect upon passage.

Approved and adopted this 21st day of February 2007.

**07-O-17  
ORDINANCE**

**Sponsored by**

**THE HONORABLE LARRY SUFFREDIN, COUNTY COMMISSIONER**

**BE IT ORDAINED**, by the Cook County Board of Commissioners that Chapter 58, Article V, Section 164 is hereby enacted as follows:

**Sec. 58-164. Motor Vehicles, Seizure and Impoundment.**

(a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

*Owner of record of a vehicle* means the record title holder.

(b) *Owner liability; exceptions.* The owner of record of any motor vehicle which vehicle is used during the commission of any of the qualified violations as set forth in Section 58-165 shall be liable to the County for an administrative penalty of \$500.00 plus any towing and storage fees applicable under this division. Any such vehicle shall be subject to seizure and impoundment pursuant to this division. This subsection shall not apply if:

(1) The vehicle used in the violation was stolen at the time and the theft was reported to the appropriate police authorities within 24 hours after the theft was discovered or reasonably should have been discovered; or

(2) The vehicle is operating as a common carrier and the violation occurs without the knowledge of the person in control of the vehicle; or

(c) *Seizure and impoundment.* Whenever the sheriff or his agent has probable cause to believe that a vehicle is subject to a seizure and impoundment pursuant to this division, the sheriff shall provide for the towing of the vehicle to a facility controlled by the County or its agents. Before or at the time the vehicle is towed, the Sheriff shall notify any person identifying himself/herself as the owner of the vehicle or any person who is found to be in control of the vehicle at the time of the alleged violation of the fact of the seizure and of the alleged violation and of the vehicle owner's right to request a vehicle impoundment hearing to be conducted under this section. The sheriff may issue rules and regulations related to this Section for enforcement notification procedures and proper forms necessary for administration of this Section.

(d) *Vehicle impoundment hearing.* Whenever the owner of record of a vehicle seized pursuant to this division makes a request in person and in writing for a vehicle impoundment hearing within 12 hours after the seizure, a hearing officer of the County shall conduct the vehicle impoundment hearing within 24 hours after the seizure excluding Sundays and legal holidays. All interested persons shall be given a reasonable opportunity to be heard at the vehicle impoundment hearing. The formal and technical rules of evidence shall not apply in the conduct of the hearing. Evidence, including hearsay, may be admitted only if it is a type commonly relied upon by reasonably prudent persons in the conduct of their affairs. If, after the hearing, the hearing officer determines that there is probable cause to believe that the vehicle is subject to seizure and impoundment under Subsection (a), the hearing officer shall order the continued impoundment of the vehicle as provided in this division unless the owner of the vehicle posts with the County a cash bond in the amount of \$500.00 plus any applicable towing and storage fees.

(e) *Notification of impoundment; hearing scheduled; failure of owner to appear; determination; penalty.* Within ten days after a vehicle is seized and impounded pursuant to this division, the County shall notify by certified mail, return receipt requested, the owner of record of the date, time and location of a hearing that will be conducted pursuant to this division. The hearing shall be scheduled and held, unless continued by order of the hearing officer, no later than 30 days after the vehicle was seized. The hearing shall be conducted by a hearing officer of the County. All interested persons shall be given a reasonable opportunity to be heard at the hearing. If, after the hearing, the hearing officer determines by a preponderance of evidence that the vehicle violated this Section and that none of the exceptions described in Subsections (b)(1)--(b)(2) of this section applies, the hearing officer shall enter an order finding the owner of record of the vehicle civilly liable to the County for an administrative penalty in the amount of \$500.00. If the owner of record fails to appear at the hearing, the hearing officer shall enter a default order in favor of the County requiring the payment to the County of an administrative penalty in the amount of \$500.00. If the hearing officer finds that no such violation occurred, the hearing officer shall order the immediate return of the owner's vehicle or cash bond.

(f) *Administrative penalty constitutes debt owing to County.* If an administrative penalty is imposed pursuant to this division, such penalty shall constitute a debt due and owing to the County. If a cash bond has been posted pursuant to this division, the bond shall be applied to the penalty. If a vehicle has been impounded when such a penalty is imposed, the County may seek to obtain judgment against the vehicle or enforce such judgment against the vehicle as provided by law. Except as provided otherwise in this division, a vehicle shall continue to be impounded until:

(1) The penalty, plus any applicable towing and storage fees, is paid to the County, in which case possession of the vehicle shall be given to the person who is legally entitled to possess the vehicle; or

(2) The vehicle is sold or otherwise disposed of to satisfy a judgment or enforce a lien as provided by law. If the administrative penalty and applicable fees are not paid within 30 days after an administrative penalty is imposed under Subsection (e) of this section against an owner of record who defaults by failing to appear at the hearing, the vehicle shall be deemed unclaimed and shall be disposed of in the manner provided for by law for the disposition of unclaimed vehicles. In all other cases, if the administrative penalty and applicable fees are not paid within 30 days after the expiration of time at which administrative review of the hearing officer's determination may be sought, or within 30 days after an action seeking administrative review has been resolved in favor of the County, whichever is applicable, the vehicle shall be deemed unclaimed and shall be disposed of in the manner provided by law for the disposition of unclaimed vehicles.

Except as otherwise specifically provided by law, no owner, lien holder or other person shall be legally entitled to take possession of a vehicle impounded under this section until the civil penalty and fees applicable under this division have been paid. However, whenever a person with a lien of record against an impounded vehicle has commenced foreclosure proceedings, possession of the vehicle shall be given to that person if the person agrees in writing to refund to the County the amount of the net proceeds of any foreclosure sale, less any amounts required to pay all lien holders of record, up to \$500.00 plus the applicable fees.

**Sec. 58-165. Qualified Violations for Impoundment.**

Vehicles may be impounded as set forth in Section 58-164 for the following offenses as described under the Illinois Criminal Code of 1961 (720 ILCS 5/2-8):

720 ILCS 5/11-14	Prostitution
720 ILCS 5/11-15	Soliciting for a prostitute
720 ILCS 5/11-15.1	Soliciting for a juvenile prostitute
720 ILCS 5/11-16	Pandering
720 ILCS 5/11-18	Patronizing a prostitute
720 ILCS 5/11-18.1	Patronizing a juvenile prostitute
720 ILCS 5/11-19	Pimping
720 ILCS 5/11-19.1	Juvenile Pimping
720 ILCS 5/11-19.2	Exploitation of a child
720 ILCS 5/20-2	Possession of explosives or incendiary device
720 ILCS 550/4	Possession of cannabis
720 ILCS 550/5	Manufacture, delivery, possession-intent to deliver cannabis
720 ILCS 550/5.1	Cannabis trafficking
720 ILCS 550/5.2	Delivery of cannabis on school grounds
720 ILCS 550/8	Possession of cannabis sativa plant
720 ILCS 570	(Paragraphs 1401 through 1413) Controlled Substances Act
720 ILCS 600/3.5	Possession of drug paraphernalia

Vehicles may be impounded as set forth in Section 58-164 for the following offenses as described under the Illinois Vehicle Code:

625 ILCS 5/6-101	Operating a motor vehicle with no valid drivers license * does NOT include expired drivers license
625 ILCS 5/6-303(a)(1)	Operating a motor vehicle with a suspended drivers license
625 ILCS 5/6 -303(a)(2)	Operating a motor vehicle with a revoked drivers license * Note: Mandatory tow under 625 ILCS 5/6-303(e) if driver suspended/revoked AND no insurance.
625 ILCS 5/11-501	D.U.I. alcohol, intoxicating compounds and/or other drugs * Note: Maximum 12 hour tow and hold under 625 ILCS 4-203(e)
625 ILCS 5/3-702	Operation when registration cancelled, suspended or revoked
625 ILCS 5/3-703	Operating with false, fraudulent, stolen or altered registration
625 ILCS 5/3-708	Operation while registration suspended for mandatory insurance
625 ILCS 5/3-710	Presenting or displaying a false, fraudulent insurance card
625 ILCS 5/5-502	Transportation or possession of open alcoholic liquor in a vehicle

Approved and adopted this 21st day of February 2007.

**07-O-18  
ORDINANCE**

**Sponsored by**

**THE HONORABLE LARRY SUFFREDIN, COUNTY COMMISSIONER**

**BE IT ORDAINED**, by the Cook County Board of Commissioners that Chapter 54, Article VII, Section 330 is hereby enacted as follows:

**Sec. 54-330. Police Alarm Systems**

Purpose and Intent: This Ordinance is adopted for the purpose of regulating and permitting alarm systems to which the Sheriff's police are expected to respond.

**Sec. 54-331. Definitions**

**ALARM AGENT:** Any person employed by, working for, representing, or subcontracted by an alarm company.

**ALARM COMPANY:** The business by any person, firm, partnership, corporation, association, organization, company, or other entity of selling, leasing, maintaining, servicing, repairing, altering, replacing, moving, or installing any alarm system or causing to be sold, leased, maintained, serviced, repaired, altered, replaced, moved, or installed in or on any building, structure or facility.

**ALARM SYSTEM:** Any assembly of equipment, mechanical or electrical, arranged to signal the occurrence of any actual or attempted burglary or robbery to which the police are expected to respond.

**ALARM USER:** A person(s), firm, partnership, corporation, association, organization, company, or other entity in control of a premises where an alarm system is located.

**AUDIBLE ALARM:** An alarm system or device that generates an audible sound.

**AUTOMATIC DIALING DIGITAL ALARM COMMUNICATOR SYSTEM:** A system in which signals are transmitted from a digital alarm communicator transmitter located at a protected premises through the public switched telephone network to a digital alarm communicator receiver at a central alarm station.

**CALENDAR YEAR:** A twelve (12) month period beginning January 1 and ending December 31 every year.

**CENTRAL ALARM STATION:** A system in which the operation of electrical protection circuits and devices are signaled automatically to, recorded at, or maintained and serviced from a place of business having trained alarm operators in attendance at all times.

**CHIEF OF POLICE:** The Cook County Sheriff's Chief of Police or his/her designee.

**COUNTY:** Cook County

**FALSE ALARM:** Activation or transmission of any alarm signal caused by human error, mechanical or electronic malfunction, negligence of the alarm user or alarm user's employee, whether or not the exact cause of the alarm activation is determined, or any other activation or transmission of any alarm signal where no actual or attempted burglary or robbery exists. Severe weather, power outages, transmission line malfunctions, acts of God, malicious acts of persons not under the control of the alarm user, or any other cause clearly beyond the control of the alarm user will be considered in determining if an alarm activation was false and whether or not any occurrence, fine, warning or other punitive action will be taken against the alarm user as provided for by this Chapter.

NOTICE: Written notice given by personal service upon the addressee, or, given by the United States Postal Office, postage paid, to the addressee's last known mailing address.

PERMITTEE: Any person, firm, partnership, corporation, association, organization, company, or other entity issued an alarm permit by the County.

PERSON: A natural person, or a firm, partnership, corporation, association, organization, company, or other entity.

PROTECTED PREMISES: Any building, structure, or facility where an alarm system is installed to signal the occurrence of any actual or attempted burglary or robbery to which the police are expected to respond.

SHERIFF POLICE DEPARTMENT REPRESENTATIVE: Chief of Cook County Sheriff's Police Department or his/her designee.

**Sec. 54-332. Permit Required**

- A. It is unlawful for any person, firm, partnership, corporation or other legal entity to use, own or lease an alarm system or to be in control of a premises wherein an alarm system is operated or maintained without having first obtained a permit as provided in this Chapter.
- B. It is unlawful for any person, firm, partnership, corporation or other legal entity to use, own or lease an alarm system or to be in control of a premises wherein an alarm system is operated or maintained when a permit therefor has been revoked.
- C. A permit must be obtained from the Department of Revenue for each separately addressed operating location.
- D. A \$100.00 annual fee shall be charged to business within unincorporated Cook County to obtain an alarm user permit.
- E. The annual fee shall be due on July 1st of each year or as determined by the Department of Revenue in consultation with the Cook County Sheriff's Police Department.
- F. For the period from the effective date of this Ordinance to the date of the first due date for payment of the required annual permit fee subsequent to such effective date, a permit is not required for an Alarm System installed at a Protected Premises prior to the effective date of this Ordinance.

**Sec. 54-333. Permit Application**

- A. Each applicant for a permit to maintain an alarm system shall file a written application with the Department of Revenue stating:
  - 1. The full legal name, address, and telephone number of the applicant.
  - 2. The name, address and telephone number of the premises where the alarm system is located.
  - 3. The type of alarm system at the protected premises.

4. A list of three (3) persons, including their addresses and telephone numbers, who can be contacted and will respond to the premises in the event of an emergency or to reset or deactivate the alarm system, or who could contact the alarm user if the alarm user is not at the protected premises.
  5. The name, address and telephone number of the person or company that installed the alarm system.
  6. The name, address and telephone number of the person or company that is responsible for the maintenance and repair of the alarm system, if applicable.
- B. Incomplete applications shall be returned to the applicant. A permit will not be issued until the completed application is received and approval for the permit has been granted by the Sheriff's Police Department.
- C. An application for an alarm user permit shall be denied if:
1. The applicant has failed to pay false alarm fees required by this Chapter for a different protected premises under the applicant's ownership or control.
  2. The applicant has failed to comply with any provisions of this Chapter or other ordinances of the County.
- D. The Department of Revenue shall be responsible for processing and issuing alarm user permits.

**Sec. 54-334. Alarm Activation at Premises Where An Alarm User Permit Has Not Been Issued.**

Any alarm user who does not have a valid alarm user permit will be assessed a fine in the amount of three hundred dollars (\$300.00) for each notice to the Sheriff's Police Department of an activation of a burglar or robbery alarm system at the protected premises.

**Sec. 54-335. Updating Alarm User Application.**

It is unlawful for any alarm user to fail or refuse to amend its alarm user permit application within fourteen (14) days after any of the information required and contained therein becomes outdated or inaccurate.

**Sec. 54-336. Transfer of Alarm User Permit Prohibited.**

An alarm user permit cannot be transferred to another premises or to another person.

**Sec. 54-337. Audible Alarm System Requirements.**

An alarm system that emits an audible signal that may be heard by persons outside the protected building, structure or facility shall conform to the following requirements:

- A. Audible alarm systems shall automatically discontinue emitting an audible sound within thirty (30) minutes after it is activated.
- B. With respect to systems in existence prior to the adoption of this Chapter, the owner or operator thereof shall have thirty (30) days from the effective date hereof to effect the necessary modifications to comply with the foregoing requirements.



**Sec. 54-338. Automatic Dialing Telephone Alarm Requirements**

- A. Any automatic dialing telephone alarm or device installed and operated that dials any County telephone line is prohibited. No person will install, or cause to be installed, or maintain or cause to be maintained, any automatic dialing telephone alarm that dials any County telephone line.
- B. It is unlawful for any person to allow any automatic alarm, automatic dialing device or automatic alerting device which causes any County telephone line to be dialed, and whose sole purpose is to establish an open telephone line with the specific intent that a conversation between parties not actively speaking into the telephone instrument be heard by the Sheriff's Police Department in order to directly access emergency services based on this overheard conversation, or lack of conversation.

**Sec. 54-339. False Alarms Prohibited**

It is unlawful for any person to knowingly activate an alarm system for the purpose of summoning the Sheriff's Police Department except if such person knows or suspects that there is an actual or attempted burglary or robbery on the premises.

**Sec. 54-340. False Alarms; Fines; Notifications**

- A. Any alarm user permittee who has more than one (1) false alarm within a calendar year at a single protected location will be assessed fines according to the following fine schedule:

Second - fifth false alarm: one hundred dollar (\$100.00) fine per false alarm

Sixth - tenth false alarm: two hundred dollar (\$200.00) fine per false alarm

More than ten (10) false alarms: three hundred dollar (\$300.00) fine per false alarm

- B. All fines must be paid to the Department of Revenue within thirty (30) days from the date of the invoice requesting payment of the fine(s).
- C. The Sheriff's Police Department shall notify the alarm user, in writing, of each instance wherein the Sheriff's Police Department has recorded a false alarm. The alarm user shall have the opportunity within fourteen (14) days from the date of mailing or personal delivery to submit a report or meet with a representative of the Sheriff's Police for the purpose of showing cause as to whether circumstances exist to warrant voiding the false alarm recordation. The Sheriff's Police shall review the alarm user's report and/or meet with the alarm user and issue a written finding to the alarm user as to whether or not the false alarm record will be voided. The finding of the Sheriff's Police Department representative shall be final. The Sheriff's Police Department shall inform the Department of Revenue of any amount owed by an alarm user.

**Sec. 54-341. Permit Revocation**

- A. Any alarmed premises which has ten (10) or more false alarms within a calendar year shall subject the alarm user to permit revocation as provided herein.
- B. If County records show ten (10) or more false alarms within a calendar year for any alarmed premises:

1. The Sheriff's Police Department representative shall notify the alarm user by certified mail or personal delivery, that their alarm permit shall be revoked thirty (30) days from date of mailing or personal delivery. The alarm user shall have fourteen (14) days from the date of mailing or personal delivery to submit a written report to the Sheriff's Police Department representative describing actions taken or to be taken to identify and eliminate the cause of the false alarms, and to request that their alarm user's permit be reinstated.
2. If the alarm user submits a report requesting reinstatement of their alarm user's permit, the Sheriff's Police Department representative shall determine if the action taken or to be taken will substantially reduce the likelihood of false alarms; if he determines that the action will substantially reduce the likelihood of false alarms, he shall notify the alarm user, via certified mail or personal delivery, that the request to reinstate the alarm users permit has been approved.
3. If the alarm user's permit is reinstated, and the Sheriff's Police Department responds to a subsequent false alarm activation in the same calendar year at the protected premises, the Sheriff's Police Department representative shall proceed with the permit revocation process again as described in this subsection B. The alarm user shall also be assessed a fine in the amount of three hundred dollars (\$300.00) for each subsequent false alarm through the remainder of the calendar year.
4. If the Sheriff's Police Department representative determines that the action taken, or to be taken, will not substantially reduce the likelihood of false alarms, the request for reinstatement shall be denied. The Sheriff's Police Department representative shall give notice by certified mail or personal delivery, to the user that the permit will be revoked without further notice.
5. An alarm user whose permit has been revoked by the Sheriff's Police Department representative may, within fourteen (14) days of receipt of the notice of revocation, appeal this decision by filing a written request for a review meeting with the Sheriff.
6. If a review meeting with the Sheriff is requested, written notice of the time and place of the review meeting will be served on the alarm user by the Sheriff by certified mail or personal delivery within fourteen (14) days of the request by the alarm user.
7. The Sheriff's Police Department representative and the alarm user shall have the right to present written and oral evidence, subject to the right of cross-examination by both parties.
8. If the Sheriff determines that the user has not taken action which substantially reduces the likelihood of false alarms, the Sheriff shall issue written findings to that effect and an order denying reinstatement of the alarm user's permit.
9. If the Sheriff determines that the alarm user has taken action which substantially reduces the likelihood of false alarms, the Sheriff shall issue written findings to that effect and an order approving reinstatement of the alarm user's permit.
10. If the alarm user's permit is reinstated, pursuant to subsection B9 of this Section, and the Sheriff's Police Department responds to a subsequent false alarm activation in the same calendar year at the protected premises, the Sheriff's Police Department representative shall proceed with the permit revocation process again as described in this subsection B. The alarm user shall also be assessed a fine in the amount of three hundred dollars (\$300.00) for each subsequent false alarm activation through the remainder of the calendar year.

11. If the alarm user's request for reinstatement of their alarm permit has been denied by the Sheriff, then the alarm user shall have a right to appeal to the Circuit Court of Cook County.

- C. Any alarm user permittee who fails to pay any fines or charges provided for under this Chapter within thirty (30) days from the date of the invoice requesting payment of same shall have the subject alarm user permit revoked. Any such alarm user permit shall not be reinstated until all the unpaid fines and fees are paid in full.

**Sec. 54-342. Testing Equipment**

No person shall conduct or cause to be conducted, any test or demonstration of any alarm system or signaling device that is directly connected with the Sheriff's Police Department Emergency Communications Center without first obtaining permission from the Sheriff's Police Department Emergency Communications Center personnel. Permission to test shall not be required when the alarm system or signaling device is connected to an intermediary receiver and is not relayed to the Sheriff's Police Department Emergency Communications Center.

**Sec. 54-343. No Liability of County**

The County assumes no liability for any defects in the operation of any alarm system or signal line system, for any failure or neglect of any person associated with the installation, operation or maintenance of any alarm system, for any failure or neglect of any alarm user, for the transmission or receipt of alarm signals or any failure or neglect to respond upon receipt of an alarm from any source. In the event that the County finds it necessary to revoke an alarm user permit or to otherwise provide for the disconnection of any alarm system, the County shall have no liability for such action. No special duty other than that owed to the general public shall be created by virtue of this Chapter or by virtue of the issuance of an alarm system permit, the direct connection of an alarm system with the Sheriff's Police Department or as a result of the transmission to or receipt of alarm signals by the Sheriff's Police Department.

This Ordinance shall be in effect upon its date of passage.

Approved and adopted this 21st day of February 2007.

**07-O-19  
ORDINANCE**

**Sponsored by**

**THE HONORABLE ROBERTO MALDONADO, COUNTY COMMISSIONER**

**Co-Sponsored by**

**THE HONORABLE EARLEAN COLLINS, JOAN PATRICIA MURPHY  
AND MIKE QUIGLEY, COUNTY COMMISSIONERS**

**COOK COUNTY SULFUR DIOXIDE EMISSION TAX**

**WHEREAS**, Sulfur dioxide is listed by the U.S. Environmental Protection Agency as a criteria air pollutant under the Clean Air Act, for which it sets health-based air quality standards; and

**WHEREAS**, Sulfur dioxide gas emissions are known to cause adverse bronchial reactions, reduced lung function, destabilized heart rhythms, and premature death; and

**WHEREAS**, Sulfur dioxide reacts with the air upon emission to form sulfate particles, a form of fine particulate matter, also listed as a criteria air pollutant, which is known to cause lung cancer, asthma attacks, heart attacks, and premature death; and

**WHEREAS**, the U.S. Environmental Protection Agency has designated the Chicago region as a nonattainment area for the fine particulate matter standard set in 1997; and

**WHEREAS**, the U.S. Environmental Protection Agency strengthened the fine particulate standard in September 2006, though not to the level that its own Clean Air Scientific Advisory Committee stated is necessary to protect public health; and

**WHEREAS**, Sulfur dioxide emissions react with the air to form sulfuric acid, which falls to the earth as acid rain and can damage forests and crops, change the makeup of soil, make lakes and streams acidic and uninhabitable, and accelerate the decay of building materials and paints; and

**WHEREAS**, the Illinois Constitution, Article XI, Section 2, provides that each person has the right to a healthful environment; and

**WHEREAS**, In the same way the Cook County cigarette tax discourages smoking, due to the adverse public health and environmental effects caused by the release of sulfur dioxide into the air, such emissions should also be discouraged; and

**WHEREAS**, Cook County is a home rule unit of local government pursuant to Article VII, Section 6(a) of the 1970 Illinois Constitution; and

**WHEREAS**, the Cook County Board of Commissioners has determined that a County tax based upon emissions of sulfur dioxide should be imposed upon large sources of those emissions within Cook County.

**NOW, THEREFORE, BE IT ORDAINED AS FOLLOWS:**

**SECTION 1. SHORT TITLE**

This ordinance shall be known and may be cited as the “Cook County Sulfur Dioxide Emission Tax Ordinance”.

## **SECTION 2. DEFINITIONS**

For the purposes of this ordinance, the following terms are defined as follows:

- (1) Department means the Cook County Department of Revenue.
- (2) Emitter means a source emitting 100 tons or more of sulfur dioxide in a twelve month period.
- (3) Measuring period means the twelve consecutive months prior to the effective date of this Ordinance.
- (4) Owner means a person or business entity of any type that has the right to possess, use, and convey the source.
- (5) Source means a stationary unit, including, but not limited to, power plants, steel processing plants, or refineries, the activities and operations of which cause the emission of sulfur dioxide.

## **SECTION 3. TAX IMPOSED**

In the exercise of the Home Rule Powers conferred by Section 6(a) of Article VII of the 1970 Illinois Constitution, a tax is hereby imposed upon sources that emit 100 tons or more of sulfur dioxide in a twelve month period. The ultimate incidence of and liability for payment of the tax levied in this ordinance is to be borne by the owner of the emitting source. This tax shall be levied at a rate of \$400 for each ton of sulfur dioxide emitted in a twelve month period and shall be remitted on a semi-annual basis.

## **SECTION 4. TAX IN ADDITION TO OTHER TAXES**

The tax imposed by this ordinance is in addition to all other taxes imposed by the Government of the United States, the State, or by any unit of local government.

## **SECTION 5. RULES AND REGULATIONS AUTHORIZED**

The Department shall, within three months of the effective date of this Ordinance, prescribe reasonable rules, definitions, and regulations not inconsistent with this Ordinance pertaining to the administration and enforcement of this ordinance. Such rules, definitions, and regulations shall include, but not be limited to, reasonable procedures for registration and collection and remittance of the tax levied in this ordinance upon the owners of emitting sources.

## **SECTION 6. REGISTRATION & REPORTING**

Those entities that qualify as emitters based upon their levels of sulfur dioxide emissions during the measuring period shall register with the Department within four months of the effective date of this Ordinance. A source may petition the Department for an exemption from the tax imposed herein if it has undergone significant modifications since the measuring period such that its sulfur dioxide emissions in the twelve months after registration will most likely not meet or exceed the threshold of 100 tons. Such exemption shall be granted if the Department, after consultation with the Department of Environmental Control, is satisfied that the source will most likely not qualify as an emitter for the next twelve months.

An entity becoming an emitter after adoption of this Ordinance shall register with the Department within 20 days of the commencement of business.

All emitters shall file semi-annually with the Department a report of all sulfur dioxide emissions in such time and form as prescribed by the Department. Such reports shall employ the same process and methods of measurement as used for similar reports furnished to the state and federal Environmental Protection Agencies. The appropriate tax of \$400 for each ton of sulfur dioxide emitted during the reporting period shall be remitted along with the report.

## **SECTION 7. PENALTIES**

It shall be deemed a violation of this ordinance to not remit the taxes imposed herein when due; such nonremittance shall be punishable by a fine of \$800 for each ton of sulfur dioxide emitted for which no tax was remitted. It shall be deemed a violation of this ordinance for any person knowingly to furnish false or inaccurate information required in this ordinance; such violation, along with any other violation, shall be punishable by a fine of not less than \$500 and not more than \$1000. For the purpose of this ordinance, interest shall be computed at the rate provided in Chapter 34, Article III of this Code.

## **SECTION 8. EFFECTIVE DATE**

This ordinance shall enter into effect upon enactment.

## **SECTION 9. SEVERABILITY**

If any one or more of the provisions of this Ordinance is declared unconstitutional or the application thereof is held invalid, the validity of the remainder of this Ordinance and the application of such provisions to other persons and circumstances shall not be affected.

Approved and adopted this 21st day of February 2007.

**07-O-20  
ORDINANCE**

**Sponsored by**

**THE HONORABLE LARRY SUFFREDIN, COUNTY COMMISSIONER**

**Co-Sponsored by**

**THE HONORABLE TODD H. STROGER, PRESIDENT, JOHN P. DALEY, GREGG GOSLIN,  
JOAN PATRICIA MURPHY, PETER N. SILVESTRI, DEBORAH SIMS  
AND ROBERT B. STEELE, COUNTY COMMISSIONERS**

**CREATING A COOK COUNTY EMPLOYEES AS  
ELECTION DAY WORKERS PROGRAM**

**WHEREAS**, conducting fair and impartial elections is one of the most important functions of government to insure confidence in and the integrity of the democratic process; and

**WHEREAS**, elections within Cook County, excluding that portion of those elections which is conducted within the City of Chicago, (“suburban elections”) are the responsibility of the Cook County Clerk; and

**WHEREAS**, suburban elections are conducted at polling places for each election precinct which are under the supervision of Election Judges appointed by the Cook County Clerk; and

**WHEREAS**, in accordance with the federal Help America Vote Act (“HAVA”), the Cook County Clerk implemented new voting equipment (“System”) beginning with the March 21, 2006 primary election; and

**WHEREAS**, in 2006, the County Board approved a pilot program to recruit, train and assign 100 employees working within Cook County government to serve as technical assistants for the March 21, 2006 primary and the November 7, 2006 General Election; and

**WHEREAS**, the Clerk, the President and the Board view this Pilot Program as a cost effective and reliable solution to deploy trained Cook County employees to provide Election Day assistance on behalf of the Clerk on Election Day and now desire to implement this solution on a permanent basis.

**NOW, THEREFORE, BE IT ORDAINED**, by the Cook County Board of Commissioners that Chapter 22, Section 22-1 is hereby enacted as follows:

**Sec. 22-1. Cook County Employees as Election Day Workers Program.**

**(a) Employees as Election Day Workers Program Established.** The County of Cook, in conjunction with the Cook County Clerk’s Office and the President’s Office and with the voluntary cooperation of the elected officials comprising County government, will continue the program to recruit, train and assign employees working within Cook County government to serve as equipment managers, election judges or other election day workers (“Election Day Workers”) for elections conducted by the Office of the Cook County Clerk.

**(b) Compensation and Training of County Employees as Election Day Workers.** Cook County employees who qualify for, are selected and agree to participate as Election Day Workers must attend all required training prior to Election Day. If they successfully complete this training workshop, Election Day Workers shall be excused from their regular work assignment with the permission of the chief executive of their department, agency or bureau on Election Day to provide assistance in suburban Cook County. In addition to their regular salaries, these Election Day Workers will receive either overtime pay or a stipend payment, the amount of which shall depend on the specific work assignment, to compensate them for hours worked beyond a normal eight hour day for each suburban election worked. Such compensation shall be paid only from funds available to the Clerk of Cook County in funds 524-129 Seasonal Employees or 524-133 Per Diem Employees.

**(c) Implementation.** The Cook County Clerk's Office, the President's Office and the Cook County elected officials who voluntarily participate in this Program shall enter into an interagency agreement setting forth the details of their participation in the Program for each election.

**(d) Effective Date.** This Ordinance shall go into effect immediately upon passage by the Cook County Board of Commissioners.

Approved and adopted this 20th day of March 2007.



**07-O-21  
ORDINANCE**

**Sponsored by**

**THE HONORABLE TODD H. STROGER**

**PRESIDENT OF THE COOK COUNTY BOARD OF COMMISSIONERS**

**BE IT ORDAINED**, by the Cook County Board of Commissioners that Chapter 106, Section 106-2 of the Cook County Code is hereby amended as follows:

**Sec. 106-2. Definitions.**

*Designated Floodway* means the channel, including on-stream lakes, and that portion of the floodplain adjacent to a stream or watercourse as designated by IDNR/OWR, which is needed to store and convey the existing 100-year frequency flood discharge with no more than a 0.1 foot increase in stage due to the loss of flood conveyance or storage, and no more than a ten percent increase in velocities.

- (1) The floodways are designated on the Countywide flood insurance rate map for Cook County number 17031C panels 64-69, 206 and 207 dated April 16, 2007, panels 15, 20 and 155-158 dated November 16, 2006, panels 162, 164 and 166-168 dated December 16, 2005, panels 366-369, 386, 388, 457 and 476 dated June 2, 2005, panels 169, 188, 307, 308, 309 and 330 dated February 4, 2004, panels 142, 144, 161, 163 and 305 dated December 20, 2002 and panels 38-63, 88-113, 159, 176-187, 189-204, 208-270, 331-359, 376-385, 387, 389-456, 458, 459 and 477-832 dated November 6, 2000 prepared by FEMA.

*Floodplain* means that land typically adjacent to a body of water with ground surface elevations at or below the base flood or the 100-year frequency flood elevation. Floodplains may also include detached special flood hazard areas (SFHAs), ponding areas, etc. The floodplain is also known as the special flood hazard area (SFHA). The floodplains are those lands within the jurisdiction of the County that are subject to inundation by the base flood or 100-year frequency flood. The special flood hazard areas (SFHA's) of the County are generally identified on the Countywide flood insurance rate map (FIRM) for Cook County number 17031C, panels 64-69, 206 and 207 dated April 16, 2007, panels 15, 20 and 155-158 dated November 16, 2006, prepared by the Federal Emergency Management Agency panels 162, 164 and 166-168 dated December 16, 2005, panels 366-369, 386, 388, 457 and 476 dated June 2, 2005, panels 142, 144, 161, 163 and 305 dated December 20, 2002 and panels 38-63, 88-113, 159, 176-187, 189-204, 208-270, 331-359, 376-385, 387, 389-456, 458, 459 and 477-832 dated November 6, 2000.

Approved and adopted this 3rd day of April 2007.

**07-O-22  
ORDINANCE**

**Sponsored by**

**THE HONORABLE ELIZABETH “LIZ” DOODY GORMAN  
COUNTY COMMISSIONER**

**Co-Sponsored by**

**THE HONORABLE WILLIAM M. BEAVERS, JERRY BUTLER,  
EARLEAN COLLINS, GREGG GOSLIN, ROBERTO MALDONADO,  
JOSEPH MARIO MORENO, JOAN PATRICIA MURPHY, MIKE QUIGLEY,  
TIMOTHY O. SCHNEIDER, PETER N. SILVESTRI, ROBERT B. STEELE  
AND DEBORAH SIMS, COUNTY COMMISSIONERS**

**COOK COUNTY ASSESSOR’S OFFICE DATABASE FEES**

**WHEREAS**, the Cook County Assessor’s Office maintains a database (the “Database”) of certain property identification numbers, address information, property characteristics and images for all parcels in Cook County for the purposes of real estate taxation; and

**WHEREAS**, the Database is currently available to all taxpayers on the Cook County Assessor’s website at no charge; and

**WHEREAS**, the Database is currently available on a PIN by PIN basis only; and

**WHEREAS**, some website users have employed automated or repetitive searches which slows and sometimes freezes the Cook County Assessor’s website; and

**WHEREAS**, certain organizations desire the ability to access and compile the Data in a bulk form without impairing the functionality of the Cook County Assessor’s website; and

**WHEREAS**, the Cook County Board of Commissioners desires to establish fair and reasonable public access to the Database while maintaining website access at no charge; and

**WHEREAS**, the Cook County Assessor’s Office may enter into agreements substantially similar to the form of agreement submitted herewith as Exhibit A; and

**WHEREAS**, the County asserts copyright protection for the Database.

**NOW, THEREFORE, BE IT ORDAINED**, by the Cook County Board of Commissioners that Chapter 2, Article IV, Section 2-315 is hereby enacted as follows:

Division 7. Assessor

**Sec. 2-315. Cook County Assessor’s Office database fee.**

(a) **Definitions.** The following terms used in this ordinance shall have the meaning set forth below:

*CCAO Database* means an electronic database maintained by the Cook County Assessor's Office containing property identification numbers, address information, property characteristics for all parcels in Cook County for the purposes of real estate taxation.

*Commercial User* means any individual, firm or organization accessing the CCAO Database for a commercial interest rather than a public, not for profit, or educational interest.

*Repetitive Searches* means any program or computer procedure written, developed, purchased, or implemented for the purpose of downloading or accessing data from the CCAO Database, including, but not limited to searching for more than 100 property searches of the CCAO database by a Commercial User in a given day.

(b) ***Fee Structure.*** The CCAO Database shall be made available on an annual subscription basis for a fee payable in cash, money order, or certified or cashier's check in one installment. Fees will be imposed as follows:

The CCAO shall assign one to five authorized user account - \$15K annually. Each authorized user account will be issued a username and password, with access to our search engine without any capability to download data. Enhanced customized search features will be included, strictly viewing only.

The CCAO shall assign six to one hundred authorized user accounts - \$30K annually. Each authorized user account would have full unlimited access, be able to download our database and have access to enhanced customized search features.

The CCAO shall assign more than one hundred authorized user accounts - \$60K annually. Each authorized user account would have full unlimited access, be able to download our database and have enhanced access to customized search features.

These fees shall be adjusted annually by the Consumer Price Index as of January 1 of each year following the effective date of this Ordinance.

(c) ***Agreement Form.*** To further carryout the intent of the section above, the Cook County Assessor's Office may enter into agreements using a form of agreement similar to that outlined in Exhibit A.

(d) ***Fee Requirements.*** It shall be the duty of the County Assessor to collect and receive for the County's general fund the subscription fees imposed by this ordinance. The County Assessor shall adopt, promulgate and enforce rules and regulations not inconsistent with this ordinance relating to the administration and enforcement of the provisions of this ordinance. Such rules and regulations shall be consistent with the provisions of this ordinance designed to promote fairness. The Cook County Auditor is hereby authorized to examine the books, papers and records of any such subscription agreement during regular business hours.

(e) ***Repetitive searches of the website.*** The Assessor may implement reasonable procedures to prevent users of the website from performing repetitive searches or downloading significant quantities of data from the publicly available website. However, those procedures shall not prevent the regular use of the website by the public or individuals not engaged in repetitive searches which can slow the performance of the site.

(f) ***Effective Date.*** This Ordinance shall be effective upon its passage by the Cook County Board of Commissioners.

Approved and adopted this 3rd day of April 2007.

**07-O-23  
ORDINANCE**

**Sponsored by**

**THE HONORABLE ROBERTO MALDONADO, COUNTY COMMISSIONER**

**BE IT ORDAINED**, by the Cook County Board of Commissioners that Chapter 34, Section 34-123 is hereby amended as follows:

**Sec. 34-123. Living wage.**

(a) Unless expressly waived by the County Board, not less than a living wage shall be paid to each employee of any person or business entity awarded a contract or subcontract with the County or by a for-profit organization which has an owner-occupied property that receives or renews a Class 6b or Class 9 property tax incentive, except in applications or renewals of Class 9 property incentives for supportive living facilities.

(b) The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

*Contract* means any written agreement requiring Board approval whereby the County is committed to expend or does expend funds in connection with any contract or subcontract which requires in the performance thereof the employment of any number of full time non-county employees, including, but not limited to, the following classifications: cashier, clerical, custodial, day laborer, elevator operator, home and health care, laundry, leased employee, parking attendant, and security guard. The term "contract" shall not include contracts with not-for-profit organizations, community development block grants, President's Office of Employment Training, Sheriff's Work Alternative Program, or Department of Corrections inmates.

*Contracting agency* means the County of Cook.

*Eligible contractors* means any person or business entity awarded a contract or subcontract by the County which requires in the performance thereof the employment of any number of full time non-county employees, including, but not limited to, the following classifications: cashier, clerical, custodial, day laborer, elevator operator, home and health care, laundry, leased employee, parking attendant, and security guard.

*Employee* means any individual permitted to work by an employer in an occupation but does not include any employer's parent, spouse or child or other members of his immediate family. This definition of employee may be further defined by the Bureau of Human Resources.

*Living wage* means a wage of no less than \$9.43 per hour if employee health benefits are provided, or \$11.78 per hour without health benefits. The employee health benefit contribution shall not exceed 25 percent of the health insurance premium. As of January 1, 2006, and each January 1 thereafter, the living wage shall be adjusted, using the most recent federal poverty guidelines for a family of four as published annually by the United States Department of Health and Human Services, to constitute the following: there will be an annual adjustment calculated as 100 percent of the federal poverty line for a family of four (as defined by the U.S. Department of Health and Human Services) with health benefits and 125 percent of the federal poverty line for a family of four without health benefits.

*For profit organization* means any person, corporation, or business entity except those having tax exempt status under Section 501(C)(3) of the United States Internal Revenue Code and recognized under State not-for-profit law, or their respective successors.

*Property tax incentive* means a reduction in the assessment level as set forth in Chapter 74, Article II, Division 2 of this Code for Class 6b industrial property or Class 9 multifamily residential property.

*Supportive living facilities* mean programs which establish an alternative to nursing home care for low income older persons and persons with disabilities under Medicaid and certified by the State Department of Public Aid.

*Wage* means compensation due to an employee by reason of his employment, including allowances determined by the Bureau of Human Resources for gratuities, and when furnished by the employer, for meals and lodging actually used by the employee.

(c) Every contract shall contain a provision or provisions stipulating that they are currently paying the living wage required to be paid to the employees listed under the definition of living wage set forth in this section and each such contract shall further contain provisions obligating the eligible contractor or subcontractor of such eligible contractor, to pay its employees for work at not less than the living wage.

(d) Every for-profit organization which has an owner-occupied property ~~who~~ that receives or renews a Class 6b or Class 9 property tax incentive, except as exempted herein for supportive living facilities, shall provide an affidavit to the applicable County agency stipulating that such person or business entity is currently paying the living wage required to be paid to the employees listed under the definition of living wage set forth in this section.

(e) The Purchasing Agent shall require as part of the bidding and sole source procedure that any covered contractor provide the County certification of its compliance with this section.

(f) Any contract that violates the provisions contained in this section shall be subject to cancellation by the County Board. Any Class 6b or Class 9 property tax incentive that violated the provisions contained in this Section shall be subject to cancellation by the County Board.

(g) Any contractor disqualified from eligibility by the County Board shall be ineligible for two years following violation of this section. With respect to any Class 6b or Class 9 property tax incentive, any for profit organization found to have violated the provisions of this Section by the County Board shall be ineligible for any Class 6b or Class 9 property incentive for a period of two years from the date of the County Board's determination.

(h) Annually, the County Assessor's Office shall review and analyze the property tax incentives program to determine whether the living wage program has resulted in less application for and utilization of the incentive classification. A report of this review shall be provided by the County Board.

(i) This section shall apply to contracts advertised for bid or if not advertised for bid, approved for sole source or to for-profit persons or business entities of owner-occupied properties who receive a Class 6b or Class 9 property tax incentive on or after January 1, 2005.

(j) This section shall not apply to any applications or renewal of a Class 9 tax incentive, as provided under Chapter 74, Article II, Division 2 of this Code, for supportive living facilities certified by the State Department of Public Aid.

(k) This section shall not apply to any contract with the County entered into prior to the effective date of the ordinance from which this Section is derived.

(Ord. No. 98-O-21, §§ 1, 2, 9-15-1998; Ord. No. 05-O-02, §§ 1, 2, 12-1-2004; Ord. No. 05-O-42, §§ 1, 2, 9-20-2005.)

Approved and adopted this 3rd day of April 2007.

**07-O-26  
ORDINANCE**

**Sponsored by**

**THE HONORABLE JOHN P. DALEY, GREGG GOSLIN  
AND MIKE QUIGLEY, COUNTY COMMISSIONERS**

**Co-Sponsored by**

**THE HONORABLE JERRY BUTLER, ELIZABETH “LIZ” DOODY GORMAN,  
ROBERTO MALDONADO, TIMOTHY O. SCHNEIDER,  
TODD H. STROGER, PRESIDENT, WILLIAM M. BEAVERS,  
FORREST CLAYPOOL, EARLEAN COLLINS, JOSEPH MARIO MORENO,  
JOAN PATRICIA MURPHY, ANTHONY J. PERAICA, PETER N. SILVESTRI,  
DEBORAH SIMS, ROBERT B. STEELE AND LARRY SUFFREDIN  
COUNTY COMMISSIONERS**

**WHEREAS** the County of Cook is a home rule unit of government as defined by Article VII, Section 6(a) of the 1970 Constitution of the State of Illinois, and as such may exercise any power and perform any function pertaining to its government and the affairs of its citizenry, and

**WHEREAS** the Office of the Cook County Auditor was created to protect the resources of Cook County, to monitor the actions of all personnel in positions of trust and authority over the allocation of cash and cash instruments, to enforce compliance with all applicable laws, regulations, and accounting standards, to ensure the viability of internal controls and adequacy of separation of fiduciary authority, and

**WHEREAS** the Cook County Auditor oversees the conduct of financial, compliance, and expanded scope audits while adhering at all times to generally accepted government auditing standards, as promulgated by the United States Comptroller General, and

**WHEREAS** the Cook County Auditor is required to perform annual audits of all fee agencies within the scope of Cook County government in its entirety, to ensure compliance with all policies, plans, procedures, laws, regulations, and internal control reviews in accordance with government auditing standards, and

**WHEREAS** in due course of performing audits and internal control reviews, the Cook County Auditor may publish certain findings and recommendations for the consideration of management, and

**WHEREAS** certain audit findings and recommendations indicate a specific course of action, or series of actions, is required on behalf of management, in order to achieve compliance with applicable laws, regulations, internal controls, and generally accepted government auditing standards, and

**WHEREAS** the Audit Committee of the Cook County Board of Commissioners has determined that a monthly report on the status of findings and recommendations, and any compliance measures pertaining thereto, is consistent with best practices as suggested by the Government Finance Officers Association (GFOA), now therefore

**BE IT ORDAINED** by the Board of Commissioners of Cook County, that the Cook County Code, Chapter 2, Division 6, Sec. 2-311 be amended as follows:



## **DIVISION 6. AUDITOR**

### **Sec. 2-311. Office created; general functions.**

(a) There is hereby created the office of County Auditor who shall be appointed by the President of the County Board and ratified by a majority of the members of the County Board. The Auditor shall conduct, or cause to be conducted, financial, compliance and expanded scope audits following generally accepted government auditing standards as promulgated by the United States Comptroller General. Appointment of the Auditor shall be for a period of five years, and removal from office must be for cause and by a vote of a majority of the members of the County Board. The County Auditor's compensation and official bond shall be fixed by the County Board. In case of a vacancy in the office of Auditor caused by death, resignation or removal from office, the vacancy shall be filled in the manner aforesaid. The person appointed to the office of Auditor must be a certified public accountant, licensed by the State and be in good standing in the profession.

(b) The duties of the Auditor shall be to:

- (1) Work with the external auditor at the direction of the President and the County Board in the performance of the annual financial statement audit of the comprehensive annual financial report of the County;
- (2) Work with the external auditor at the direction of the President and the County Board in the performance of the annual financial statement audit of the County health facilities;
- (3) Work with the external auditor at the direction of the President and the County Board in the annual audit of Federal financial assistance received by the County in accordance with the Federal Government's Single Audit Act of 1984;
- (4) Perform periodic audits of County departments and annual audits of all fee agencies including audits of financial information and of compliance with policies, plans, procedures, laws and regulations, and internal control reviews in accordance with *Government Auditing Standards*, issued by the Comptroller General of the United States;
- (5) Perform periodic audits of financial applications of information systems including security of such systems in County departments;
- (6) Perform periodic reviews of the real estate tax record to verify accuracy;
- (7) Perform audits, reviews and special projects as directed by the President of the County Board or the County Board;
- (8) Monitor management compliance with all findings and recommendations contained in audit reports prepared by the Auditor or external auditors, and upon request, provide support and assistance to management in the development and implementation of new or reformed procedures and internal controls, in order to achieve compliance with all applicable laws, regulations, internal controls, and generally accepted government auditing standards.

(c) The Auditor shall submit all audits, written audit comments, responses to written audit comments, reviews and special project reports prepared pursuant to this section simultaneously to the President and the County Board.

(d) The Auditor shall prepare and submit a monthly report describing all findings and recommendations from audit reports previously considered by the Audit Committee, when said findings and recommendations are classified as “not implemented” or “implementation in progress,” and shall include the status of any management compliance measures taken thereto.

(e) The Auditor may under the direction of the County Board prescribe new forms, reports, accounts or records to be used by the President and County Board in the transaction of business of their several respective offices, or change, alter or amend the same from time to time.

(f) All elected officials, officers and employees of the County shall furnish the Auditor and external auditors with all records, documents, reports and property necessary for the discharge of the duties under this section. The Auditor shall report to the County Board any matters which impede the discharge of these duties. In the event that any elected official, officer or employee of the County does not provide the requested records, documents, reports and property without good cause, the County Board shall seek whatever remedies at law are available.

(g) Each elected official and officer of the County, who receives written audit comments or recommendations from the Auditor and external auditors as a result of the Auditor's duties under this section must respond in writing to the Auditor's comments or recommendations within 15 working days explaining what actions are planned or have been taken regarding the Auditor's comments or recommendations. If a response is not received within 15 working days, the Auditor shall simultaneously notify the President and the County Board.

(h) All audit reports, written audit comments, recommendations, and responses resulting from the duties under this section are public documents and will be made available for public inspection.

(i) The Auditor may with the authority of the President of the County Board employ assistants and employees, the number and compensation of whom shall be fixed by the County Board.

Approved and adopted this 18th day of April 2007.

**07-O-27  
ORDINANCE**

**Sponsored by**

**THE HONORABLE TODD H. STROGER**

**PRESIDENT OF THE COOK COUNTY BOARD OF COMMISSIONERS**

**A SECOND AMENDMENT TO AN AMENDATORY ORDINANCE  
GRANTING TO ILLINOIS BELL TELEPHONE  
COMPANY, ITS SUCCESSORS AND ASSIGNS, CERTAIN  
RIGHTS IN THE COUNTY OF COOK, STATE OF ILLINOIS (85-O-18)**

**BE IT ORDAINED**, by the Board of Commissioners of the County of Cook that the franchise ordinance heretofore granted to the Chicago Telephone Company (now, by change of name, Illinois Bell Telephone Company) by the Cook County Board of Commissioners on April 29, 1889, and accepted by the Chicago Telephone Company on May 22, 1889, be amended by deleting Sections 1 through 5 thereof and by adding thereto the following provisions; and

**BE IT FURTHER ORDAINED**, by the Board of Commissioners of the County of Cook (the "Board") that the franchise ordinance heretofore granted, the terms of which were replaced by the above referenced amendatory ordinance approved and adopted by the Board on February 4, 1985 and accepted by the Illinois Bell Telephone Company now d/b/a AT & T Illinois be further amended by this second amendment by adding the language that is underlined and deleting the language that contains a strike-through from the ordinance ("Ordinance"):

Section 1. **RIGHT OF ACCESS; TERM; COUNTY'S RIGHT TO TERMINATE.** That Illinois Bell Company, its lessees, successors and assigns, (hereinafter for convenience called the "Company") are hereby granted permission from the County of Cook ("County") to construct, erect, renew, maintain and operate in, upon, along, across, under and over the roads, streets, alleys and public ways under the jurisdiction or control of the County, ("County's Rights of Way"), lines of poles, anchors, wires, cables, conduits, vaults, laterals and other above and below ground fixtures and equipment (collectively, the "Facilities"), and to use the same for the transmission of sounds and signals by means of electricity or light, and especially for the conduct of a telecommunications business (the "Right of Access"). The Right of Access and any permits issued by the County do not include authorization by the County under either this Ordinance or local, state or federal law, including 55 ILCS 5/5-1095 or under 47 U.S.C. § 541 for the use of these Facilities for video programming. The Right of Access and issuance of permits shall not create any rights in the Company to provide video programming, nor an obligation on the Company to provide such programming. Unless and until separate agreement is reached between the parties, the County specifically reserves the right to require a local franchise from the Company if and when video programming is offered through any Facilities authorized by the Right of Access to the extent permitted by local, state and federal law. Such local franchise may include charging the Company any franchise fees or charges allowed by law for use of the County's Rights of Way for purposes of providing or distributing video programming. The Company specifically reserves the right to contest any franchise requirement, but any such contest shall not include the existence of this Ordinance as a basis to contest such requirement.

The Right of Access is granted effective from the Effective Date of this Second Amendment to the Ordinance for the period of five (5) years, unless this Ordinance is sooner terminated at the option of the County, for any reason, upon sixty (60) days' written notice to the Company ("Initial Term") and. Only the County shall have the option to terminate the Ordinance and the agreement contained herein for any reason during the Initial Term upon sixty (60) days' written notice to the Company. Thereafter, the Right of Access, and therefore this Ordinance, shall remain in effect ("Extension Term") until terminated by sixty (60) days' written notice, either by the County to the Company, or by the Company to the County. Notwithstanding the foregoing, subject to the provisions of this Ordinance, the Right of Access is limited to County consent for such access and Company has the obligation to obtain all consents and approvals and pay all fees required by other governmental entities or agencies having or asserting authority or jurisdiction.

The Company shall comply with any license, permit or other requirements heretofore or hereinafter imposed by the County on users of the County's Rights of Way by the Superintendent of Highways, ordinance or otherwise, in exchange for access and use of the County's Rights of Way, except that the payment by Company of any County license, permit or other fee in exchange for the Right of Access is waived as to the Company in exchange for the discounts offered by the Company as provided in Section 6 of this Ordinance so long as the Ordinance is in effect.

Section 2. NONEXCLUSIVE RIGHT OF ACCESS. The rights hereby granted shall not be exclusive, and the Board reserves the right to grant a like use to any other company or persons hereafter, the same, however, not to interfere with a reasonable and proper use of the privileges hereby given.

Section 3. COMPANY STRUCTURES WITHIN COUNTY'S RIGHTS OF WAY. The location and height above or the depth below the public thoroughfares of the existing lines of poles, anchors, wires, cables, conduits, vaults, laterals and other fixtures and equipment of the Company within the County are hereby approved, and the same shall be maintained and operated under and subject to the provision of this ordinance. Any change in or extension of any said poles, anchors, wires, cables, conduits, vaults, laterals or other fixtures and equipment (herein referred to as "structures"), or the construction of any additional structures, in, upon, along, across, under or over the roads, streets, alleys and public ways of the County shall be made under the direction and pursuant to the rules and regulations of the Superintendent of Highways of the County, or such officer as may be designated from time to time by the governing body of the County for that purpose, and pursuant to the terms of any ordinances heretofore or hereafter enacted. If the proposed change or extension of construction conforms to the provisions hereof, the County Department of Highways shall issue written permits for the Right of Access therefore without charge. The height above public thoroughfares of all aerial wires and cables hereafter constructed shall conform to the requirements of the Illinois Commerce Commission or other regulatory body having jurisdiction thereof. All structures hereafter installed shall be so placed, and all work in connection with such installation shall be so performed as not to interfere unreasonably with ordinary travel on the highways of the County.

Section 4. MAINTENANCE AND SAFETY OF STRUCTURES. The Company shall keep all structures which it shall construct by virtue of this Ordinance, in a reasonably safe condition at all times, and shall maintain such barriers and danger signals during the construction, repair or renewal work performed hereunder as will reasonably avoid damage to life, limb and property.

Section 5. DEFENSE, INDEMNIFICATION OF COUNTY. The Company shall, at its own expense, defend all suits that may be brought against the County on account of or in connection with the alleged violation by the Company of any of the obligations hereby imposed upon or assumed by it, or by reason of or in connection with any alleged damage to life, limb or property as a result of any of the structures constructed by it under or by virtue of this Ordinance, and shall save and keep harmless the County from any and all damages, judgments, costs and expenses of every kind, that may arise by reason thereof; provided, that notice in writing shall be immediately given to the Company of any claim or suit against the County which, by the terms hereof, the Company shall be obligated to defend, or against which the Company has hereby agreed to save and keep harmless the County and provided further that the County shall furnish to the Company all information in its possession relating to said claim or suit, and cooperate with said Company in the defense of said claim or suit. The governing body of the County may, if it so desires, assist in defending any such claim or suit, but solely under the direction of the Company or its attorneys, and the Company shall not be required to reimburse the County for expenses incurred by it in case of the election so to assist.

Section 6. DISCOUNTS IN EXCHANGE FOR RIGHT OF ACCESS. So long as the Company exercises and enjoys the rights granted to it hereunder, it will grant to the County a fifty (50) percent discount from its regular business rates approved by the Illinois Commerce Commission for the following services: Plain Old Telephone Service, Centrex Service, ISDN Direct, ISDN Prime and the following private line services: Private Line, Basic Rate Service, DSO, DS1 and DS3 Services, SONET Services (OC-3 to OC-192), Gigaman Services, 1M.B., MON, OPT-E-MAN, 411 and local service connection and installation charges. Additionally, the Company agrees that it shall provide a 25% discount off any other services provided to the County pursuant to tariff, including any new services that may become tariffed while the Ordinance is in effect. However, with respect to any tariffed services other than those specifically listed above as being subject to the 50% Discount, if the Company does not offer any discount on such services to other customers pursuant to a franchise agreement, then such services shall be provided at the filed tariff rates without the application of the discounts provided for in this Ordinance. Enhanced 911 services shall be provided at the filed tariff rates without application of any discount. However, nothing contained in this Ordinance shall preclude the County and the Company from agreeing to discounts and rates more favorable to the County. The foregoing discounts shall apply to all County or other agencies for which the County provides services, including the Cook County ETSB.

The Company represents and warrants that it shall also continue to apply the 50% Ordinance discount to the extent the 50% Ordinance discount is currently provided today to any stand alone agreement for tariffed services for the term of such agreement, so long as the Ordinance is still in place, including the "Ameritech Usage Service Agreement between Ameritech and Cook County Government," dated August 1, 1999 (the "Usage Agreement"). For clarification purposes, the Usage Agreement and the 50% Ordinance discount are both applicable to the County and other agencies for which the County provides services including the Cook County ETSB. Other than as provided herein, the Company is not required to apply the 50% Ordinance discount on top of contractual discounted rates set forth in a stand alone agreement ("ICB") for the same tariffed services, unless the County and Company agree in writing to the contrary.

The Company represents and warrants that the services subject to the discounts extended to the County under the Ordinance prior to and subsequent to SBC's merger with AT&T (the "merger") have at all times been extended by the Company, Illinois Bell Telephone Company, now d/b/a AT&T Illinois, pursuant to tariffs filed by the Company with the ICC. Accordingly, the scope of each particular discounted service set forth in Section 6 of this Ordinance has remained substantially the same prior to and subsequent to the merger. In the event that the Company ceases providing any particular service to its customers, where that service is subject to the discounts provided for in Section 6, then the Company will provide the same discount to the County for a functionally equivalent service so long as the Company provides such functionally equivalent service to any of its customers.

Beginning with the Effective Date and continuing during the first year in which the Company provides services to the County, the County and Company agree to cause quarterly audits (“Audits”) of all charges and debits invoiced by the Company to the County to be performed. For each year thereafter in which the Company provides services to the County, the County and Company agree to cause annual Audits to be performed. The Audits will verify the accuracy of charges and debits, including review of the application of all tariffed rates and verification that all agreed upon billing arrangements or discounts are applied correctly. Each audit shall be completed no later than thirty (30) days following the expiration of the applicable quarter or year that is the subject of the audit (the “Period”). The auditors for each Audit shall be a County telecom analyst and a Company account team member. In the event that the Audit determines that the County has been overcharged in any respect then credit is owed the County. Such credit shall be applied promptly to account(s) and in amount(s) as directed by the County. In the event that the Audit determines that the County has been undercharged in any respect then the Company shall receive compensation for such undercharge by billing such undercharge to account(s) and in amount(s) as directed by the County. In the event that either the total overcharges or the total undercharges total \$25,000.00 or more respectively, then either party has the right to request that a mutually agreed upon external auditor be retained to review the Audit. County and Company may submit to the external auditor any information relative to the Contest and the external auditor shall review and consider such information. Within sixty (60) days of initiation of the Contest, the external auditor shall advise the County and the Company in writing of its final findings (i.e., whether the external auditor has amended the results of the Audit relative to the Contest or not, and if the Audit has been amended, the basis for such amendment). In the event either County or Company disagrees with the final findings of the external auditor, it may pursue any remedy available to it at law or in equity.

Section 7. TEMPORARY RELOCATION OF STRUCTURES. The Company after five (5) days’ written notice from the governing body of the County to do so, shall remove or raise or lower its structures temporarily to permit the moving of a building or any other object along a County highway, provided the benefited party or parties, other than the County of Cook, shall agree to pay the Company an amount equal to the cost of effecting such temporary changes in its structures; and provided further that, pending the determination of such cost, the benefited party or parties shall have deposited with the Company an amount equal to the cost as estimated by the Company. Should any amount of such deposit remain unexpended, after deducting the cost involved, said amount shall be returned to the party making the deposit.

Section 8. ADDITIONAL TERMINATION RIGHTS. In addition to County’s right to terminate the Ordinance for any reason as set forth in Section 1 herein, in case the Company shall fail or neglect to comply with any or all of the provisions of this Ordinance (unless by unavoidable accidents, Act of God or the public enemy, labor strikes, or unless compliance by the Company with such provision is prohibited or adjudged unlawful or unreasonable by orders or judgments of the Illinois Commerce Commission or another regulatory body having similar jurisdiction or any court of competent jurisdiction), the County reserves the right to repeal this Ordinance, and forfeit the rights hereby created, provided that no such repeal or forfeiture shall exist or be claimed because of such failure or neglect, until written notice of such failure or neglect so claimed shall have been given to the Company, and a reasonable opportunity afforded it to comply with the provisions hereof or to prove that such compliance already exists.

In the event the Illinois Commerce Commission or another regulatory body having similar jurisdiction, or any court of competent jurisdiction, shall, by any final judgment, decree, order or finding, enjoin, prohibit or adjudge unlawful or unreasonable (or disallow as a reasonable and proper operating expense of the Company), the concession allowance and/or obligations required under the provision of Section 6 of this Ordinance, and the Company, pursuant thereto, may cease to make said concession allowance and/or perform said obligations, and in that event shall notify the County in writing of its intention to do so, then and thereupon the County, or the Company, in addition to all other rights and remedies allowed by law, shall have the right, upon the giving of thirty (30) days' written notice to the other party, to terminate the grant made to the Company by this ordinance, and thereupon all rights, privileges, agreements and/or obligations of the County to the Company, and of the Company to the County, arising under this Ordinance and its acceptance by the Company shall be at an end.

Section 9. RIGHTS AND OBLIGATIONS OF COMPANY. All grants, franchises, rights, licenses and privileges heretofore made or granted by the County by ordinance or otherwise to the Company and all rights of the Company under grants, franchises, rights, licenses and privileges made by the County to others from which the Company may have purchase any part of its poles, lines, equipment or plant, are hereby revoked and repealed, it being the intention that this Ordinance shall contain all grants, franchises, rights, licenses and privileges of the Company relative to the Right of Access, and all obligations of the Company in connection therewith. The County and Company expressly agree that the passage and acceptance of this amendatory ordinance shall waive, surrender and release any rights or claims heretofore asserted by the County or the Company, or any rights or claims either may hereafter assert or seek to establish with respect to the meaning, validity or application of the prior franchise ordinance passed by the County on April 29, 1889 and accepted by the Company on May 22, 1889.

Section 10. COMPANY'S SUCCESSOR AND ASSIGNS. Whenever the word "Company" or the words "Illinois Bell Telephone Company" are used in this Ordinance, they shall be construed to mean the Illinois Bell Telephone Company, its successors and assigns, and this Ordinance shall be binding upon and inure to the benefit of the Company, its successors and assigns.

Section 11. NOTICES. Any notice to be given or document to be delivered will be deemed to have been duly given upon delivery, if delivered in person or by any nationally recognized expedited delivery service which provides proof of delivery, upon receipt of facsimile transmission, or on the fifth business day after depositing the notice or document in the U.S. Mail, if mailed by certified mail, return receipt requested, postage prepaid mail, addressed to the appropriate address. The address for notices are those set forth below or such other addresses as may be hereafter specified by written notice by whoever is specifying a different address.

**To the County:**

Chief Information Officer  
Cook County Bureau of Information Technology and Automation  
69 W. Washington Street, Suite 2700  
Chicago, IL 60602  
Telephone: 312.603.1403; facsimile: 312.603.9905;

Superintendent of Highways  
Cook County Department of Highways  
69 W. Washington Street  
Chicago, IL 60602  
Telephone: 312.603.1601; facsimile: 312.603.9945

**To the Company:**

Account Manager for Cook County  
225 West Randolph Street, Floor 23  
Chicago, IL 60606  
Telephone: 312.364.2982; facsimile: 312.726.3490

**with a copy to:**

Contract Information Management  
225 West Randolph Street, Floor 9  
Chicago, IL 60606  
Telephone: 312.364.3945; facsimile: 312.364.7935

Section 12. HEADINGS. The headings to the sections of this Ordinance are included only for convenience and will not have the effect of defining, diminishing or enlarging rights or affecting the construction or interpretation of any portion of this Ordinance.

Section 13. EFFECTIVE DATE. This second amendment to the Ordinance shall be in full force upon receipt, by the Clerk of the County, of the Company's written and unconditional acceptance of all of the provisions of this Ordinance executed by its proper officers thereunto duly authorized, under the corporate seal of the Company, and attested by its Secretary or Assistant Secretary.

Approved and adopted this 18th day of April 2007.



**07-O-29  
ORDINANCE**

**Sponsored by**

**THE HONORABLE TODD H. STROGER**

**PRESIDENT OF THE COOK COUNTY BOARD OF COMMISSIONERS**

**BE IT ORDAINED**, by the Cook County Board of Commissioners that Chapter 30, Article I, Section 30-3 and Article II, Division 7, Subdivision III, Sections 30-231 and 30-233 of the Cook County Code are hereby amended as follows:

**ARTICLE I. IN GENERAL**

**Sec. 30-3. Definitions.**

The following words, terms and phrases, when used in this chapter shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Agricultural wastes* means any refuse, except garbage and dead animals, generated on a farm or ranch by crop and livestock production practices, including such items as bags, cartons, dry bedding, structural materials, and crop residues but excluding landscape wastes.

*Air contaminant* means and includes, but is not limited to the following: dust, soot, mist, smoke, fumes, fly ash, vapor, corrosive gas, or other discharge, and any other airborne material or substance that is offensive, nauseous, irritating, or noxious to human health and welfare or to other animal life and/or plant life.

*Air contaminant source* means any and all sources of emission capable of emitting any air contaminant, whether privately or publicly owned or operated. Without limiting the generality of the foregoing, this term includes all types of businesses, commercial and industrial plants, works, shops and stores, heating power plants and stations, buildings and other structures of all types, including single and multiple family residences, apartment buildings, office buildings, hotels, restaurants, schools, hospitals, churches, vehicles, garages, vending and service locations and stations, railroad locomotives, ships, boats and other waterborne craft, portable fuel-burning equipment, incinerators of all types, both indoor and outdoor, refuse dumps and piles, and all stacks and other chimney outlets and any other openings from any of the foregoing.

*Air pollution* means presence in the outdoor atmosphere of one or more air contaminants in sufficient quantities and of such characteristics and duration as to be injurious to human, plant or animal life or to property, or which unreasonably interfere with the enjoyment of life and property.

*Air Pollution Episode Action Plan*. See *Episode Action Plan*.

*Air quality standard* means ambient air quality goal, established by Federal, State, or local governmental agencies, for the purpose of protecting the public health and welfare.

*ANSI* means the American National Standards Institute or its successor bodies.

*Architectural coating* means any coating used for residential or commercial buildings or their appurtenances, or for industrial buildings which is site applied.

*ARI* means the Air Conditioning and Refrigeration Institute or its successor bodies.

*ASHRAE* means the American Society of Heating, Refrigeration, and Air Conditioning engineers or its successor bodies.

*ASME* means the American Society of Mechanical Engineers or its successor bodies.

*ASTM* means the American Society of Testing Materials or its successor bodies.

*Ashes* shall include cinders, fly ash, or any other solid material resulting from combustion, and may include unburned combustibles.

*Atmosphere* means all spaces outside of buildings, stacks or exterior ducts.

*Atmospheric pollution* means the discharging from stacks, chimneys, exhausts, vents, ducts, openings, buildings, structures, premises, open fires, portable boilers, vehicles, processes, or any other source, of any smoke, soot, fly ash, dust, cinders, dirt, noxious or obnoxious acids, fumes, oxides, gases, vapors, odors, toxic or radioactive substances, noise, waste, particulate, solid, liquid or gaseous matter, or any other materials in such place, manner or concentration as to cause injury, detriment, nuisance, or annoyance to the public, or to endanger the health, comfort, repose, safety or welfare of the public, or in such a manner as to cause or have a natural tendency to cause injury or damage to business or property.

*Atmospheric pollution source* means any and all sources of emission of any type of atmospheric pollution, whether privately or publicly owned or operated. Without limiting the generality of the foregoing, this term includes all types of business, commercial and industrial plants, works, shops and stores, heating power plants and stations, buildings and other structures of all types, including single and multiple family residences, apartment buildings, office buildings, hotels, restaurants, schools, hospitals, churches, vehicles, garages, vending and service locations or stations, railroad locomotives, ships, boats and other waterborne craft, portable fuel-burning equipment, incinerators of all types both indoor and outdoor, refuse dumps and piles, and all stacks and other chimney outlets and any other openings from any of the foregoing.

*Authorized representative* means any individual, firm or corporation designated by a person who shall be given authority to act for such "person" in all matters pertaining to the County Department of Environmental Control. Such authorization shall be transmitted to such Department in writing.

*Automobile and/or truck sales lot* means any land area used or intended to be used for the display and/or sale of passenger automobiles and/or commercial vehicles.

*Boat* shall include, but shall not be limited to all ships, vessels, boats, floating equipment, floating structures, or any device operating, existing, anchored, or moored upon the surface of the water.

*British Thermal Unit* means the quantity of heat required to raise one pound of water from 60 degrees Fahrenheit to 61 degrees Fahrenheit (abbreviated B.T.U. or BTU).

*Building fires.* The term, "a new fire being built," means the period during which a fresh fire is being started and does not mean the process of replenishing an existing fuel bed with additional fuel.

*Carbonaceous fuel* means any form of combustible matter, either solid, liquid, vapor, or gas, consisting primarily of carbon containing compounds in either fixed or volatile form which are burned primarily for their heat content.

*Chimney* shall include, but shall not be limited to any conduit, duct, vent, or flue, arranged to conduct any products of combustion into the atmosphere. It does not include breeching.

*Combustible refuse* means any combustible waste material containing carbon in a free or combined state other than liquids or gases.

*Combustion for indirect heating* means the combustion of fuel to produce usable heat that is to be transferred through a heat-conducting materials barrier or by a heat storage medium to a material to be heated so that the material being heated is not contacted by, and adds no substance to, the products of combustion.

*Commercial sites* mean any business or facility with a total BTU capacity of 1,000,000 BTU or less for all of the listed equipment and processes.

*Condensed fumes* means fumes which have cooled and returned to a liquid or solid.

*Construction* means the installation or erection of any fuel-burning combustion, or process equipment, process, or device.

*Cook County* as used in this chapter (with the exception of the use of the words to describe or identify the Government or Board of Commissioners thereof), means all of the territory in the County exclusive of the City of Chicago.

*Criteria* means information used as guidelines for decisions when establishing air quality goals, aid quality standards and the various air quality alert levels. In no case should criteria be confused with actual air quality standards or goals.

*Decibel* means a unit used in sound measurements to relate to logarithmic basis a given sound intensity to a standard reference intensity. Abbreviated "db."

*Department* means the Cook County Department of Environmental Control.

*Director* means the Director of the Department, or the Chief Executive of the Department regardless of the official title in the organizational chart.

*Discrete tone* means a sound wave whose instantaneous sound pressure varies essentially as a simple sinusoidal function of the time.

*Distillate fuel oil* means fuel oils of grade No. 1 or 2 as specified in detailed requirements for fuel oil ASTM D396-02a.

*Domestic heating plant* means a plant generating heat for a single-family residence, or for two residences either in duplex or double house form, or for multiple-dwelling units in which such plant serves fewer than three apartments. Under this designation are also hot water heaters, stoves, and space heaters used in connection with the foregoing establishments, or to heat shacks and other temporary buildings, such as used by the railroad and construction industries; provided, however, that like equipment used in multiple-dwelling units other than herein described, or used in permanent buildings of commercial or industrial establishments are not to be construed to be included under this designation.

*Domestic refuse burning equipment* means any incinerator used for a single-family residence or for two residences either in duplex or double house form or for multiple-dwelling units in which such incinerator serves fewer than three apartments.

*Domicile waste* means any refuse generated on single-family domiciliary property as a result of domiciliary activities. This term excludes landscape waste, garbage, and trade waste.

*Dust* means solid, particulate matter released into the air by natural forces, or by any fuel-burning, combustion, or process equipment, process, or device, or by construction work, or by mechanical or industrial processes, such as crushing, grinding, milling, drilling, demolishing, shoveling, bagging, sweeping, covering, conveying, transferring, transporting, and the like.

*Episode Action Plan* means a program, outlined by an individual company and approved by the County Department of Environmental Control and the State Environmental Protection Agency, providing for the reduction of emissions during periods of high pollution concentration that are forecasted to remain high for a minimum of 24 hours.

*Excess air* means that air supplied in addition to the theoretical quantity necessary for complete combustion of all fuel and/or combustible waste material present.

*Fluctuating noise* means noise whose sound pressure level varies significantly but does not equal the ambient environmental level more than once during the period of observation.

*Fuel* means any form of combustible matter, solid, liquid, vapor or gas, or any combination thereof, excluding refuse.

*Fuel-burning, combustion, or process equipment, process or device* shall include, but shall not be limited to any furnace, incinerator, fuel-burning equipment, refuse-burning equipment, refuse disposal practices of any type including sanitary landfill and dumping of any type, boiler, apparatus, device, mechanism, fly ash collector, electrostatic precipitator, smoke arresting or prevention equipment, and all other types of environmental control equipment, stack, chimney, breeching, structure or process used for the burning of fuel or other combustible material, or for the emission of products of combustion or any other type of emission, or used in connection with any process which generates heat or may emit products of combustion, as well as any other emissions which can be considered pollutants, and shall include but not be limited to process furnaces such as heat treating furnaces, by-product coke plants, core baking ovens, mixing kettles, cupolas, blast furnaces, open hearth furnaces, heating and reheating furnaces, puddling furnaces, sintering plants, Bessemer converters, electric steel furnaces, ferrous foundries, nonferrous foundries, kilns, stills, dryers of all types, roasters, processes, sanitary landfills, disposal ponds, dumps and equipment used in connection therewith, and all other methods or forms of manufacturing, chemical, metallurgical, mechanical processing or any other type of process which may emit smoke, vapors, odors or particulate, liquid, gaseous, or other matter.

*Fuel-burning equipment* means and includes any furnace, boiler, apparatus, device, mechanism, stack or structure used in the process of burning fuel for the primary purpose of producing heat.

*Fuel dealer* means any person who sells or delivers any fuel directly or indirectly to the ultimate consumer, without regard to price, quantity, or frequency of delivery.

*Fugitive particulate matter* means any particulate matter emitted into the atmosphere other than through a stack, provided that nothing in this definition or in Section 30-381(b) shall exempt any source from compliance with other provisions of Article II, Division 3 of this chapter otherwise applicable merely because of the absence of a stack.

*Fumes* means gases, vapors, particulate matter, or any combination thereof that are of such character as to cause atmospheric pollution.

*Garbage* means refuse resulting from the handling, processing, preparation, cooking, and consumption of food or food products.

*Goal* means level of air quality which is expected to be obtained.

*IEC* means International Electro-technical Commission or its successor bodies.

*Impulsive noise* means noise characterized by brief excursions of sound pressure (acoustic impulses) which significantly exceed the ambient environmental sound pressure. The duration of a single impulse is usually less than one second.

*Incinerator* means a combustion apparatus for which an Installation Permit could be issued by the Department, excluding fuel-burning equipment, in which solid, semi-solid, liquid, or gaseous combustible wastes are ignited and burned, from which the gaseous products of combustion are exhausted into the atmosphere after first passing through a stack.

*Industrial sites* mean any business or facility with a total BTU capacity of more than 1,000,000 BTU for all of the listed equipment and processes.

*Industrial wastes* means solid, liquid, or gaseous wastes resulting from any process or excess energy of industry, manufacturing, trade, or business or from the development, processing, or recovering, except for agricultural crop raising, or any natural resource.

*Intermittent noise* means noise whose sound pressure level equals the ambient environmental level two or more times during the period of observation. The time during which the level of the noise remains at an essentially constant value different from that of the ambient is on the order of one second or more.

*Internal combustion engine* means an engine in which combustion of gaseous, liquid, or pulverized solid fuel takes place.

*IOS* means the International Organization for Standardization or its successor bodies.

*Landscape wastes* means any vegetable or plant refuse, except garbage and agricultural waste. The term includes trees, tree trimmings, branches, stumps, brush, weeds, leaves, grass, shrubbery, and yard trimmings.

*Maximum level continuous or semi-continuous vibration* means the root mean square (rms) value of the oscillatory particle motion of the structure or land area involved with the transducer oriented to produce a maximum indication.

*Motor vehicle* means any passenger vehicle, truck, truck-trailer or semi-trailer that is propelled or drawn by mechanical power.

*New equipment* means any fuel-burning, combustion, or process equipment, process, or device, the construction of which was less than 50 percent complete on the date of enactment of this chapter.

*Nonsteady noise* means a noise whose level shifts significantly during the period of observation.

*Noxious odors* means any odors which are unwholesome, offensive, harmful, or injurious to the public health, its comfort or its welfare.

*Odors* means that quality of an emission of any kind, whether it be solid, liquid or gaseous that renders it perceptible to the sense of smell.

*Opacity* means the property of a material whereby it is partially or wholly resistant to the transmission of light and thus also the tendency to obscure an observer's view.

*Opacity, equivalent* means a percentage expression of the degree of resistance to light transmission identical in meaning to relative opacity save that the concept is extended from situations involving only black, white and intermediate shade of grey to include also situations where coloration may be present.

*Opacity, relative* means a relative percentage measurement of the degree of opacity of a material on the basis of 100 percent relative opacity or no light transmission to zero percent relative opacity or complete light transmission; i.e. transparency. the following equivalence between Relative Opacity and Ringelmann number shall be employed:

TABLE INSET:

<i>Relative Opacity (percent)</i>	<i>Ringelmann Number</i>
0	0
20	1
40	2
60	3
80	4
100	5

Fractional Ringelmann numbers represent a linear interpolation of the respective increment of Relative Opacity.

*Open air* means all spaces outside of buildings, stacks or exterior ducts.

*Open burning* means the combustion of any matter in such a way that the products of the combustion are emitted to the open air without originating in or passing through equipment for which an Installation Permit could be issued by the Department.

*Organic material* means any chemical compound of carbon including diluents and thinners which are liquids at standard conditions and which are used as solvents, viscosity reducers or cleaning agents, but excluding compounds such as methane, carbon monoxide, carbon dioxide acid, metallic carbonic acid, metallic carbide, metallic carbonates, and ammonium carbonate.

*Organic vapor* means the gaseous phase of an organic material or a mixture of organic materials present in the atmosphere.

*Parking lot* means any land area used or intended to be used for the storage of passenger automobiles or commercial vehicles.

*Particulate matter* means any material, other than uncontaminated water, which is suspended in or discharged into the atmosphere in a finely divided form as a liquid or solid, or a combination thereof.

*Peak level of an impulsive sound* means the maximum excursion of the sound pressure level as detected by methods and instruments approved by the Director and described in any of the Department's Suggested Guidelines for Noise and Vibration Control when published.

*Peak level impulsive vibration* means the vector sum of the instantaneous peak level of all three components, one vertical and two horizontal of the earth borne impulses measured at or beyond the boundaries of the emitter's property.

*Period of observation* means the time interval during which acoustical data are obtained. The period of observation is determined by the characteristics of the noise being measured and should also be at least ten times as long as the response time of the instrumentation. The greater the variance in indicated sound level, the longer must be the observation time for a given expected accuracy of the measurement.

*Person* means any individual, natural person, trustee, court appointed representative, syndicate, association, partnership, firm, club, company, corporation, business trust, institution, agency, government corporation, municipality, district or other political subdivision, department, bureau, agency or instrumentality of Federal, State or local government, contractor, supplier, vendor, installer, operator, user or owner, or any officer, agency, employee, factor, or any kind of representative of any thereof, in any capacity, acting either for himself, or for any other person, under either personal appointment or pursuant

to law, or other entity recognized by law as the subject of rights and duties. The masculine, feminine, singular or plural is included in any circumstances.

*Photochemically reactive material* means any organic material with an aggregate of more than 20 percent of its total volume composed of the chemical compounds classified below or the composition of which exceeds any of the following individual percentage composition limitations:

(1) A combination of hydrocarbons, alcohols, aldehydes, esters, ethers or ketones having an olefinic or cycloolefinic type of unsaturation: five percent. This definition does not apply to perchloroethylene or trichloroethylene.

(2) A combination of aromatic compounds with eight or more carbon atoms to the molecule except ethylbenzene: eight percent.

(3) A combination of ethylbenzene, ketones having branched hydrocarbon structures or toluene: 20 percent.

Whenever any photochemically reactive material or any constituent of any organic material may be classified from its chemical structure a., b., c., it shall be considered as a member of the most reactive into more than one of the above groups of organic materials numbered group, that is, that group having the least allowable percent of the total organic materials.

*Plan documents* means reports, proposals, preliminary plans, surveys and bases of design data, general and detail construction plans profiles, specifications and all other information pertaining to the equipment.

*Political subdivision* means any municipality, city, incorporated town, village, county, township, district or authority, or any portion or combination of two or more thereof.

*Portable boiler* means a boiler used separately or in connection with a power shovel, road roller, hoist, derrick, or pile driver, steam locomotive, diesel locomotive, steamboat, tugboat, tar kettle, asphalt kettle, and all other portable equipment capable of emitting smoke, particulate and other matter.

*Power or high pressure boilers* means all boilers designed for operating at a steam pressure greater than 15 pounds per square inch gauge.

*PPM (Vol. Basis)* means a volume over volume ratio which expresses the volumetric concentration of a gaseous air contaminant in 1,000,000-unit volumes of gas, such as the number of microliters of sulfur dioxide per 1,000,000 microliters of air would be expressed in ppm (vol.).

*Premises* means any real estate or real property.

*Pressure tank* means a tank in which fluids are stored at a pressure greater than atmospheric pressure.

*Process or process equipment* means any action, operation, or treatment embracing chemical, industrial or manufacturing factors, such as heat treating furnaces, by-product coke plants, core-baking ovens, mixing kettles, cupolas, blast furnaces, open hearth furnaces, sintering plants, Bessemer converters, electric steel furnaces, ferrous and nonferrous foundries, kilns, stills, dryers, roasters, and equipment used in connection therewith, and all other methods or forms of manufacturing or processing which may emit smoke, particulate matter, odors, gases or any other matter.

*Process weight rate* means the actual weight or engineering approximation thereof of all materials except liquid and gaseous fuels and combustion air, introduced into any process per hour. For a cyclical or batch operation, the process weight rate shall be determined by dividing such actual weight or engineering approximation thereof by the number of hours of operation excluding any time during which the equipment is idle. For continuous processes, the process weight rate shall be determined by dividing such actual weight or engineering approximation thereof by the number of hours in one complete operation, excluding any time during which the equipment is idle.

*Reconstruction* means any material change or alteration of any existing fuel-burning, combustion, or process equipment, process, or device from that physical or operating condition for which a certificate of operation was last obtained; or the addition, removal or replacement of any appurtenances or devices which materially affect the method or efficiency of preventing the discharge of pollutants into the environment.

*Refuse* means any discarded matter; or any matter which is to be reduced in volume, or otherwise changed in chemical or physical properties, in order to facilitate its discard, removal or disposal.

*Residual fuel oil* means fuel oils of grade Nos. 4, 5, and 6 as specified in detailed requirements for fuel oils ASTM D396-02a.

*Restricted areas* means the area within the boundaries of any "municipality" as defined in the Illinois Municipal Code (65 ILCS 5/1-1-1 et seq.), plus a zone extending one mile beyond the boundaries of any such municipality having a population of 1,000 or more according to the latest Federal census.

*Restricted use* means certain designated waters which are not protected for aquatic life.

*Ringelmann Chart* means the chart published and described in the Bureau of Mines, U.S. Department of Interior, Information Circular 8333, and on which are illustrated graduated shades of gray to black for use in estimating the light obscuring capacity of smoke.

*Ringelmann Number* means the number appearing on the Ringelmann Chart ascribed by the observer to the density or equivalent opacity of the smoke emission.

*Rubbish* means solids not considered to be highly flammable or explosive such as, but not limited to, rags, old clothes, leather, rubber, carpets, wood, excelsior, paper, ashes, trees, branches, yard trimmings, furniture, tin cans, glass, crockery, masonry.

*SAE* means Society of Automotive Engineers or its successor bodies.

*Salvage operations* means any business, trade or industry engaged in whole or in part, in salvaging or reclaiming any product or material such as, but not limited to, metals, chemicals, shipping containers or drums.

*Smoke* means air or gas borne particles, other than uncontaminated water, that form a visible plume in the air from an atmospheric pollution source.

*Smoke monitor* means a device using a light source and a light detector which can automatically measure and record the light obscuring power of smoke at a specific location in the flue or stack of a source. Measuring and recording to be at intervals of not less than 15 seconds.

*Smokeless flare* means a combustion unit and the stack to which it is affixed in which organic material achieves combustion by burning in the atmosphere such that the smoke or other particulate matter emitted to the atmosphere from such combustion does not have an appearance, density, or shade darker than No. 1 of the Ringelmann Chart.

*Sound level* means a general term for the metered value root mean square of the pressure of an air borne sound as measured under a defined condition of frequency weighting and meter response rate. With a conventional sound level meter the duration time of the sound should be much longer than the response time of the meter. In most cases, levels in this chapter are specified as measured with "A" scale standard frequency weighted response and are always noted as db(A) (standard reference level as in "sound pressure level" is always implied). Peak levels of impulse sounds are always specified as measured with flat, nonweighted, or "C" scale response. Such peak levels are noted as db only, not db "C," as "C" weighting is defined as a flat, "unweighted" response. Peak values as specified in this chapter are the absolute values of the maximum instantaneous sound pressure levels attained throughout the duration of any impulse sounds not the root mean square equivalents and require a special meter which can capture and store for display these maxima. See peak level of an impulse sound.

*Sound pressure level* means the sound pressure level, in decibels of a sound, is 20 times the logarithm to the base ten of the ratio of the pressure of the sound to the reference sound pressure. Unless otherwise specified, the effective root mean square pressure is to be understood. The reference sound pressure is 20 micro-newtons per square meter. (Often used interchangeably with sound level.)

*Splash loading* means a method of loading a tank, railroad tank car, tank truck or trailer by use of other than a submerged loading pipe.

*Stack* shall include but shall not be limited to any conduit, duct, vent, flue, or chimney, arranged to conduct any discharge from any fuel-burning, combustion, or process equipment, process, or device into the atmosphere.

*Standard condition* means a gas temperature of 70 degrees Fahrenheit and a gas pressure of 29.92 of mercury.

*Standard cubic foot (scf)* means a measure of the volume of gas under standard conditions.

*Stationary emission source* means any atmospheric pollution source whatsoever, excluding vehicles while they are in motion.

*Steady noise* means a noise whose level remains essentially constant (i.e., fluctuations are negligibly small) during the period of observation.

*Storet* means the National Water Quality Data System of the Federal Environmental Protection Agency.

*Submerged loading pipe* means any loading pipe the discharge opening of which is entirely submerged when the liquid level is six inches above the bottom of the tank. When applied to a tank which is loaded from the side, the term means any loading pipe the discharge of which is entirely submerged when the liquid level is 18 inches or two times the loading pipe diameter, whichever is greater, above the bottom of the tank. This definition shall also apply to any loading pipe which is continuously submerged during loading operations.

*Trade waste* means any refuse resulting from the prosecution of any trade, business, industry, commercial venture, utility or service activity, and any government or institutional activity, whether or not for profit. The term includes landscape waste but excludes agricultural waste.

*Unit operations* means methods where raw materials undergo physical change; methods by which raw materials may be altered into different states, such as vapor, liquid, or solid without changing into a new substance with different properties and composition.

*Unit process* means reactions where raw materials undergo chemical change, where one or more raw materials are combined and completely changed into a new substance with different properties and composition.

*Used for* shall include the phrases "arranged for," "designed for," "intended for," "occupied for" and "maintained for."

*Vehicle* means any type of land, rail, or water conveyance whatsoever operated within the County.

*Vibration* means a vibration is the oscillatory motion of the particles of a solid, propagated as a wave, which is felt through physical contact rather than heard. Any vibration can, however, under proper conditions produce a radiated audible sound wave, but this is to be considered a secondary, separate consequence herein, unless specifically cited.

*Visible emissions* means emissions of greater than five percent opacity or one-fourth Ringelmann.

*Volatile matter* means the gaseous constituents of solid fuels as determined by the standard ASTM procedure as amended or revised to date.

*Volatile organic material* means any organic material which has a vapor pressure of 2.5 pounds per square inch absolute (psia) or greater at 70 degrees Fahrenheit.

*Watercraft* means every type of boat, ship, or barge used or capable of being used as a means of transportation on water.

*Zoning district* means those districts established by Appendix A, Zoning.

(Code 1980, §§ 16-3.1, 16-3.2; Ord. of 4-30-1963; Ord. of 10-3-1967, p. 3919; Ord. of 4-3-1969, p. 1750; Ord. of 4-5-1971, p. 2029; Ord. of 4-5-1971, p. 2030; Ord. of 4-16-1973, p. 2158; Ord. of 9-20-1971, p. 4069; Ord. of 8-16-1972, p. 4341; Ord. of 4-16-1973, p. 2158.)

## **ARTICLE II. ADMINISTRATION AND ENFORCEMENT**

### **Division 7. Enforcement Procedures**

#### **Subdivision III. Annual Inspection and Certificate of Operation**

##### **Sec. 30-231. Generally.**

An annual inspection shall be made by the Department of all fuel-burning, combustion or process equipment or devices coming under the provisions of this chapter, whether or not a certificate of operation or allowable fuel certificate allowing use of such equipment or process has been previously



issued by the Director to see that such equipment or process can be so managed and operated that no smoke, particulate, or other matter shall be emitted therefrom in violation of any emission limitation or other requirement provided under this chapter; provided, however, that no annual inspection shall be required of locomotives, ships, boats, tugs, internal combustion engines, domestic heating plants, or domestic refuse-burning equipment; and provided, also, that where any fuel-burning combustion or process equipment or device has been installed, erected, constructed, reconstructed, altered, added to, or repaired pursuant to a permit issued under Section 30-151, has been inspected in accordance with the requirements of Section 30-232 hereof, and has been in operation less than six months, an annual inspection will not be required until six months from the date such equipment was first put under fire after the completion of such work. Commercial sites will not require an annual inspection. Inspection of the fuel burning equipment and processes for commercial sites will be conducted on a random schedule as designated by the Director. Upon notice that the equipment has been found to comply with the provisions of the chapter, and after payment of the prescribed fee, the Director shall issue a certificate of operation, which shall be posted in a conspicuous place within the plant. If, at the time of the annual inspection, it is found that the equipment is in such condition that it cannot be operated within the provisions of the chapter, the Director shall give notice in writing to the person owning, operating, or in charge of such equipment of the defects found and order the person to correct, repair, or replace the defective equipment. Failure to comply with this order within 30 days from its date shall be a violation of this section, and the Director is hereby authorized to seal the equipment. No person shall violate the seal on any equipment that has been sealed at the direction of the Director unless authorized by the Director in writing to do so. (Code 1980, § 16-5.5-3(a)(3); Ord. of 4-3-1969; Ord. of 4-5-1971, p. 2031.)

**Sec. 30-233. Certificate of operation--Issuance; posting.**

Upon a finding that any fuel-burning, combustion or process equipment or device inspected, on any original, annual or subsequent inspection, has been found to comply with the provisions of this chapter and after payment of the prescribed fee, the Director shall issue a certificate of operation which shall be posted in a conspicuous place at or near the equipment or process. Any certificate of operation may contain such information and certifications as the Director may require. Commercial sites will receive a certificate of operation from the Department based on information in the Emission Inventory Master File. This file is updated as specified by the Director either (1) based on information and documentation submitted to the Department by the site or (2) by inspection (Code 1980, § 16-5.5-3(a)(5); Ord. of 4-30-1963; Ord. of 4-5-1971, p. 2031.)

Approved and adopted this 15th day of May 2007.

**07-O-30  
ORDINANCE**

**Sponsored by**

**THE HONORABLE MIKE QUIGLEY, COUNTY COMMISSIONER**

**AMENDMENTS TO THE  
REAL PROPERTY ASSESSMENT CLASSIFICATION ORDINANCE**

**BE IT ORDAINED**, by the Cook County Board of Commissioners that the following sections of Chapter 74, Article II, Division 2 are hereby amended as follows:

**DIVISION 2. CLASSIFICATION SYSTEM FOR ASSESSMENT**

**Sec. 74-62. System established; terms defined.**

- (a) *Established.* The County hereby establishes the system of classifying real estate for the purposes of assessment for taxation set forth in this division.
- (b) *Definitions.* The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*HUD's Section 8 renewal policy guidelines* means that certain handbook titled 'Section 8 Renewal Policy: Guidelines for the Renewal of Project Based Section 8 Contracts' as published from time to time by the United States Department of Housing and Urban Development Office of Multi-Family Housing, as amended from time to time, or any successor publication.

*Mark up to market option* means a contract renewal option, pursuant to Section 524(a)(4)(A) of the Multifamily Assisted Housing Reform and Affordability Act of 1997 [MAHRA] (Title V of Public Law No. 105-65, October 27, 1997, 111 Stat. 1384ff), as amended by Section 531 of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2000 (Pub. L. No. 106-74, October 20, 1999, 113 Stat. 1109ff) (42 U.S.C. § 1437f) or any successor statute, for eligible properties located in strong markets, where a rent comparability study conducted by HUD has determined that comparable market rents are at or above 100 percent of the HUD Fair Market Rent, and for which HUD is authorized to approve renewal terms providing rents higher than the HUD FMR. The mark up to market option includes increasing rents from the HUD FMR to the level of an existing use restriction on a property.

*Mark up to market option under HUD's discretionary authority* means a contract renewal option, pursuant to Section 524 (a)(4)(C) or (D) of the Multifamily Assisted Housing Reform and Affordability Act of 1997 [MAHRA] (Title V of Public Law No. 105-65, October 27, 1997, 111 Stat. 1384ff), as amended by Section 531 of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2000 (Pub. L. No. 106-74, October 20, 1999, 113 Stat. 1109ff) (42 U.S.C. § 1437f) or any successor statute, providing rents higher than the HUD FMR, based on the exercise of HUD's discretionary authority, for properties which do not necessarily meet the usual eligibility criteria, but do meet a special set of statutory criteria, in that a vulnerable population is affected; there is a low vacancy rate in the area, which would make tenant based assistance difficult to use, or a lack of comparable housing; or the project is a high priority for the local community, as demonstrated by a contribution of state or local funds to the property.

*Section 8 contract renewal* means (a) renewal of a Section 8 contract for an additional five years under the mark up to market option or under the mark up to market option under HUD's discretionary authority, after a determination of eligibility by HUD pursuant to its authority under Section 524(a)(4)(A), (C), or (D) of the Multifamily Assisted Housing Reform and Affordability Act of 1997 [MAHRA] (Title V of Public Law No. 105-65, October 27, 1997, 111 Stat. 1384ff), as amended by Section 531 of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2000 (Pub. L. No. 106-74, October 20, 1999, 113 Stat. 1109ff) (42 U.S.C. § 1437f) or any successor statute or (b) renewal of a Section 8 contract by a not-for-profit corporation under any available option under HUD's renewal procedures as described in HUD's Section 8 Renewal Policy Guidelines.

**Sec. 74-63. Assessment classes.**

- (13) *Class S.* Real estate otherwise entitled to Class 3 classification under this division, consisting of land and existing buildings and structures, which is has been subject to a Section 8 contract renewal. The portion of the land and building eligible for the incentive shall be in such proportion as the number of Section 8 units bears to the total number of units. The proportion shall be applied only to property used for residential purposes, and not to portions of the property, if any, used for commercial purposes.
- a. Property qualifies for the Class S classification if its Section 8 contract has been renewed pursuant to one of the following alternatives:
1. HUD has approved renewal of the Section 8 contract under the mark up to market option, after finding that:
    - i. The property has received a physical inspection score of at least 60, in an inspection by HUD's Real Estate Assessment Center, confirming that the property is decent, safe, sanitary and in good repair with no uncorrected exigent health and safety (EHS) violations;
    - ii. The property does not have a low- and moderate-income use restriction that cannot be eliminated by unilateral action by the owner. If, however, the current rent is lower than the use restriction, HUD may use the mark up to market option to increase the rents to the use restriction level, which would be a renewal qualifying for the S classification; and
    - iii. A rent comparability study conducted by HUD has demonstrated that comparable market rents are above 100 percent of the HUD Fair Market Rent.
  2. HUD has approved a contract renewal for five years of the Section 8 contract under the mark up to market under HUD's discretionary authority, after finding that the property meets at least one of the required criteria:

- i. A vulnerable population is affected,
    - ii. There is a low vacancy rate in the area, which would make tenant based assistance difficult to use, or a lack of comparable housing, or
    - iii. The project is a high priority for the local community, as demonstrated by a contribution of state or local funds to the property.
  3. HUD has approved renewal of a Section 8 contract for a not for profit corporation under any available option under HUD's renewal procedures as described in HUD's Section 8 Renewal Policy Guidelines.
- b. Additional requirements for qualification for the S classification are:
  1. At least 20 percent of the living units must be Section 8 units for qualifying low and moderate-income persons.
  2. The owner must agree to retain at least the existing number of Section 8 units for at least five years after the expiration of the expiring or expired Section 8 contract.
  3. For the duration of the Class S classification period, applicant must file annually with the Assessor, on or before a date determined by the Assessor, a sworn statement verifying continuous compliance with the Class S provisions of this division.
  4. Applicant must agree to notify the Assessor's Office if the Section 8 contract is terminated prior to its expiration date. Applicant shall provide to the Assessor's office a copy of any notice of default or notice of abatement received from HUD.
- c. When the applicant applies to HUD for a contract renewal, no less than 120 days prior to the expiration of the contract, the applicant shall notify the Assessor's Office of the application, on a form provided by that office. Upon receiving approval of the contract renewal from HUD, the applicant shall file an application for the incentive with the Assessor's Office, on a form provided by that office. The application shall be supported by a copy of HUD's letter approving the contract renewal and a copy of the executed renewal contract.
- d. Any property which, as of November 23, 1999, has an existing Section 8 contract with a mark up to market option may apply for Class S classification for the any portion of the 2001 assessment year encompassed within the contract term, and for the remainder of the contract term, including any renewals approved with the mark up to market option. The classification shall continue until the expiration or termination of the Section 8 contract.

Any property which, as of (DATE AMENDMENT APPROVED), has an existing Section 8 contract renewal may apply for Class S classification for any portion of the 2006 assessment year encompassed within the contract term, and for the remainder of the contract term, including any renewals approved with the mark up to market option, mark up to market option under HUD's discretionary authority or a Section 8 contract that has been renewed by a not-for-profit corporation under any available option under HUD's renewal procedures as described in HUD's Section 8 Renewal Policy Guidelines. The classification shall continue until the expiration or termination of the Section 8 contract.

- e. The incentive may be renewed if the Section 8 contract is again renewed under any of the following three options: 1) the mark up to market option; 2) the mark up to market option under HUD's discretionary authority; or 3) by a not-for-profit corporation under any available option under HUD's renewal procedures as described in HUD's Section 8 Renewal Policy Guidelines. Upon filing an application with HUD, no less than 120 days prior to termination of the contract, for renewal of the Section 8 contract, the taxpayer shall provide notice to the Assessor's Office of its application for renewal. The taxpayer shall provide a copy to the Assessor's Office of HUD's approval of the contract renewal, or notification of other action.
- f. The Assessor's Office shall adopt rules consistent with this subsection necessary to ensure proper review of all factors relevant to determine initial and continued eligibility for the benefits provided under Class S.

Approved and adopted this 15th day of May 2007.

**07-O-32  
ORDINANCE**

**Sponsored by**

**THE HONORABLE LARRY SUFFREDIN AND ELIZABETH “LIZ” DOODY GORMAN  
COUNTY COMMISSIONERS**

**AMENDMENT TO THE WHEEL TAX ORDINANCE**

**BE IT ORDAINED**, by the Cook County Board of Commissioners that Chapter 32, Section 32-1 and Chapter 74, Sections 74-559 and 74-568 of the Cook County Code are hereby amended as follows.

**CHAPTER 32**

**Sec. 32-1. Fee Schedule**

The fees or charges provided for or required by the below listed sections shall be shown below:

<i>Code Section</i>	<i>Description</i>	<i>Fees, Rates, Charges (in dollars)</i>
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**CHAPTER 74, TAXATION**

74-556 Fee Schedule (Wheel Tax):

<i>Class</i>		<i>Annual License Fee (in dollars)</i>
	<b>MOTOR VEHICLES</b>	
Z	School, church and nonprofit vehicles (as described in Section 74-554)	No Fee
74-557	License fees for motor vehicles in Classes XSV and XLV, excluding ambulances and hearses, owned by persons 65 years of age and older shall, upon satisfactory proof of age, be charged a one-time fee for the duration of the ownership of such vehicle. Such discount is limited to two cars owned by the same owner.	5.00

74- 565(b)	Annual license fee for dealer license plate or transparent sticker license emblem, each plate or emblem	20.00
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**CHAPTER 74**

**Sec. 74-559. Annual license.**

(a) Annual licenses must be displayed by July 1. Said licenses shall be valid until June 30 in the following year.

(b) *New residents.* Within 60 days of taking up residence within the unincorporated area of Cook County, a current Cook County Vehicle License must be displayed on the owner's vehicle.

(c) *Newly acquired vehicles.* For any new or used vehicle purchased or acquired after July 1, a valid Cook County Vehicle License must be displayed within 30 days of the date of acquisition.

**Sec. 74-568. Penalty for ordinance violation.**

(a) *Late fee.* Any owner as defined in Section 74-551 or 74-552 who purchases a license after July 1 or other due date as defined in Section 74-559(b) or Section 74-559(c) shall pay a late fee penalty equal to the amount due for the license fee but not less than \$25.00 per license, whichever is more. Persons over age 65, physically handicapped individuals, or disabled veterans shall not be charged more than \$25.00 for a late fee.

(b) *Back dated fees.* Any person or motor vehicle as defined in Section 74-551 or 74-552 who did not purchase a license after the effective date may be required to pay the entire amount of fees due for each of the prior three years that the fee had not been paid.

(c) *Penalty for failure to properly display sticker or unlawful use of sticker on another vehicle.* Any owner, driver or motor vehicle in violation of these provisions requiring a license shall be fined not less than \$75.00 per offense nor more than \$150.00 per offense.

(d) *Purchase of a license after the due date.* Purchase of a license after the due date shall not result in an order of compliance discharge or a finding of not guilty by any court or administrative hearing and penalties and fines, contained herein shall be mandatory.

Approved and adopted this 5th day of June 2007.

**07-O-33  
ORDINANCE**

**Sponsored by**

**THE HONORABLE TODD H. STROGER, PRESIDENT AND JOSEPH MARIO MORENO  
COUNTY COMMISSIONER**

**PUBLIC WAY REGULATORY ORDINANCE**

**BE IT ORDAINED**, by the Cook County Board of Commissioners that Chapter 66, Article III, Sections 66-50 through 66-102 of the Cook County Code are hereby enacted as follows:

**Article III. Public Way Regulatory Ordinance**

Division 1. General

**Sec. 66-50. Short title.**

This Ordinance shall be known as the "Cook County Public Way Regulatory Ordinance."

**Sec. 66-51. Purposes.**

The purposes of this Ordinance are to: provide policies and procedures for the regulation of the use of County Public Ways for the construction, reconstruction, ownership, replacement, relocation, modification, maintenance, upgrading, operation and removal of Facilities, including but not limited to public utility, pipeline, telecommunication, cable television, electric, gas, water, wastewater, petroleum product Facilities, driveways, curb cuts, and other Facilities; and provide for recovery of costs incurred by the County for licensing, permitting, inspecting, monitoring and regulating such uses of the Public Ways in order to provide for the public safety and interest. Notwithstanding the foregoing, the use of Public Ways under the jurisdiction or control of the County and located within the City of Chicago shall be licensed, permitted and regulated by the City of Chicago and governed by the fee structure of the City of Chicago. This Ordinance regulates the use of the Public Ways only and does not supersede or waive any right of the County to enter into a franchise agreement with a Grantee for the provision of services to residents of unincorporated Cook County, nor does this Ordinance take the place of any tax now or hereafter applicable to Grantees and relating to the provision of services or use of the Public Ways.

**Sec. 66-52. Definitions.**

The following terms, phrases, words and their derivations shall have the meaning given herein. Capitalization or lack of capitalization shall not affect the meaning of a term defined below. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

*Applicant* means the Person that is required to apply for any License or Permit, which shall be the Person that will own the Facility or Facilities or, in the case of work in the Public Way which will not result in a Facility being constructed, the Person on whose behalf such work is performed.

*Board* means the Cook County Board of Commissioners.



*Construction permit* means a type of Permit described in Section 66-66.

*County* means the County of Cook and, in appropriate circumstances, its commissioners, officers, employees and agents.

*Director* means the Director of the Real Estate Management Division of the County of Cook.

*Effective date* means the date which is thirty (30) days after adoption of this Ordinance.

*Emergency* means any event which poses immediate danger to Persons or property, or which causes interruption of utilities and similar public services, such as, but not limited to, cable television.

*Excavation* means any operation in which earth, rock, or other material in or under the ground is moved, removed, or otherwise displaced by means of any tools, power equipment or explosives, and includes, without limitation, grading, trenching, digging, ditching, drilling, angoring, boring, tunneling, scraping, exploratory probing, cable or pipe plowing, and driving.

*Facility or Facilities* means all structures, devices, objects, and materials, including track and rails, pavement, curbs, sidewalks, wires, ducts, fiber optic cable, communications and video cables and wires, poles, conduits, foundations, grates, covers, mains, hydrants, manholes, meters, valves, pumps, lift stations, pipes, cables, and appurtenances thereto or any portion thereof, located on, in, over, above, along, upon, under, across, or within Public Ways under this Ordinance, except those owned by the County.

*Grantee* means the Person granted a License or a Permit under this Ordinance and its lawful successor, transferee or assignee.

*Hazardous materials* means any substance or material which, due to its quantity, form, concentration, location, or other characteristics, poses an unreasonable and imminent risk to the life, health or safety of Persons or property or to the ecological balance of the environment, including, but not limited to explosives, radioactive materials, petroleum or petroleum products or gases, poisons, etiology (biological) agents, flammables, corrosives or any substance determined to be hazardous or toxic under any federal or state law, statute or regulation.

*Highway Department* means the Cook County Highway Department.

*Law* means any and all laws, statutes, ordinances, codes, rules and regulations promulgated or enacted by any Federal, state or local governmental entity or agency, and specifically include this Ordinance.

*License* means the non-exclusive privileges granted under a License Agreement pursuant to this Ordinance to construct, own, replace, relocate, modify, maintain, operate and remove Facilities on, in, under, over, above, along, upon, under, across, or within specified Public Ways or other property under the jurisdiction or control of the County.

*License agreement* means a written agreement between the County and a Grantee pursuant to this Ordinance, as further described in Division 2.

*Maintenance and repair permit* means a Permit of the type described in Section 66-67.

*Permit* means a written permission from the County to do work in the Public Way issued pursuant to Division 3.

*Person* means an individual, firm, corporation, cooperative, association, partnership, joint venture, limited liability company, governmental unit, or other legally recognized entity.

*Proprietary information* has the meaning set forth in Section 66-55.

*Public way* means the surface, the air space above the surface and the area below the surface of any public right of way, including any public street, highway, lane, path, alley, sidewalk, boulevard, drive, bridge, park, parkways, and other public rights-of-way under the jurisdiction or control of the County, which entitle the County and a Grantee to the use thereof for the purpose of installing and maintaining public streets and other facilities. No reference herein, or in any License Agreement or previously issued franchise, or in any Permit, to the "public way" shall be deemed to be a representation or guarantee by the County that its title to any property or jurisdiction or control is sufficient to permit use of such property for such purpose and the Grantee shall, by its use of such terms, be deemed to gain only such rights to use property as the County may have the undisputed right and power to give. Notwithstanding the foregoing, for purposes of this Ordinance, the term "Public Way" shall not include any public ways owned or controlled by the County and located within the City of Chicago.

*Superintendent* means the Superintendent of the Cook County Highway Department.

*Tree trimming permit* means a Permit of the type described in Section 66-68.

**Sec. 66-53. Conflicts with State and Federal Laws.**

In the event that applicable Laws conflict with the requirements of this Ordinance, a Grantee shall comply with the requirements of this Ordinance to the maximum extent possible without violating Laws.

**Sec. 66-54. General provisions regarding fees and payments.**

All fees, interest and other sums payable by a Grantee under this Ordinance shall be paid to the County Revenue Department, which shall advise the Director of Real Estate Management and the Superintendent of Highways of any untimely or deficient payments. In the event that any payment is not made on or before the applicable dates herein specified, interest shall be charged from such due date at the rate stated in the Cook County Uniform Penalty, Interest and Procedure Ordinance; provided, however, that no interest shall be charged on penalties assessed pursuant to Section 66-91. The payments shall be in addition to any other money that may be owed by the Grantee to the County and shall not be construed as a payment in lieu of any such money. The types of fees and charges and the initial amounts of such fees and charges are set forth in Section 66-103. Such fees and charges may be amended from time to time, and shall be imposed in the amounts in effect at the time of such imposition.

**Sec. 66-55. General provisions regarding submission or certain information.**

When information is required to be provided to the County, the following general provisions shall apply.

(a) *Drawings, plans and specifications.* In any instance where drawings, plans or specifications are required to be provided by an Applicant or Grantee, such information should, if feasible, be provided in an electronic format compatible with the County's geographical information system in use at the time such information is required to be provided or compatible with the County's CADD system in use at such time. In addition, such information shall also be provided in hard copy, if requested by the County.

(b) *Description of facilities and locations.* In all instances where a description of any Facility is required under this Ordinance or a License, such description shall include (i) all dimensional details such as diameter, thickness or pipe walls, materials used, and all other details necessary to fully describe the Facility and (ii) three-dimensional coordinates and all information necessary to describe both the horizontal and vertical location of the Facility.

(c) *Proprietary information.* Information provided to the County is subject to disclosure as a public record pursuant to the Illinois Freedom of Information Act (5 ILCS 140/1 *et seq*) If any information required to be provided to the County under this Ordinance is reasonably considered by Grantee to include trade secrets, commercial or financial information where the trade secrets or information are proprietary, privileged or confidential, or where disclosure of the trade secrets or information may cause competitive harm, or which information would otherwise be exempt from disclosure pursuant to Section 7 of the Illinois Freedom of Information Act (5 ILCS 140/7, 2006) or if the disclosure of such information could, in the reasonable judgment of a Grantee, impair security of facilities operated by such Grantee in providing utilities or other services essential to public health or public safety (such information being referred to as “Proprietary Information”), then Grantee may delete such Proprietary Information from the information to be provided, so long as the information provided is adequate, in the reasonable judgment of the Superintendent to inform the County of the nature and location of the Facilities for its regulatory purposes, and so long as the Grantee provides a written certification, signed by an officer of Grantee, identifying the type of information deleted and the reason for such deletion. Grantee shall cooperate with the Highway Department to assure that the information provided is adequate to meet the County’s requirements.

## Division 2. Licensing Requirements and Procedure

### **Sec. 66-57. License requirements.**

In situations where the Applicant (i) has or proposes to have Facilities in a significant portion of the Public Ways as determined by the Highway Department (for example, a utility company) (such License Applicant being sometimes referred to as a “Major User”), or (ii) has or proposes to have Facilities that require continued regulation (for example, a pipeline operator), as determined by the Highway Department, but do not occupy a significant portion of the Public Ways (such License Applicant being sometimes referred to as an “Other User”), then the Applicant shall be required to obtain a License from the County. The License Agreement shall be in a form provided by the County and will include payment of a license fee, obligations of the Grantee to indemnify the County, furnish insurance, and such other terms and provisions as are determined by the Director to be appropriate in any instance.

### **Sec. 66-58. General requirements and provisions.**

Any License granted pursuant to this Ordinance creates a license only and does not create an interest or estate of any kind whatsoever in the Public Way by virtue of this Ordinance, a License Agreement, or Grantee’s use of the Public Way.

(a) *Existing facilities.* In the event that any Person is operating Facilities in the Public Way under a license, easement or similar agreement with the County, this Ordinance shall apply only to the extent it is not inconsistent with such license, easement or similar agreement during the term of such license, easement or similar agreement. Notwithstanding the foregoing, this Ordinance, including but not limited to permitting requirements of this Ordinance, shall govern any maintenance, repair, replacement, removal, relocation, reconstruction, upgrading, modification or extension of any existing Facilities, and all the provisions of this Ordinance shall apply to installation of any new Facilities in the Public Ways not covered by such agreement. Persons having Facilities located in the Public Ways as of the Effective Date for which a License is required under Section 66-57, and as to which no license, easement or similar written agreement is currently in effect, shall comply with the licensing requirements set forth herein by filing an application for a License for such existing Facilities within 60 days after the Effective Date. The effective date of such License Agreement shall be July 1, 2007. If a Person having existing Facilities with no such agreement in place fails to timely apply for or diligently pursue a License Agreement, then the County may exercise the rights and remedies described in this Ordinance, including assessment of penalties and requiring removal of such Person's Facilities. In addition, the County may refuse to process any Applications or grant any Permits until such License Agreement is executed.

(b) *Ordinance 85-O-18.* On February 4, 1985, the Board adopted Ordinance No. 85-0-18, which granted to Illinois Bell Telephone Company, and its successors, the non-exclusive right to use certain Public Ways in Cook County in exchange for certain benefits granted to the County, under the terms set forth in such Ordinance. For so long as such Ordinance is in full force and effect, the grantee or its successors under Ordinance 85-O-18, as amended, including as amended by Ordinance 07-O-27, shall be required to apply for a License within 60 days after the Effective Date of this Ordinance as to Public Ways and shall be required to comply with all Permit requirements set forth in Division 3, except that License fees and Permit fees shall be waived to the extent provided in Ordinance 85-O-18, as amended by Ordinance 07-O-27 and as further amended.

(c) *License non-exclusive.* No License shall be exclusive. Every License shall be deemed to reserve to the County the right to grant other Licenses to use and occupy the Public Ways or other property of the County for any other purpose on such terms as the County may deem appropriate.

(d) *License subject to County use.* All Licenses shall be subject to the County's use of its Public Ways, including the widening of County highways, roads, streets and bridges. Any removal, relocation or modification of a Grantee's Facilities necessitated by the County's use of its Public Ways shall be at the Grantee's cost, and shall be governed by Section 66-81.

#### **Sec. 66-59. License application.**

Applications for a License shall be submitted to the Director on application forms promulgated by the Director. The application form shall request facts and information the County deems appropriate, including the specific location of the Facilities as provided in Section 66-55. Applicants applying for a License for Facilities existing prior to the Effective Date, shall include drawings, plans and specifications fully describing such existing Facilities and the location of such Facilities as required by Section 66-55. The Director may agree to accept the foregoing information after issuance of a License for good cause shown. In determining whether to issue the License prior to receiving all such information, the Director shall take into consideration the extent of the Grantee's Facilities in the Public Way and the burden on the Grantee of providing the information within the required time. If a License as to all the Public Ways is requested, the information as to the current locations of Facilities shall nevertheless be required. The Director may request additional information from the Applicant at any time during the application process.

(a) *Review process.* The Director shall coordinate any necessary review of the application by all interested County Departments, which may include Highway, Building and Zoning and Risk Management. If the foregoing review indicates that the License may be issued, then based upon the application and such information as may be obtained during the review process, the Director shall prepare a License Agreement for execution by the Applicant, setting forth the terms and conditions upon which the Director is prepared to recommend issuance of a License.

(b) *Execution by applicant.* Upon execution of the License Agreement, Applicant shall submit the annual License fee for the first year of the term. Such annual License fee shall be refunded if the License Agreement is not approved and executed by the Board. No provision of this Ordinance shall be deemed or construed as to require the Board to grant a License. The Board may consider any relevant facts and circumstances, including the qualifications of the Applicant, in determining whether to grant a License.

(c) *Term of License Agreement.* The term of a License Agreement shall commence on the date the License Agreement is executed by the County ("Effective Date"), and shall expire on June 30 of the calendar year in which the tenth (10th) anniversary of the Effective Date occurs, such that all Licenses shall expire on June 30, unless sooner terminated in accordance with the terms of the License Agreement; provided, however, that a License Agreement issued to a Person having Existing Facilities as described in Section 66-58 (a) shall be effective as of July 1, 2007, regardless of the date executed.

**Sec. 66-60. Annual requirements.**

(a) A Grantee is required to provide the following documentation to the Director prior to each July 1 falling within the term:

- (1) A current certificate of insurance, or other evidence acceptable to the Director of Risk Management, evidencing all insurance required to be maintained by Grantee under Section 66-62.
- (2) The annual License fee in effect from time to time.
- (3) A certified report of current Facilities and their locations, including plans, drawings or such other material as is necessary to fully describe the Facilities and their locations, as provided in Section 66-55, or a statement certified by an authorized representative of the Grantee stating that there has been no change to the Facilities since the prior annual report or the issuance of the License, in the case of the first such certified report.
- (4) Such other documentation and information reasonably requested by the Director.

(b) *Failure to fulfill annual requirements.* If Grantee fails to fulfill the annual requirements by July 1, Grantee shall be subject to penalties as set forth in Section 66-91 and, in addition, the Director may revoke the License at any time thereafter by terminating the License Agreement as set forth below; provided, however, that if Grantee provides the certificate or other acceptable evidence of insurance and pays the annual fee within fifteen (15) days after receipt of notice from the County of failure to comply with the annual requirements (which shall constitute a violation notice under Section 66-87), Grantee may request an extension as to Section 66-60 (a) (3) and the Director may grant such extension as the Director deems appropriate (which shall constitute additional time to cure pursuant to Section 66-88 (c)). If such extension is granted, no penalties will accrue and the County will not be entitled to revoke the License if the requirement is fulfilled prior to the expiration of the extension period. If Grantee fails to provide the annual report within the extension period, then penalties shall be assessed retroactively to the date which is five days after receipt of the County's notice, and the Director may, in his or her discretion, revoke the License. If the Director deems it advisable to revoke the License as allowed under this Section 66-60 (b), the Director shall notify the Grantee in writing not less than thirty (30) days prior to the effective date of such revocation, which notice shall be ineffective if the Grantee fulfills all requirements prior to the effective date set forth in the notice. If a Grantee fails to fulfill the annual requirements as provided herein, then the County may exercise the rights and remedies described in this Ordinance, including assessment of penalties and requiring removal or deactivation of such Person's Facilities. In addition, the County may refuse to process any Applications or grant any Permits until such License Agreement is executed.

**Sec. 66-61. Annual license fee.**

A Grantee shall pay to the County an annual License fee at the rate in effect from time to time, prorated on a daily basis if the License commences on a date other than July 1 or terminates on a date other than June 30 (other than a termination due to breach by Grantee). The annual License fee for the first year of the term shall be paid upon presentation of the License Agreement to the Director of Real Estate Management, executed by the Applicant, and shall be refunded if the License is not issued. All succeeding annual License fee payments shall be made on or before July 1 of every year during the term of the License Agreement.

**Sec. 66-62. Insurance requirements.**

At all times during the term of a License, and at all times until the removal of Facilities is completed, as provided for herein, a Grantee shall maintain insurance as provided in the License Agreement. Failure to comply with insurance requirements shall be a violation of this Ordinance and subject Grantee to the penalties provided in Section 66-91.

**Sec. 66-63. License renewal.**

A Grantee shall be solely responsible for requesting the County, in writing, to renew a License for any subsequent ten (10) year term. Such a request shall be made not less than six (6) months prior to the then current License expiration date, unless a later date is agreed to by the Director.

(a) Request for License renewal shall be made in accordance with the requirements set forth in Section 66-59 of this Ordinance for a new License. If a Grantee having existing Facilities fails to timely apply for or diligently pursue a renewal of a License, then the County may exercise the rights and remedies described in this Ordinance, including assessment of penalties and requiring removal of such Person's Facilities.

(b) Notwithstanding the fact that the County may determine that a Grantee has been in reasonable compliance with the terms and conditions imposed by this Ordinance and the License Agreement, the County shall have no obligation to renew the License. If the County does not renew the License, the County shall have the option to require the removal of all Grantee's Facilities and other property located within the Licensed Area, at the Grantee's expense, in accordance with Section 66-80.

**Sec. 66-64. Transfer of license.**

Neither a License nor a License Agreement shall be assigned, transferred, sold or disposed of, in whole or in part, by voluntary sale, sale and leaseback, merger, including merger by operation of law, consolidation or otherwise or by forced or involuntary sale (any of the foregoing being hereinafter referred to as a "Transfer"), without written notice to the Director which shall be signed by both the original Grantee and the party accepting the Transfer (the "Transferee"). Such notice shall be given no later than ten (10) days after the Transfer occurs, and shall include an assumption by the Transferee of all the Grantee's obligations under the License Agreement, together with evidence of Transferee's insurance and a replacement bond or letter of credit provided by Transferee as required under the License Agreement.

(a) *Transfer in violation.* Any sale, transfer or assignment not made according to the procedures set forth in this Ordinance shall render the License and the License Agreement voidable at the option of the County. In addition, such sale shall subject Grantee to the penalties set forth in Section 66-91. The sale, transfer or assignment in bulk of the major part of the tangible assets of the Grantee shall be considered an assignment and shall be subject to the provisions of this Section.

Division 3. Permit Requirements

**Sec. 66-65. General requirements.**

No Person shall perform any work in the Public Way, including construction, reconstruction, upgrading, replacement, removal, relocation, modification or maintenance of any Facilities, trimming or removal of any vegetation, or any Excavation, in the Public Way, or place materials, equipment, devices, or structures in the Public Way (whether temporary or permanent) which, in the reasonable judgment of the Highway Department, will or may obstruct the Public Way, until such Person has obtained a Permit in accordance with this Division 3. No Permits shall be issued as to Facilities where a License Agreement is required pursuant to Division 2 unless and until such License Agreement has been executed by the Board. As provided in Section 66-57, if the Highway Department determines upon an Applicant's application for a Permit that the proposed Facilities or work require continued regulation, the Highway Department shall require that a License Agreement be executed prior to issuance of a Permit. Specific types of Permits are referred to and briefly described below.

(a) *Permit conditions.* Specific Permit terms, conditions and requirements, including insurance, bonding and indemnification requirements, will be determined by the Highway Department and set forth in the Permit application or issuance documentation. The application form shall request facts and information the County deems appropriate, including a description of the Facilities and their locations, as provided in Section 66-55. Additional requirements or types of Permits may be established by the Highway Department at any time as deemed necessary. The Highway Department will determine, in its sole discretion, the category of Permit which is appropriate for any application. If at any time during the Permit process the Highway determines that the Permit should be re-classified, then the Applicant shall be notified and any additional fees shall be assessed. All Permit applications shall be submitted to the Highway Department on forms obtained from the Highway Department.

(b) *Failure to obtain permit.* A Person's failure to obtain a Permit in accordance with this Division and to perform work in the manner set forth in the Permit shall be a violation of this Ordinance and shall subject Grantee to the penalties set forth in Section 66-91.

(c) *Permit fees.* An Applicant for a Permit shall pay to the County a Permit fee at the rate in effect from time to time. The types of fees and the initial amounts of such fees are set forth in Section 66-102. All Permit fees shall be paid prior to the issuance of the Permit.

**Sec. 66-66. Construction permits.**

Construction Permits are required for the following work: any construction or installation of new Facilities; replacement, relocation or removal of Facilities, or repair, maintenance, or modification of Facilities, where cutting of pavement or any Excavation is or may be required; or placement of signage in the Public Way (other than signage related to Maintenance and Repair Permits).

(a) *Annual planned construction list.* Any Grantee (i) that has applied for more than three Construction Permits in any of the three preceding calendar years, or (ii) that should reasonably anticipate applying for more than three Construction Permits in the following calendar year, shall furnish to the Highway Department a list of all work requiring a Construction Permit which is anticipated for the next calendar year (the "Annual Planned Construction List"). The Annual Planned Construction List shall be provided at least sixty (60) days prior to the beginning of the calendar year to which such list pertains. The Annual Planned Construction List shall include, at a minimum, the proposed location of each project, the nature of each project, the anticipated schedule of each project, anticipated disruptions to the Public Way and the length of time such disruptions will occur, and will also include such other information as is requested by the Highway Department. The Annual Planned Construction List is required to facilitate planning by the Highway Department and does not replace the Permit process. If a Grantee is required to file an Annual Planned Construction List for a particular calendar year due to the applicability of (i) above and fails to do so, the Highway Department may withhold Permits applied for until such Annual Planned Construction List is received. If a Grantee that would be required to file an Annual Planned Construction List due to the applicability of (ii) above, in fact applies for more than three Permits in such calendar year, the Highway Department may withhold the Permits applied for after such third Permit until the Annual Planned Construction List for such year is filed. Notwithstanding the foregoing provisions of this Sec. 66-66 (a), if Grantee certifies to the County that certain disclosures would cause competitive harm to the Grantee, the County shall modify or waive some or all of the requirements set forth in this Section for so long as Grantee cooperates in County's planning process for the Public Ways, including Grantee's timely response to information provided by the County regarding County's anticipated work.

**Sec. 66-67. Maintenance and repair permits.**

Any repair or maintenance of a Facility in the Public Way (other than tree trimming) which does not require a Construction Permit shall require a Maintenance and Repair Permit in accordance with this Section 66-67. An example of work requiring a Maintenance and Repair Permit includes replacing electrical or telephone cable or wiring on existing poles.



(a) *Annual maintenance and repair permits.* Any Grantee holding a License issued pursuant to Division 2 may apply for an Annual Maintenance and Repair Permit. The Annual Maintenance and Repair Permit shall constitute the requisite Permit only for the following work over the course of the year: Any repair, maintenance or modification of a Facility in the Public Way which does not require a Construction Permit and which does not require any lane closure or placement of equipment or personnel on the pavement. The Grantee shall provide to the Superintendent a written report detailing the nature and location of all maintenance and repair occurring under Annual Maintenance and Repair Permit no later than thirty (30) days after the expiration of such Annual Maintenance and Repair Permit. In addition to such annual reporting, upon request by the Highway Department, a Grantee will provide an interim report as to work performed under the Annual Maintenance and Repair Permit.

(b) *Individual maintenance and repair permits.* As to maintenance and repair which is not covered under the Annual Maintenance and Repair Permit, an Applicant shall file with the Highway Department an application for an individual Maintenance and Repair Permit prior to performance of any work covered by such application and shall pay the applicable Permit Fee.

#### **Sec. 66-68. Tree trimming permits.**

An Applicant shall file with the Highway Department an application for a Tree Trimming Permit for any tree trimming within the Public Way; provided, however, that tree trimming incidental to other work being performed pursuant to a Construction Permit or Maintenance and Repair Permit shall be included in such permit if requested by the Applicant without the requirement of a separate Tree Trimming Permit or payment of a Tree Trimming Permit fee, so long as such tree trimming is minimal in nature (for example, removal of a branch obstructing the area of the work being performed). Permits shall be issued for a limited geographical area, and a limited time period, all as determined in the sole discretion of the Highway Department, and only upon satisfactory evidence that the Applicant has coordinated or will coordinate such work with any municipality or other political subdivision in which the work will be performed. In the case of Public Ways adjacent to or located in forest preserves, Applicant shall also provide satisfactory evidence that the Applicant has coordinated or will coordinate such work with the Forest Preserve District of Cook County.

(a) The County may require the removal and replacement of trees if trimming or radical pruning would leave them in an unacceptable condition, as determined by the County.

(b) The County may require that special measures be taken to preserve specimen trees or trees of special significance. The required measures may consist of higher poles, side arm extensions, covered wire or other means that may necessitate work requiring additional Permits for construction or repair.

(c) Poor pruning practices resulting in damaged or misshapen trees will not be tolerated and shall be grounds for cancellation of a Tree Trimming Permit and imposition of penalties.

**Sec. 66-69. Emergency work.**

In the event of an emergency as described in Section 66-85 requiring work to be done which would otherwise require a Permit, a Grantee may perform the work required to remove any hazard, restore service, or repair, replace or remove Facilities, provided that telephonic notice is given to the Highway Department prior to such work and further provided that the appropriate Permits are applied for and the appropriate Permit fees paid within ten days after the occurrence requiring the work. Telephonic notice may be provided on a 24-hour basis, seven days per week at the Cook County Highway Department Maintenance Facility, 24 hour contact number, which is currently 708-485-7130. Failure to apply for such Permit and pay the appropriate fees shall be grounds for imposition of penalties beginning upon the commencement of the work. If the nature of the work required is such as to require the parking on the shoulder of equipment required in repair operations, adequate signs and lights shall be provided, pursuant to the "Manual on Uniform Traffic Control Devices", issued by the Federal Highway Administration. Parking on the shoulder in such an emergency will only be permitted when no other means of access to the Facility is available.

**Sec. 66-70. Action on permit applications.**

Completed Permit applications, containing all required documentation and including evidence of payment of the applicable Permit fee in effect at the time of application, shall be reviewed by the County Highway Department. If the Highway Department determines that a Permit may be issued, and if the applicable fee has been paid in full, the Highway Department may issue a Permit for the proposed work, subject to any requirements, terms and conditions that the Highway Department deems necessary or desirable. A Permit may be denied or delayed if any fees for prior Permits or Licenses remain outstanding.

**Sec. 66-71. Effect of permit.**

A Permit from the County authorizes a Grantee to undertake only certain activities on the Public Ways in accordance with this Ordinance and as specifically contained in such Permit, and does not create a property right or grant authority to the Grantee to impinge upon the rights of the County or others who may have an interest in the Public Ways. Projects may require a Grantee to apply for more than one type of Permit; for example, certain construction projects might require not only a Construction Permit but, if trimming or removal of trees is necessary for the project, would also require a Tree Trimming Permit. The issuance of a Permit does not excuse the Grantee from complying with other requirements of the County and all applicable Laws.

**Sec. 66-72. Notice of commencement of work.**

After issuance of a Permit, and not less than forty-eight (48) hours prior to commencing any construction, a Grantee shall file with the Highway Department a notice describing the project and date and time construction is planned to commence.

**Sec. 66-73. Notice – telecommunication carriers.**

Telecommunications carriers shall be subject to the licensing requirements (except as specifically provided otherwise in this Ordinance) and shall be subject to Permit requirements of this Ordinance; provided, however, that a License and a Permit may be issued retroactively for work already performed if the following requirements are met. Pursuant to Section 4 of the Telephone Company Act, 220 ILCS 65/4, in the event that License and Permit requirements are not fully satisfied prior to the scheduled commencement of work governed by this Ordinance and necessary for the provision of telecommunications services, then the telecommunications carrier shall notify the Highway Department that it intends to commence such work ("Commencement of Work Notice").

(a) The Commencement of Work Notice shall consist of plans, specifications, and other documentation sufficient to demonstrate the purpose and intent of the work and the desired location of the work, and shall be provided by the telecommunications carrier not less than ten (10) days prior to the commencement of work; provided, however, that if such work requires Excavation for new construction, such notice shall be given not less than thirty (30) days prior to the commencement of work.

(b) If a Commencement of Work Notice is timely given, and if a License is in effect or applied for (if applicable), and if a Permit is also applied for within ten (10) days after receipt of the Highway Department's specification of location described in Section 66-73 (c), then no penalties shall be imposed for failure to obtain a License and Permit prior to performing the work. If no Commencement of Work Notice is timely given, or if a Permit application is not completed and submitted to the Highway Department within the ten (10) day period following the Highway Department's specification described in Section 66-73 (c), penalties may be imposed for failure to obtain a License and Permit commencing upon the date the telecommunications carrier begins work in the Public Way, as applicable in accordance with this Ordinance, and shall continue to accrue until a License and Permit are issued or, if the application is denied, until the Facilities are removed.

(c) The Highway Department shall specify the portion of the Public Way upon which the Facility may be placed, used and constructed. In the event that the Highway Department fails to provide such specification of location to the telecommunications retailer within either (i) ten (10) days after service of notice by the telecommunications retailer in the case of work not involving Excavation for new construction or (ii) twenty-five (25) days after service of notice by the telecommunications retailer in the case of work involving Excavation for new construction, the telecommunications retailer may commence work, but shall diligently pursue the issuance of a License and Permit under this Ordinance.

**Sec. 66-74. Modification of permit.**

If after issuance of a Permit and before or during construction a Grantee determines that it is necessary or desirable to revise the size or location of the proposed Facilities, or to make a material change in the permitted Facilities, Grantee shall apply to the Highway Department for a modification to its Permit, and shall furnish all requested information and pay the applicable modification fee such that the Highway Department can take action on such request. Failure to apply for a modification shall constitute grounds for imposition of penalties from the date of commencement of construction to the date upon which a Permit modification is granted or the Facility is removed in accordance with Section 66-91.

**Sec. 66-75. Completion of work; as built drawings.**

Upon completion of construction, every Grantee shall submit to the Highway Department within thirty (30) days an "as built" set of drawings or plans conforming to the requirements of Section 66-55. If "as built" drawings or plans contain Proprietary Information, as defined in Section 66-55, Grantee may provide alternate plans reasonably acceptable to the Highway Department in order to describe the location of Facilities, so long as Grantee fulfills the other requirements of Section 66-55 (c). The as built drawings or plans shall identify specifically where the design, specifications and locations of the as built Facilities deviate from that approved in the Permit, as the Permit may have been modified pursuant to Section 66-74; provided, however, that Grantee is required to apply for a Permit modification for any deviation prior to construction. If no prior modification was applied for, then in addition to the possible imposition of penalties as set forth in Section 66-74, the County may either grant a modification of the Permit, with payment of applicable fees for modification, or if the County denies the request for a modification, then the Grantee shall either remove the Facility from the Public Way or modify the Facility so that it conforms to the Permit and submit revised drawings or plans therefore. Failure to remove or modify the Facility shall subject Grantee to the penalties set forth in Section 66-91.

**Sec. 66-76. Inspections.**

All work by a Grantee in the Public Way shall be subject to inspection by the County during construction and upon completion of construction. The County has no obligation to inspect, and the extent of any inspection shall be as determined by the Highway Department. A Grantee shall pay inspection fees in effect from time to time. No inspection by the County shall relieve the Grantee of any of its obligations under this Ordinance, a License Agreement, or a Permit, or of any liability to the County or any other party, including but not limited to the indemnification and insurance provisions of this Ordinance, a License Agreement, or a Permit.

**Sec. 66-77. Change of ownership or owner's identity or legal status.**

No Permit shall be assigned, transferred, sold or disposed of, in whole or in part, by voluntary sale, sale and leaseback, merger, including merger by operation of law, consolidation or otherwise or by forced or involuntary sale (any of the foregoing being hereinafter referred to as a "Permit Transfer"), without written notice to the Superintendent which shall be signed by both the original Grantee and the party accepting the Transfer (the "Permit Transferee"). Such notice shall be given no later than ten (10) days after the Permit Transfer occurs, and shall include an assumption by the Permit Transferee of all the Grantee's obligations under the Permit. If the Highway Department is still holding a restoration bond or a letter of credit under the Permit, then the Permit Transferee shall simultaneously provide evidence of Permit Transferee's insurance and a replacement bond or letter of credit provided by Transferee. The Permit Transferee shall have all the obligations and privileges enjoyed by the former owner, under the Permit and shall be subject to all applicable Laws, including this Ordinance, with respect to the work and Facilities in the Public Way. If the parties fail to transfer the Permit to its name, such failure shall be cause for the imposition of penalties on the Permit Transferee and the Permit Transferee shall be presumed to have accepted, and agreed to be bound by, the terms and conditions of the Permit. Any such transfer of ownership or change in identity of the Grantee may also require a transfer of License or application for a new License by the Permit Transferee, pursuant to Division 2.

Division 4. General Construction Standards and Operational Requirements

**Sec. 66-78. Consistent with laws.**

All design, location, construction, reconstruction, upgrading, replacement, relocation, removal, modification, maintenance and operation of Facilities, traffic control, protection of vegetation and all operations in the Public Way by or on behalf of any Grantee shall be consistent with Laws, and commonly recognized and accepted traffic control and construction principles, sound design and engineering judgment and, where applicable, the principles and standards set forth in the Federal regulations and Illinois Department of Transportation publications, including but not limited to the Standard Specifications for Road and Bridge Construction, and the Manual on Uniform Traffic Control Devices issued by the Federal Highway Administration, as all such Laws and requirements may be updated or amended from time to time. All work in the Public Way shall be performed in a good and safe workmanlike manner using high quality materials. All Facilities shall be maintained in good repair and sound condition and in accordance with all Laws.

**Sec. 66-79. Operational restrictions.**

In no event shall a Grantee place or allow to remain in the Public Way any rocks, boulders, debris, equipment or other material other than as specifically allowed pursuant to an applicable Permit. The Highway Department may require a Grantee to discontinue construction operations in Public Ways when, in the sole judgment of the Highway Department, such operations may create hazards to traffic or the public health, safety, and welfare or when conditions are such that construction may result in damage to the Public Way or other property. Other regulations and requirements regarding construction activities, such as hours of construction, shall be determined by the Highway Department.

**Sec. 66-80. Location of existing facilities.**

Any Grantee proposing to perform work in the Public Way shall comply with the Illinois Underground Facilities Damage Prevention Act, 220 ILCS 50/1, *et seq.*, including contacting J.U.L.I.E. and ascertaining the presence and location, both vertically and horizontally, of existing aboveground and underground facilities within the Public Way that will be affected by the proposed work or will be occupied by any proposed Facilities. When notified of an Excavation or when requested by the Highway Department or by J.U.L.I.E., a Grantee shall locate and physically mark its underground Facilities, in accordance with the Illinois Underground Facilities Damage Prevention Act.

**Sec. 66-81. Information on location of facilities; relocation of permitted facilities.**

As a condition of issuance of Licenses and Permits, Grantees shall be required to fully cooperate with the Highway Department and its contractors and consultants for purposes of planning, designing, construction or maintenance by the Highway Department. Such cooperation includes attending coordination meetings, providing information and relocating Facilities as further described in this Section 66-81. The obligations set forth in this Section 66-81, and in the remainder of this Ordinance, shall apply not only to utilities and private users of the Public Way, but also to municipalities and political subdivisions.

(a) *Information on location of facilities.* Within sixty (60) days after written request from the Highway Department, a Grantee shall provide accurate information as to the location of Facilities within the Public Way, as provided in Section 66-55. Such sixty (60) day period may be extended for thirty (30) days, or such additional period as is determined by the Superintendent, if Grantee notifies County in writing that additional time is required to provide such information, so long as Grantee has diligently commenced and diligently proceeds to gather such information. A Grantee's inaccurate, incomplete, or lack of knowledge or regarding the location of Facilities or other requested information shall not excuse it from the requirements of this Ordinance. Grantees shall have an affirmative obligation to obtain and provide accurate and complete information in a timely manner, as specified herein.

(b) *Removal or relocation due to County's use.* Within ninety (90) days following the later of (i) written notice from the Highway Department, and (ii) issuance of a Permit for the following work, a Grantee shall, at its own expense, remove, relocate or modify any Facilities of the Grantee within the Public Way whenever the Highway Department has determined that such action is reasonably necessary for the construction, repair, maintenance, modification, or installation of any County improvement in or upon, or the operations of the County in or upon, the Public Way. Notwithstanding the foregoing, if Grantee fails to apply for a Permit for such work within ten (10) days after such written notice from the County, then the ninety (90) day period shall commence on such tenth day.

(c) *Failure to provide information; failure to relocate or remove.* Should the Grantee fail to provide accurate, complete and timely information as required under Section 66-81 (a), or fail to relocate or remove its Facilities within the applicable time frames, or any extended time upon which the County and the Grantee shall agree in writing, then in addition to any other remedies available at law or in equity, such failure shall constitute grounds for imposition of a penalty for delay in accordance with Section 66-91 plus any damages incurred by the County by reason of such delay, including but not limited to additional amounts owed contractors in order for them to complete work which was delayed due to the failure of the Grantee to provide accurate and complete information or timely remove or relocate its Facilities. If so requested by the County, the Grantee must immediately provide corrected information or corrective action, including providing a schedule for such necessary corrective actions to be subject to the County's approval.

(d) *County's right of self-help.* Upon a Grantee's failure to remove, relocate or modify a Facility within ninety (90) days after notice given by the Highway Department, the County reserves the right to relocate the Facility at the Grantee's cost and risk. The County may recover the cost of relocation, modification or removal, as well as any damages incurred by reason of such delay and any penalties assessed pursuant to this Ordinance, from any bond, letter of credit or other security provided on behalf of the Grantee. Failure of a Grantee to timely relocate Facilities may be a basis for denial of future Permits and Licenses for use of the Public Way. The remedies set forth in this Section 66-81 (c) are in addition to and not in limitation of any other remedies set forth in this Ordinance or otherwise available at law or in equity.

(e) *Indemnification.* As a condition of its License and Permits, a Grantee holds the County, its commissioners, officials, employees and agents (the "County Indemnified Parties"), harmless and indemnifies the County Indemnified Parties from any and all delay claims of the County's contractors which arise from failure of a Grantee to timely relocate Facilities. The indemnification set forth in this Section 66-81 (e) in no way limits or abrogates the general indemnification set forth in Division 6 of this Ordinance.

#### **Sec. 66-82. Removal of unauthorized facilities.**

Within thirty (30) days following written notice from the County, any Person who owns, controls, or maintains any unauthorized Facility or related appurtenances within the Public Way shall, at its own expense, remove all or any part of such Facilities or appurtenances from the Public Way. If the owner of the Facility is unknown to the County, such thirty (30) day notice may be given by means of posting at the location of the Facility. Notwithstanding the foregoing, such thirty (30) day notice shall not be required in the case of a hazardous condition created by the presence of such unauthorized Facility, which hazardous condition must be removed immediately upon notice, either by removal of such Facility or by other means, if immediate removal is impossible, followed by removal of the Facility as soon as reasonably practicable. Failure by a Person to remove an unauthorized Facility may be a basis for denial or revocation of a License or Permit for use of the Public Way and shall subject such Person to the penalties provided in Section 66-91. Upon a Person's failure to so remove a Facility, the County may remove it at the Person's expense. A Facility is unauthorized and subject to removal in the following circumstances:

(a) Upon expiration or termination of the Grantee's License or Permit, unless otherwise permitted by applicable Law;

(b) If the Facility was constructed or installed without the prior grant of a License, if required or, in the case of a telecommunications carrier, required prior notice;

(c) If the Facility was constructed or installed without prior issuance of a required Permit in violation of this Ordinance or, in the case of a telecommunications carrier, required prior notice; or

(d) If the Facility was constructed or installed at a location not permitted by the License or Permit.

#### **Sec. 66-83. Abandonment of facilities.**

(a) When a Grantee determines to abandon a Facility within the Public Way, the Grantee shall notify the Highway Department as soon as reasonably practicable, and prior to such abandonment, if possible, but in no event later than ninety (90) days after such abandonment. In addition to the foregoing, the Highway Department may notify a Grantee that the Highway Department reasonably believes that a Facility has been abandoned, in which case the Grantee shall have thirty (30) days in which to provide reasonable written evidence that the Facility has not been abandoned prior to any further action being taken by the Highway Department. If the Highway Department is not satisfied with the evidence provided, the Highway Department will notify the Grantee in writing that the evidence was not deemed adequate and the Facility has been determined by the Highway Department to have been abandoned.

(b) Following receipt of notice of abandonment from a Grantee, or if a Grantee fails to provide reasonable written evidence within thirty (30) days after notice from the Highway Department that the Facility has not been abandoned, the Highway Department may direct the Grantee to remove all or any portion of the Facility if the Highway Department determines that such removal will be in the best interest of the public health, safety and welfare. Any such removal includes restoration of the Public Way as provided in Section 66-84.

(c) As to removal of abandoned Facilities pursuant to this Division 4, the Highway Department shall provide a reasonable time frame within which Grantee shall be required to obtain a Permit and remove such Facilities and restore the Public Way; provided, however, that in no event shall such time frame exceed ninety (90) days following the later to occur of (i) written notice from the Highway Department, and (ii) issuance of a Permit for the following work, unless a longer period is granted by the Highway Department, in its sole discretion. Failure to remove such Facilities and restore the Public Way within the specified time frame shall be grounds for the imposition of penalties set forth in the Ordinance. If the Highway Department does not direct the Grantee that abandoned the Facility to remove it, then the abandoning Grantee shall be deemed to have consented to the alteration or removal of all or any portion of the Facility and any necessary restoration of the Public Way by the Highway Department or another Person, at the Grantee's expense. If the Grantee fails to promptly reimburse the County, the County may recover the cost from any bond, letter of credit or other security provided on behalf of the Grantee.

#### **Sec. 66-84. Clean-up and restoration.**

Upon completion of any work by a Grantee, a Grantee shall restore and clean up any portion of the Public Way or other property affected by Grantee's work, including the removal of all excess material and restoration or replacement of all pavement, turf, landscaping materials and terrain in a timely manner and to the satisfaction of the Highway Department. This obligation includes restoration of entrances and side roads. Restoration and replacement shall be made using materials and methods approved by the Highway Department and restored to such standards as may be established by the Highway Department. Such cleanup and restoration may be required to consist of backfilling, regrading, repaving, reseeding, resodding, or any other requirement of the Highway Department to restore the Public Way to a condition substantially equivalent to that which existed prior to the commencement of the project. Reseeding and resodding shall not be considered completed unless and until such reseeding or resodding results in successful, living grass, which may require watering and other care until established. Failure of a Grantee to timely and fully clean up and restore, to the County's satisfaction, shall constitute grounds for imposition of penalties in accordance with this Ordinance. In addition to any imposition of penalties, the County may perform such clean up and restoration at the Grantee's cost and, if Grantee fails to promptly reimburse the County, may recover the cost from any bond, letter of credit or other security provided on behalf of the Grantee. The County's cost of clean-up and restoration shall include overhead costs, engineering fees, consulting fees and attorney's fees. The Grantee shall notify the Highway Department when restoration work is completed.

#### **Sec. 66-85. Emergency maintenance.**

(a) *Hazards in the public way.* If a hazard exists in the Public Way created by or relating to the Grantee's Facilities or operations, whether caused by acts of God, traffic occurrences, disrepair or other causes (hereinafter for purposes of this Section 66-85, an "emergency"), the Grantee shall take immediate steps to provide all necessary protection for traffic and the public, including the use of signs, lights, barricades or flaggers.

(b) *Notice of emergency.* In an emergency, the Grantee shall notify the Highway Department of the emergency as soon as possible, informing the Highway Department as to what steps have been taken for protection of the public and what will be required to make necessary repairs. If the nature of the emergency is such as to interfere with the free movement of traffic, the Grantee shall immediately notify the County Sheriff.

(c) *Emergency repairs.* In an emergency, the Grantee shall use all available means to complete repairs as rapidly as practicable and with the least inconvenience to the public and shall comply with the provisions of Section 66-69. The Grantee must file in writing with the Highway Department a description of the repairs undertaken in the Public Way within forty-eight (48) hours after an emergency repair.

#### Division 5. Violations; Enforcement

##### **Sec. 66-86. Violations.**

A Grantee may be declared in violation of this Ordinance or in default under a License Agreement or Permit, in accordance with this Division 5. For purposes of this Ordinance, a “violation” shall include a violation, breach or default of any kind under this Ordinance, or under a License Agreement or Permit entered into pursuant to this Ordinance.

##### **Sec. 66-87. Grounds for violation notice.**

A Grantee shall be in violation of the Ordinance or in breach of the License Agreement or a Permit, as the case may be, in any of the following circumstances. A violation under a License Agreement or a Permit shall also constitute a violation of this Ordinance.

(a) The Grantee shall refuse or fail to comply with any applicable conditions of occupancy of any Public Way.

(b) The Grantee shall refuse or fail to make any payment to the County when due.

(c) The Grantee fails to construct Facilities substantially in accordance with the applicable Permit and approved plans.

(d) The Grantee fails to timely or properly restores any Excavation or damage to the Public Way, County’s facilities or property, or Facilities or property of another, caused by Grantee’s Facilities or activities, or fails to clean up or restore pursuant to Section 66-84.

(e) The Grantee fails to timely relocate or remove Facilities when required by the County pursuant to Sections 66-81, 66-82, or 66-83.

(f) The Grantee commits an act of misrepresentation, fraud or deceit upon the County, or makes materially incomplete statements in any License or Permit application.

(g) The Grantee becomes insolvent, as adjudged by a court of competent jurisdiction; or is unable or unwilling to pay its uncontested debts when due; or seeks relief under bankruptcy laws; or is adjudged as bankrupt.

(h) The Grantee fails to fulfill any annual requirements under Section 66-60 (b).



(i) The Grantee shall fail to comply with the terms and conditions of this Ordinance, the License Agreement, any Permit or any applicable law, rule or regulation.

**Sec. 66-88. Notice and opportunity to cure.**

In the event the County believes that a violation or breach has occurred, the County shall notify a Grantee, in writing, setting forth the nature and facts of such noncompliance.

(a) *Cure period.* Grantee shall have five (5) days to cure the violation described in such notice; provided that for violations (other than the payment of money and defaults described in Sections 66-87 (f) or 66-87 (g), which are not curable) which cannot reasonably be cured within five (5) days, the Grantee shall have such additional period to cure as described in Section 66-88 (c) below.

(b) *Penalties.* Upon the giving of the five-day notice, Grantee shall be subject to penalties for violations described in Sections 66-87 (a) through 66-87 (f) commencing on the fifth (5th) day after the date of such notice in accordance with Section 66-91, regardless of any additional cure period which may be provided below, except as specifically provided in Section 66-60 (b).

(c) *Additional time to cure in appropriate instances.* As to violations which cannot reasonably be corrected within five (5) days, then within such five (5) day period the Grantee shall respond in writing identifying the steps which have been taken by Grantee to correct such violation and the time frame reasonably necessary to complete such corrective action, and if the County is satisfied with the corrective action to be undertaken and approves the time frame requested, Grantee shall have such additional time as is agreed by the County to complete such corrective action.

(d) *Stop work order.* As to Permit violations, if such violation is not completely corrected within ten (10) days after the notice described above, then notwithstanding any additional cure period which may be granted in accordance with Section 66-88 (c), or in the case of an incurable violation in the discretion of the Superintendent, the Highway Department may also issue a “stop work” order under the Permit. In addition to the foregoing, if at any time the Highway Department determines that a Grantee’s insurance has lapsed or that the continuance of the work is likely to cause imminent harm to persons or property, the Highway Department may issue a “stop work” order until such matter is corrected.

**Sec. 66-89. Extension of time frames; special provisions for removal or relocation.**

The Superintendent may, in his or her discretion, for good cause shown, extend the time periods provided in Division 5. As to relocation or removal of Facilities under the circumstances set forth in Sections 66-81, 66-82 or 66-83, the time frames set forth in such Sections 66-81, 66-82 and 66-83 shall govern, and the County shall not be required to give further notice or opportunity to cure as set forth in Section 66-88.

**Sec. 66-90. Remedies.**

If the Grantee fails to cure a violation within the applicable cure period, and also in the case of an incurable violation, then the County shall have the right to invoke any remedies available at law or in equity, in addition to assessing penalties, and any of the following remedies, any of which may be exercised individually or cumulatively:

(a) Revoke any License or Permit immediately upon written notice;

(b) Upon ten (10) days' notice, the County may cure the violation by any means deemed reasonable by the County, including in appropriate instances removal of Facilities, and recover the costs from the Grantee;

(c) Upon ten (10) days' notice, the County may deem the Grantee's Facilities abandoned and property of the County, except to the extent such remedy would constitute a violation of Federal law.

**Sec. 66-91. Penalties.**

The Superintendent (and the Director, in the case of a violation of a License Agreement) may impose a fine of not less than \$100 and not more than \$1,000 for each offense (unless another specific fine has been specifically provided for by the Board), upon any Person who violates, disobeys, omits, neglects or refuses to comply with any of the provisions of this Ordinance, a License Agreement or a Permit. Each day that a violation continues after expiration of applicable cure periods constitutes a separate and distinct offense. The current amounts of specific fines are set forth in Section 66-102. These penalties shall be in addition to any other costs or damages incurred by the County.

(a) *Suit to enforce payment.* If any person fails to remit any penalties required pursuant to this Ordinance upon request of the Superintendent or the Department of Revenue, the State's Attorney may bring, or cause to be brought, an action to enforce payment.

**Sec. 66-92. Remedies not exclusive.**

Nothing in this Ordinance shall be construed as limiting any additional or further remedies that the County may have for enforcement of this Ordinance.

Division 6. Miscellaneous Provisions

**Sec. 66-93. Force majeure.**

Whenever a period of time is provided for in this Ordinance for either the County or the Grantee to do or perform any act or obligation, neither party shall be liable for any delays due to war, riot, insurrection, rebellion, casualty, orders of a court of competent jurisdiction, or any act of God. Such delay shall cause the time period to be extended for the amount of time such party is actually delayed solely by reason of the specified occurrences.

**Sec. 66-94. Severability.**

If any section of this Ordinance or the License Agreement or any Permit, or any portion thereof, is held invalid or unconstitutional by any court of competent jurisdiction or administrative agency, such decision shall not affect the validity of the remaining portions hereof, except as otherwise provided for herein.

**Sec. 66-95. Failure to enforce.**

A Grantee shall not be excused from complying with any of the terms and conditions of this Ordinance, the License Agreement or any Permit by any failure of the County upon any one or more occasions, to seek the Grantee's performance or compliance.

**Sec. 66-96. Timely performance.**

Whenever this Ordinance, a License Agreement or a Permit establishes any time for any act to be performed by or on the behalf of the Grantee, such time shall be deemed of the essence and the Grantee's failure to perform within the time allotted shall, in all cases, be sufficient grounds for the County to declare the Grantee in default and invoke the remedies available under the terms and conditions of this Ordinance, the License Agreement and the Permit.

**Sec. 66-97. Compliance with laws.**

A Grantee shall, at all times, comply with all applicable Laws.

**Sec. 66-98. No recourse.**

Except as expressly provided otherwise in this Ordinance, a Grantee shall have no recourse whatsoever against the County for any loss, cost or expense or damages arising out of the terms, conditions and provisions or requirements of this Ordinance, the License Agreement or any Permit, or because of the County's granting or enforcement thereof nor for the County's failure to have the authority to grant the License.

**Sec. 66-99. Notices.**

Notices to be given to an Applicant or Grantee by the County shall be given to the address provided by the Grantee in any existing License Agreement or any Permit, or to such other address as the Applicant or Grantee has provided in writing to the County. All such notices shall be deemed duly given if personally delivered, or if deposited in the United States Certified Mail, return receipt requested, with all necessary postage pre-paid, or sent by overnight courier or facsimile with evidence of receipt. As to delivery in person, by facsimile or by overnight courier, such notice shall be effective when received. Notices sent by United States Certified Mail shall be deemed received three days after mailing.

**Sec. 66-100. Indemnification.**

Grantee shall, at its sole cost and expense, indemnify and hold harmless the County, its commissioners, officers, consultants, attorneys, agents and employees against any and all claims, suits, causes of action, damages, losses, costs, expenses, proceedings, judgments, penalties, and liability of any kind whatsoever, arising from or alleged to arise from the Grantee's occupancy of the Public Way, award of a License to the Grantee, the License Agreement, issuance of Permits, Grantee's failure to comply with the Ordinance, any License Agreement or Permit, and the design, construction, ownership, operation, maintenance, replacement, removal, relocation or modification of Facilities, including but not limited to those arising from the presence or release of any Hazardous Materials. Indemnified expenses shall include, but not be limited to, all out-of-pocket expenses, litigation expenses, attorneys' fees, witness fees, consultants' fees and the reasonable value of any services rendered by the office of the State's Attorney and any employees of the County.

**Sec. 66-101. Rights reserved to County.**

The County hereby expressly reserves the following rights, which shall not be deemed to be waived or abrogated by any License or Permit granted pursuant to this Ordinance:

(a) To exercise its governmental powers, now or hereafter, to the full extent that such powers may be vested in or granted to the County.

(b) To cut or move any Facilities located within the Public Way, as the County may determine to be necessary, appropriate or useful in response to any public health or safety emergency. If circumstances permit, the County shall attempt to notify the owner, if known, prior to cutting or removing a Facility and shall notify the owner, if known, after cutting or removing a Facility.

(c) To renegotiate any License granted pursuant to this Ordinance should substantial section(s) of the Ordinance or License Agreement be rendered void, inadequate or outmoded, as reasonably determined by the County, due to action by any federal or state agency, by subsequent changes in applicable Laws, or by changes in technology.

**Sec. 66-102. Public Way Regulatory Ordinance Fee Schedule.**

All fees will be adjusted annually by the Consumer Price Index (CPI) as of July 1

(a) *License application and annual fees*<sup>1</sup>

The following fees shall be required for application and issuance of Licenses:

**License:**

Major Users Annual License Fee	\$12,350
Other Users Annual License Fee	3,375

(b) *Permit fees*<sup>1</sup>

**Construction Permits:**<sup>2</sup>

Level 1 (for example, most single-family driveways)	\$ 100
Level 2 (for example, soil borings)	\$ 250
Level 3 (most sidewalk construction)	\$ 1,000
Level 4 (most commercial entrances)	\$ 2,500

**Maintenance and Repair Permits**

Annual Maintenance and Repair Permit	\$15,000
Individual Maintenance and Repair Permit	\$ 925

<b>Tree Trimming Permit</b>	\$ 770
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**Inspection Fee:**

\$400 per half day or fraction thereof

*The minimum inspection fee is a half day. A half day equals four (4) hours and includes travel time.*

<sup>1</sup> In addition to these fees, an Applicant will be charged the County's actual cost incurred for any outside consultant or counsel retained to assist in review of an application, preparation of a License Agreement, Permit or inspection.

<sup>2</sup> The level of a permit shall be determined in the discretion of the Highway Department based generally on complexity of the work involved and review by various County staff.

(c) *Penalties*

Charge for all violations	\$100 to \$1,000 per day
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**ALL FEES ARE NON-REFUNDABLE.**

(d) *Municipalities*

Municipalities, special districts and other units of local government are exempted from the License and Permit Fees, but shall be subject to penalties and damages in appropriate instances.

Approved and adopted this 19th day of June 2007.

**07-O-34  
ORDINANCE**

**Sponsored by**

**THE HONORABLE TODD H. STROGER, PRESIDENT AND JOSEPH MARIO MORENO  
COUNTY COMMISSIONER**

**PROCEDURES AND FEES FOR HIGHWAY HAUL PERMITS REQUIRED BY  
OVERWEIGHT AND OVERSIZE VEHICLES USING COUNTY HIGHWAYS**

**WHEREAS**, Cook County (the "County") is a home rule unit of local government pursuant to Article VII, Section 6(a) of the 1970 Illinois Constitution, and as such may exercise any power and perform any function pertaining to its government and affairs; and

**WHEREAS**, the Illinois Vehicle Code, 625 ILCS 5/15-111(a), establishes maximum wheel and axle loads and 625 ILCS 5/15-111(b), establishes gross weight limitations, for vehicles traveling on "non-designated" highways, which highways comprise the entirety of the County Highway System; and

**WHEREAS**, the Illinois Vehicle Code, 625 ILCS 5/15-102, 103, and 107 establish maximum dimensions for width, height, and length of vehicles; and

**WHEREAS**, overweight and oversize vehicles traveling on County Highways cause excessive wear and tear and sometimes damage County Highways because of their heavy and oversized loads; and

**WHEREAS**, the Illinois Vehicle Code, 625 ILCS 5/15-301, authorizes local authorities upon application and good cause being shown, to issue permits for overweight and other nonconforming vehicles to travel highways under their jurisdiction; and

**WHEREAS**, Chapter 82, Article II, Section 82-41 (b) of the Cook County Code authorizes the Cook County Superintendent of Highways (the "Superintendent") to issue temporary permits to vehicles exceeding load restrictions on County Highways; and

**WHEREAS**, the Superintendent currently issues such permits at his discretion without charge; and

**WHEREAS**, the County is forced to bear the costs of repairing County Highways damaged by overweight and oversize vehicles; and

**WHEREAS**, it is in the interest of the citizens of the County that overweight and oversize vehicles that travel on County Highways be regulated and that the owners and operators of overweight vehicles contribute to the care and maintenance of the roads they utilize and be responsible for damage to the roads caused by their vehicles.

**NOW, THEREFORE, BE IT ORDAINED**, by the Cook County Board of Commissioners that Chapter 66, Article IV, Sections 66-125 through 66-131 of the Cook County Code is hereby enacted as follows:

Article IV. Procedures and Fees For Highway Haul Permits Required  
by Overweight and Oversize Vehicles using County Highways

**Sec. 66-125. Definitions.**

*County Highway* means any County Highway as defined by the Illinois Highway Code, 605 ILCS 5/2-204, under the jurisdiction of the County, except for the purposes of this ordinance only County Highway shall not include any County Highway located within the City of Chicago.

*Department* means the Cook County Highway Department.

*Monthly use* means any number of trips over a period of limited continuous operation made by a vehicle to and from the Starting Point and Destination Point as designated in the Application for a Highway Haul Permit, (the "Application") subject to limitations imposed by the Superintendent, not to exceed 90 days of limited continuous operation.

*Single trip* means a one way journey made by a vehicle from the Starting Point to the Destination Point as designated in the Application. It does not include a return trip from the Destination Point to the Starting Point.

*Superintendent* means the Cook County Superintendent of Highways and/or his designee.

**Sec. 66-126. Permits: Fees and provisions.**

(a) The Superintendent may, upon application in writing and good cause being shown, issue a Highway Haul Permit, ("Permit") authorizing a vehicle not in conformity with the size and weight limitations of vehicles set forth in Chapter 15 of the Illinois Vehicle Code, 625 ILCS 5/15-101 *et seq.*, to be operated or moved upon County Highways pursuant to the terms and limitations of said Permit.

(b) The fees for Permits issued pursuant to this Ordinance shall be as follows:

(1) *Fees for overweight-axle loads.* Fees for Permits to move vehicles to move legal gross weight vehicles, combinations of vehicles and loads with overweight-axle loads, predicated upon an 18,000 pound legal single axle equivalency, and applied on a per-axle basis, shall be as follows:

Single Trip:

Axle weight in excess of legal	<u>Single Axle</u>	<u>2-Axle Tandem</u>	<u>3-Axle Tandem</u>
1-6000 lbs.	\$5	\$5	\$5
6001-11,000 lbs.	\$8	\$7	\$6
11,001-17,000 lbs.	not permitted	\$8	\$7
17,001-22,000 lbs.	not permitted	not permitted	\$9
22,001-29,000 lbs.	not permitted	not permitted	\$11

Monthly use (multiply fee by number of months, not to exceed three months):

Axle weight in Excess of legal	<u>Single Axle</u>	<u>2-Axle Tandem</u>	<u>3-Axle Tandem</u>
1-6000 lbs.	\$100	\$100	\$100
6001-11,000 lbs.	\$200	\$200	\$200
11,001-17,000 lbs.	not permitted	\$250	\$250
17,001-22,000 lbs.	not permitted	not permitted	\$375
22,001-29,000 lbs.	not permitted	not permitted	\$375

- (2) *Fees for overweight-gross loads.* Fees for Permits to move vehicles, combinations of vehicles and loads with overweight-gross loads shall be paid at the flat rate fees established in this Subsection (b)(2) for weights in excess of legal gross weights. With respect to fees for overweight-gross loads listed in this Subsection and for overweight-axle loads listed in Subsection (b)(1), one fee only shall be charged, whichever is the greater, but not both.

<u>Weight (in pounds)</u>	<u>Single Trip</u>	<u>Monthly use*</u>
73,281 to 80,000	\$25	\$500/vehicle
80,001 to 100,000	\$50	\$750/vehicle
101,001 to 200,000	\$100	\$1500/vehicle
200,001 to 300,000	\$150	N/A
300,001 to 400,000	\$200	N/A
Over 400,000	\$250	N/A

\* Multiply fee by number of months, not to exceed three months.

- (3) *Fees for legal weight but overdimension vehicles, combinations and loads.* Fees for special permits to move overdimension vehicles, shall be paid as follows:

	<u>Single Trip</u>	<u>Monthly Use</u> <i>(Multiply fee by number of months, not to exceed three months.)</i>
(i) Overall width of 10 feet or less, overall height of 14 feet 6 inches or less, and overall length of 70 feet or less	\$30	\$300
(ii) Overall width of 12 feet or less, overall height of 14 feet 6 inches or less, and overall length of 85 feet or less	\$40	\$500
(iii) Overall width of 14 feet or less, overall height of 15 feet or less, and overall length of 100 feet or less	\$75	Single Trip Only
(iv) Overall width of 18 feet or less (authorized only under special conditions and for limited distances), overall height of 16 feet or less, and overall length of 120 feet or less	\$100	Single Trip Only



- (v) Overall width of more than 18 feet (authorized only under special conditions and for limited distances), overall height more than 16 feet, and overall length more than 120 feet \$150      Single Trip Only

Permits issued under this Sections 66-126 (b) (3) shall be for a vehicle, or vehicle combination and load not exceeding legal weights; and, in the case of the limited continuous operation, shall be for the same vehicle, vehicle combination or like load. If weight limitations are exceeded, an additional Permit is required in accordance with Sections 66-126 (b) (1) and (2).

Escort requirements shall be as prescribed in the Department's Rules and Regulations. Fees for the escort, when required, shall be in addition to the permit fees.

- (4) *Fees for other permits.* The County Board hereby authorizes the Superintendent to issue additional Permits for vehicles which do not conform to the requirements of Chapter 15 of the Vehicle Code not otherwise specified in this Subsection (b), so long as such permits are authorized by Chapter 15 of the Illinois Vehicle Code. The Superintendent is further authorized to establish reasonable fees for such Permits, which fees shall be made public by posting a schedule of said fees at the Department offices. The Superintendent shall report to the County Board the schedule of fees established under this Section 66-126 (b) (4) on a yearly basis.
- (5) *Fees for special handling.* The County Board hereby authorizes the Superintendent to impose a service charge for special handling of a permit when requested by an applicant, such as same-day expedited issuance of a permit, credit card payment of permit fees or special transmission of a permit. Such charge shall be determined by the Superintendent and shall be not less than the actual cost of such special handling, if any, and not less than \$10 per permit for same-day processing.

(c) The Superintendent shall not issue a Permit for any vehicle and/or load that is divisible and that can be carried, when divided, within the existing weight and size maximums specified in Chapter 15 of the Illinois Vehicle Code, 625 ILCS 5/15-101 et seq.

(d) Engineering inspections assessing work to be done on the County Highway related to travel by the Permit applicant's overweight vehicle and final inspection, and/or field investigations of the proposed routing will be done by the Department when the Superintendent determines in his judgment that such an inspection or investigation is appropriate. The applicant will be required to pay a fee of \$40 per hour for each hour spent by Department personnel engaged in such engineering inspections or field investigations.

(e) When law enforcement escort vehicles are required by the Superintendent for the safety of the motoring public, and if, at the County's option, such escort is provided by the County, the Permit applicant will be required to pay a fee of \$40 per hour per vehicle based upon pre-estimated time of movement to be agreed upon between the Superintendent and the applicant. The minimum fee paid under this Subsection shall be \$80 per vehicle.

(f) All fees collected pursuant to this Ordinance shall be paid to the Department of Revenue and deposited in the general corporate fund of the County.

(g) The application shall specifically describe the vehicle, its contents to be operated or moved, the particular County Highways for which the Permit is requested, and whether the Permit is requested for a single trip or for monthly use.

(h) The Superintendent is authorized to grant requests for Permits within his or her discretion. He or she may deny any such Permit request or, if such Permit is issued, limit the number of trips by establishing seasonal or other time limitations within which the vehicle may be operated on the County Highways indicated, or otherwise prescribe conditions of operation of such vehicle, why such limitations, in the judgment of the Superintendent, are necessary to assure against undue wear and tear to the road foundations, surfaces or structures of County Highways.

(i) The Superintendent shall not issue a Permit unless the applicant shall have furnished a certificate of insurance indicating a minimum insurance coverage limit of the amount of \$1,000,000 for general liability, and \$1,000,000 for automobile liability and \$100,000 for workers' compensation so as to save the County harmless from any claim, loss or damage that may result from the granting of a Permit or that may arise from or on account of the transportation of overweight vehicles permitted thereby, and further covering payment of all costs incurred by the Department to restore to a condition satisfactory to the Superintendent, any pavement, bridge, culvert, tunnel, sewer, pipe, conduit or other facility or appurtenance located within the highway right of way that may be damaged by reason of the transportation of such vehicle under a Permit.

(j) Every Permit issued pursuant to this ordinance shall be carried in the vehicle to which it refers and shall be produced for inspection upon the request of any law enforcement official or the Superintendent. The decision to grant, deny or impose limitations on the issuance of a Permit lies within the sole discretion of the Superintendent whose decision is final.

**Sec. 66-127. Violation and enforcement.**

(a) It shall be unlawful for any person issued a Permit under this section, or any employee or agent of such person, to violate any of the terms or conditions of the Permit. Each and every single trip per vehicle in violation of the terms or conditions of the permit shall constitute a separate and distinct offense.

(b) It shall be unlawful for any person to operate a vehicle not in conformity with the wheel and axle load and gross weight provisions of Section 15-111 of the Illinois Vehicle Code, 625 ILCS 5/15-111, on any County Highway without a Permit issued for that vehicle by the Superintendent.

It shall be unlawful for any person to operate a vehicle not in conformity with the dimension requirements for width of vehicles in Section 15-102, height of vehicles in Section 15-103, and length of vehicles in Section 15-107 of the Illinois Vehicle Code, 625 ILCS 5/15-102, 103, and 107, on any County Highway without a Permit issued for that vehicle by the Superintendent.

Each and every single trip per vehicle made in violation of this Ordinance shall constitute a separate and distinct offense.

(c) Any person operating a vehicle in violation of this Ordinance may be prosecuted and fined in the manner provided by 625 ILCS 5/15-112, 15-113, and 15-301(j).

(d) In addition to any fine imposed, any Person who violates this Ordinance shall pay all costs incurred by the Department to restore to a condition satisfactory to the Superintendent, any pavement, bridge, culvert, tunnel, sewer, pipe conduit or other facility or appurtenance located within the highway right of way that is injured by reason of the transportation of such vehicle.

(e) If any person violates this Ordinance in any manner, three times in one twelve month period of time, the Superintendent may refuse to issue a Permit to that person for one year following the date of the third ordinance violation.

**Sec. 66-128. Severability.**

If any clause, sentence, section, provision or part of this Ordinance or the application thereof to any person or circumstance shall be adjudged to be unconstitutional or otherwise unenforceable, the remainder of this ordinance or its application to persons or circumstances, other than those to which it is held invalid, shall not be affected thereby.

**Sec. 66-129. Interpretation.**

Any headings of this Ordinance are for convenience of reference only and do not define or limit the provisions thereof. Words of any gender shall be deemed and construed to include correlative words of the other genders. Words importing the singular shall include the plural and vice versa, unless the context shall otherwise indicate. All references to any document or statute shall be deemed to include all supplements and/or amendments to any such document or statute. All references to any such person or entity shall be deemed to include any person or entity succeeding to the rights, duties, and obligations of such person or entity in accordance with the terms and conditions of the agreement.

**Sec. 66-130. Compliance with all laws.**

The requirements of this Ordinance apply in addition to all other applicable state and federal laws, rules and regulations now existing or hereinafter in effect, which in any manner affect the subject matter of this ordinance.

**Sec. 66-131. Effective date.**

This Ordinance shall take effect and be in force commencing thirty days after its adoption.

Approved and adopted this 19th day of June 2007.

**07-O-36  
ORDINANCE**

**Sponsored by**

**THE HONORABLE DEBORAH SIMS AND LARRY SUFFREDIN  
COUNTY COMMISSIONERS**

**ORDINANCE AMENDMENT CREATING THE BLAIR HOLT ASSAULT WEAPONS BAN**

**BE IT ORDAINED**, by the Cook County Board of Commissioners that Chapter 54 Licenses, Permits and Miscellaneous Business Regulations, Article III, Division 4, beginning with Section 54-211 is hereby amended to read as follows:

**Division 4. Blair Holt Assault Weapons Ban**

Approved and adopted this 19th day of June 2007.

**07-O-47  
ORDINANCE**

**Sponsored by**

**THE HONORABLE TODD H. STROGER**

**PRESIDENT OF THE COOK COUNTY BOARD OF COMMISSIONERS**

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**COUNTY COMMISSIONERS**

**BE IT ORDAINED**, by the Cook County Board of Commissioners that Chapter 34, Article IV, Division 1, Sections 34-121 through 34-133; Division 2, Sections 34-151 through 34-156; Division 3, Sections 34-181 through 34-185; and Division 4, Sections 34-211 through 34-221, of the Cook County Code is hereby amended as follows:

**ARTICLE IV. PROCUREMENT AND CONTRACTS**

**DIVISION 1. GENERALLY**

**Sec. 34-121. Contracts for supplies, material and work.**

All contracts for supplies, materials and equipment and contractual services for the County of Cook shall be let as provided in this Article IV. All contracts for supplies, materials and equipment and contractual services for Cook County including the separately elected Officials which involve an expenditure of more than \$25,000 shall be approved by the Board of Commissioners and signed by the President of the Board, the County Purchasing Agent and the Comptroller. All contracts for supplies, materials, and equipment and contractual service for Cook County including the separately elected Officials which involve an expenditure of less than \$25,000.00 shall be approved by the Purchasing Agent. Supplies shall be issued only on the requisition of the responsible officers of the County institutions now or hereafter established by law, approved by the County Purchasing Agent.

**Sec. 34-122. County Purchasing Agent.**

There shall be a County Purchasing Agent for the County of Cook who shall be appointed by the President by and with the consent of the Board of Commissioners. He or she shall hold office for one year and until his/her successor is appointed. No person shall be appointed County Purchasing Agent unless he/she has had at least three years experience in an executive capacity in the purchasing office of a private or public corporation whose purchases are reasonably comparable in size to those of the County of Cook. His or her salary shall be fixed by the Board of Commissioners. He/she shall give a bond for the due performance of his/her duties in an amount to be prescribed by the Board of Commissioners.

**Sec. 34-123. Powers and duties of Purchasing Agent.**

The County Purchasing Agent shall, subject to the control and supervision of the President and Board of Commissioners, (a) purchase or contract for all supplies, materials and equipment, and contractual services required by any office, department, institution or agency of the county government subject to the provisions, restrictions and limitations of this Division, including the ability to contract with other governmental agencies for goods, supplies and services; (b) establish and enforce standard and non-standard specifications established in accordance with this Division which shall apply to all supplies, materials and equipment purchased for the use of any office, department, institution or agency of the county government; (c) transfer to or between the various offices, departments, institutions or agencies of the county government and trade in and sell supplies, materials and equipment which are surplus, obsolete or unusable; (d) have charge of such other purchasing activities as the Board of Commissioners may assign from time to time; (e) distribute or cause to be distributed to the various offices, departments, institutions or agencies of the county government all supplies, materials and equipment purchased by the Office of the Purchasing Agent; (f) require all vendors to submit a notarized certification or affidavit of their compliance with all requirements imposed by this Division on forms promulgated by the Purchasing Agent, which shall include, but shall not be limited to: an affirmation that the vendor is a registered business in good standing with the State of Illinois and, in the case of a contractor operating under an assumed name, with the County Clerk, and an affirmation with respect to Section 34-131 of this Ordinance (Child Support), Section 34-130 of this Ordinance (Taxes and Fees) and Chapter 2, Article VII of the County Code (Ethics) including Section 2-574 (Receiving and soliciting gifts and favors) and Section 2-585 (Limitations of Contributions to candidates and elected officials) and an economic disclosure statement disclosing all persons or entities who have made lobbying contacts on behalf of the vendor with respect to the contract; (g) except as otherwise expressly provided by law, no supplies, materials or equipment or contractual services shall be purchased or contracted for by any Elected Official, department, institution or agency of the County, or by any officer or employee thereof, but all such supplies, materials, equipment or contractual services shall be purchased or contracted for by such county Purchasing Agent in accordance with this Division.

**Sec. 34-124. Rules, regulations and electronic procurement.**

The County Purchasing Agent, shall adopt, promulgate, and from time to time amend the rules and regulations for the proper conduct of his/her office. The County Purchasing Agent shall implement a method of electronic procurement for the County's purchasing functions, including instituting the ability to provide for electronic signatures. The Purchasing Agent is hereby authorized to adopt appropriate forms and procedures for County electronic procurement.

**Sec. 34-125. No delegation of power to act for expenditure exceeding \$25,000.00.**

The County Board shall have no power or authority to delegate to any committee or other person or persons the "power to act," when such "power to act" shall involve the letting of any contract or the expenditure of public money exceeding the sum of \$25,000.00 except in the following instances: the payment of public utility bills and the payment of rent, pursuant to the provisions of a lease previously approved by the County Board, payment of insurance premiums, agreements and other documents necessary to carry out grant-funded projects or other board authorized transactions. Any action of the Board, or of any committee thereof, or of any other person or persons in violation of this section shall be null and void. No money shall be appropriated or ordered paid by the County Board, beyond the sum of \$25,000.00 unless such appropriation shall have been authorized by a vote of the majority of the members elected to the County Board. No officer of the County, or other person shall incur any indebtedness on behalf of the County in the amount over \$25,000.00, unless first authorized by the County Board. The Purchasing Agent shall have the authority to approve purchase requisitions in an amount not exceeding \$25,000.00 without Board approval.

**Sec. 34-126. Contracts for a period exceeding one year.**

(a) Notwithstanding the provisions of 55 ILCS 5/6-24008 (limitations on Cook County appropriations), the Purchasing Agent of the County, subject to the approval of the Board of Commissioners of the County, is hereby empowered and authorized to enter into contracts for the purchase of goods and services for a period to exceed one year or more.

(b) Notwithstanding the provisions of 55 ILCS 5/6-24008 (limitations on Cook County appropriations), any such contract approved by the County Board and entered into by the County which is in excess of one year or more, shall be a valid and binding obligation of the County.

(c) The Purchasing Agent shall have authority to enter into contracts for a period authorized by the Board, and may establish the commencement and expiration dates of any contract as necessary to permit the contract to commence upon the date of execution of the contract unless another date is specified in the contract documents. The Purchasing Agent may approve amendments to the contract provided that such amendment does not increase the amount of the contract by more than one-thousand dollars (\$1,000) or extend the contract by more than thirty (30) days.

**Sec. 34-127. Living wage.**

(a) Unless expressly waived by the County Board, not less than a living wage shall be paid to each employee of any employer that is awarded either (1) a contract or subcontract with the County, or (2) a property tax incentive for owner-occupied property.

(b) The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

*Assessor* means the Assessor of Cook County.

*Board* means the Board of Commissioners of Cook County.

*Chief Financial Officer or "CFO"* means the Chief Financial Officer of Cook County.

*Commission* means the Cook County Commission on Human Rights.

*Contract* means any written agreement whereby the County is committed to expend or does expend funds in connection with any contract or subcontract which requires in the performance thereof the employment of any number of full-time non-county employees, including, but not limited to, the following classifications: cashier, clerical, custodial, day laborer, elevator operator, home and health care, laundry, leased employee, parking attendant, and security guard. The term "contract" shall not include contracts with not-for-profit organizations, community development block grants, President's Office of Employment Training, Sheriff's Work Alternative Program, or Department of Correction inmates.

*Employee* means any individual permitted to work on a full-time basis by an employer in an occupation pursuant either to work performed under a specific county contract or to work performed on the specific property for which the employer receives a property tax incentive. The term "employee" does not include an individual who is the employer's parent, spouse or child or other members of the employer's immediate family. This definition of employee may be further defined by the Cook County Bureau of Human Resources.

*Employer* means any person or business entity that employs one or more full-time employees, excluding the parent, spouse, child or other members of the employer's immediate family. Employer does not include not-for-profit organizations.

*Living wage* means a wage of no less than \$9.43 per hour if employee health benefits are provided, or \$11.78 per hour without health benefits. The employee health benefit contribution shall not exceed 25 percent of the health insurance premium. As of January 1, 2006, and each January 1 thereafter, the CFO shall adjust the living wage using the most recent federal poverty guidelines for a family of four as published annually by the United States Department of Health and Human Services, to constitute the following: there will be an annual adjustment calculated as 100 percent of the federal poverty line for a family of four (as defined by the U.S. Department of Health and Human Services) with health benefits and 125 percent of the federal poverty line for a family of four without health benefits.

*Not-for-profit organization* means a corporation having tax exempt status under Section 501(c)(3) of the United States Internal Revenue Code and recognized under State not-for-profit law.

*Property tax incentive* means a reduction in the assessment level as set forth in Chapter 74, Article II, Division 2 of this Code for owner-occupied Class 6b industrial property, Class 8 industrial property, or Class 9 multifamily residential property. For the purpose of this Ordinance, "property tax incentive" shall not include a Class 9 designation granted to supportive living facilities, which establish an alternative to nursing home care for low income older persons and persons with disabilities under Medicaid and which are certified by the State Department of Public Aid pursuant to Chapter 74, Article II, Division 2 of this Code, the County Real Property Assessment Classification Ordinance.

*Purchasing Agent* means the Purchasing Agent of Cook County.

*Wage* means compensation due to an employee by reason of his employment, including allowances for gratuities and for meals and lodging that are furnished by the employer and actually used by the employee. This definition of wage may be further defined by the Cook County Bureau of Human Resources.

(c) Every contract shall contain a provision or provisions stipulating that the contractor and all subcontractors are currently paying their employees a living wage and obligating the contractor and all subcontractors to pay their employees not less than the living wage throughout the duration of the contract.

(d) Every employer that receives or renews a property tax incentive shall provide an affidavit to the Assessor stipulating that such employer is currently paying the living wage to its employees as required by this Ordinance.

(e) The Purchasing Agent shall require as part of the bidding and sole source procedure that any covered contractor provide certification of its compliance with this section.

(f) Any contract that violates the provisions contained in this section shall be subject to cancellation by the Board.

(g) The CFO shall annually notify all employers required to pay the living wage of the annual living wage adjustment. Within 30 days of said notification, such employers shall submit an affidavit to the CFO stating that (1) they paid the living wage during the previous calendar year, and that (2) they are currently paying the living wage as adjusted by the CFO. If an employer fails to timely submit such an affidavit, the CFO shall (1) notify the Assessor to revoke any property tax incentive the employer may have received, or (2) notify the Purchasing Agent to cancel, subject to Board approval, any contract the employer may have with Cook County.



(h) The Assessor shall provide annual written notification to the CFO of all employers receiving property tax incentives including the employer's name, mailing, and email address.

(i) Every employer shall notify its employees of the living wage requirement at the time of hire and shall notify all of its employees annually of the adjustment to the living wage. If any employee contends that his employer is not paying a living wage as required by this Ordinance, that employee may file a complaint with the Commission. The Commission shall issue rules and regulations necessary to implement its investigatory powers. If at the conclusion of the Commission's investigation, the Commission finds that the employer is not paying a living wage as required by this Ordinance, it shall (1) notify the Assessor to revoke any property tax incentive the employer may have received, or (2) notify the Purchasing Agent to cancel, subject to Board approval, any contract the employer may have with Cook County.

(j) At such time any disqualified employer achieves compliance with the living wage as required by this Ordinance, the employer may notify the CFO. The CFO shall notify the Assessor or the Purchasing Agent that the employer is eligible for reinstatement of either the property tax incentive or a contract, subject to Board approval.

(k) If any one or more of the provisions of this Ordinance is declared unconstitutional or the application thereof is held invalid, the validity of the remainder of this Ordinance and the application of such provisions to other persons and circumstances shall not be affected thereby.

**Sec. 34-128. Prevailing wage.**

(a) To the extent and as required by the Prevailing Wage Act (820 ILCS 130/0.01 et seq.), the general prevailing rate of wages in this locality for laborers, mechanics and other workers engaged in the construction of public works coming under the jurisdiction of this County is hereby ascertained to be the same as the prevailing rate of wages for construction work in the Cook County area as determined by the Department of Labor of the State of Illinois, a copy of that determination being submitted hereto and incorporated herein by reference. As required by said Act, any and all revisions of the prevailing rate of wages by the Department of Labor of the State of Illinois shall supersede the Department's June determination and apply to any and all public works construction undertaken by the County of Cook. The definition of any terms appearing in this section which are also used in aforesaid Act shall be the same as in said Act.

(b) Nothing herein contained shall be construed to apply said general prevailing rate of wages as herein ascertained to any work or employment except public works construction of this County to the extent required by the aforesaid Act.

(c) The Bureau of Human Resources shall publicly post or keep available for inspection by any interested party in the main office of this Bureau of Human Resources (County) this determination or any revisions of such prevailing rate of wage. A copy of this determination or of the current revised determination of prevailing rate of wages then in effect shall be attached to all contract specifications.

(d) The Clerk shall mail a copy of this determination to any employer, and to any association of employers and to any person or association of employees who have filed their names and addresses, requesting copies of any determination stating the particular rates and the particular class of workers whose wages will be affected by such rates.

(e) The Bureau of Human Resources shall promptly file a certified copy of the ordinance from which this section is derived with both the Secretary of State Index Division and the Department of Labor of the State of Illinois.

(f) The Bureau of Human Resources shall cause to be published in a newspaper of general circulation within the area a copy of the ordinance from which this section is derived, and such publication shall constitute notice that the determination is effective and that this is the determination of this public body.

(g) The Purchasing Agent of Cook County shall specify in the call for bids in any contract for public works that the general prevailing rate of wages in the locality for each craft or type of laborer or mechanic needed to execute the contract to perform such work, also the general prevailing rate for legal holiday and overtime work as ascertained by the Bureau of Human Resources, shall be paid for each craft or type of work needed to execute the contract or to perform such work. The Purchasing Agent in awarding the contract shall cause to be inserted in the contract a stipulation to the effect that not less than the prevailing rate of wages, as found by the Bureau of Human Resources, shall be paid to all laborers, workers and mechanics performing work under the contract, and the Purchasing Agent shall also require in all such contractor's bonds that the contract include such provision as will guarantee the faithful performance of such prevailing wage clause as provided by the contract.

(h) In accordance with 820 ILCS 130/0.01 et seq., in the case of any underpayment of the prevailing wage determined by the Illinois Department of Labor, a penalty of 20 percent of the underpayment shall be assessed against the contractor or subcontractor by the Department of Labor; and the 20 percent penalty shall be payable to the Illinois Department of Labor. Any underpayment that has not been repaid to a worker within 30 days of violation is subject to an additional two percent of the underpayment as a punitive damage assessment payable to the worker.

(i) In accordance with 820 ILCS 130/0.01 et seq. there is an automatic two-year debarment of any contractor or subcontractor found to have violated the Illinois Prevailing Wage Act on two separate occasions. An affected contractor or subcontractor may request the Illinois Department of Labor to hold a hearing on the alleged violations within ten days notification of the second violation. Any contractor or subcontractor subject to the two-year debarment by the Illinois Department of Labor shall be disqualified from future contracts with the County for the period of said debarment.

**Sec. 34-129. Disqualification for tax and fee delinquency.**

(a) No person or business entity (partnership or corporation) shall be authorized to enter into negotiations for a contract or awarded a contract for goods or services with the County that is delinquent in the payment of any tax (including real estate tax) or fee administered by the County, a local municipality, or the Illinois Department of Revenue.

(b) Prior to initiating negotiations for any contract for goods or services, the Purchasing Agent shall obtain an economic disclosure statement which includes an attestation under oath from the person or business entity that none of the taxes or fees contested, or other taxes or fees, are delinquent. The statement shall conform in substance to the following form:

**VERIFICATION OF PAYMENT OF ALL TAXES AND FEES**

(Name of Person or Entity) is (are) not (an) owner(s) or a party responsible for the payment of any tax or fee administered by a Cook County, by a local municipality, or by the Illinois Department of Revenue, for which such tax or fee is delinquent. (If applicable) (Name of Person or Entity) represents the following is a complete list of real estate owned by (person or entity) in Cook County: (list by index number).

(c) No person or business entity will be prohibited from entering into a contract with the County if the individual or entity is contesting liability for the amount of the debt in a pending administrative or judicial proceeding, and shows proof of the contest; or has entered into an agreement with the County, municipality, or Illinois Department of Revenue, for the payment of all debts owed and verifies compliance with the agreement; or should the Purchasing Agent and the head of the requisitioning department, if applicable, or other appropriate department head, certify in writing to the County Board that it is in the interest of the public health, safety, or welfare of the County to enter into such contract and that the County is unable to secure a contract that is comparable in terms of price, quality, or quantity.

**Sec. 34-130. Penalties for failure to pay Cook County taxes and fees.**

(a) Every County contract shall contain a provision that entitles the County to set off a portion of the contract price equal to the amount of the fines and penalties including interest for each tax or fee delinquency and any debt owed by the contracting party to the County.

(b) The effect of any person or entity making a false statement under oath as to the existence of any delinquency in taxes or fees shall be to increase the set off provided for in subsection (a) above by 50 percent, as a penalty for such false statement. In addition to such set off and penalty, making a false statement under oath regarding delinquency shall be a misdemeanor, punishable by a fine of \$500.00.

(c) If during the existence of any contract for goods or services between the County and any person or business entity, such person or entity shall become delinquent for nonpayment of taxes or fees administered by the County, the County shall be entitled to set off a portion of the contract price equal to the amount of the tax and fee delinquency, and impose a 50 percent penalty on the amount of the delinquent tax or fee.

(d) No set off, penalty or fine will be imposed on any person or entity except after a hearing. Such person or entity shall be given five days written notice of the hearing affording an opportunity to appear and defend. The hearing shall be held before a representative of the County appointed by the County Board who shall report findings to the County Board. The County Board shall have the right to authorize the examination of the books and records of any person or entity upon whom notice of a hearing has been served, such examination to be made by the responsible County agency directed by the County Board or Purchasing Agent.

(e) If the County Board shall determine after such hearing that a set off, penalty or fine should be imposed, within 15 days the Board shall state the reason or reasons for such determination in a written order and shall serve a copy of such order upon the person or business entity.

(f) Whenever it shall appear from the books and records kept by the responsible County agency that any person or entity holding any contract with the County has failed to pay any taxes or fees, the responsible County agency shall report the fact to the County Board, and the Board may impose a set off, penalty or fine.

(g) This section applies to all contracts for goods or services, including personal services; contracts which are awarded on the basis of the bidding process described in this article; contracts which are not bid; contracts which are awarded on the basis of Division 6 of this article; contracts which originate under the authority of the County Purchasing Agent, and contracts which originate from any other office or division of the County.

(h) For the purposes of this section, "taxes or fees administered by the County " shall mean any and all taxes or fees which are imposed or collected by or on behalf of the County, its officials, agencies, boards, commissions or departments, including but not limited to taxes levied on real estate, excise taxes levied by or on behalf of the County, fees and charges imposed by ordinance or by law which are payable to an officer, agency, board, commission or department of the County for any filing, recordation, permit, license, inspection, service including medical services or for any other purpose. Taxes and fees shall be construed to include any and all interest and penalties authorized or imposed by law or by ordinance for late payment or for nonpayment of taxes or fees.

(i) Taxes or fees shall be considered delinquent if a claim, notice or demand for payment has been made for such taxes or fees by or on behalf of the County, its officers, agencies, boards, commissions or departments without timely payment, except in those cases where authorized procedures for protesting or contesting such taxes or fees have been timely and properly initiated and where such protest or contest remains pending.

**Sec. 34-131. Disqualification for non-compliance with child support orders.**

(a) For purposes of this section, the following words and phrases shall have the following meanings:

*Court ordered child support arrearage* means that the Circuit Court of Cook County has issued an order declaring the respondent in arrearage on his or her child support obligations in a specific amount as of the date of that order or, that another Illinois court of competent jurisdiction has issued such an order.

*Child support withholding notice* means any income withholding notice which pursuant to the applicable governing law, directs the payor (i) to withhold a dollar amount equal to the order of child support, and/or (ii) to withhold a dollar amount equal to or towards paying off any unpaid child support obligations, and/or (iii) to enroll a child as a beneficiary of a health insurance plan and withhold or cause to be withheld any required premiums, and also includes any order issued by the Circuit Court of Cook County or another Illinois court of competent jurisdiction which similarly directs the payor.

(b) No person or substantial owner as defined in Article V, Sec. 34-367 shall be authorized to enter into a contract or awarded a contract for supplies, materials, equipment or contractual services with the County if such person or substantial owner is delinquent in the payment of a court-ordered child support arrearage.

(c) Once a contract is awarded to a person or business entity (partnership or corporation) with a substantial owner subject to such an order, then after notice from the County of such noncompliance and a 30-day opportunity to cure, such delinquency shall be an event of default under the contract with the County. The curing of any delinquency shall be evidenced by canceled checks paid to Obligee or the official clerk's records that payments were received on behalf of Obligee.

(d) The Purchasing Agent or its designee is hereby authorized to do the following: (1) investigate the child support payment records of any contractor to determine court ordered support arrearages; (2) investigate all contractors' compliance with child support withholding notices; (3) provide information on contractors to the appropriate County and State of Illinois entities, to the extent allowed by law; to assist those offices in the enforcement of child support obligations; (4) provide the names and business addresses of contractors to persons seeking to enforce court ordered child support arrearages and child support withholding notices, and their legal representatives, to the extent allowed by law, on the condition that such information be used solely for the purpose of assisting in child support enforcement; provided that the names and identifying information of persons seeking to enforce child support orders shall be deemed confidential; and (5) to promulgate regulations relating to the operation of this section.

**Sec. 34-132. Contracts with businesses in Northern Ireland (MacBride Principles).**

(a) *Purpose.* The Board of Commissioners desires to promote the fair and equitable treatment of religious minorities in Northern Ireland and to promote a better working environment for all citizens therein. The MacBride Principles have become a generally-accepted standard for nondiscriminatory behavior of companies doing business in Northern Ireland. Legislation similar to this section has been enacted in the State of Illinois and the City of Chicago.

(b) *Adherence to MacBride Principles for contractors with Cook County.* All County contracts let by a competitive bid process as set forth in the Illinois Counties Code shall include the following language:

"If the primary contractor currently conducts any business operations in Northern Ireland, or will conduct business during the projected duration of a County contract, it is hereby required that the contractor shall make all reasonable and good faith efforts to conduct any such business operations in Northern Ireland in accordance with the MacBride Principles for Northern Ireland as defined in Illinois Public Act 85-1390."

(c) *Penalty.* For those contractors which refuse to include the above-quoted provisions in their bid contracts, the County shall assess an eight percent penalty to the contract bid. This penalty shall thereby increase an offending contractor's bid price for the purpose of canvassing the bids in order to determine who is to be the lowest responsible bidder. This penalty shall not affect the amount of any contract payment.

(d) *Exemption.* The provisions of this section shall not apply to contracts for which the County receives funds administered by the United States government, except to the extent that Congress has directed that funds shall not be withheld from states and localities that choose to implement selective purchasing policies based on agreement to comply with the MacBride Principles for Northern Ireland, or to the extent that such funds are not otherwise withheld by the Federal government.

**Sec. 34-133. Sale or purchase of real estate.**

(a) Unless the sale price is \$50,000.00 or less, no surplus real estate owned by the County shall be sold or exchanged or otherwise disposed of unless two written independent fee appraisal reports have first been obtained and presented to the County Board and the proposed sale or exchange has been presented to the Committee on Finance Real Estate and Business and Economic Development Subcommittee of the County Board. At least one of such appraisals shall be performed by an M.A.I.-certified appraiser. The grantee may be required to pay the cost of such appraisals as a condition of conveyance of the real estate proposed to be sold or exchanged or otherwise disposed of.

(b) Unless the purchase price is \$50,000.00 or less, no real estate shall be purchased by the County unless two written independent fee appraisal reports have first been obtained and presented to the County Board and the proposed purchase has been presented to the Committee on Finance Real Estate and Business and Economic Development Subcommittee of the County Board. At least one of such appraisals shall be an M.A.I. appraisal.

(c) If the sale or purchase price is \$50,000.00 or less, only one appraisal shall be required, which appraisal shall be performed by an M.A.I.-certified appraiser or a State-certified general appraiser licensed by the State of Illinois and having expertise in appraising similar properties.

## **DIVISION 2. CONTRACT PROCUREMENT**

### **Sec. 34-151. Purchase procedures and competitive bidding.**

The purchases of and contracts for supplies, materials, equipment and contractual services and all sales of personal property which has become obsolete or unusable shall be based on competitive sealed bids in accordance with this Sec. 34-151 and the additional procedures set forth in Sec. 34-153, or shall be based on competitive requests for proposals or requests for qualifications as provided in Section 34-152, unless designated as charitable donations pursuant to Sec. 153(f). No purchases, orders, or contracts of \$25,000 or more shall be made unless authorized by the County Board. All sales of obsolete or unusable material, property, or equipment shall be made to the highest bidder, except as provided for in Subsection 34-153.

(a) *Purchases and Contracts for \$25,000 or less.* Purchases and contracts for supplies, materials, equipment and contractual services and sales of personal property which has become obsolete or unusable and has a value of \$25,000 or less, as estimated by the Purchasing Agent, shall be made in accordance with this subsection (a). Purchases, excluding professional services, having a cost of \$750.00 or less may be made with "petty cash" in the open market. All purchases greater than \$750.00 and less than \$25,000.00 may be made in the open market without publication in a newspaper as provided below, but whenever practical shall be based on at least three informal competitive bids.

(b) *Purchases and Contracts Exceeding \$25,000; Authorization to advertise for bids.* The Using Department or Elected Official shall be responsible for requesting that the Board of Commissioners authorize the advertisement of a competitive bid.

(c) *Purchases and Contracts Exceeding \$25,000; Advertisement for bids.* Upon authorization from the Board of Commissioners, the Purchasing Agent shall publish the advertisement at least once in a secular newspaper of general circulation within Cook County and at least five calendar days before the final date of submitting bids. Purchasing shall also post notification of the competitive bid on the Purchasing Agent's page of Cook County's web-site, located at [www.cookcountygov/purchasing.com](http://www.cookcountygov/purchasing.com) and on the Purchasing Office bulletin board in accordance with the provisions of Sec. 34-153(a). Such notices shall include a general description of the commodities or contractual services to be purchased or personal property, equipment or other property to be sold and shall state where all blanks and specifications may be obtained and the time and place for the opening of bids. The County Purchasing Agent may also send requests by mail to prospective suppliers.

(d) *Purchases and Contracts Exceeding \$25,000; Development and approval of specifications and contract terms.* The Using Department or Elected Official shall provide to the Purchasing Agent draft contract documents which shall include a description of the services or supplies to be procured, any minimum bidder qualifications, a description of the environment within which a successful bidder will be required to perform a site inspection, cost proposal information and any other information requested by the Purchasing Agent in order to prepare and finalize the bid specifications and contract documents. The Purchasing Agent may revise the draft documents prior to finalizing and issuing the contract documents.

(e) *Purchases and Contracts Exceeding \$25,000; Pre-bid conferences.* The Using Department or Elected Official shall include the details of any pre-bid conferences in the draft contract documents submitted to the Purchasing Agent. Any changes to the date, time or place of a pre-bid conference must be communicated in writing, not less than 5 business days, prior to originally scheduled Bid Opening to the Office of the Purchasing Agent, the Purchasing Agent will issue an Addendum to all entities or persons registered as having picked up a Bid Package by the Office of the Purchasing Agent.

(f) *Purchases and Contracts Exceeding \$25,000; Requests for information, clarifications or exceptions to contract documents.* As provided in the Instructions to Bidders, all requests for information, clarification or exceptions submitted by bidders must be directed in writing only to the Purchasing Agent, not less than 5 business days prior to the Bid Opening. Upon receipt of such a request, the Purchasing Agent's Office will determine if a response will be provided. If a Using Department or Elected Official receives a written inquiry, it shall be forwarded to the Purchasing Agent immediately. If the Using Department or Elected Official receives an oral inquiry, the prospective bidder shall be referred to the Instructions to Bidders which require that all inquiries be submitted in writing to the Purchasing Agent.

(g) *Purchases and Contracts Exceeding \$25,000; Communications with bidders during bid process.* From the time a Bid Package is made available until the recommendation for award of the contract is approved by the Board, all communications from bidders must be directed in writing to the Purchasing Agent. However, bidders may communicate with the County's Office of Contract Compliance relative to the submission of information regarding proposed minority and women owned business enterprise participation in the contract. All responses to inquiries regarding the status of a bid evaluation or award shall be provided by the Office of the Purchasing Agent in accordance with approved procedures.

(h) *Purchases and Contracts Exceeding \$25,000; Communication between bidders.* From the time a Bid Package is made available to bidders until the recommendation for award of the contract is approved by the Board, no bidder shall communicate with another bidder regarding the subject matter of the procurement, with the sole exception of communications a bidder may have with a minority or women owned business enterprise to meet requirements of minority or women owned business enterprise goals. Such quotations shall not be solicited or provided in a manner that discloses or requires the disclosure of the amount of a prospective bid.

(i) *Purchases and Contracts Exceeding \$25,000.* Bids to conform to conditions in advertisements.

- (1) The County Board will not entertain or consider any bid;
  - a. Received after the exact time for submission of bids specified in the advertisement for bids, except as may be extended in an Addendum issued to all bidders by the Purchasing Agent;
  - b. Not accompanied by the required certified check, bid deposit, or bid bond;
  - c. Not accompanied by the affidavits, certifications or economic disclosure statements required to be submitted pursuant to this Ordinance; or
  - d. Which in any other way fails to fully comply with the terms and conditions as stated in the advertisement for bids.
- (2) No bid may be changed, amended, or supplemented in any way after the exact time for submission of bids specified in the advertisement for bids. Any bidder that cancels, withdraws or modifies its bid after the bid opening will result in the bidder being deemed unqualified and will prohibit said bidder from receiving a County contract for a period of one (1) year from the date of bid opening. No certified check, bid deposit, or bid bond may be accepted after the exact time for submission of bids specified in the advertisement for bids.

(j) *Purchases and Contracts Exceeding \$25,000; Examination and tallying of bids.* All bids shall be opened and tallied at a time predetermined by the President, who shall appoint a member of the County Board to preside and witness the conduct of the reading and announcing in public of all bids before all who desire to attend. The bids shall then be reported to the County Board at the next meeting after the opening thereof. If it is evident that only one qualified bid has been submitted with respect to a particular contract, no bid envelope is opened and any sealed bid(s) shall be returned to the bidder(s) via certified mail unopened. The Clerk announces this fact and that the Purchasing Agent will thereafter determine whether to re-issue the solicitation of competitive bids as a result. If it is determined that an error was made in announcing the Bid or there was a failure to read all bids into the record, the Purchasing Agent shall notify the Commissioner who presided over the Bid Opening and the Clerk of the Board of the need to reconvene the Bid Opening to correct the record. As soon as reasonably possible, the Bid Opening is reconvened for the purpose of correcting the record.

(k) *Purchases and Contracts Exceeding \$25,000; Evaluation of Bids.* Immediately after the Bid Opening, a post bid meeting is scheduled wherein the Using Department and Contract Compliance reviews bids for technical specifications and minority business enterprise/women business enterprise requirements. Upon notification of recommended vendor from using Department and Contract Compliance, the Office of the Purchasing Agent prepares the pre-award bids report and posts said report on the County's web-site and on the bulletin board outside the Purchasing Agent's Office. The time intervals required to evaluate bids are not always predictable. Bidders are responsible for monitoring the web-site or, if they lack web access, for calling the Office of the Purchasing Agent on Mondays after 12 noon at (312) 603-5370 to determine whether a recommendation for award will be posted during the upcoming week.

(l) *Purchases and Contracts Exceeding \$25,000; Bid protest procedure.* Any bidder who has reason to believe that the bidder identified in the posted recommendation for award is not entitled to be awarded the contract, or who has a complaint about the bid process, may submit a written bid protest, in writing, directed to the Purchasing Agent. Such protest may be submitted at any time prior to the announcement of the recommended bidder, but no later than three (3) *business days* after the date upon which the recommendation for award is posted on the County's web-site and on the Purchasing Agent's bulletin board. The bid protest must state with specificity the basis upon which the bidder believes that the recommendation for award is erroneous, or the basis upon which the bidder believes the bid procedure was unfair, including a statement of how the alleged unfairness prejudiced the protesting bidder. A bidder who could have submitted a request for exception, clarification or information prior to bid opening but failed to do so shall not be entitled to protest a bid on the basis of insufficient information or clarity after the bids have been opened.

(m) *Purchases and Contracts Exceeding \$25,000; The Purchasing Agent shall decide all bid protests.* When a protest has been submitted, the Purchasing Agent shall defer presentation of a recommendation for award to the Board's Finance Committee until the bid protest has been decided.

(n) *Purchases and Contracts Exceeding \$25,000; Contract award and execution.* The final recommendation for award shall be transmitted to the Board, through its Finance Committee, for approval of the recommendation for award and execution of a contract with the approved bidder. The Purchasing Agent shall ensure that all required certifications are executed and all due diligence is performed prior to the request to award and execute the contract.

(o) *Purchases and Contracts Exceeding \$25,000; Right to reject bids reserved.* The County Board reserves the right to reject any and all bids.



(p) *Purchases and Contracts Exceeding \$25,000; Local business preference.*

- (1) In this section the term "local business" means a person authorized to transact business in this State and having a bona fide establishment for transacting business located within the County at which it was actually transacting business on the date when any competitive solicitation for a public contract is first advertised or announced and further which employs the majority of its regular, full-time work force within the County, including a foreign corporation duly authorized to transact business in this State and which has a bona fide establishment for transacting business located within the County at which it was actually transacting business on the date when any competitive solicitation for a public contract is first advertised or announced and further which employs the majority of its regular, fulltime work force within the County.
- (2) The Purchasing Agent shall, in the purchase of all supplies, services and construction by competitive sealed bidding, accept the lowest bid price or lowest evaluated bid price from a responsive or responsible local business, provided that the bid does not exceed the lowest bid price or lowest evaluated bid price from a responsive and responsible non-local business by more than two percent.
- (3) The Purchasing Agent shall be responsible for the implementation and enforcement of this section.

**Sec. 34-152. Contracts not adaptable to competitive bidding. Requests for proposals or qualifications.**

(a) Contracts which by their nature are not adapted to award by competitive bidding, such as contracts for the services of individuals possessing a high degree of professional skill where the ability or fitness of the individual plays an important part; contracts for printing of Finance Committee pamphlets, controllers estimates, and departmental reports; contracts for the printing or engraving of bonds, tax warrants and other evidence of indebtedness; contracts for ballot cards, printing of election ballots and poll sheets, and moving of election equipment and supplies; contracts for utility services such as water, light, heat, telephone, or telegraph; and contracts for the purchase of magazines, books, periodicals, and similar articles of an educational or instructional nature, and the binding of such magazines, books, periodicals, pamphlets, reports, and similar articles shall not be subject to the competitive bidding requirements of Sec. 34-151.

- (1) *Criteria for use of requests for proposals or requests for qualifications.* Proposals for contracts not adaptable to competitive bidding shall be solicited through the issuance of requests for proposals ("RFP") or requests for qualifications ("RFQ") unless otherwise authorized by the Board. RFPs and RFQs are appropriate when competitive bidding is not practicable or advantageous to the County. RFPs and/or RFQs may result in the negotiation of a contract with one or more proposers selected as the result of an evaluation process which includes the simultaneous consideration of multiple evaluation factors.
- (2) *Notification.* In order to issue an RFP or RFQ, the Using Department or Elected Official must notify the Purchasing Agent in writing that it intends to issue a RFP or RFQ.

- (3) *Prescribed content of RFPs and RFQs.* All RFPs and/or RFQs shall include such forms and provisions as shall be issued from time to time by the Office of the Purchasing Agent. These forms shall include, but not be limited to: Instructions to Proposers; General Conditions; Cook County Certification and Execution Forms and a Proposer Registration Form and all additional documents as required by the Purchasing Agent. The Using Department or Elected Official shall be responsible for developing appropriate special conditions, a proposer questionnaire and a cost proposal form.
- (4) *Review prior to issuance.* RFPs and/or RFQs shall be submitted to the Office of the Purchasing Agent for review prior to their issuance. In addition to the direct transmittal of the RFP or RFQ to potential firms or individuals, all RFPs and RFQs shall be posted on the County's web-site. Such posting shall be performed by the Bureau of Information Technology and Automation upon the request of the Office of the Purchasing Agent.
- (5) *Opening of RFPs and RFQs.* The RFPs or RFQs shall be opened in the presence of one or more witnesses after the designated date for submission. A list of firms or individuals offering proposals or responding to RFQs shall be submitted to the Purchasing Agent within twenty-four hours of RFP or RFQ opening. The contents of the RFP or RFQ shall not be disclosed to competing offerors during the process of negotiation. Any proposer that cancels, withdraws or modifies its proposal after the proposal due date without County approval may result in the proposer being deemed unqualified and may prohibit said proposer from receiving a County contract for a period of one (1) year. A record of proposals shall be prepared and shall be open for public inspection after contract award.
- (6) *Evaluation.* The Using Department or Elected Official shall identify the factors to be used in evaluating proposals, which information shall be set forth in the RFP. These factors include, but are not limited to, price, experience and qualifications of the proposer, the quality and cost effectiveness of the proposal, and the demonstrated willingness and ability of the proposer to satisfy the requirements of the County as described in the request. The Using Department or Elected Official shall evaluate proposals and shall conduct any negotiations of a possible contract with one or more proposers.
- (7) *Discussions.* As provided in the RFP or RFQ, discussions may be conducted with responsible proposers who submit proposals determined to have the greatest likelihood of being selected for a contract for the purpose of clarifying and assuring full understanding of and responsiveness to the County's requirements. Those proposers shall be accorded fair and equal treatment with respect to any opportunity for discussion and revision of proposals. Revisions to proposals may be permitted after submission for the purpose of obtaining best and final proposals before a recommendation is made to the Board of Commissioners. In conducting discussions there shall be no disclosure of any confidential information derived from proposals submitted by competing proposers. If information is disclosed to any proposer, it shall be provided to all competing proposers. Once a proposer has been recommended to and approved by the Board of Commissioners, the Using Department or Elected Official shall finalize the contract terms for the Board's execution consideration.

- (8) *Recommendations.* The Using Department or Elected Official shall recommend to the Board of Commissioners that the County enter into a contract with the responsible proposer whose proposal or qualifications is determined in writing by such Using Department or Elected Official to be the most advantageous to the County, taking into consideration price, qualifications and the evaluation factors set forth in the request for proposals. The Using Department or Elected Official shall document the results of its evaluation and the reasons for its recommendation to the Purchasing Agent. The Using Department or Elected Official shall be responsible for requesting that the Board of Commissioners authorize a contract with the recommended proposer. The authorization of the Board of Commissioners to enter into a contract shall not result in a contract unless and until the Board has authorized the execution of the final contract documents upon the request of the Purchasing Agent. The Purchasing Agent's request to the Board for contract execution shall be subject to the proposed contractor's compliance with all applicable laws and County procedures and to the Purchasing Agent's review of the subject contract.

(b) The Purchasing Agent is expressly authorized to procure from any Federal, State or local government unit or agency thereof such surplus materials, supplies, commodities, or equipment as may be made available through the operation of any legislation heretofore or hereinafter enacted and to enter into cooperative educational agreements with not-for-profit universities and hospitals without conforming to the competitive bidding requirements of this article. Regular employment contracts in the County service, whether with respect to the classified services or otherwise, shall not be subject to the provisions of this article, nor shall this article be applicable to the granting or issuance pursuant to powers conferred by laws, ordinances, or resolutions or license, permits, or other authorization by the County Board, or by departments, offices, institutions, boards, commissions, agencies or other instrumentalities of the County, nor to contracts or transactions, other than the sale or lease of personal property pursuant to which the County is the recipient of money.

(c) This section shall take effect and be in force from and after its passage and is specifically intended to supersede 55 ILCS 5/5-36001 (Cook County purchasing-contracts for supplies, materials and work), 55 ILCS 5/5-36004 (Cook County purchasing-definitions) and 55 ILCS 5/5-36006 (Cook County purchasing-competitive bids, government surplus materials).

#### **Sec. 34-153. Donation of Assets.**

The County Board reserves the right to designate certain unusable, surplus and/or obsolete personal property, equipment or other property (hereinafter referred to collectively as "assets") for distribution as charitable donations. Assets may be designated for distribution as charitable donations, if: (i) a determination has been made that the assets are not needed by any department or division of the County; (ii) The assets are of a type that would provide a beneficial service in either the medical or education fields to a another entity; and (iii) the recipient of the assets is a legitimate nonprofit organization, local or foreign governmental entity.

The assets shall be transferred by an appropriate instrument of transfer, which shall include: a provision that requires the recipient to use the property in a manner that primarily promotes the implementation or improvement of medical or educational services available to the public; and a provision that indicates that ownership of the assets automatically reverts to the County if the entity at any time fails to use the property in that manner.

The responsibility for determining the recipient of the donation, pursuant to the above guidelines shall reside in the Office of the President of the County Board, with approval by the County Board.

**Sec. 34-154. Contracts for consulting and auditing services.**

(a) The County will not knowingly enter into any contract for auditing services, nor shall it consent to a subcontract for the County for such auditing services, with any party, if such party, or any affiliate of such party, has a contract or subcontract for consulting services for or with the County. Additionally, the County will not knowingly enter into any contract for consulting services, nor shall it consent to a subcontract for such consulting services, with any party, if such party, or any affiliate of such party, has a contract or subcontract for auditing services for or with the County. For purposes of this provision, "County" shall refer only to offices which are administered by the President of the County Board and shall not refer to offices which are administered by elected officials as defined below.

(b) The County shall not knowingly enter into any contract for consulting services on behalf of an elected official, nor shall it consent to a subcontract for such consulting services on behalf of an elected official, with any party, if such party, or any affiliate of such party, has a contract or subcontract to provide auditing services for or which include the elected official. For purposes of this provision section, "elected officials" shall refer to the County Sheriff, the County Clerk, the County Treasurer, the County Recorder of Deeds, the County Assessor, the County Board of Review, Clerk of the Circuit Court of Cook County, the State's Attorney of Cook County and the Office of the Chief Judge of the Circuit Court of Cook County.

(c) The terms used in this section shall have the meanings set forth below:

*Affiliate* means any party that controls or is controlled by another party, by shareholdings, membership, ownership or other means of control or power including, but not limited to, a subsidiary, parent or sibling corporation. The term "affiliate" also includes any party that directly or indirectly controls or, is under common control with the specified party. A party shall be deemed to control if such party has the power to directly or indirectly affect the management or the policies of the other through ownership of voting securities, voting rights, by contract or otherwise.

*Auditing services* means the formal examination of accounting records, financial statements or compliance with some other set of financial standards in accordance with auditing standards generally accepted in the United States which functions are generally exclusively performed or supervised by individuals or business organizations licensed and authorized to do business as public accountants in the State. The term "auditing services" shall also include any independent reports and management recommendations derived or resulting from the performance of auditing services and which reports and recommendations are included within the scope of the contract for auditing services.

*Consulting services* means the rendering of analysis and advice requiring specialized expertise in a particular subject area or field. Such expertise may have been gained by education or experience in the area or field. The term "consulting services" expressly excludes auditing services.

*Party* means any individual, corporation, partnership, joint venture, trust, association, limited liability company, unincorporated business, individually owned business, sole proprietorship or similar type of organization or association.

(d) This section shall not apply to any contracts or subcontracts authorized prior to the effective date of the ordinance from which this section is derived.

(e) The Purchasing Agent shall require the contractor in each contract to provide auditing or consulting services for the County (as defined in this section) to provide a certification acceptable to the Purchasing Agent that neither the contractor nor any affiliate of the contractor has a contract or a subcontract to provide consulting or auditing services for the County which is prohibited under Subsection (a) of this section. In addition, the Purchasing Agent shall require the contractor in each contract to provide consulting services for an elected official to provide a certification acceptable to the Purchasing Agent that neither the contractor nor any affiliate of the contractor has a contract or a subcontract to provide auditing services for or which include the elected official which is prohibited under Subsection (b) of this section.

**Sec. 34-155. Sole source procurements.**

Contracts may be awarded without use of the specified method of competitive selection when the contract requires a contractor with a specialized skill or service or there is only one economically feasible source for the item or services. Sole source contracts must be indicated clearly and certified as sole source by both the Using Department or Elected Official and Purchasing Agent prior to Board approval.

**Sec. 34-156. Emergency purchases.**

The Purchasing Agent may make emergency procurements without competitive sealed bidding or an RFP or RFQ process or without prior approval of the Board when there exists a threat to public health or public safety, or when immediate expenditure is necessary for repairs to County property in order to protect against further loss of or damage to County property, to prevent, or minimize serious disruption in County services, or to ensure the integrity of County records. Emergency procurements shall be made with as much competition as is practicable under the circumstances. A written description of the basis for the emergency and reasons for the selection of the particular contractor or provider shall be included in the contract file. Said emergency purchases shall be communicated to the Board within five (5) business days of procuring said emergency purchases.

**Sec. 34-157. Percentage of work of construction projects to be performed by County residents.**

For any construction project advertised, or if not advertised, awarded, after the effective date of Ordinance Number 97-O-08 having an estimated contract value of \$100,000.00 or more, funded solely with County funds, and where not otherwise prohibited by Federal or State law, the total hours worked by persons on the site of the construction project by employees of the contractor and subcontractors shall be performed at least 50 percent by actual residents of the County. The Purchasing Agent shall be responsible for the implementation and enforcement of this section.

**Sec. 34-158. Preference to citizens on public works projects.**

The Purchasing Agent shall specify in the call for bids for any contract for public works that contractors bidding on public works contracts of the County shall conform to the Public Works Preference Act (30 ILCS 560/0.01 et seq.). The Purchasing Agent in awarding the contract shall cause to be inserted in any contract for public works a stipulation to the effect that the contractor shall conform to such Act.

**DIVISION 3. SELECTION OF BOND COUNSEL AND BOND UNDERWRITERS**

**Sec. 34-181. Goals of division.**

The selection procedures set forth in this division are intended to promote the following goals:

- (1) To produce high quality cost-effective professional services from qualified providers of services;
- (2) To be competitive on the merits, and open to public scrutiny and review; and
- (3) To give appropriate consideration to Cook County-based vendors and those with significant minority or female ownership, consistent with the County's Minority Business Enterprises Ordinance.

**Sec. 34-182. Definitions.**

The following words, terms and phrases, when used in this division shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Co-managers* means underwriting firms responsible for participating in the underwriting and the marketing of the bonds.

*Senior managers* means underwriting firms responsible for assisting with the development of the financial plan and managing the underwriting and the marketing of the bonds.

**Sec. 34-183. Competitive process for negotiated bond sales.**

(a) For the purpose of the selection process on negotiated bond sales, the Chief Financial Officer shall issue a request for proposals ("RFP") to all potential underwriters and co-managers at least once every two years or as otherwise directed by the President. Issuance of said RFP shall conform to the requirements dictated in Sec. 34-152.

(b) The RFP shall elicit general information in the following areas:

- (1) Experience and expertise in structuring and marketing bonds and notes, detailing experience with various types of issuances, including general obligation bonds, revenue bonds and tax anticipation notes.
- (2) Financial strength of the firm, particularly its capital allocated to underwriting governmental bonds.
- (3) Degree of corporate investment or "presence" in the County and State, including the location of corporate offices, brokerage offices, or back-office operations.
- (4) Proportion of minority or female ownership of the firm.
- (5) Written policies of the firm regarding sexual harassment.
- (6) Such other information items as the Chief Financial Officer may find appropriate.

(c) Specific transaction. Responding firms shall be requested to provide information in the following areas:

- (1) Specific information about financial ideas for any specific transactions described in the RFP.
- (2) A recommended strategy for identifying and targeting purchasers of the bonds.
- (3) Proposed fees for any specific bond transactions described in the RFP.
- (4) Case examples of similar financings on which the firm has been senior manager or co-manager.

(d) Selection of the senior managers and co-managers shall be made by the President, upon the recommendation of the Chief Financial Officer, and shall be submitted to the County Board for approval. The basis of selection shall be overall quality of the firm, as reflected in the response, with consideration given to minority and female ownership, written policies regarding sexual harassment, County corporate residence, and corporate investment in the County. In addition, the President and Chief Financial Officer shall consider:

- (1) The applicable skills needed for each transaction;
- (2) Past performance on County issues; and
- (3) A rotation designed to give each firm a fair opportunity to participate, and other relevant factors. The responses to the RFP shall be available for review by members of the Board of Commissioners. The President shall report to the County Board the reasons for making the selections.

**Sec. 34-184. Report of underwriters.**

There shall be included in each bond purchase agreement between the County and underwriters a provision that:

- (1) The underwriter agrees to use its best efforts to assure that the County meets its objectives in the fair and reasonable allocation of bond selling commissions to members of the underwriting syndicate, particularly to Cook County and minority- and women-owned firms;
- (2) The allocation of bond selling commissions and fees received by each member of the underwriting syndicate shall be reported to the Chief Financial Officer within 30 days of closing of the bond issue; and
- (3) The underwriter shall comply with all limitations or disclosure requirements concerning political contributions that are or may be imposed by the Municipal Securities Regulatory Board or the Securities and Exchange Commission. Failure by the underwriter to comply with this provision shall not void the sale, but shall constitute a basis for the Chief Financial Officer to remove the underwriter from the list of firms solicited for RFPs or eligible for participation in County debt issuances for a period of two years from the date of violation.

**Sec. 34-185. Bond counsel.**

(a) A request for qualifications ("RFQ") shall be sent out by the Chief Financial Officer at least once every two years or as otherwise directed by the President. The RFQ shall elicit, among other things, descriptive information about each firm, the experience of the attorneys within the firm having expertise in the areas of municipal finance law or Federal tax law pertaining to tax-exempt bonds and other special areas of expertise or strength. A "qualified" list shall be developed by the Chief Financial Officer for each type of financing. The issuance of said RFQ shall conform to the requirements dictated in Sec. 34-152.

(b) For each bond sale or for multiple bond sales, whether negotiated or competitively bid, the Chief Financial Officer shall select three or more firms from the qualified list to be considered for inclusion in the bond issue or issues in question as either bond counsel, co-bond counsel or special tax counsel. The Chief Financial Officer shall request that each of the firms under consideration submit its fees for the anticipated work. The Chief Financial Officer shall consider the following criteria: overall experience and expertise, experience with the particular type of financing, experience with tax issues, knowledge of the County, the number of partners specializing in municipal securities work, the proposed fees, degree of presence in the County and State and the proportion of minority or female ownership of the firm. The Chief Financial Officer may set other conditions or request other information as well. Selection of the bond counsel shall be made by the President, upon the recommendation of the Chief Financial Officer, and shall be submitted to the County Board for approval. The President shall report to the County Board the reasons for selection of the firm assigned the work.

**DIVISION 4. DISQUALIFICATION OF CONTRACTORS AND PENALTIES**

**Sec. 34-211. Business entity defined.**

The term "business entity" as used in this division and in Section 34-216 means a corporation, partnership, trust, association, unincorporated business or individually owned business.

**Sec. 34-212. Bribery conviction.**

(a) No person or business entity shall be awarded a contract or subcontract, for a period of three years, if that person or business entity:

- (1) Has been convicted of bribery or attempting to bribe an officer or employee of a unit of government in that officer or employee's official capacity; or
- (2) Has made an admission of guilt of such conduct which is a matter of record but has not been prosecuted for such conduct.

(b) For purposes of the section, where an official, agent, or employee of a business entity committed the bribery or attempted bribery on behalf of such an entity and pursuant to the direction or authorization of an officer, director or other responsible official thereof, the business entity shall not be awarded a contract.

**Sec. 34-213. Persons and entities subject to disqualification.**

No person or business entity shall be awarded a contract or subcontract, for a period of five years from the date of conviction or entry of a plea or admission of guilt, if that person or business entity:



- (1) Has been convicted of an act committed, within the State, of bribery or attempting to bribe an officer or employee of a unit of State or local government or school district in the State in that officer's or employee's official capacity.
- (2) Has been convicted of an act committed, within the State, of bid-rigging or attempting to rig bids as defined in the Sherman Anti-Trust Act and Clayton Act. 15 U.S.C. § 1 et seq.
- (3) Has been convicted of bid-rigging or attempting to rig bids under the laws of the State.
- (4) Has been convicted of an act committed, within the State, of price-fixing or attempting to fix prices as defined by the Sherman Anti-Trust Act and Clayton Act. 15 U.S.C. § 1 et seq.
- (5) Has been convicted of price-fixing or attempting to fix prices under the laws of the State.
- (6) Has been convicted of defrauding or attempting to defraud any unit of State or local government or school district within the State.
- (7) Has made an admission of guilt of such conduct as set forth in Subsections (1) through (6) of this section which admission is a matter of record, whether or not such person or business entity was subject to prosecution for the offense or offenses admitted to.
- (8) Has entered a plea of nolo contendere to charge of bribery, price-fixing, bid-rigging, or fraud, as set forth in Subsections (1) through (6) of this section.

**Sec. 34-214. Business entity disqualification due to conduct of owner, partner, etc.**

(a) Business entities shall be disqualified as set forth within this division if any owner, partner, or shareholder controls, directly or indirectly, 20 percent or more of the business, or is an officer of the business entity.

(b) Any contract or subcontract found to have been awarded in violation of Sections 34-212, 34-216, 34-217 or 34-218 shall be voidable at the discretion of the County Board. Payment for work completed at the time of any such voiding shall be at a quantum meruit rate less a 25-percent penalty.

**Sec. 34-215. Disqualification due to a prior default or termination.**

(a) No person or business entity shall be awarded a contract or subcontract if that person or business entity has had an awarded contract terminated for cause by the County Board. The period of ineligibility shall continue for 24 months from the date the County Board terminates the contract.

(b) Persons or business entities may apply to the County Board or persons designated by the County Board for a reduction or waiver of the ineligibility period. The application shall be in writing and shall include documentation that one or all of the following conditions have occurred:

- (1) There has been a bona fide change in ownership or control of the business entity;

- (2) Disciplinary action has been taken against the person responsible for the acts giving rise to the ineligibility;
- (3) Remedial action has been taken to prevent a recurrence of the acts giving rise to the ineligibility; or
- (4) The County Board determines that the conduct of the entity does not constitute a pattern of behavior.

(c) At the request of a County department head, the County Board may suspend the ineligibility of a person or business entity in order to allow for the award of a contract. The department head shall provide sufficient facts to establish that the public health, safety or welfare of the County requires the goods and services at a comparable price and quality from other sources is not feasible. In the event the County Board grants a suspension, the period of ineligibility for the award of a new contract shall recommence from the date of completion of the contract awarded pursuant to the suspension of the ineligibility period, and shall continue for the remainder of the 24-month period of ineligibility.

(d) The determination to reduce or waive the period of ineligibility, or to suspend ineligibility for a specific contract, shall be made in writing and shall specify the reasons for the decision.

(e) In addition to the ineligibility provided in this Section, the Purchasing Agent may reject a specific bid or proposal, or a subcontractor proposed to be used in connection with that bid or proposal, submitted by any person or business entity if that person or business entity is in arrears upon any debt to the County or is in default of any Contract with the County, or is a defaulter, as surety or otherwise upon any obligation to the County, or is otherwise prohibited by law or Ordinance from entering into the Contract. In addition, the Purchasing Agent may reject a bid or proposal, or a subcontractor proposed to be used in connection with that bid or proposal, submitted by any person or business entity deemed unqualified due to insufficient or unsatisfactory history of creditworthiness or experience in performing other contracts, including those involving the types of responsibilities required under the Contract Documents.

**Sec. 34-216. Offering gift to induce others not to bid; Bribe offer to government employee; Willful violation of the County Inspector General Ordinance.**

(a) No person or business entity shall be awarded a contract or subcontract if that person or business entity offers or pays any money or other valuable thing to any person or business entity to induce such person or business entity not to bid for a County contract or as recompense for such person or business entity not having bid on such a contract.

(b) No business shall be awarded a contract or subcontract if the business entity has knowledge that an officer or director thereof, has within the three years preceding award of the contract:

- (1) Been convicted of bribery or attempting to bribe an officer or employee of a unit of government in that officer or employee's official capacity; or
- (2) Made an admission of guilt of such conduct which is a matter of record but has not been prosecuted for such conduct.

(c) No person or business entity shall be awarded a contract or subcontract if that person or business entity has willfully violated within the two years preceding award of the Contract, the Cook County Inspector General Ordinance as detailed in Chapter 2, Article IV, Division 5.

**Sec. 34-217. Disqualification procedure.**

(a) When information shall come to the attention of the Purchasing Agent of the County that a person or business entity has been convicted, made an admission of guilt or plea of nolo contendere or otherwise falls within Sections 34-213(1) through (8), the Purchasing Agent shall send a notice of hearing to the person or business entity by certified mail, return receipt requested. The notice shall advise the person or business entity that an administrative hearing will be held at the specified time and place for the purpose of determining whether or not that person or business entity should be disqualified pursuant to this division. The hearing officer will be the Purchasing Agent or other person designated by the President of the County Board.

(b) Evidence will be limited to the factual issues raised by the notice. Persons with relevant information will testify under oath before a certified reporter. The hearing officer may refuse to hear cumulative evidence and will moderate the hearing. Strict rules of evidence will not apply to the proceedings but the hearing officer will strive to elicit the facts fully and in credible form. The affected person or business entity may be represented by an attorney.

(c) At the conclusion of the testimony the hearing officer will make a finding of whether or not the person or business entity falls within this article based upon a greater weight of the evidence. Disqualification shall be ordered upon a finding that the person or business entity falls within any provision of Section 34-213. The hearing officer will mail a written copy of the finding to the person or business entity affected by certified mail, return receipt requested.

(d) A person or business entity disqualified by the hearing officer may appeal such finding to a Review Board nominated by the President of the County Board with the advice and consent of the County Board. A notice of appeal must be filed with the Secretary of the Board within 14 days from the date the finding was mailed to the person or business entity. Enforcement of the order of disqualification will be stayed pending a review by the Review Board. The person or business entity affected by the disqualification order may file with the Secretary of the Board written exceptions to the hearing officer's findings. Exceptions must be filed within ten days of the notice of appeal. No oral presentation will be made to the Review Board.

(e) The Review Board will review the written record, tangible evidence, the hearing officer's finding and the written exceptions and will expeditiously vote to recommend affirmance or reversal of the hearing officer's finding to the County Board. The County Board decision will be mailed to the affected person or business entity by certified mail, return receipt requested.

**Sec. 34-218. Bid specifications.**

Specifications for all bids shall contain the information contained in Sections 34-213 and 34-214 and bidders shall certify that they have read the information contained in such sections and are not in violation thereof.

**Sec. 34-219. Affidavit.**

For the purposes of this division the Purchasing Agent shall require as part of the bidding documents an affidavit from each person or business entity that they are not under the provisions as set forth in Sections 34-212 and 34-216.

**Sec. 34-220. Removal of organized crime figures from approved bidders' list.**

(a) All persons and business enterprises listed in the Chicago Crime Commission booklet *The Chicago Crime Commission Spotlight on Organized Crime-The Chicago Syndicate* are hereby stricken from the list of approved bidders for Cook County contracts. The Chicago Crime Commission booklet aforesaid is hereby incorporated by reference into this section.

(b) All persons and business enterprises listed in the Chicago Crime Commission booklet Part II, and Part III, *Spotlight On Legitimate Business And The Hoods* are stricken from the list of approved bidders for Cook County contracts. The Chicago Crime Commission booklet aforesaid is hereby incorporated by reference into this section.

**Sec. 34-221. False statements.**

Any person who knowingly makes a false statement of material fact to Cook County in violation of any statute, ordinance or regulation, or who knowingly falsifies any statement of material fact made in connection with an application, report, affidavit, oath, or attestation, including a statement of material fact made in connection with a bid, proposal, contract or economic disclosure statement or affidavit, is liable to the county for a penalty of \$500.00. Additionally, all county contracts shall provide for up to three times the amount of damages which the county sustains because of the person's violation of this section and the county's litigation and collection costs and attorney's fees.

The penalties imposed by this section shall be in addition to any other penalty provided for in the County Code.

This Ordinance shall take effect and be in force upon enactment.

Approved and adopted this 10th day of July 2007.

**07-O-48  
ORDINANCE**

**Sponsored by**

**THE HONORABLE MIKE QUIGLEY, ELIZABETH "LIZ" DOODY GORMAN,  
GREGG GOSLIN, PETER N. SILVESTRI, FORREST CLAYPOOL, JOHN P. DALEY  
AND LARRY SUFFREDIN, COUNTY COMMISSIONERS**

**Co-Sponsored by**

**THE HONORABLE TIMOTHY O. SCHNEIDER, ANTHONY J. PERAICA,  
WILLIAM M. BEAVERS, JERRY BUTLER, EARLEAN COLLINS,  
JOAN PATRICIA MURPHY, DEBORAH SIMS AND ROBERT B. STEELE  
COUNTY COMMISSIONERS**

**BE IT ORDAINED**, by the Cook County Board of Commissioners that Chapter 2, Article VII, Section 2-589 of the Cook County Code is hereby amended as follows:

Division 2. Code of Ethical Conduct

Subdivision III. Financial Disclosure

**Sec. 2-589. Generally.**

(a) Officers and employees shall file verified written statements of economic interests as required by the Illinois Governmental Ethics Act, 5 ILCS 420/4A-101 et seq. All statements shall be available in electronic form for examination and duplication by the Board of Ethics upon request.

(b) The Board of Review and the Cook County Assessor shall post on their respective internet websites information pertaining to appeals filed with each office. The information posted will consist of the name of the applicant, the disposition of the appeal, the property index number, the appeal number, the attorney or other representative of record and the basis for the disposition. The website shall allow for users to search by address, pin number, appeal number or name of the attorney or other representative of record.

The Board of Review and the Cook County Assessor shall post the required appeal information for a total of four assessment years on their respective websites.

(Ord. No. 04-O-18, art. III, 5-18-2004.) Sec. 2-590. Reserved.

Approved and adopted this 10th day of July 2007.

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**07-O-49  
ORDINANCE**

**Sponsored by**

**THE HONORABLE MIKE QUIGLEY, ELIZABETH “LIZ” DOODY GORMAN,  
GREGG GOSLIN, PETER N. SILVESTRI, FORREST CLAYPOOL, JOHN P. DALEY  
AND LARRY SUFFREDIN, COUNTY COMMISSIONERS**

**Co-Sponsored by**

**THE HONORABLE TIMOTHY O. SCHNEIDER, ANTHONY J. PERAICA,  
WILLIAM M. BEAVERS, JERRY BUTLER, EARLEAN COLLINS,  
JOAN PATRICIA MURPHY, DEBORAH SIMS AND ROBERT B. STEELE  
COUNTY COMMISSIONERS**

**BE IT ORDAINED**, by the Cook County Board of Commissioners that Chapter 2, Article VII, Section 2-585 of the Cook County Code is hereby amended as follows:

Division 2. Code of Ethical Conduct

Subdivision II. Code of Ethical Conduct

**Sec. 2-585. Limitations of contributions to candidates and elected officials.**

(a) No person who has done business with the County within the preceding four years or is seeking to do business with the County or is a lobbyist registered with the County shall make contributions in an aggregate amount exceeding \$1,500.00:

- (1) To any candidate for County office or elected County official during a single candidacy; or
- (2) To an elected official of the government of the County during any nonelection year of his or her term.

The combined effect of these provisions is intended to permit total contribution up to but not exceeding \$3,000.00 in a year in which a candidacy occurs. A year for purposes of this section is from January 1 to December 31 of each year.

(b) For purposes of Subsection (a) of this section, an entity and its subsidiaries, parent company or otherwise affiliated companies, and any of their employees, officers, directors and partners who make a political contribution for which they are reimbursed by the entity or its affiliates shall be considered a single person. However, nothing in this provision shall be construed to prohibit such an employee, officer, director or partner from making a political contribution for which he is not reimbursed by a person with whom he or she is affiliated, even if that person has made the maximum contribution allowed under Subsection (a) of this section.

(c) Any contributions made under this section shall be reported as required by the Election Code, 10 ILCS 5/1-1 et seq.

(d) For purposes of Subsection (a) of this section, "done business" or "doing business" means any one or any combination of sales, purchases, leases or contracts to, from or with the County or any County agency in excess of \$10,000.00 in any 12-consecutive months. "Done business" or "doing business" also means representation involving real property assessments, property tax appeals, zoning matters, and property tax incentives, the total fees of which earned or accrued by a person exceed \$10,000 in any twelve consecutive months during the previous four years.

(e) To the extent that the Zoning Board, Zoning Administrator, Board of Review and County Assessor may be covered by the provisions herein each shall provide notice of the ethics disclosure requirements as set forth above. The notice should include a statement that any attorney or tax representative who has done business with any of these agencies and earned or accrued greater than \$10,000 in any twelve consecutive months during the previous four years as result, must adhere to the campaign contribution limitations set forth by the Cook County Ethics Ordinance.

The Board of Ethics shall adopt such rules and regulations as necessary to implement this section.

(f) For purposes of Subsection (a) of this section, "seeking to do business" means taking action within the past six months to obtain a contract or business with the County when, if such action were successful, it would result in the person doing business with the County as defined in Subsection (d) of this section.

(Ord. No. 93-O-29, § 2.15, 8-3-1993; Ord. No. 99-O-18, § 2.415, 6-22-1999; Ord. No. 04-O-18, § 2.14, 5-18-2004.)

Approved and adopted this 10th day of July 2007.

**07-O-50  
ORDINANCE**

**Sponsored by**

**THE HONORABLE TODD H. STROGER**

**PRESIDENT OF THE COOK COUNTY BOARD OF COMMISSIONERS**

**WHEREAS**, the State of Illinois has enacted "An Act regulating wages of laborers, mechanics and other workers employed in any public works by the State, county, city or any public body or any political subdivision or by any one under contract for public works," approved June 26, 1941, codified as amended, 820 ILCS 130/1 et seq. (1993), formerly Ill. Rev. Stat., Ch. 48, par. 39s-1 et seq.; and

**WHEREAS**, the aforesaid Act requires that the Board of Commissioners of the County of Cook investigate and ascertain the prevailing rate of wages as defined in said Act for laborers, mechanics and other workers in the locality of said County employed in performing construction of public works, for said County.

**NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF COMMISSIONERS OF THE COUNTY OF COOK:**

**Section 1.** To the extent and as required by "An Act regulating wages of laborers, mechanics and other workers employed in any public works by the State, county, city or any public body or any political subdivision or by any one under contract for public works," approved June 26, 1941, as amended, the general prevailing rate of wages in this locality for laborers, mechanics and other workers engaged in the construction of public works coming under the jurisdiction of this County is hereby ascertained to be the same as the prevailing rate of wages for construction work in the Cook County area as determined by the Department of Labor of the State of Illinois as of June 2007, a copy of that determination being submitted hereto and incorporated herein by reference. As required by said Act, any and all revisions of the prevailing rate of wages by the Department of Labor of the State of Illinois shall supersede the Department's June determination and apply to any and all public works construction undertaken by the County of Cook. The Definition of any terms appearing in this Ordinance which are also used in aforesaid Act shall be the same as in said Act.

**Section 2.** Nothing herein contained shall be construed to apply said general prevailing rate of wages as herein ascertained to any work or employment except public works construction of this County to the extent required by the aforesaid Act.

**Section 3.** The Bureau of Human Resources shall publicly post or keep available for inspection by any interested party in the main office of this Bureau of Human Resources (County) this determination or any revisions of such prevailing rate of wage. A copy of this determination or of the current revised determination of prevailing rate of wages then in effect shall be attached to all contract specifications.

**Section 4.** The Clerk shall mail a copy of this determination to any employer, and to any association of employers and to any person or association of employees who have filed their names and addresses, requesting copies of any determination stating the particular rates and the particular class of workers whose wages will be affected by such rates.

**Section 5.** The Bureau of Human Resources shall promptly file a certified copy of this Ordinance with both the Secretary of State Index Division and the Department of Labor of the State of Illinois.



**Section 6.** The Bureau of Human Resources shall cause to be published in a newspaper of general circulation within the area a copy of this Ordinance, and such publication shall constitute notice that the determination is effective and that this is the determination of this public body.

**Section 7.** The Purchasing Agent of Cook County shall specify in the call for bids in any contract for public works that the general prevailing rate of wages in the locality for each craft or type of laborer or mechanic needed to execute the contract to perform such work, also the general prevailing rate for legal holiday and overtime work as ascertained by the Bureau of Human Resources, shall be paid for each craft or type of work needed to execute the contract or to perform such work. The Purchasing Agent in awarding the contract shall cause to be inserted in the contract a stipulation to the effect that not less than the prevailing rate of wages, as found by the Bureau of Human Resources, shall be paid to all laborers, workers and mechanics performing work under the contract, and the Purchasing Agent shall also require in all such contractor's bonds that the contract include such provision as will guarantee the faithful performance of such prevailing wage clause as provided by the contract.

**Section 8.** In the case of any underpayment of the prevailing wage, a penalty of 20% of the underpayment shall be assessed against the contractor or subcontractor; and the 20% penalty shall be payable to the Illinois Department of Labor. Any underpayment that has not been repaid to a worker within thirty-days of violation is subject to an additional 2% of the underpayment as a punitive damage assessment. This is payable to the worker.

**Section 9.** There is an automatic two (2) year debarment of any contractor or subcontractor found to have violated the Act on two (2) separate occasions. An affected contractor or subcontractor may request the Department to hold a hearing on the alleged violations within ten (10) days notification of the second violation.

**COOK COUNTY PREVAILING WAGE FOR JUNE 2007**

Trade Name	RG	TYP	C	Base	FRMAN	*M-F>8	OSA	OSH	H/W	Pensn	Vac	Trng
ASBESTOS ABT-GEN	ALL			31.550	32.300	1.5	1.5	2.0	7.460	4.840	0.000	0.170
ASBESTOS ABT-MEC	BLD			23.300	24.800	1.5	1.5	2.0	7.860	4.910	0.000	0.000
BOILERMAKER	BLD			38.540	42.000	2.0	2.0	2.0	6.720	7.440	0.000	0.300
BRICK MASON	BLD			34.850	38.340	1.5	1.5	2.0	7.050	7.870	0.000	0.380
CARPENTER	ALL			36.520	38.520	1.5	1.5	2.0	7.960	5.910	0.000	0.490
CEMENT MASON	ALL			38.200	40.200	2.0	1.5	2.0	6.790	5.620	0.000	0.170
CERAMIC TILE FNSHER	BLD			28.520	0.000	2.0	1.5	2.0	5.650	5.750	0.000	0.330
COMM. ELECT.	BLD			32.440	34.940	1.5	1.5	2.0	6.930	5.320	0.000	0.700
ELECTRIC PWR EQMT OP	ALL			36.050	42.000	1.5	1.5	2.0	7.870	9.730	0.000	0.270
ELECTRIC PWR GRNDMAN	ALL			28.120	42.000	1.5	1.5	2.0	6.140	7.600	0.000	0.210
ELECTRIC PWR LINEMAN	ALL			36.050	42.000	1.5	1.5	2.0	7.870	9.730	0.000	0.270
ELECTRICIAN	ALL			36.300	38.900	1.5	1.5	2.0	9.530	7.250	0.000	0.750
ELEVATOR CONSTRUCTOR	BLD			42.045	47.300	2.0	2.0	2.0	8.275	6.060	2.520	0.550
FENCE ERECTOR	ALL			27.140	28.640	1.5	1.5	2.0	7.500	7.590	0.000	0.250
GLAZIER	BLD			31.400	32.400	1.5	2.0	2.0	6.490	9.050	0.000	0.500
HT/FROST INSULATOR	BLD			33.300	35.050	1.5	1.5	2.0	7.860	8.610	0.000	0.310
IRON WORKER	ALL			38.250	40.250	2.0	2.0	2.0	9.470	11.27	0.000	0.300
LABORER	ALL			31.550	32.300	1.5	1.5	2.0	7.460	4.840	0.000	0.170
LATHER	BLD			36.520	38.520	1.5	1.5	2.0	7.960	5.910	0.000	0.490
MACHINIST	BLD			36.890	38.890	2.0	2.0	2.0	4.380	5.650	2.550	0.000

**COOK COUNTY PREVAILING WAGE FOR JUNE 2007**

Trade Name	RG	TYP	C	Base	FRMAN	*M-F>8	OSA	OSH	H/W	Pensn	Vac	Trng
MARBLE FINISHERS		ALL		25.750	0.000	1.5	1.5	2.0	6.070	7.020	0.000	0.580
MARBLE MASON		BLD		34.850	38.340	1.5	1.5	2.0	7.050	7.870	0.000	0.490
MATERIAL TESTER I		ALL		21.550	0.000	1.5	1.5	2.0	7.460	4.840	0.000	0.170
MATERIALS TESTER II		ALL		26.550	0.000	1.5	1.5	2.0	7.460	4.840	0.000	0.170
MILLWRIGHT		ALL		36.520	38.520	1.5	1.5	2.0	7.960	5.910	0.000	0.490
OPERATING ENGINEER		BLD	1	41.550	45.550	2.0	2.0	2.0	6.850	5.600	1.900	0.700
OPERATING ENGINEER		BLD	2	40.250	45.550	2.0	2.0	2.0	6.850	5.600	1.900	0.700
OPERATING ENGINEER		BLD	3	37.700	45.550	2.0	2.0	2.0	6.850	5.600	1.900	0.700
OPERATING ENGINEER		BLD	4	35.950	45.550	2.0	2.0	2.0	6.850	5.600	1.900	0.700
OPERATING ENGINEER		FLT	1	47.250	47.250	1.5	1.5	2.0	6.850	5.600	1.900	0.000
OPERATING ENGINEER		FLT	2	45.750	47.250	1.5	1.5	2.0	6.850	5.600	1.900	0.000
OPERATING ENGINEER		FLT	3	40.700	47.250	1.5	1.5	2.0	6.850	5.600	1.900	0.000
OPERATING ENGINEER		FLT	4	33.850	47.250	1.5	1.5	2.0	6.850	5.600	1.900	0.000
OPERATING ENGINEER		HWY	1	39.750	43.750	1.5	1.5	2.0	6.850	5.600	1.900	0.700
OPERATING ENGINEER		HWY	2	39.200	43.750	1.5	1.5	2.0	6.850	5.600	1.900	0.700
OPERATING ENGINEER		HWY	3	37.150	43.750	1.5	1.5	2.0	6.850	5.600	1.900	0.700
OPERATING ENGINEER		HWY	4	35.750	43.750	1.5	1.5	2.0	6.850	5.600	1.900	0.700
OPERATING ENGINEER		HWY	5	34.550	43.750	1.5	1.5	2.0	6.850	5.600	1.900	0.700
ORNAMNTL IRON WORKER		ALL		35.600	37.600	2.0	2.0	2.0	7.500	10.84	0.000	0.750
PAINTER		ALL		34.400	38.700	1.5	1.5	1.5	6.200	6.400	0.000	0.390
PAINTER SIGNS		BLD		28.970	32.520	1.5	1.5	1.5	2.600	2.310	0.000	0.000
PILEDRIIVER		ALL		36.520	38.520	1.5	1.5	2.0	7.960	5.910	0.000	0.490
PIPEFITTER		BLD		37.600	39.600	1.5	1.5	2.0	8.660	6.900	0.000	0.940
PLASTERER		BLD		33.850	35.350	1.5	1.5	2.0	6.740	7.100	0.000	0.400
PLUMBER		BLD		39.700	41.700	1.5	1.5	2.0	8.170	4.560	0.000	0.940
ROOFER		BLD		33.650	35.650	1.5	1.5	2.0	6.460	3.310	0.000	0.330
SHEETMETAL WORKER		BLD		33.400	36.070	1.5	1.5	2.0	6.460	7.850	0.000	0.590
SIGN HANGER		BLD		25.340	26.190	1.5	1.5	2.0	4.180	2.250	0.000	0.000
SPRINKLER FITTER		BLD		40.500	42.500	1.5	1.5	2.0	8.500	6.850	0.000	0.500
STEEL ERECTOR		ALL		36.250	37.750	2.0	2.0	2.0	8.970	10.77	0.000	0.300
STONE MASON		BLD		33.250	36.580	1.5	1.5	2.0	6.450	7.020	0.000	0.440
TERRAZZO FINISHER		BLD		29.290	0.000	1.5	1.5	2.0	5.650	6.940	0.000	0.270
TERRAZZO MASON		BLD		33.650	36.650	1.5	1.5	2.0	5.650	8.610	0.000	0.300
TILE MASON		BLD		34.600	38.600	2.0	1.5	2.0	5.650	7.000	0.000	0.460
TRAFFIC SAFETY WRKR		HWY		22.800	24.400	1.5	1.5	2.0	3.078	1.875	0.000	0.000
TRUCK DRIVER	E	ALL	1	29.150	29.800	1.5	1.5	2.0	5.650	4.300	0.000	0.000
TRUCK DRIVER	E	ALL	2	29.400	29.800	1.5	1.5	2.0	5.650	4.300	0.000	0.000
TRUCK DRIVER	E	ALL	3	29.600	29.800	1.5	1.5	2.0	5.650	4.300	0.000	0.000
TRUCK DRIVER	E	ALL	4	29.800	29.800	1.5	1.5	2.0	5.650	4.300	0.000	0.000
TRUCK DRIVER	W	ALL	1	29.700	30.250	1.5	1.5	2.0	6.500	3.400	0.000	0.000
TRUCK DRIVER	W	ALL	2	29.850	30.250	1.5	1.5	2.0	6.500	3.400	0.000	0.000

**COOK COUNTY PREVAILING WAGE FOR JUNE 2007**

Trade Name	RG	TYP	C	Base	FRMAN	*M-F>8	OSA	OSH	H/W	Pensn	Vac	Trng
TRUCK DRIVER	W	ALL	3	30.050	30.250	1.5	1.5	2.0	6.500	3.400	0.000	0.000
TRUCK DRIVER	W	ALL	4	30.250	30.250	1.5	1.5	2.0	6.500	3.400	0.000	0.000
TUCK POINTER		BLD		34.500	35.500	1.5	1.5	2.0	4.710	6.340	0.000	0.400

Approved and adopted this 10th day of July 2007.

**07-O-51  
ORDINANCE**

**Sponsored by  
THE HONORABLE MIKE QUIGLEY, COUNTY COMMISSIONER**

**AN AMENDMENT TO THE VITAL RECORDS FEES FOR  
THE COUNTY CLERK (GENEALOGICAL RECORDS)**

**WHEREAS**, the Cook County Clerk maintains marriage, birth and death records for Cook County; and

**WHEREAS**, Section 25 of the Vital Records Act allows the County Clerk to collect a fee for copies of records equal to the fees collected by the Illinois Department of Public Health; and

**WHEREAS**, certain records of genealogical interest are available to the general public, i.e., marriage records older than 50 years, birth records older than 75 years and death records older than 20 years; and

**WHEREAS**, the Vital Records Department of the Cook County Clerk has been engaged in a project to improve the public's access to genealogical records by digitizing these records; and

**WHEREAS**, the digitization of genealogical records will provide quicker access to them and reduce the burden of research on those requesting the documents.

**BE IT ORDAINED**, by the Cook County Board of Commissioners that Chapter 2 Administration, Division 2 County Clerk, Subdivision II Fees, Section 2-174 and Chapter 32 Fees, Section 32-1 Vital Records Fees of the Cook County Code are hereby amended as follows:

**Sec. 2-174. Vital records fees for County Clerk.**

(a) *Birth records.* The Cook County Clerk shall continue to charge and collect a fee for the first copy, and a fee for each additional copy of a birth record as set out in Section 32-1.

(b) *Marriage records.* The Cook County Clerk shall continue to charge and collect a fee for the first copy, and a fee for each additional copy of a marriage record as set out in Section 32-1.

(c) *Death records.* The Cook County Clerk shall charge and collect a fee for the first copy, and a fee for each additional copy of a death record as set out in Section 32-1.

(d) *Genealogical records.* The County Clerk shall charge and collect a fee as set out in Section 32-1 for the first copy and a fee as set out in Section 32-1 for subsequent copies of any genealogical birth, death or marriage certificate.

(e) *Emergency fee.* The County Clerk shall charge and collect an emergency fee as set out in Section 32-1 for providing a copy of a vital record on an overnight basis. The emergency fee authorized in this subsection shall be in addition to any other fees authorized to be collected by the County Clerk for providing the requested document.

(Ord. No. 01-O-19, §§ 1--3, 8-9-2001; Ord. No. 03-O-27, §§ 1, 2, 10-7-2003; Ord. No. 03-O-28, § 1, 10-7-2003; Ord. No. 03-O-29, §§ 1, 2, 10-7-2003.)

**Sec. 32-1. Fee schedule.**

The fees or charges provided for or required by the below listed sections shall be as shown below:

**TABLE INSET:**

Code Section	Description	Fees, Rates, Charges (in dollars)
<b>CHAPTER 2, ADMINISTRATION</b>		
2-174	Vital records:	
2-174(a)	Birth records, first copy	13.00
	Each additional copy	2.00
2-174(b)	Marriage records, first copy	13.00
	Each additional copy	2.00
2-174(c)	Death records, first copy	13.00
	Each additional copy	2.00
2-174(d)	Genealogical birth, death or marriage certificate, first copy	15.00
	Subsequent copies, per copy	2.00
2-174(e)	Emergency vital records, on an overnight basis	25.00

Approved and adopted this 10th day of July 2007.

**07-O-52  
ORDINANCE**

**Sponsored by**

**THE HONORABLE TODD H. STROGER, PRESIDENT, MIKE QUIGLEY  
AND JOHN P. DALEY, COUNTY COMMISSIONERS**

**Co-Sponsored by**

**THE HONORABLE JERRY BUTLER, FORREST CLAYPOOL,  
ELIZABETH “LIZ” DOODY GORMAN, GREGG GOSLIN, ROBERTO MALDONADO,  
JOSEPH MARIO MORENO, ANTHONY J. PERAICA, TIMOTHY O. SCHNEIDER,  
PETER N. SILVESTRI AND ROBERT B. STEELE, COUNTY COMMISSIONERS**

**BE IT ORDAINED**, by the Cook County Board of Commissioners that Chapter 12, Article IV, Division 5, of the Cook County Code is hereby amended as follows:

**Division 5. Inspector General**

**Sec. 2-281. Establishment.**

There is hereby established an office of County Government (“County”) to be known as the Office of Independent Inspector General (“OIIG”). The Independent Inspector General shall head the OIIG. The organization and administration of the OIIG shall be sufficiently independent to assure that no interference or influence external to the office adversely affects the independence and objectivity of the Independent Inspector General. The OIIG shall include an inspector general and such deputies, assistants and other employees as may be provided in the annual appropriation ordinance.

**Sec. 2-282. Qualifications, Appointment, and Term.**

- (a) The Independent Inspector General shall be a person who has:
  - (1) A four-year degree from an accredited institution of higher learning; and
  - (2) A minimum of ten (10) years of federal, state, or local government experience as a law enforcement officer, attorney or judge; and
  - (3) Prior work experience managing and completing complex investigations involving allegations of fraud, theft, deception, or conspiracy.
- (b) The Independent Inspector General shall be appointed through the following process:
  - (1) Upon the request of the President (“President”) of the Cook County Board of Commissioners, the Chicago Bar Association and the Cook County Bar Association, shall jointly submit a list of three (3) individuals to the President. The list shall be accompanied by resumes, qualifications and a brief statement detailing each individuals' credentials for the appointment of Independent Inspector General. Recommendations shall include individuals that meet the criteria of this section.

- (2) The President will appoint a bi-partisan selection committee (“Selection Committee”) to consist of four (4) Commissioners (two representing the majority party and two representing the minority party on the Cook County Board), the Cook County State’s Attorney and the Director of the Cook County Board of Ethics. The Selection Committee shall conduct interviews and/or any other such investigations of the candidates as the Selection Committee deems fit, and shall nominate one of the individuals on the list to become the Independent Inspector General. The President maintains his ex-officio non-voting status as governed in 2-105-C(2). If none of the candidates receives a majority vote, the President shall cast a deciding vote.
- (3) Upon the approval of a majority vote of those elected and entitled to vote on the County Board, the nominated individual shall become the Cook County Independent Inspector General, with a term of six (6) years. If the nominated individual does not receive a majority vote, the nomination shall become null and void and the Selection Committee shall select a new individual from the remaining two candidates on the list. If none of the individuals from the list receive a majority vote, the bar associations shall be asked to supply a new list.
- (4) Upon expiration of the Independent Inspector General’s term, the President may request that the County Board reappoint the Independent Inspector General to a subsequent term. The County Board may, by a majority vote of those elected and entitled to vote, reappoint the Independent Inspector General to a subsequent term. In lieu of reappointment, the President with the advice and consent of the County Board may restart the selection process for a new Independent Inspector General as outlined in this section. The incumbent Independent Inspector General may submit his or her name to the bar associations as a candidate to be considered for selection and appointment.
- (5) The Cook County Bureau of Human Resources shall be responsible for ensuring that background checks are conducted on the nominees selected by the bar associations. The results of the background checks shall be provided to the selection committee prior to the interview of candidates.

**Sec. 2-283. Purpose of office.**

The purpose of the Office of Independent Inspector General is to detect, deter and prevent corruption, fraud, waste, mismanagement, unlawful political discrimination or misconduct in the operation of County government. For purposes of this Ordinance, “unlawful political discrimination” shall be defined as follows: conduct affecting a non-exempt employee’s hiring, firing or terms and conditions of employment based on political reasons and factors. Such political reasons and factors, include the following:

- (a) Recommendations for hiring, promotion or other employment terms for specific persons from public office holders or political party officials that are not based on personal knowledge of the person’s work skills, work experience or other job-related qualifications.
- (b) The fact that the person worked in a political campaign or belongs to a political organization or political party. Or the fact that the person chose not to work in a political campaign or to belong to a political organization or a political party. The mere fact that a person worked for a political campaign for elective office does not prohibit consideration of a recommendation related to that person insofar as the basis for that recommendation relates to the person’s relevant work experience.

(c) The fact that the person contributed money, raised money or provided something else of value to a candidate for public office or a political organization. Or the fact that the person chose not to contribute or raise money for a candidate for public office or a political organization.

(d) The fact that the person is a Democrat or a Republican or a member of any other political party or group. Or the fact that the applicant is not a member.

(e) The fact that the person expressed views or beliefs on political matters such as what candidates or elected officials he or she favored or opposed, what public policy issue he or she favored or opposed, or what views on government actions or failures to act he or she expressed.

**Sec. 2-284. Functions, authority and powers.**

In addition to other powers conferred herein, the OIIG shall have the following functions, authority and powers:

(1) To receive and register complaints and information concerning corruption, fraud, waste, mismanagement, unlawful political discrimination and misconduct in the operations of County Government; including, but not limited to any County contract, grant, lease, license, or application or certification of eligibility for the same; all County employees, departments, bureaus, boards, agencies, agents, or independent contractors; appointed officials, and elected officials in the performance of their official duties; contractors and subcontractors providing goods and services pursuant to a County contract; and all persons and business entities seeking County contracts or certification of eligibility for County contracts.

(a) Complaints and other documents, relating to the Independent Inspector General's investigations of elected officials, shall be verified by certification. The several matters stated in the complaints and other documents shall be stated positively or upon information and belief only, according to the fact.

(b) The person having knowledge of the matters stated in the complaint or other document certified in accordance with this Section shall subscribe to a certification in substantially the following form: Under penalties as provided by law pursuant to Section 2-291 of the Office of Independent Inspector General Ordinance, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he verily believes the same to be true.

(c) Any complaint and other document, relating to the Independent Inspector General's investigations, certified in accordance with this Section may be used in the same manner and with the same force and effect as though subscribed and sworn to under oath.

(d) Any person who intentionally makes a false statement, material to the issue or point in question, in any complaint or other document relating to the Independent Inspector General's investigations of elected officials, and which is certified by such person in accordance with this Section shall be guilty of knowingly furnishing false statements or misleading information and shall be subject to violations and penalties in Sec. 2-291.



(2) To investigate corruption, fraud, waste, mismanagement, unlawful political discrimination and misconduct in operations of County Government under the Offices of the President as well as the separately elected County officials, either in response to such complaints or on the Independent Inspector General's own initiative, or in the proper case, to refer complaints and information to an outside law enforcement agency.

(3) To promulgate rules and regulations for the conduct of investigations consistent with the requirements of equal protection, due process and this division.

(4) To request information from and to conduct interviews under oath with County employees, officials, agents, contractors, sub-contractors, licensees, grantees or persons or businesses seeking County contracts, grants, licenses, or certification of eligibility for County contracts, for the purpose of investigation of corruption, fraud, waste, mismanagement, unlawful political discrimination, or misconduct. This includes the power to review past, present, and proposed County programs, accounts, records, contracts and transactions.

(5) To prepare confidential reports and make recommendations for corrective action as outlined in Sec. 2-285.

(6) To notify the State's Attorney or other appropriate law enforcement authority if the Independent Inspector General determines or suspects that possible criminal conduct has occurred, and to promptly tender to such authorities any evidence or information which has been obtained by the Independent Inspector General. In the event an investigation by the OIIG threatens to interfere with an investigation by a different county, city, state, or federal law enforcement agency, the OIIG will cooperate in all respects with such law enforcement agency. The OIIG shall acquiesce in its investigation only upon written request of another law enforcement agency.

(7) To notify the Cook County Board of Ethics if the Independent Inspector General determines that a violation of the Cook County Ethics Ordinance has occurred by submitting to the Board of Ethics a copy of the investigation report described in Section 2-288.

(8) To serve as liaison between County Government and law enforcement authorities regarding any matters which have been referred to such authorities by the Independent Inspector General.

(9) To provide quarterly reports to the President and Members of the County Board as outlined in Section 2-287.

(10) To create and maintain a toll-free "Office of the Independent Inspector General Hotline" for the purpose of receiving citizen and employee reports of corruption, fraud, waste, mismanagement, unlawful political discrimination and misconduct. The identity of any individual placing a call to the Office of the Inspector General Hotline shall be kept confidential during and after the investigation of any complaint made by the caller, unless the caller consents to disclosure of his or her name or disclosure of the caller's identity is otherwise required by law. Alternatively, reports may be made anonymously.

(11) Notwithstanding any other provision of this Ordinance, the Independent Inspector General shall cooperate with the Shakman Compliance Administrator and fulfill the obligations required in the Supplemental Relief Order entered into by Cook County in *Shakman et al vs. The Democratic Organization of Cook County, et al* No. 69 C 2145 (United States District Court for the Northern District of Illinois), including providing copies of complaints, investigating unlawful political discrimination expeditiously, reporting the results to the Shakman Compliance Administrator, and providing the Shakman Compliance Administrator with quarterly reports.

(12) The Independent Inspector General shall have, subject to budgetary allocation by the County Board, the sole power to appoint, employ, and remove such assistants, employees and personnel and establish personnel procedures as deemed necessary for the efficient and effective administration of the OIIG.

(13) To provide a proposed budget request within 90 days of his/her initial appointment and annually thereafter pursuant to the County's fiscal year budget rules and regulations.

**Sec. 2-285. Cooperation.**

(a) It shall be the duty of all County employees, officials, agents, contractors, sub-contractors, licensees, grantees or persons or businesses seeking County contracts, grants, licenses, or certification of eligibility for County contracts, to cooperate with the OIIG in the conduct of investigations undertaken pursuant to this division. Every County contract and every bid, proposal, application or solicitation for a County contract and every application for certification of eligibility for a County contract or program shall contain a statement that the person, individually and on behalf of the applicant, will abide by all provisions of this division. It shall be unlawful for any person subject to this section to refuse to cooperate with the Independent Inspector General as required by this section. The penalty for such violation shall be governed by Section 2-291.

(b) All persons with whom the OIIG requests an interview are required to comply in a timely fashion. Within constitutional limitations, failure by any County employee, official, agent, contractor, sub-contractor, licensee, grantee or person or business seeking County contracts, grants, licenses, or certification of eligibility for County contracts, to cooperate with any reasonable request by the OIIG carries the threat of sanctions and/or criminal contempt proceedings, and any other penalties the County Board has within its scope to assess.

(c) Nothing in this compliance section may be interpreted to allow the OIIG to violate any individual's constitutional rights, including the 5th Amendment right against self-incrimination.

(d) It is the duty of every employee, department and elected official to cooperate with the Independent Inspector General in any investigation or hearing. Each department's premises, equipment, personnel, books, records and papers shall be made readily available to the Independent Inspector General.

(e) If the Independent Inspector General issues a recommendation of corrective action to the head of a County department or bureau, that department or bureau head must respond to that recommendation within 30 days with a written response to the Independent Inspector General and Chief of the Bureau of Human Resources. This response must include either (1) a description of any corrective action the department or bureau head has taken or (2) a request for a 30-day extension of the 30-day decision period if additional time is needed by the department or bureau head to review the recommendation of corrective action. If the head of that department or bureau did not take any corrective action, or took a different corrective action than that recommended by the Independent Inspector General, the department or bureau head must describe the different action and explain the reasons for the different action in the written response. This response must be submitted to the Independent Inspector General and Chief of the Bureau of Human Resources within the 30-day decision period. The Independent Inspector General may approve a request for an extension of this 30-day decision period for a period of time not to exceed 30 days if additional time is needed by the head of the department or bureau to review the recommendation of corrective action.

(f) It shall be the duty of every employee of the County to report, directly and without undue delay, to the Independent Inspector General any and all information concerning conduct which they know to involve corruption, allegations of political discrimination in non-exempt positions or other criminal activity, by another County employee or official, which concerns his or her office of employment. The knowing failure of any employee to report as required above shall constitute cause for discipline up to and including termination. For purposes of this Ordinance, a report made to the Inspector General Hotline shall be considered a direct report.

**Sec. 2-286. Subpoenas.**

The Independent Inspector General shall be authorized to issue subpoenas to request documents or testimony related to an investigation authorized by this division. Subpoenas shall be served in the manner provided under the Rules of the Illinois Supreme Court and shall identify the person to whom the subpoena is directed and the documents or items sought, stating the date, time and place for appearance of the witness and production of the documents or other items described in the subpoena. In no event shall the date for appearance or production be less than seven days after service of the subpoena. No later than the time for appearance or production requested by subpoena, the person to whom the subpoena is directed may object to the subpoena in whole or in part. The Independent Inspector General shall consider the grounds for the objection and may resolve the objection through negotiation. No documents or testimony may be sought from representatives of labor organizations relating to the function of representing an employee subject to investigation, or for documents or information which are privileged or confidential under State or Federal law, including but not limited to documents or information maintained under the Mental Health and Developmental Disabilities Confidentiality Act.

**Sec. 2-287. Quarterly Reports.**

No later than the fifteenth day of January, April, July and October of each year, the Independent Inspector General shall submit to the President and the County Board, a publicly available report, accurate as of the last day of the preceding month, indicating:

(1) The number and type of investigations initiated, concluded, or pending since the date of the last report.

(2) The number and type of investigations of the conduct (corruption, fraud, waste, mismanagement, unlawful political discrimination or misconduct) of any County employee, appointed officials, elected officials, contractors, subcontractors, persons seeking County contracts, or persons seeking certification of eligibility for County contracts or other County programs.

(3) The number of and types of investigations conducted by the OIIG regarding employees under the separately elected officials.

(4) The number and type of recommendations made to any department heads or elected official and whether or not the recommendation was followed.

(5) Upon receipt of such reports, the Cook County Board, may take appropriate action, such as referring the report to a Board committee for further consideration, receiving and filing, approving or rejecting such report.

**Sec. 2-288. Summary reports.**

Upon conclusion of any investigation, the Independent Inspector General shall submit a confidential summary report to the President, the appropriate head of any department or bureau whose office the investigation pertains, the Chief of the Bureau of Human Resources and to the Purchasing Agent in the case of a sustained finding regarding a contractor, subcontractor, applicant for a contract, or person seeking certification of eligibility for a contract, and to the Board of Ethics in case of sustained finding regarding any violation of the Cook County Ethics Ordinance (secs. 2-560 through 2-603). If the Independent Inspector General has conducted any investigations regarding the office, or an employee, contractor or subcontractor of a separately elected official the Independent Inspector General also shall submit the confidential summary report to the elected official.

(a) The report shall include the following:

- (1) A description of any complaints or other information received by the Independent Inspector General pertinent to the investigation.
- (2) A description of any illegal conduct, corruption, fraud, waste, mismanagement, unlawful political discrimination, misconduct, or inefficiencies observed or discovered in the course of the investigation.
- (3) Recommendations for correction of any illegal conduct, corruption, fraud, waste, mismanagement, unlawful political discrimination, misconduct, or inefficiencies described in the report and a timeline for corrective action.
- (4) Such other information as the Independent Inspector General may deem relevant to the investigation or resulting recommendations.

(b) The report shall not mention the name of any informant, complainant, witness, or person investigated, except in the following instances:

- (1) Where the copy of the report given to the head of any department or agency recommends disciplinary action against an employee of that agency.
- (2) Where the copy of the report given to the purchasing agent makes recommendations concerning any contractor, subcontractor, applicant for a contract, or person seeking certification of eligibility for a contract.
- (3) Where the copy of the report given to the head of a department or agency makes recommendation concerning a person seeking certification of eligibility of a program administered by the department or agency.
- (4) Where the copy given to the President and the Chief of the Bureau of Human Resources recommends disciplinary action against the head or any employee of any executive department or agency.

(c) If any investigation is not concluded within 180 days after its initiation, the Independent Inspector General shall notify the President and the Litigation Subcommittee of the general nature of the complaint or information giving rise to the investigation and the reasons for failure to complete the investigation within 180 days.

**Sec. 2-289. Confidentiality – Public Statements.**

Investigatory files and summary reports concerning alleged corruption, fraud, waste, mismanagement, unlawful political discrimination or misconduct by any person shall be confidential except as provided below or required pursuant to the Supplemental Relief Order entered in the Shakman Case.

(a) Summary Reports shall not be divulged by the Independent Inspector General to any person except to the President, the head of any department or bureau whose office the investigation pertains, the Chief of the Bureau of Human Resources, accused, Purchasing Agent where applicable and to the separately elected official to whose office the investigation pertains. If the investigation involves violations of the Cook County Ethics Ordinance, the Independent Inspector General also shall submit the confidential summary report to the Cook County Board of Ethics.

(b) Investigatory files shall be confidential, however said files may be divulged with the summary report to the Board of Ethics, the Chief of the Bureau of Human Resources and the head of any department or bureau and elected official to whose office the investigation pertains in order to effectively address matters of discipline or ethical violations. Notwithstanding the foregoing, information or evidence obtained by the Independent Inspector General which pertains to possible criminal activity may be promptly provided to the appropriate law enforcement authorities.

(c) The Independent Inspector General is authorized to issue public statements concerning:

- (1) An investigation that exonerates an individual who is publicly known to have been under investigation, where the subject requests such a statement.
- (2) An investigation that concerns inefficient or wasteful management, as opposed to individual misconduct or illegality.

**Sec. 2-290. Removal of Independent Inspector General.**

The Independent Inspector General may be removed prior to the expiration of his term only for cause and in accordance with the provisions of this section. The President shall give written notice to the County Board of intent to remove the Independent Inspector General, stating the cause for removal. A copy of the notice shall be served upon the Independent Inspector General. Within ten days of receipt, the Independent Inspector General may file with the County Board a request for hearing on the cause for removal. If no such request is made within 10 days, the Independent Inspector General shall be deemed to have resigned his office as of the tenth day after receipt of notice. If a request for hearing is made, the County Board shall convene a hearing on the cause for removal of the Independent Inspector General, at which the Independent Inspector General may appear and be heard. The hearing shall be convened within 14 days after the request and shall be concluded within 14 days thereafter. The hearing shall be conducted in closed session with notice given in accordance with the Illinois Open Meetings Act (5 ILCS 120/1 et seq.). The notice of cause for removal shall constitute the charge against the Independent Inspector General. Removal of the Independent Inspector General shall require the affirmative vote of two-thirds (2/3) of the members of the County Board then holding office.

**Sec. 2-291. Violations and penalties.**

(a) It shall be a violation of this division for any person to:

- (1) Retaliate against, punish, harass, threaten or penalize any other person for communicating, cooperating or assisting the Independent Inspector General in the performance of duties.
- (2) Interfere, obstruct or attempt to interfere or obstruct an investigation conducted by the Independent Inspector General.

(b) In addition to all other available remedies, civil and criminal, the following penalties shall apply to violations of this division:

- (1) Any County employee who is found to have willfully violated this division as provided in Section 2-285 or Subsection (a) of this section shall be subject to disciplinary action, up to and including discharge. Disciplinary action shall be instituted in accordance with procedures applicable to the employee, including but not limited to those established by the Merit Board, Civil Service Commission, Human Resources Board, collective bargaining agreements, employee manuals, handbooks or at-will practice of the employer.
- (2) Any agent, independent contractor or appointed official found to have willfully violated this division as provided in Section 2-285 or Subsection (a) of this section shall be subject to removal.
- (3) Any contractor, subcontractor, grantee, lessee or licensee under a County contract, grant, lease or license, found to have willfully violated this division as provided in Section 2-285 or Subsection (a) of this section shall be subject to termination of existing contracts, grants, leases or licenses, and/or ineligibility from consideration for future County contracts, grants, leases or licenses for a period not to exceed two years.
- (4) Any person or business entity seeking County contracts or certification of eligibility for County contracts or participation in any County program found to have willfully violated this division shall be subject to ineligibility from consideration for future County contracts, grants, leases, licenses, or programs for a period not to exceed two years.
- (5) Any person found to have willfully violated Section 2-285 shall also be subject to a fine of not less than \$300.00 and not more than \$500.00 for each violation.
- (6) Any person who makes a false statement, material to the issue or point in question, which he does not believe to be true, in any complaint or other document relating to the Independent Inspector General's investigations of elected officials, and which is certified by such person in accordance with Section 2-284(1) shall be guilty of knowingly furnishing false statements or misleading information. Any person found to have violated, intentionally obstructed or interfered with an investigation of, or intentionally made a false, misleading or bad faith allegation or claim in accordance with Section 2-284(1) shall be subject to the above listed penalties and may be further subject to a penalty of up to six (6) months imprisonment and fines up to \$5,000.00 per violation. Actions seeking the imposition of a fine shall be filed as quasi-criminal actions subject to the provisions of the Illinois Code of Civil Procedure, as amended.

**Sec. 2-292. Severability.**

If any section, subsection, clause or provision of this Ordinance is held to be invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected by such invalidity.

**Sec. 2-293. Effective Date.**

This Amendatory Ordinance takes effect 30 days after becoming law.

Approved and adopted this 31st day of July 2007.

**07-O-53  
ORDINANCE**

**Sponsored by**

**THE HONORABLE PETER N. SILVESTRI, COUNTY COMMISSIONER**

**AMENDMENT TO THE COOK COUNTY BILLBOARD AND OFF-PREMISES OUTDOOR  
ADVERTISING SIGN ORDINANCE**

**BE IT ORDAINED**, by the Cook County Board of Commissioners that Chapter 114, Article II, Section 114-34 of the Cook County Code is hereby amended as follows:

**Sec. 114-34. Sign Location.**

The following billboards and off-premises outdoor advertising signs shall be permitted subject to the regulations set forth in this Ordinance:

- (1) *Residential Districts.* Billboards and off-premises outdoor advertising signs shall not be permitted in Residential Districts.
- (2) *Commercial Districts.*
  - (a) *New signs.* New billboard and off-premises outdoor advertising signs shall not be permitted in commercial districts as of the effective date of the ordinance from which this article is derived.
  - (b) *Existing conforming signs.* Owners of signs existing in commercial districts which are conforming to the permit as originally issued shall register such signs with the Department of Building and Zoning no later than 60 days from the effective date of the ordinance from which this article is derived.
  - (c) *Alterations to existing signs.* Structural alterations made to existing signs in commercial districts which are made for the purposes of enabling such signs to be used as multiple message signs, as defined in Appendix A, Article 14.2 and authorized under Section 114-33 of this Code, shall be permitted so long as owners of such existing signs obtain all necessary permits from the Department of Building and Zoning and so long as such signs are in compliance with all other provisions of this Code or have obtained the appropriate relief therefrom.
- (3) *Industrial Districts.* Billboard and off-premises outdoor advertising signs shall be permitted in industrial districts subject to the following:
  - (a) Signs shall not have a face area which exceeds 750 square feet inclusive of extensions, cut-outs and embellishments. Two-sided signs shall be allowed.
  - (b) Signs shall not be affixed to or erected on the front, rear, side walls or roofs of buildings.
  - (c) Signs shall not be located closer than 500 feet from other billboards and off-premises signs which require a permit.



- (d) Signs shall not be erected within 500 feet of any residential district, forest preserve district or any officially designated federal, state or local historic property, district or corridor.
- (e) Signs, including sign structures, shall not project higher than 40 feet above the established average grade of a zoning lot on which the sign is located. The base of the sign face shall project at least 20 feet above the curb level of the road it is designed to be read from.
- (f) Signs shall be required to be set back from the right-of-way line a distance of the minimum setback requirement of the zoning district.

Approved and adopted this 6th day of September 2007.

**07-O-54  
ORDINANCE**

**Sponsored by**

**THE HONORABLE MIKE QUIGLEY, COUNTY COMMISSIONER**

**AMENDMENTS TO THE VEHICLE POLICY ORDINANCE**

**BE IT ORDAINED**, by the Cook County Board of Commissioners that Chapter 2 Administration, Article VIII County Vehicle Policy, Section 2-671, of the Cook County Code is hereby amended as follows:

**ARTICLE VIII. COUNTY VEHICLE POLICY**

**Sec. 2-671. Establishment of a Countywide Vehicle Steering Committee.**

- (a) The County Board hereby establishes a Vehicle Steering Committee (VSC) to work closely with the County Board's Finance Committee.
- (b) The Vehicle Steering Committee shall be composed of the following departments and elected officials or their designates:
  - (1) Chief Administrative Officer.
  - (2) Chief of the Bureau of Information Technology.
  - (3) Chief Financial Officer.
  - (4) Chief of the Bureau of Human Resources.
  - (5) Director of the Department of Budget and Management Services.
  - (6) Purchasing Agent.
  - (7) Superintendent of Highways.
  - (8) Director of the Department of Risk Management.
  - (9) Director of the Department of Environmental Control.
  - (10) State's Attorney.
  - (11) Sheriff.
  - (12) Clerk of the Circuit Court.
  - (13) Chair of the Finance Committee of the County Board.
  - (14) Chair of the Environmental Control Committee of the County Board.

- (c) Department Heads and Vehicle Coordinators may be asked to attend as needed in order to discuss and resolve departmental issues.
- (d) The Vehicle Steering Committee shall have the following responsibilities:
  - (1) Develop a plan to centralize fleet management in the County, to be presented to the County Board no later than November 30, 2007. Such plan shall include the text of proposed ordinances, including projected costs and potential cost savings, necessary to implement centralized fleet management.
  - (2) Administer and insure compliance with this article.
  - (3) Advise and make recommendations to the President and Finance Committee.
  - (4) Review all requests for the purchase or lease of vehicles for compliance with this article.
  - (5) Review vehicle inventory, incident and other required reports from all County offices and departments and insure compliance with reporting requirements.
  - (6) Establish procedures to implement and enforce vehicle policies.
  - (7) Prepare a quarterly report to the Board of Commissioners, detailing all collision or use-related damage to County-owned vehicles and the status of the damaged vehicle, any violations resulting in the arrest of the driver of any County-owned vehicle, and any reported unauthorized use of a County-owned vehicle.
  - (8) Submit an annual report to the Board detailing the changes to the vehicle inventory over the preceding 12 months.
  - (9) Review department vehicle requests approved by the Department of Budget and Management Services and included in the annual appropriation ordinance.
  - (10) Develop future vehicle strategies in various areas such as:
    - a. Centralized purchase of routine maintenance services;
    - b. Centralized purchase of major repair services;
    - c. Centralized purchase of body work services;
    - d. Development of an executive leasing program;
    - f. Use of car sharing services;
    - g. Use of Global Positioning System (GPS) and wireless technology for vehicle location and record-keeping purposes;
    - h. Establishment of personnel disciplinary procedures relating to the operation of vehicles during the course of employment; and

- i. Other matters deemed appropriate.
- (e) Meetings:
- (1) Meetings will be chaired by the Chief Financial Officer.
  - (2) Meetings will be held at least quarterly.

(Ord. No. 05-O-06, § 1, 1-5-2005.)

**Sec. 2-672. Responsibilities of elected officials, departments, and employees and assignment of Vehicle Coordinator.**

- (a) Bureau chiefs, department heads, and elected officials are responsible for ensuring that Vehicle Steering Committee policies and procedures are administered and adhered to by employees within their offices.
- (b) Vehicle Coordinator:
  - (1) Each Elected Official or Department Head will designate one employee to be the Vehicle Coordinator for the office. On January 1 of each year, the name, title, email address, and telephone number of the Vehicle Coordinator shall be filed with the Chairman of the Vehicle Steering Committee. The Coordinator may be asked to attend meetings of the Vehicle Steering Committee as required to review purchase requests, department inventories, review vehicle use issues, and other matters pertaining to this article.
  - (2) Department Vehicle Coordinators are to ensure the following procedures are in place within the Department and shall be responsible for keeping all records and preparing all reports required under this article. All forms and database formats required under these guidelines will be provided by the Vehicle Steering Committee. Vehicle Coordinators shall:
    - a. Retain on file a copy of the valid license of each employee authorized to drive a County vehicle. The employee must at all times hold a valid proper class Illinois license for the vehicle operated that is not revoked or under suspension. The County's human resource staff shall consult on a monthly basis with the Illinois Secretary of State to check the license status of all employees required to operate vehicles as part of their job duties. The file is to be reviewed and updated on no less than a monthly basis and forwarded to the Board of Commissioners on no less than a quarterly basis. Verification of valid licenses of Sheriff's undercover officers shall be made without requiring pictures of such officers to be maintained on file except as held in the internal files of the Sheriff's Department.

- b. File a County vehicle disclosure form for each employee whom the Department Head has authorized for overnight use of County vehicles. To facilitate tax withholding obligations for the vehicle benefits associated with take home privileges, the Department shall identify all employees assigned a take home vehicle to the Vehicle Steering Committee. To comply with IRS rules on tax treatment of employee vehicle fringe benefits, regular overnight County vehicle use will have an imputed per diem valuation added to an employee's W-2 form at the end of the year. Vehicles regularly used for emergency or law enforcement purposes are exempt from this requirement. Any vehicles which a department designates as exempt must be reported to the Vehicle Steering Committee.
- c. Maintain vehicle inventory data (see Subsection (b)(2)e of this section), vehicle maintenance logs, accident logs, vehicle use logs and insurance cards in the form and format established by the Vehicle Steering Committee.
- d. Each department shall prepare a report to the Vehicle Steering Committee annually, by May 15, detailing the Department's vehicle maintenance and repair procedures. The report will indicate whether routine maintenance is provided through contractual or in-house facilities and the protocol for routine maintenance, and the average annual cost per vehicle. For departments with in-house vehicle services a detailed cost breakdown showing annual labor, parts and materials, fuel, and other costs for maintaining and operating the vehicle will be included. The report shall further detail the procedures utilized by the Department to provide for fuel supplies for each vehicle and for repairs including both routine and non-routine repairs.
- e. Submit an initial, accurate, up-to-date inventory report by February 15, 2005. Subsequent inventory reports shall be submitted at least twice per year on May 15 and November 1 in accordance with Vehicle Steering Committee requirements. This inventory report shall at a minimum have the Department, business unit number, year, make/model/style, color, VIN number, license plate number, department internal I.D. number, use, odometer reading, in-service date, regular overnight and daytime parking location, driver assignment (if take home vehicle), fuel type, city and highway mileage per gallon as determined by the U.S. EPA and Department of Energy, American Council for an Energy-Efficient Economy's Green Score, and annual and aggregate fuel and maintenance costs from the time of purchase or lease for each vehicle assigned, allocated, or used by the Department. This inventory report must be updated and submitted to the Vehicle Steering Committee upon each request for acquisition or disposal of any vehicle in the inventory. Law enforcement vehicles used for undercover, special crimes units and surveillance purposes shall be exempt from disclosure of the vehicle's regular overnight and daytime parking location and driver assignment.

(c) Purchase and salvage procedures.

- (1) Requests for new or replacement vehicles (owned or leased) shall be submitted for review by the Vehicle Steering Committee prior to any such request being approved for purchase or acquisition. No vehicle shall be purchased, acquired, or leased without the approval of the Vehicle Steering Committee.
- (2) The following guidelines will set the minimum vehicle replacement goals.
  - a. In general, automobiles should be replaced when they reach eight years of service or 100,000 miles, whichever comes first.
  - b. Departments shall request the smallest possible vehicle for the intended use.
  - c. Requests that do not meet these criteria will not be considered for replacement unless the Department Head submits a written justification to the Vehicle Steering Committee for the exception which documents the extenuating circumstances.
  - d. Only specialized equipment; such as heavy highway construction equipment will be allowed to use other criteria such as hours of service, however the criteria utilized by the Department should be submitted to justify the vehicle replacement request, and the Vehicle Steering Committee will determine if this information is adequate and the maintenance cost information required.
  - e. A request for a new vehicle which increases the number of vehicles in the department's vehicle inventory shall be submitted to the Vehicle Steering Committee with a written justification as to why the additional vehicles will be required. Such request must demonstrate that reassignment of existing vehicles would be unable to meet department needs and that sufficient funding is available for both the purchase and the cost of operating and maintaining the vehicle. The request to purchase must state the use intended for the vehicle, whether the vehicle will be assigned with 'take home' privileges and whether the vehicle will bear a municipal license plate.
  - f. Departments shall submit draft vehicle requests to the Vehicle Steering Committee at the same time they submit capital budget requests to the Department of Budget and Management Services. Finalized vehicle requests shall be submitted to the Vehicle Steering Committee within one month of Board approval of the annual appropriation ordinance or the beginning of the fiscal year, whichever is later.
  - g. If sufficient funds are available and other conditions of the ordinance have been complied with, the Vehicle Steering Committee may concur in the request for new or replacement vehicles. Such concurrence shall be transmitted to the Purchasing Agent, and where County Board approval is required for the purchase, such concurrence shall be reflected on the County Board's Agenda.

- (3) New County Vehicle purchases must adhere to the following green vehicle purchasing guidelines:
- a. Requested vehicles must meet the requirements specific to their class, as follows:
    1. Compact Car  
Minimum ACEEE Green Score: 35  
Tier range: Tier 2 bin 2 - Tier 2 bin 5 / ULEV II - PZEV  
Minimum MPG City: 22  
Minimum MPG Highway: 32  
ACEEE Class Ranking: Above Average – Superior
    2. Midsize Car  
Minimum ACEEE Green Score: 35  
Tier range: Tier 2 bin 2 - Tier 2 bin 5 / ULEV II - PZEV  
Minimum MPG City: 20  
Minimum MPG Highway: 30  
ACEEE Class Ranking: Above Average – Superior
    3. Large Car:  
Minimum ACEEE Green Score: 35  
Tier range: Tier 2 bin 2 - Tier 2 bin 5 / ULEV II - PZEV  
Minimum MPG City: 19  
Minimum MPG Highway: 28  
ACEEE Class Ranking: Above Average – Superior
    4. Station Wagon:  
Minimum ACEEE Green Score: 35  
Tier range: Tier 2 bin 3 - Tier 2 bin 5 / ULEV II - PZEV  
Minimum MPG City: 23  
Minimum MPG Highway: 30  
ACEEE Class Ranking: Above Average – Superior
    5. Sport Utility Vehicle:  
Minimum ACEEE Green Score: 33  
Tier range: Tier 2 bin 3 - Tier 2 bin 5 / ULEV II - PZEV  
Minimum MPG City: 20  
Minimum MPG Highway: 26  
ACEEE Class Ranking: Above Average – Superior
    6. Van:  
Minimum ACEEE Green Score: 23  
Tier range: Tier 2 bin 5 - Tier 2 bin 8 /LEV II - PZEV  
Minimum MPG City: 15  
Minimum MPG Highway: 20  
ACEEE Class Ranking: Above Average – Superior

7. Light Truck:  
Minimum ACEEE Green Score: 25  
Tier range: Tier 2 bin 5 - Tier 2 bin 8 /LEV II - PZEV  
Minimum MPG City: 16  
Minimum MPG Highway: 21  
ACEEE Class Ranking: Average – Above Average
  8. Other Vehicles: Vehicles not included in any of the above classes shall be considered by the Vehicle Steering Committee on a case-by-case basis.
- b. Cost comparisons shall be made using total lifecycle costs rather than purchase price. Lifecycle costs shall include, but not be limited to, total purchase price, estimated fuel expenditure, and estimated maintenance costs over the expected lifetime of the vehicle.
- (4) Titles for all County vehicles will be held in the Purchasing Department.
  - (5) Where a Department is requesting to lease vehicles, the request must include a copy of the proposed lease contract, particularly including all terms of the lease with respect to lease costs, maintenance costs and responsibility, and liability for accidents. Leased vehicles shall also be evaluated using the environmental criteria listed in Subsection (c)(3) of this section.
  - (6) The Vehicle Steering Committee may adopt policies governing the salvage of vehicles by Departments. Such policies shall ensure that the disposal of County vehicles occurs in an open and equitable manner and obtains the highest practicable salvage value.
- (d) Failure of Department Heads to provide information in accordance with this article shall result in the Department's inability to acquire County vehicles, and other actions deemed necessary by the Vehicle Steering Committee, until this information is received.

(Ord. No. 05-O-06, § 2, 1-5-2005.)

**Sec. 2-673. Authorized use of County vehicles.**

- (a) Only vehicles that have been authorized by an elected official or department head, have VIN numbers registered in the County Purchasing Department, carry a valid insurance card issued to the Department by the Department of Risk Management, and meet all other requirements of this section shall be considered County vehicles for use in the course of conducting official County business.
- (b) Unless expressly exempted by the Department Head, and approved by the Vehicle Steering Committee, all County vehicles must carry a municipal license plate.
- (c) It is the goal of Cook County that as many vehicles as practicable be equipped with Global Positioning System (GPS) technology. The Vehicle Steering Committee may develop proposals and guidelines for the deployment of such technology and the use of the resulting vehicle location information and shall present such proposals and guidelines to the Board for approval.



- (d) The Chief Administrative Officer shall establish a telephone hotline which members of the public may call to report incidents involving County vehicles. The Inspector General shall have the responsibility of investigating any reports of misuse of County vehicles and shall submit an annual report to the Vehicle Steering Committee and County Board regarding the number and nature of hotline calls and the actions taken in response.
- (e) With the exception of law enforcement vehicles used for undercover, special crimes units and surveillance purposes, all County vehicles shall be emblazoned on both sides with the County name, corporate seal, name of the Department to which the vehicle is assigned, vehicle hotline telephone number, and a short statement identifying the hotline to the general public (e.g. "To report incidents involving this vehicle, call (telephone number)"). Except as otherwise provided, exemptions must be requested by the Department Head and approved by the Vehicle Steering Committee and may only be granted where the anonymity of the vehicle is required.
- (f) Vehicle usage logs must be maintained for each County vehicle and include the following information: name of driver, date used, beginning and ending odometer reading, destination, purpose of use, date and time of refueling, and amount of fuel. Where the anonymity of the vehicle and the driver is required, law enforcement vehicles shall be exempt from disclosure of destination information.
- (g) Only authorized passengers are permitted to ride in County vehicles. Non-County individuals such as volunteers, spouses, and children should not be passengers in a County vehicle unless they are involved in the conduct of business.
- (h) County vehicles are to be assigned to individuals who, in the required course of their employment need vehicles to complete their required duties on behalf of the County government.
- (i) Eligibility for County vehicle assignment.
  - (1) *Take home assignment.* A County vehicle may be assigned to employees in a service, management or supervisory position on call 24 hours a day, responsible for providing or supporting emergency services. A vehicle disclosure form shall be used and remain on file in the Department for all 'take home' vehicles.
  - (2) *Pool assignment.* Pool vehicles are to be assigned on a periodic basis to individuals when the County work assignment requires a vehicle in order to properly conduct County business. A vehicle disclosure form and daily log shall be used and remain on file in the Department for all pool vehicles which are taken home overnight. Those employees authorized for overnight use of County vehicles shall, when away from work for an extended period of time, for vacation, sick leave, compensatory time off, travel, etc., return the assigned County vehicle to the custody of his/her department head during the period of absence.
    - a. No person shall be authorized to drive a County vehicle unless he/she:
      - 1. Possesses a current, valid Illinois driver's license with the correct class for the vehicle driven.

2. Is the age of 18 or older.
  3. Is the age of 25 or older to drive a leased or rented car.
  4. Is medically fit to drive safely.
  5. Is free of any prior convictions for driving while under the influence of alcohol or drugs, or of reckless driving within the previous year. Employees operating a commercial vehicle must comply with all of the requirements of the Commercial Motor Vehicle Safety Act of 1986.
  6. All prospective employees who are professional drivers or whose primary duty is the operation of a vehicle shall be required to submit to a driving records check after receiving a conditional offer of employment. The Cook County Bureau of Human Resources as part of a preemployment background investigation shall coordinate driver checks. Failure to have a valid Illinois driver's license of the proper type, or the existence of a disqualifying driver's record will be grounds to withdraw the conditional offer of employment.
  7. Any employee performing work which requires the operation of a County-owned vehicle or a private vehicle at County expense, shall notify his/her immediate supervisor immediately of any current restrictions or changes in driving privileges, including but not limited to revocation, suspension, cancellation, denial, Restricted Driving Permit, Judicial Driving Permit, Probationary License, Family Financial Responsibility Driving Permit, leaving the scene of an accident, refusal or neglect to report a traffic accident, traffic violations, unpaid traffic citations, failure of vehicle titled in the employee's name to pass the vehicle emissions testing, or unpaid parking citations for a vehicle titled in the employee's name. Any restrictions or changes to driving privileges shall be reported by the employee to the employee's Bureau Chief or Elected Official immediately and a record maintained in the department. Any employee who fails to report, and/or continues to operate a vehicle in the performance of County duties, is subject to disciplinary action up to and including termination from County employment.
  8. Employees are held personally responsible for all parking and/or traffic violations incurred while operating County vehicles.
- b. Collision Procedures. The following collision procedures are to be followed by drivers involved in collisions while operating a County or personal vehicle on County business, and by the department head:

1. Request that all parties remain and render assistance at the scene of the accident, if possible, until law enforcement representative has released them.
  2. Promptly report all accidents involving vehicles or persons on duty and actively engaged in County business to the appropriate law enforcement agency, department vehicle coordinator, and the Department of Risk Management.
  3. A record of all driving violations for each employee shall be maintained by the Department Vehicle Coordinator including the date; time; employee name; vehicle identification number; incident report number; date and time report was forwarded to the Department of Risk Management; date reported to the Vehicle Steering Committee and personnel actions taken by the Department against the employee.
  4. Logs of all accidents shall be maintained by the Department's Vehicle Coordinator. Department Heads are to review each collision report prior to their submission to the Department of Risk Management to determine if the employee was at fault and take appropriate personnel action. Department Heads are to prepare a report on their findings and personnel actions taken, and forward it to the Vehicle Steering Committee chairman along with a copy of the accident report forwarded to the Department of Risk Management.
  5. Drivers involved in collisions are to refrain from making statements regarding the accident to anyone other than the investigating law enforcement officials, appropriate County officials, and representatives of his or her own insurance company if the employee's privately owned vehicle is involved.
  6. Drivers will also complete a Vehicle Incident Form and forward it to the Department of Risk Management's General Liability Division as well as the Department's Vehicle Coordinator within 24 hours of the accident.
  7. Drivers will also forward copies of all police reports, an employee statement and any witness statements to the Vehicle Coordinator and Department Head, and to the Department of Risk Management's General Liability Division no more than three days after completion of the investigation.
- c. Use of private vehicles for County business:
1. County employees, with the prior permission of their Department Head, may use their private vehicle to conduct official County business. Department Heads shall only approve use of private vehicles for County business when it is in the best interest of the County to do so.

2. A valid proof of insurance is required to operate a private vehicle and a copy must be filed with the Department's Vehicle Coordinator.
3. Employees authorized to use their personal vehicles for County business shall comply with the following insurance requirements:
  - (i) County employees who drive a private vehicle for official County business shall have at least the minimum auto insurance for private vehicles as required by the State of Illinois.
  - (ii) Employees operating private vehicles in the performance of County duties should have minimum limits of no less than \$100,000.00 per person and \$300,000.00 per accident and have Uninsured Motorist/Under Insured Motorist coverage.
  - (iii) The employee's vehicle insurance policy must be issued by a company that is licensed by the Illinois State Department of Insurance.
  - (iv) In the event a County employee is involved in an accident while driving his/her own vehicle, the employee's personal insurance provides the primary coverage.
  - (v) Mileage reimbursement rates will be based on the Cook County Travel and Expense Reimbursement Policy (separate document).

(Ord. No. 05-O-06, § 3, 1-5-2005.)

**Sec. 2-674. Miscellaneous rules.**

- (a) *Traffic laws and regulations.* Drivers of County vehicles shall observe all traffic laws and regulations. Drivers and passengers in County vehicles shall wear seat belts at all times and shall observe safe driving practices. All drivers of a County vehicle involved in accidents and those who have been charged with a traffic violation are required to attend a driving safety training class conducted by the Department of Risk Management.
- (b) *Use of tobacco products.* Use of tobacco products is prohibited in County vehicles.
- (c) *Engine idling.* Except for purposes of law enforcement including but not limited to surveillance and radar gun use activities, the driver of a County vehicle must turn off the engine upon stopping at a destination and must not cause or allow an engine to idle at any location for more than five consecutive minutes or a period or periods aggregating more than five minutes in any one-hour period, except when idling is absolutely necessary for the conduct of County business, for personal safety, or to comply with traffic laws and law enforcement personnel.

- (d) *Liability for damages.* The County shall not be liable for injuries or damages arising from activities outside the scope of employment, including but not limited to personal use of rented vehicles by employees during a County-authorized business trip. Any damages arising from these circumstances are the responsibility of the employee. To the extent that the County incurs financial liability for the acts of employees which occur outside the scope of employment, Cook County reserves the right to seek reimbursement from the responsible person.
- (e) *Insurance.* The State of Illinois requires that all vehicles have an Illinois Insurance Card at all times. The County Self-Insurance Program is administered by the Department of Risk Management General Liability Division, which will issue a proof of insurance card for each County owned vehicle. Only vehicles which are included in the County (owned) vehicle inventory shall be registered with the Department of Risk Management for insurance purposes.
- (f) *Traffic violations.* At no time will County funds be used directly or indirectly to pay or reimburse an employee for parking or traffic violations.
- (g) *Article not intended to enlarge current County liability, etc., to employees.* Nothing in this article is intended or shall be construed to extend or enlarge the obligations, liability, or responsibilities that County currently has to employees, or third parties, by law or contract, if any, in regards to the operation of motor vehicles.

(Ord. No. 05-O-06, § 4, 1-5-2005.)

Approved and adopted this 18th day of September 2007.

**07-O-56  
ORDINANCE**

**Sponsored by**

**THE HONORABLE PETER N. SILVESTRI AND JOAN PATRICIA MURPHY  
COUNTY COMMISSIONERS**

**RESPONSIBLE BIDDER PROCESS FOR CONSTRUCTION CONTRACTS**

**WHEREAS**, Chapter 34 Finance, Article IV, Division 2, Sections 34-151 to 34-158 of Cook County Code regulate purchases and contracts entered into by the Board of Commissioners; and

**WHEREAS**, a process to define responsible bidders in the case of bidders for construction projects (construction of new facilities, renovation of current facilities or road construction projects) over \$25,000.00 should be added to such requirements.

**NOW, THEREFORE, BE IT ORDAINED**, by the Cook County Board of Commissioners that Chapter 34 Finance, Article IV, Division 2, Section 34-159 be enacted as follows:

**Sec. 34-159. Responsible bidder process for construction contracts.**

Responsible bidder for construction contracts is limited to a bidder who meets all of the job specifications, the following applicable criteria, and submits evidence of such compliance:

- (a) All applicable laws prerequisite to doing business in the State of Illinois.
- (b) Evidence of compliance with:
  - (1) Federal Employer Tax Identification Number or Social Security Number (for individuals).
  - (2) Provision of Section 2000(e) of Chapter 21, Title 42 of the United States Code and Federal Executive Order No. 11246 as amended by Executive Order No. 11375 (known as the Equal Opportunity Employer provisions).
- (c) Certificates of insurance indicating the following coverage; general liability, workers' compensation, completed operations, automobile, hazardous occupation, product liability and professional liability insurance.
- (d) Compliance with all provisions of the Illinois Prevailing Wage Act, including wages, medical and hospitalization insurance and retirement for those trades covered in the act.
- (e) Active apprenticeship and training programs approved and registered with the United States Department of Labor Bureau of Apprenticeship and Training for each of the trades of work contemplated under the awarded contract for all bidders and subcontractors.
- (f) Certified payrolls as specified in Illinois Public Act 94-0515 for all contractors and subcontractors.

This Ordinance shall be in full force and effect immediately upon its adoption.

Approved and adopted this 2nd day of October 2007.

**07-O-57  
ORDINANCE**

**Sponsored by**

**THE HONORABLE FORREST CLAYPOOL AND MIKE QUIGLEY  
COUNTY COMMISSIONERS**

**Co-Sponsored by**

**THE HONORABLE ELIZABETH ANN DOODY GORMAN, ROBERTO MALDONADO,  
ANTHONY J. PERAICA AND PETER N. SILVESTRI, COUNTY COMMISSIONERS**

**THE COOK COUNTY ENERGY EFFICIENCY AND CLIMATE CHANGE MITIGATION ACT**

**WHEREAS**, manmade alterations to the Earth's climate are among the greatest ecological and security threats facing this generation; and

**WHEREAS**, reducing the emission of greenhouse gasses by improving energy efficiency and using alternative transportation fuels lessens the strain on the power grid during times of peak use and works to free the U.S. from dependence on foreign oil; and

**WHEREAS**, improvements in energy efficiency and alternative fuels pay for themselves rapidly and save taxpayers money by accruing year after year; and

**WHEREAS**, mandatory emissions standards for the private sector promulgated by local governments have the effect of creating a national patchwork of regulatory systems, an inefficient means to reduce greenhouse gas emissions; and

**WHEREAS**, nearly all government entities, including Cook County, are themselves significant emitters of greenhouse gas emissions through their electricity consumption, heating and air conditioning, vehicle fleets, and other sources; and

**WHEREAS**, the Chicago Climate Exchange (CCX) provides a means for governments and firms to enter into a voluntary, legally binding agreement to reduce their emissions of six greenhouse gasses by 1.2 percent each year from 2006 to 2010; and

**WHEREAS**, the CCX operates under a standard "cap-and-trade" system: each emitter is allocated a certain number of credits and the number of credits is lowered each successive year, allowing entities that reduce their emissions below their requirements to sell credits and those that do not meet their requirements to purchase them; and

**WHEREAS**, many governments including the City of Chicago, King County, Washington, and the State of Mexico as well as many Fortune 500 companies including Ford, IBM, and DuPont have joined the CCX and committed themselves to reductions; and

**WHEREAS**, Chicago reduced its direct greenhouse gas emissions by nearly nine percent from its baseline (an average of between 1998 and 2001) and 2003, a reduction of over 30,000 tons of global warming pollution; and

**WHEREAS**, the City's steps to improve energy efficiency in City buildings led to the auditing and retrofitting of 15 million square feet of public buildings, allowing the City and sister agencies to save \$6 million annually.

**NOW, THEREFORE, BE IT ORDAINED**, by the Cook County Board of Commissioners that Chapter 30, Article III, Division 1, Section 30-326 be enacted as follows:

**Sec. 30-326 Climate Change Mitigation.**

(a) *Short title.* This Ordinance shall be known as "The Cook County Climate Change Mitigation Act."

(b) *Joining the Chicago Climate Exchange (CCX).* Cook County shall enter into Phase II of the CCX, committing to a reduction of 1.5 percent of its greenhouse gas emissions each year between 2006 and 2010.

The County will deliver energy consumption and other relevant data to the CCX which will assist the County in creating an emissions baseline from which future reductions will be measured.

The County will develop a strategic plan within three months of the passage of this Ordinance that outlines where the County will cut greenhouse gas emissions by the amounts required, or exceeding the amounts required, in Phase II of the CCX. This plan will be made publicly available through the President's Web site.

As the emissions reduction plan is implemented, the County will sell any extra emissions credits that it has on the CCX's online trading platform.

(c) *Effective date.* This Ordinance shall take effect on January 1, 2009.

Approved and adopted this 2nd day of October 2007.



**07-O-58  
ORDINANCE**

**Sponsored by**

**THE HONORABLE TODD H. STROGER**

**PRESIDENT OF THE COOK COUNTY BOARD OF COMMISSIONERS**

**AMENDMENT TO EMERGENCY SERVICES AND DISASTER AGENCY ORDINANCE**

**WHEREAS**, the County of Cook is a home rule unit of government as defined in Article VII, Section 6(a) of the 1970 Constitution of the State of Illinois, and as such may exercise any power and perform any function pertaining to its government and affairs; and

**WHEREAS**, through Section 10 of the Illinois Emergency Management Agency Act (20 ILCS 3305/10), the General Assembly has provided that “each county shall maintain an emergency services and disaster agency that has jurisdiction over and serves the entire county, except ... that in any county over 3,000,000 containing a municipality with a population over 500,000 the jurisdiction of the county agency shall not extend to the municipality when the municipality has established its own agency.”

**WHEREAS**, on July 7, 1980, the Board of Commissioners of Cook County adopted the “Emergency Services and Disaster Agency Ordinance,” creating the Cook County Emergency Services and Disaster Agency, pursuant to the “Illinois Emergency Services and Disaster Act of 1975”; and

**WHEREAS**, the Board of Commissioners desires to update the Emergency Services and Disaster Agency Ordinance so that it is in conformity with subsequent changes in law and practice.

**NOW, THEREFORE, BE IT ORDAINED**, by the Cook County Board of Commissioners that Chapter 26 Emergency Management and Services, Article II, Sections 26-31 through Section 26-44, the “Emergency Services and Disaster Agency Ordinance”, henceforth known as the “Cook County Emergency Management Agency Ordinance”, of the Cook County Code is hereby amended as follows:

**ARTICLE II. COOK COUNTY EMERGENCY MANAGEMENT AGENCY**

**Sec. 26-31. Establishment.**

(a) There is hereby created the Cook County Emergency Management Agency (CCEMA) to coordinate the efforts of the County to develop, plan, analyze, conduct, provide, implement and maintain programs for disaster mitigation, preparedness, response and recovery within the County and with private organizations, other political subdivisions, the State and federal governments, established pursuant to Section 10 of the Illinois Emergency Management Agency (IEMA) Act (20 ILCS 3305/10).

(b) CCEMA shall consist of the Coordinator and such additional members as may be selected by the Coordinator.

**Sec. 26-32. Coordinator.**

(a) The Coordinator of the CCEMA shall be appointed by the President of the County Board of Commissioners and shall serve until removed by the President.

(b) The Coordinator shall have direct responsibility for the organization, administration, training and operation of the CCEMA, subject to the direction and control of the President, including the preparation by the CCEMA of an emergency operations plan consistent with the National Incident Management System (NIMS), as adopted by Resolution No. 05-R-464.

(c) The Coordinator shall possess all powers and duties set forth for the Coordinator by statute and in this Ordinance, including the authority to designate emergency vehicles as provided in the Illinois Vehicle Code, 625 ILCS 5/12-215.

(d) In the event of the absence, resignation, death or inability to serve as the Coordinator, the President or any person designated by him, shall be and act as Coordinator until a new appointment is made as provided in this ordinance.

**Sec. 26-33. Functions.**

(a) The CCEMA shall perform such functions within the County as shall be prescribed in and by the County's Emergency Operations Plan and the State Emergency Operations Plan and emergency management program prepared by the Illinois Emergency Management Agency (IEMA), and such orders, rules and regulations as may be promulgated by IEMA and the Governor.

(b) As used herein, the terms "emergency management agency" and "emergency services and disaster agency" are equivalent. The CCEMA shall serve as the mandated emergency management agency for all political subdivisions within the County except those areas served by emergency management agencies which have been accredited by IEMA. All political subdivisions served by the CCEMA shall be responsible for engaging in emergency preparedness and response activities within their jurisdictions. Political subdivisions which maintain a non-mandated emergency services and disaster agency not accredited by the IEMA may apply to CCEMA for certification, in which case each such political subdivision shall biennially submit an emergency operations plan to CCEMA as provided in Title 29 of the Illinois Administrative Code, Part 301, Political Subdivision Emergency and Disaster Service Agencies. Each municipality that does not maintain an emergency services and disaster agency shall designate a liaison officer to facilitate the cooperation and protection of that municipal corporation with CCEMA, in accordance with Section 10 of the IEMA Act (20 ILCS 3305/10).

(c) The CCEMA shall perform or coordinate the performance of such duties as may be required of the County pursuant to any Mutual Aid agreement with any other political subdivision, municipality, or quasi-municipality entered into as provided in Section 13 of the Illinois Emergency Management Agency Act (20 ILCS 3305/13).

(d) The Coordinator, in consultation with the Purchasing Agent and utilizing a competitive procurement process when practicable, shall be authorized to enter into and execute contracts for the availability of emergency equipment or supplies which may be required in the event of an emergency or disaster. Except as approved by the Board, such contracts shall not commit the County to make payment in excess of \$25,000 unless such equipment or supplies are purchased under the emergency purchase authority set forth in Section 26-39 of this Ordinance.

**Sec. 26-34. Service as mobile support team.**

(a) All or any members of CCEMA may be designated as members of a Mobile Support Team created by the Director of the IEMA as provided by Section 8 of the Illinois Emergency Management Agency Act (20 ILCS 3305/8).

(b) Any member of a Mobile Support Team who is a County employee or officer while serving on call to duty by the Governor, or the Director of IEMA, shall receive the compensation and have the powers, duties, rights and immunities incident to such employment or office. Any such member who is not a paid officer or employee of the County, while so serving, shall receive from the State reasonable compensation as provided by law.

**Sec. 26-35. Agreements with other political subdivisions.**

The Coordinator of CCEMA may negotiate Mutual Aid Agreements with other political subdivisions and taxing districts of the State as well as agreements with non-governmental organizations, provided such agreements are consistent with State Emergency Operations Plan and emergency management program, but no such agreement shall be effective until it has been approved by the County Board. The Coordinator shall be authorized to enter into Memoranda of Understanding setting forth the agreed roles of the parties thereto with respect to preparedness and response activities within Cook County without further approval by the Board.

**Sec. 26-36. Emergency action.**

(a) If the Governor proclaims that a disaster exists in the event of an emergency created by an occurrence or threat of widespread or severe damage, injury or loss of life or property resulting from any natural or technological cause, including but not limited to fire, flood, earthquake, wind, storm, hazardous materials spill or other water contamination requiring emergency action to avert danger or damage, epidemic, air contamination, blight, extended periods of severe and inclement weather, drought, infestation, critical shortages of essential fuels and energy, explosion, riot, hostile military or paramilitary action, public health emergencies, or acts of domestic terrorism, and such disaster affects the County, it shall be the duty of the CCEMA to activate its Emergency Operations Plan and to cooperate fully with the IEMA and with the Governor in the exercise of emergency powers as provided by law.

(b) If the President declares a local disaster exists in the event of an emergency as set forth in subsection (a), it shall be the duty of CCEMA to activate its Emergency Operations Plan and to cooperate fully with the President in the exercise of emergency powers as provided by law. The declaration of a local disaster shall not be continued or renewed for a period in excess of 7 days, without consent of the Board.

**Sec. 26-37. Compensation.**

Members of the CCEMA who are paid employees or officers of the County, if called for training by the Director of IEMA, shall receive for the time spent in such training the same rate of pay as is attached to the position held; members who are not such County employees or officers shall receive for such training time such compensation as may be established by the County Board.

**Sec. 26-38. Reimbursement by state; funds received from federal government and private donation.**

The County Treasurer shall establish a CCEMA fund within the general corporate fund for emergency and disaster services purposes and shall make such funds available to the Coordinator for use in accordance with the proper purposes of the CCEMA as established in this Ordinance. The County Treasurer shall receive and allocate to the CCEMA fund:

(a) Any reimbursement by the State or Federal governments to the County for expenses incident to training members of the CCEMA as prescribed by the Director of IEMA;

(b) Compensation for services and expenses of members of a Mobile Support Team which service is outside the County in response to a call by the Governor or Director of IEMA, as provided by law;

(c) Any other reimbursement made by the State or Federal government or private donations for sponsoring and reimbursing the CCEMA emergency management activities and costs.

**Sec. 26-39. Emergency Powers of President and Coordinator.**

(a) In the event of the occurrence of a disaster as set forth in Section 26-36 of this ordinance, and upon proclamation by the Governor that a disaster exists or proclamation by the President that a local disaster exists, the President may exercise the following emergency powers during such disaster:

- (1) To utilize all available resources of the County, including facilities, equipment and personnel, as reasonably necessary to cope with the disaster, and to transfer the direction, personnel or functions of County departments and agencies for the purpose of performing or facilitating disaster response and recovery programs.
- (2) *To suspend some or all of the provisions of any regulatory ordinance or the orders, rules and regulations of any County agency, and to suspend the enforcement thereof, if strict compliance with the provisions of any ordinance, order, rule or regulation would in any way prevent, hinder or delay necessary action, including emergency purchases, by CCEMA, in coping with the disaster.*
- (3) To enter into contracts and incur obligations, on recommendation of the Coordinator, necessary to place the County in a position to respond and recover from a disaster.

(b) In the event of declared disaster, the Coordinator of CCEMA is authorized on behalf of the County to procure such services, supplies, equipment or material as may be necessary for such purposes, in view of the exigency without regard to the statutory procedures or formalities normally prescribed by law and County ordinance pertaining to County contracts, obligations, the employment of temporary workers, and the appropriation, expenditure, and disposition of public funds and property, as provided in Section 10(j) of the Illinois Emergency Management Agency Act (20 ILCS 3305/10(j)).

**Sec. 26-40. Oath.**

Every person appointed to serve in any capacity in the CCEMA organization shall, before entering upon his duties, subscribe to the following oath, which shall be filed with the Coordinator:

"I, do solemnly swear (or affirm) that I will support and defend and bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of Illinois, and the territory, institutions, and facilities thereof, both public and private, against all enemies, foreign and domestic; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter. And I do further swear (or affirm) that I do not advocate, nor am I nor have I been a member of any political party or organization that advocates the overthrow of the government of the United States or of this State by force or violence; and that during such time as I am affiliated with the Cook County Emergency Management Agency, I will not advocate nor become a member of any political party or organization that advocates the overthrow of the government of the United States or of this State by force or violence."

**Sec. 26-41. Designation of Space.**

The President is authorized to designate space in a County building, or elsewhere, as may be provided for by the Board for CCEMA for the performance of its operations and for the performance of emergency preparedness and response activities.

**Sec. 26-42. Duty to Cooperate.**

All Departments and Officers of the County shall cooperate in developing, planning, analyzing, conducting, providing, exercising, implementing and maintaining programs for disaster mitigation, preparedness, response and recovery as requested by the Coordinator. In the event a disaster is declared affecting Cook County, all Departments and Officers of the County shall implement their emergency plans as applicable as requested by the Coordinator. Every County Officer, including elected officials, shall designate a minimum of three emergency interim successors pursuant to the Emergency Interim Executive Succession Act, 5 ILCS 275/1 et seq., and obtain their oaths in the manner set forth in said Act. Such designations and oaths shall be maintained on file by the CCEMA, which shall supply sample forms to County officers, as defined in the Emergency Interim Executive Succession Act, 5 ILCS 275/1 et seq., to facilitate such designations.

**Sec. 26-43. Construction.**

This Ordinance shall be broadly construed to enable the President, the Coordinator and the CCEMA to perform any task necessary to protect the health and safety of the residents of Cook County. This Ordinance is not intended to abrogate or limit any immunity or other protection available by state or federal statute or common law to the County, to any municipality or to any person participating in an emergency preparedness or response activity.

**Enforcement Date.** This amendment shall be in force from the date of passage.

Approved and adopted this 2nd day of October 2007.

**07-O-59  
ORDINANCE**

**Sponsored by**

**THE HONORABLE PETER N. SILVESTRI, COUNTY COMMISSIONER**

**RAFFLE LICENSURE REQUIREMENT**

**BE IT ORDAINED**, by the Cook County Board of Commissioners that Chapter 32 Fees, Sec. 32-1 and Chapter 54 Licenses, Permits and Miscellaneous Business Regulations, Article IX, Sec. 54-360 through Sec. 54-371 of the Cook County Code is hereby enacted as follows:

**Sec. 32-1. Fee schedule.**

The fees or charges provided for or required by the below listed sections shall be as shown below:

Code Section	Description	Fees, Rates, Charges (in dollars)
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**CHAPTER 54, LICENSES, PERMITS AND MISCELLANEOUS BUSINESS REGULATIONS**

54-364	Raffle License Fee (for organizations conducting continuous raffles in a permanent facility)	10,000.00
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**ARTICLE IX. RAFFLE LICENSES**

**Sec. 54-360. Raffle License Required.**

No person, firm or corporation shall conduct continuous raffle games in a permanent location or facility in unincorporated Cook County without having first obtained a license pursuant to this ordinance.

**Sec. 54-361. Authority for Issuance.**

The Director of Revenue shall have the authority to issue licenses for raffles subject to the limitations set forth herein.

**Sec. 54-362. Licenses.**

Licenses for raffles shall be issued only to bona fide religious, charitable, labor, fraternal, educational or veterans' organizations that operate without profit to their members except for reimbursement for services rendered or in connection with funds expended, and which have been in existence continuously for a period of five years immediately before making an application for a license and have had during that entire five year period bona fide membership engaged in carrying out their objectives, or to a nonprofit fundraising organization that the licensing authority determines is organized for the sole purpose of providing financial assistance to an identified individual or group of individuals. A license issued by the County shall authorize the safe of raffle chances only within the borders of the County. The Director of Revenue shall act on a license application within thirty days from the date of application.

Licenses shall not be required of religious organizations, or institutions affiliated with religious organizations, or for any raffle conducted for a specified period or purpose not exceeding 180 days.

**Sec. 54-363. Application for License.**

Application for a license shall be made in writing to the Director of Revenue no fewer than thirty days before the intended sale of raffle chances and on an annual renewal basis, on forms provided by the Revenue office. Licenses issued under this ordinance shall be valid for a specified period not to exceed one year and may be suspended or revoked for any violation of this code.

Each license and application for a license shall contain the following information:

- (a) The name and address of the applicant;
- (b) The area within the County in which the raffle chances will be sold or issued;
- (c) The time period during which raffle chances will be sold or issued, unless the license applicant is a continuous operation housed in a permanent facility;
- (d) The date, time and location(s) of determining the winning chances;
- (e) A sworn statement attesting to the nonprofit character of the prospective licensee organization, signed by its presiding officer and the secretary of that organization;
- (f) A copy of the applicant's articles of incorporation and/or charter; and
- (g) Such other information as the County Board may require.

**Sec. 54-364. License Fees.**

A fee of \$10,000.00 shall be required for issuance of a license for any organization conducting raffles on a continuous operation in a permanent facility. Such funds shall be designated for a specific budgetary appropriation related to veterans' affairs.

**Sec. 54-365. Restrictions on Licenses.**

No raffle license shall be issued to:

- (a) Any person who has been convicted of a felony;
- (b) Any person who is or has been a professional gambler or gambling promoter;
- (c) Any person who is not of good moral character;
- (d) Any firm or corporation in which a person defined in (a), (b), or (c) herein has a proprietary, equitable or credit interest, or in which such person is active or employed;
- (e) Any organization in which a person defined in (a), (b), or (c) herein is an officer, director or employee, whether compensated or not;
- (f) Any organization in which a person defined in (a), (b) or (c) herein is to participate in the management or operation of a raffle as defined in this ordinance.

### **Sec. 54-366. Conduct of Raffles**

The conducting of raffles in the County is subject to the following restrictions:

(a) The entire net proceeds of any raffle must be exclusively devoted to the lawful purposes of the organization permitted to conduct that game.

(b) No person except a bona fide member of the sponsoring organization may participate in the management or operation of the raffle.

(c) No person may receive any remuneration or profit for participating in the management or operation of the raffle.

(d) The maximum fee which may be charged for each raffle chance sold or issued shall not exceed one hundred dollars. All such fees shall be paid in currency or by check.

(e) Raffle chances may be sold or issued only within the area specified on the license, and winning chances may be determined only at those locations specified on the license.

(f) No person under the age of eighteen years may participate in the conducting of raffles or chances. A person under the age of eighteen may be within the area where winning chances are being determined only when accompanied by his parent or guardian.

### **Sec. 54-367. Manager Bond.**

All operation of and the conduct of raffles shall be under the supervision of a single raffles manager designated by the organization. The manager shall give a fidelity bond in the sum of an amount determined by the Director of Revenue in favor of the organization conditioned upon his/her honesty in the performance of his/her duties. Terms of the bond shall provide that notice shall be given in writing to the Director of Revenue not less than thirty days prior to its cancellation. The Director of Revenue may waive this bond requirement by including a waiver provision in the license, provided that a request for such waiver has been made by the licensed organization.

### **Sec. 54-368. Raffle Tickets.**

(a) Each raffle ticket, chance or other raffle token shall state on its face the name and address of the licensee, the date or dates of the drawings and the prize or prizes to be awarded; provided, however, that this requirement shall not apply to any raffle in which prizes in aggregate value under fifty dollars are awarded, or to any raffle in which raffle chances are sold only on the date of the drawing during the event at which the drawing is to be conducted or any raffle conducted by an organization which conducts continuous raffles in a permanent facility.

(b) If any raffle for which a license is issued under this ordinance is cancelled, or if any such raffle is not conducted on the date contained in the application for license, the licensee shall refund all money paid for any raffle chances issued or sold to the persons to whom such raffle chances were sold or issued within forty five days after the date on which such raffle was to be conducted or within forty five days after cancellation of the raffle, whichever is sooner.

### **Sec. 54-369. Prizes.**

Maximum cash prizes for raffles and the allowable maximum retail value of non-cash prizes are governed by state statute and such limitations shall be incorporated in this provision.



**Sec. 54-370. Records.**

(a) Each organization licensed to conduct raffles and chances shall keep records of its gross receipts, expenses and net proceeds for each single gathering or occasion at which winning chances are determined. All deductions from gross receipts for each single gathering or occasion shall be documented with receipts or other records indicating the amount, a description of the purchased item or service or other reason for the deduction, and the recipient. The distribution of net proceeds shall be itemized as to the payee, purpose, amount and date of payment.

(b) Gross receipts from the operation of raffle programs shall be segregated from other revenues of the organization.

(c) Each organization licensed to conduct raffles for a specific period if less than one year shall report promptly after the conclusion of each raffle to the Department of Revenue its gross receipts, expenses and net proceeds from raffles, and the distribution of net proceeds itemized as required in this section. Such reports shall be filed no later than forty five days after each single gathering or occasion at which winning chances are determined.

(d) Each organization licensed to conduct raffles for a one year period shall submit such reports on a quarterly basis and should be submitted no later than forty five days after the end of the reporting period.

(e) Records required by this section shall be preserved for three years, and organizations shall make available their records relating to operation of raffles for public inspection at reasonable times and places.

**Sec. 54-371. Regulations.**

The Director of Revenue or his/her designated agent, may publish rules and regulations consistent with this ordinance or Illinois Law governing the conduct of raffle licenses hereunder.

Approved and adopted this 2nd day of October 2007.

**07-O-65  
ORDINANCE**

**Sponsored by**

**THE HONORABLE TODD H. STROGER, PRESIDENT AND JOSEPH MARIO MORENO  
COUNTY COMMISSIONER**

**Co-Sponsored by**

**THE HONORABLE FORREST CLAYPOOL, PETER N. SILVESTRI AND GREGG GOSLIN  
COUNTY COMMISSIONERS**

**WHEREAS**, Cook County government is mandated by the Illinois Constitution to provide for the protection of persons and property; and

**WHEREAS**, certain intersections can be dangerous due to various reasons including, but not limited to, motorists not respecting traffic lights; and

**WHEREAS**, many cities, including Chicago, have successfully installed and used video cameras to assist law enforcement agencies in enforcing traffic laws; and

**WHEREAS**, the system would also serve as a passive deterrent, helping ensure the public safety by reducing the number of accidents and resulting injuries or deaths.

**NOW, THEREFORE, BE IT ORDAINED**, by the Cook County Board of Commissioners, that Chapter 82 Traffic and Vehicles, Article IV, Sections 82-101 through 82-104 of the Cook County Code is hereby enacted as follows:

**ARTICLE IV. Automated Red Light Traffic Safety System**

**Sec. 82-101. Purpose--Establishment of automated red light traffic safety system.**

(a) The purpose of this article is to establish an automated red light violation traffic safety system as provided in Section 11-208.6 of the Vehicle Code, 625 ILCS 5/11-208.6, which shall be administered by the Cook County Highway Department, in consultation with the Sheriff of Cook County.

(b) The system shall utilize a traffic control signal monitoring device which records, through photographic means, the vehicle and the vehicle registration plate of a vehicle operated in violation of Section 11-305 and 11-306 of the Vehicle Code, 625 ILCS 5/11-305 and 11-306. The photographic record shall also display the time, date and location of the violation.

(c) A program shall be established which utilizes an automated red light safety system at various vehicle traffic intersections identified by the Highway Department, with the advice of the Sheriff. The intersections chosen for the program shall be located throughout the County, upon highways in the County's maintenance jurisdiction. Signs shall be posted at all intersections equipped with traffic control signal monitoring devices indicating that the intersection is being monitored by an automated red light traffic safety system. Upon application by a local municipality, the County may permit through intergovernmental agreement, the local municipality to install and maintain such a system and issue citations, with all cost paid by and all fines paid to the local municipality, at intersections which are under maintenance and operation jurisdiction of the County, but within the police jurisdiction of such municipality.

(d) Recorded images made by an automated red light traffic safety system are confidential and shall be made available only to the alleged violator and governmental and law enforcement agencies for the purpose of adjudicating a violation of Section 11-208.6 of the Vehicle Code, for statistical purposes, or for other governmental purposes, but shall be admissible in any court proceeding concerning the violation.

(e) The Highway Department and the Sheriff shall adopt rules and regulations as may be necessary for the proper enforcement and administration of this article.

### **Sec. 82-102. Automated red light violation.**

(a) The registered owner of record of a vehicle is liable for a violation of Section 11-208.6 of the Vehicle Code, 625 ILCS 5/11-208.6, and a fine of \$100.00 when the vehicle is used in violation of Section 11-305 or Section 11-306 of the Vehicle Code, 625 ILCS 5/11-305 and 306, and that violation is recorded by a traffic control signal monitoring device. If the registered owner fails to pay the fine in a timely manner, the registered owner shall be subject to an additional penalty of \$100.00.

(b) A photographic recording of a violation obtained by a traffic control signal monitoring device shall be a prima facie evidence of a violation.

(c) It shall be a defense to a violation of Section 11-208.6 of the Vehicle Code that:

(1) The operator of the vehicle was issued a uniform traffic citation for a violation of Section 11-305 or Section 11-306 of the Vehicle Code, 625 ILCS 5/11-305 and 306, or similar local ordinance provision; or

(2) The violation occurred at any time during which the vehicle or its state registration plates were reported to a law enforcement agency as having been stolen and the vehicle or its plates had not been recovered by the owner at the time of the alleged violation; or

(3) The vehicle was leased to another, and, within 60 days after the citation was mailed to the owner, the owner submitted to the Sheriff the correct name and address of the lessee of the vehicle identified in the citation at the time of the violation, together with a copy of the lease agreement and any additional information as may be required by the Sheriff. Where the lessor complies with the provisions of this section, the lessee of the vehicle at the time of the violation shall be deemed to be the owner of the vehicle for purposes of this chapter. The Sheriff, within 30 days of being notified by the lessor of the name and address of the lessee, shall mail the lessee a citation which contains the information required under Section 11-208.6(d) of the Vehicle Code, 625 ILCS 5/11-208.6. For the purposes of this article, the term "leased vehicle" shall be defined as a vehicle in which a motor vehicle dealership or manufacturer has, pursuant to a written document, vested exclusive possession, use, control and responsibility of the vehicle to the lessee during the periods the vehicle is operated by or for the lessee.

(d) The provisions of this section do not apply to any authorized emergency vehicle or any vehicle lawfully participating in a funeral procession.

(e) Nothing in this section shall be construed to limit the liability of an operator of a vehicle for any violation of Section 11-305 or Section 11-306 of the Vehicle Code, 625 ILCS 5/11-305 and 306, or similar local ordinance provision.

**Sec. 82-103. Citation notice.**

For each violation of Section 11-305 or Section 11-306 of the Vehicle Code, 625 ILCS 5/11-305 and 306, recorded by a traffic control signal monitoring device, the Sheriff shall mail a citation, within 30 days after receiving information about the registered owner of the vehicle from the Secretary of State, to the registered owner of record of the vehicle used in the commission of the violation. The citation shall include the name and address of the registered owner of the vehicle; the vehicle make, if available and readily discernable, and registration number; the offense charged; the time, date and location of the alleged violation; a copy of the recorded images; a warning that failure to pay the penalty or to contest liability in a timely manner is an admission of liability and may result in a suspension of the driving privileges of the registered owner; the applicable fine and where and in what manner payment of the fine may be made to the Clerk of the Circuit Court prior to the court date; the time and place of the court hearing at which the registered owner may contest the citation; and that the basis of the citation is a photographic record obtained by a traffic control signal monitoring device, which has been inspected by a technician who has determined the vehicle was being operated in violation of Section 11-208.6 of the Illinois Motor Vehicle Code.

**Sec. 82-104. Supplementary enforcement.**

The program authorized by Section 82-101 shall supplement enforcement of traffic regulations provided by the Illinois Motor Vehicle Code and shall not replace or substitute for enforcement of the Illinois Motor Vehicle Code or any other law or ordinance.

**Effective Date:** This Ordinance shall take effect upon adoption.

Approved and adopted this 16th day of October 2007.

**07-O-68  
ORDINANCE**

**Sponsored by**

**THE HONORABLE TODD H. STROGER**

**PRESIDENT OF THE COOK COUNTY BOARD OF COMMISSIONERS**

**Co-Sponsored by**

**THE HONORABLE WILLIAM M. BEAVERS, JERRY BUTLER, FORREST CLAYPOOL,**

**JOHN P. DALEY, ELIZABETH "LIZ" DOODY GORMAN, GREGG GOSLIN,**

**ROBERTO MALDONADO, JOSEPH MARIO MORENO, JOAN PATRICIA MURPHY,**

**ANTHONY J. PERAICA, MIKE QUIGLEY, TIMOTHY O. SCHNEIDER,**

**PETER N. SILVESTRI, DEBORAH SIMS, ROBERT B. STEELE AND LARRY SUFFREDIN**

**COUNTY COMMISSIONERS**

**AMENDMENT TO THE DUPLICATE TAX BILL FEE ORDINANCE**

**WHEREAS**, the Treasurer, in her capacity as County Collector, desires to clarify the procedures for providing copies of Duplicate Tax Bills, as authorized by the Property Tax Code, 35 ILCS 200/20-12.

**BE IT ORDAINED**, by the Cook County Board of Commissioners, that Chapter 74 Taxation, Article II Real Property Taxation, Division 1 Generally, Section 74-41 Duplicate tax bill fee of the Cook County Code is hereby amended as follows:

**Sec. 74-41. Duplicate tax bill fee.**

(a) *Definition.* In this section:

(i) *mortgage lender* means any institution, association, partnership, corporation, or person that is engaged in the business of making loans of money, or that regularly makes loans of money, or that services loans, including the collections of loans directly secured by mortgages, trust deeds in the nature of mortgages or other instruments in the nature of mortgages, which constitutes a lien upon property; and

(ii) *duplicate tax bill* means a reproduction of the original tax bill as issued by the County Collector or its electronic equivalent.

(b) *Fee.* The County Collector shall charge and collect from all mortgage lenders, a fee as set out in Section 32-1 for each duplicate real estate tax bill provided to any mortgage lender who is not the record owner of the subject property. The fee shall be charged and collected at the time that each duplicate tax bill is provided.

(c) *Tax sale automation fund.* The County Collector shall deposit all fees collected under this section into the Tax Sale Automation Fund.

**Effective Date.** This amendment shall take effect upon adoption.

Approved and adopted this 16th day of October 2007.

**07-O-69  
ORDINANCE**

**Sponsored by**

**THE HONORABLE TODD H. STROGER**

**PRESIDENT OF THE COOK COUNTY BOARD OF COMMISSIONERS**

**Co-Sponsored by**

**THE HONORABLE WILLIAM M. BEAVERS, JERRY BUTLER, FORREST CLAYPOOL,**

**JOHN P. DALEY, ELIZABETH "LIZ" DOODY GORMAN, GREGG GOSLIN,**

**ROBERTO MALDONADO, JOSEPH MARIO MORENO, JOAN PATRICIA MURPHY,**

**ANTHONY J. PERAICA, MIKE QUIGLEY, TIMOTHY O. SCHNEIDER,**

**PETER N. SILVESTRI, DEBORAH SIMS, ROBERT B. STEELE AND LARRY SUFFREDIN**

**COUNTY COMMISSIONERS**

**BULK PAYMENT CORRECTION FEE**

**WHEREAS**, Cook County (the "County") is a home rule unit of local government pursuant to Article VII, Section 6(a) of the 1970 Illinois Constitution, and as such, may exercise any power and perform any function pertaining to its government and affairs; and

**WHEREAS**, the efficient operation of the County Treasurer's Office pertains to the County's government and affairs; and

**WHEREAS**, the Treasurer in her capacity as County Collector accepts bulk payment of property taxes on multiple parcels of property from a single mortgage lender or from the mortgage lender's agent pursuant to the Tax Payment Agent ("TPA") Program operated by her Office to promote efficiency in the tax collection process; and

**WHEREAS**, after receiving lump sum payment and the list of properties from the tax payment agent, the Treasurer undertakes the duty of crediting which tax payments made pursuant to this single transaction applies to the individual parcel of property listed in the computer tape or diskette submitted by the tax payment agent; and

**WHEREAS**, twice yearly, the Treasurer issues approximately 1.7 million tax bills within Cook County, and annually processes approximately 100,000 refund applications; and

**WHEREAS**, due to inaccurate listing of permanent index numbers by the tax payment agent, payment of taxes is not accurately reflected upon approximately 2,000 to 4,000 properties, which requires the Treasurer to make corrections and transfer payments; and

**WHEREAS**, the Treasurer's resources must be employed to process the high volume of payment transfers requested by tax payment agents as a result of errors from the bulk payment process.

**NOW, THEREFORE, BE IT ORDAINED**, by the Cook County Board of Commissioners, that Chapter 74 Taxation, Article II Real Property Taxation, Division I Generally, Section 74-44 of the Cook County Code is hereby enacted as follows:

**Sec. 74-44. Bulk Payment Correction Fee.**

(a) *Definition.* In this section “tax payment agent” means:

- (1) a mortgage lender as defined in Section 74-41(a), or
- (2) a mortgage lenders’ agent that pays (either directly or through an agent) property taxes in bulk on behalf of mortgage lenders or property owners upon no fewer than 5000 properties per year.

(b) *Fee.* The County Collector shall charge and collect from all tax payment agents a fee of \$50.00 per request for transfer or correction of tax payment per parcel of property identified by a permanent index number.

(c) *Tax sale automation fund.* The County Collector shall deposit all fees collected under this section into the Tax Sale Automation Fund, as established in Section 74-40.

**BE IT FURTHER ORDAINED**, by the Cook County Board of Commissioners, that the Cook County Code, Chapter 32 Fees, Section 32-1 is hereby amended as follows:

**Sec. 32-1. Fee Schedule.**

The fees or charges provided for or required by the below listed sections shall be as shown below:

<b>Code Section</b>	<b>Description</b>	<b>Fees, Rates, Charges (in dollars)</b>
<b>CHAPTER 74, TAXATION</b>		
74-44	Bulk payment correction fee	50.00

**Effective Date.** This Ordinance shall take effect upon adoption.

Approved and adopted this 16th day of October 2007.

**07-O-70  
ORDINANCE**

**Sponsored by**

**THE HONORABLE GREGG GOSLIN, COUNTY COMMISSIONER**

**ANNUAL FEE FOR BILLBOARDS**

**BE IT ORDAINED**, by the Cook County Board of Commissioners that Chapter 32 Fees, Section 32-1 Fee Schedule and Chapter 114 Signs, Section 114-32 Sign Permits of the Cook County Code are hereby amended as follows:

**Sec. 32-1. Fee Schedule.**

**The fees or charges provided for or required by the below listed sections shall be as shown below:**

<i>Code Section</i>	<i>Description</i>	<i>Fees, Rates, Charges (in dollars)</i>
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**CHAPTER 114, SIGNS**

114-32 (c)	Annual Fee	600.00
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**Sec. 114-32. Sign Permits.**

(a) *Permit requirement.* A sign permit issued by the Bureau of Administration is required for all new and existing billboards and off-premises outdoor advertising signs as follows:

- (1) *New signs.* Applications shall be made for available sign permits to the Bureau of Administration for its submittal to the Zoning and Building Committee of the County Board.
- (2) *Existing nonconforming signs.* The Commissioner of Building and Zoning is authorized to cause to be removed signs which are in violation of any applicable ordinances and regulations of the County.

(b) *Permit application procedures.*

- (1) Applications for available sign permits shall be made to the Bureau of Administration on forms furnished by the Bureau. All applications shall be accompanied by a fee as established by the County Board.
- (2) Applications shall include information required to assure compliance with regulations set forth in this article and with all other applicable ordinances and regulations of the County.



- (3) Applicants shall provide a bond, in a form acceptable to the Bureau of Administration, to insure that signs will be constructed, maintained and removed in accordance with this article. Bonds shall permit the County to make, or cause to be made, emergency repairs and/or removal of signs.
- (4) Sign permits shall be issued by the Bureau of Administration upon satisfaction of all requirements and the approval of the County Board. Any permit may be revoked at any time by the Bureau of Administration upon a finding that a sign violates any provision of this article, or any other applicable County ordinance or regulation, or when a permittee has made false representations in securing a sign permit.

(c) *Fees.* In addition to the application fee required to obtain a sign permit, an annual fee of \$600 shall be required to maintain the permit.

Approved and adopted this 16th day of October 2007.

**07-O-71  
ORDINANCE**

**Sponsored by**

**THE HONORABLE PETER N. SILVESTRI, COUNTY COMMISSIONER**

**SHERIFF MERIT SYSTEM APPLICATION AND EXAMINATION FEE**

**BE IT ORDAINED**, by the Cook County Board of Commissioners that Chapter 32 Fees, Section 1 of the Cook County Code is hereby amended as follows:

**Sec. 32-1. Fee schedule.**

The fees or charges provided for or required by the below listed sections shall be as shown below:

<i>Code Section</i>	<i>Description</i>	<i>Fees, Rates Charges (in dollars)</i>
<b>CHAPTER 46, LAW ENFORCEMENT</b>		
46-31 (a)	Merit system application and examination fee	25.00

Approved and adopted this 16th day of October 2007.

**07-O-72  
ORDINANCE**

**Sponsored by**

**THE HONORABLE TODD H. STROGER, PRESIDENT, JOAN PATRICIA MURPHY  
AND MIKE QUIGLEY, COUNTY COMMISSIONERS**

**Co-Sponsored by**

**THE HONORABLE WILLIAM M. BEAVERS, JERRY BUTLER, FORREST CLAYPOOL,  
EARLEAN COLLINS, JOHN P. DALEY, ELIZABETH "LIZ" DOODY GORMAN,  
GREGG GOSLIN, ROBERTO MALDONADO, ANTHONY J. PERAICA,  
TIMOTHY O. SCHNEIDER, PETER N. SILVESTRI, DEBORAH SIMS, ROBERT B. STEELE  
AND LARRY SUFFREDIN, COUNTY COMMISSIONERS**

**MANAGED CARE OF FERAL CATS**

**BE IT ORDAINED**, by the Cook County Board of Commissioners that Chapter 10 Animals, Article IV Managed Care of Feral Cats, Section 10-95 through 10-99 is hereby enacted as follows:

**ARTICLE IV. MANAGED CARE OF FERAL CATS**

**Sec. 10-95. Definitions.**

For the purpose of this Ordinance, the following terms shall have the meaning set forth in this section. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular, words in the singular number include the plural, and words in the male gender include the female gender.

*Abandoned Cat* means a domesticated cat that an owner has forsaken entirely or neglected or refused to provide care and support.

*Animal Control Officer* or *ACO* means any person employed or appointed by the County or a municipality who is authorized to investigate violations of laws and regulations concerning animals, and to issue citations in accordance with Illinois law and this Code.

*Department* means the Cook County Department of Animal and Rabies Control.

*Domesticated cat* means a cat that is socialized to humans and is appropriate as a companion for humans.

*E Aid* means an electronic animal identification device.

*Eartipping* means straight-line cutting of the tip of the left ear of a cat while the cat is anesthetized.

*Feral Cat* means a cat that (i) is born in the wild or is the offspring of an owned or feral cat and is not socialized, (ii) is a formerly owned cat that has been abandoned and is no longer socialized, or (iii) lives on a farm.

*Feral Cat Caretaker* means any person other than an owner who provides food, water or shelter to, or otherwise cares for, a feral cat.

*Feral Cat Colony* means a group of cats that congregates, more or less, together as a unit. Although not every cat in a Colony may be feral, any nonferal cats that congregate with a colony shall be deemed to be a part of it.

*Feral Cat Colony Caretaker* means any Feral Cat Caretaker who is approved by a Sponsor to care for a Feral Cat Colony.

*Micro-chip* means, for the purpose of this Ordinance, to implant an EAID (electronic animal identification device) in an animal.

*Nuisance*, for purposes of this Ordinance, means conduct by stray or feral cats that disturb the peace. Stray or feral cats may create a nuisance by (a) habitually or continually howling, crying or screaming, or (b) habitually and significantly destroying, desecrating or soiling property against the wishes of the owner of the property.

*Owner* means any person having a right of property in an animal or who keeps or harbors an animal, or who has it in his care, or acts as its custodian, or who knowingly permits an animal to remain on any premises occupied by him or her. "Owner" does not include a Feral Cat Colony Caretaker.

*Sponsor* is any animal Humane Society that agrees to comply with the requirements of this Ordinance for Sponsors and provides written notice to the Department that it will serve as a Sponsor.

*Stray Cat* means a cat that is regularly off the property of the owner, is not under the physical control and restraint of the owner, and is not regularly provided with food by its owner.

*TNR* means Trap, Neuter and Return.

*TNR Program* means a program pursuant to which feral and stray cats are trapped, neutered or spayed, micro-chipped, vaccinated against rabies, and returned to the location where they congregate, in accordance with this ordinance.

#### **Sec. 10-96. Responsibilities of owners of domesticated cats.**

(a) Owners of domesticated cats shall provide appropriate and adequate food, water and shelter for their cats.

(b) The owner of a domesticated cat shall exercise reasonable care to guard against the cat creating a Nuisance.

(c) Owners of domesticated cats shall not permit their cats to roam unsupervised off their property.

(d) An owner shall not abandon a domesticated cat.

**Sec. 10-97. Feral Cat Colonies.**

(a) Feral Cat Colonies shall be permitted and Feral Cat Colony Caretakers shall be entitled to maintain and care for Feral Cats by providing food, water, shelter and other forms of sustenance, provided that the Feral Cat Colonies are registered with a Department approved Sponsor, as defined in Section 10-97(b), and that the Feral Cat Colony Caretaker takes all appropriate and available steps to meet the terms and conditions of this Ordinance.

(b) *Sponsorship of Colony TNR Programs.* Any animal Humane Society that agrees to comply with the requirements of this Ordinance for Sponsors shall be eligible to act as a Sponsor. Any Humane Society intending to undertake the responsibilities of Sponsor shall so advise the Department in writing and provide its address and telephone number, and electronic mail address if applicable.

(c) *Sponsor Requirements.* It shall be the duty of the Sponsor to:

1. Review and, in its discretion, approve of Feral Cat Colony Caretakers.
2. Help to resolve any complaints over the conduct of a Feral Cat Colony Caretaker or of cats within a colony.
3. Maintain records provided by Feral Cat Colony Caretakers on the size and location of the colonies as well as the vaccination, micro-chipping, and spay and neuter records of cats in the Sponsor's colonies.
4. Provide, at a minimum, written educational training for all Caretakers addressing uniform standards and procedures for colony maintenance.
5. Report annually to the Department on the following:
  - a. number and location by zip code of colonies for which it acts as a Sponsor in the County;
  - b. total number of cats in each of its colonies;
  - c. number of cats from its colonies micro-chipped, vaccinated, and spayed and neutered pursuant to the TNR program and number of cats and kittens from its colonies placed in permanent homes.
6. Use due consideration to prevent Feral Cat Colonies from being maintained on lands managed for wildlife or other natural resources, such as but not limited to Nature Preserves, where the presence of a Feral Cat Colony is a proven threat, and to avoid the taking of rare, threatened or endangered species under the Illinois Endangered Species Protection Act;
7. Provide any forms or other documentation necessary to allow Feral Cat Colony Caretakers to receive any public or private subsidies, medical care or other forms of assistance for their Feral Cat Colonies which may be available to them;
8. Provide to the Department the location, by address, of Feral Cat Colonies where Feral Cat Colony Caretakers have regularly failed to comply with this Ordinance or where the Sponsor has been unable to resolve a nuisance behavior situation.

(d) *Feral Cat Colony Caretaker Responsibilities.* In order to be an approved managed Feral Cat Colony Caretaker, said Caretakers shall be responsible for the following:

1. Registering the colony with the Sponsor.
2. Taking all appropriate and available steps to vaccinate the colony population for rabies, preferably with a three-year vaccine and to update the vaccinations as warranted and mandated by law.
3. Taking all appropriate and available steps to have the colony population spayed or neutered by a licensed veterinarian.
4. Eartipping the left ear of a colony cat that has been vaccinated and spayed or neutered so that colony cats can be readily identified.
5. Having an EAID inserted into each colony cat by a veterinarian in accordance with professional medical standards. The Sponsor and the Feral Cat Colony Caretaker shall be the named contacts for purposes of the EAID.
6. Providing the Sponsor with descriptions of each cat in the colony and copies of documents demonstrating that the cats have been vaccinated, micro-chipped, and spayed or neutered.
7. Providing food, water and, if feasible, shelter for colony cats.
8. Obtaining proper medical attention for any colony cat that appears to require it.
9. Observing the colony cats at least twice per week and keeping a record of any illness or unusual behavior noticed in any colony cat.
10. Obtaining the written approval of the owner of any property, or any authorized representative of the owner, to which the Caretaker requires access to provide colony care.
11. Taking all reasonable steps to (1) remove kittens from the colony after they have been weaned, (2) place the kittens in homes or foster homes for the purpose of subsequent permanent placement, and (3) capture and spay the mother cat.
12. Reporting semi-annually in writing to the Sponsor on (1) the location of the colony, (2) the number and gender of all cats in the colony, (3) the number of cats that died or otherwise ceased being a part of the colony; (4) the number of kittens born to colony cats and their disposition, (5) the number of cats placed in animal shelters or in permanent homes as companion cats, (6) the number of cats vaccinated, (7) the number of cats micro-chipped, and (8) the number of cats spayed or neutered.

(e) *Withdrawal of Feral Cat Colony Caretaker or Sponsor.* In the event that a Feral Cat Colony Caretaker is unable or unwilling to continue in that role, he or she shall notify his or her Sponsor. In the event a Sponsor is unable or unwilling to continue to perform its role, it shall so advise the Department. The Sponsor shall work with the Department to obtain a replacement Sponsor. If no new Sponsor is found within 30 days, the Sponsor shall notify the Department.

- (f) Disposition of Feral Cat Colony cats.
1. An Animal Control Officer who has trapped a cat whose left ear has been tipped or which bears some other distinguishing mark, such as but not limited to a tattoo, indicating that it belongs to a Feral Cat Colony, shall scan the cat for an EAID. If an EAID is found, the Officer shall attempt to contact the Sponsor or Feral Cat Colony Caretaker. If an EAID is not found, the Officer shall take reasonable steps to notify a Sponsor of the description and sex of the cat, and if available, the address or location where the cat was trapped. The Sponsor shall then take all appropriate and available steps to identify the Feral Cat Colony Caretaker of this cat or a Feral Cat Colony Caretaker who will take responsibility for managing this cat.
  2. If the Feral Cat Colony Caretaker is not able to immediately take custody of the cat, the Officer shall transport the cat to the Sponsoring Humane Society's Animal Shelter or nearest Animal Shelter. The Feral Cat Colony Caretaker shall be responsible for retrieving the cat from the Shelter within three (3) business days or advising the Shelter if he or she does not intend to retrieve the cat.
  3. The Department, its designee, or a licensed veterinarian, in accordance with Section 10-98, Ordinance Enforcement, shall be the only persons permitted to destroy a Feral Cat. No person may knowingly poison or cause to be poisoned, or cause the destruction by any other means, of a Feral Cat. In accordance with Section 10-8. Animal Care, Subsection (k), the only exception will be by written permit from the Illinois Department of Agriculture for the purpose of controlling diseases transmissible to humans or other animals and only when all other methods and means have been exhausted. Such a permit shall name a person or persons conducting the poisoning, specify the products to be used, give the boundaries of the area involved and specify the precautionary measures to be employed to insure the safety of humans and other animals. Any drugs used for the euthanasia shall be by or under the direction of a licensed veterinarian.

**Sec. 10-98. Ordinance Enforcement.**

(a) The Department or its designee, in order to encourage the stabilization of the Feral Cat population in Cook County, shall have the following rights:

1. The right to trap in a humane manner and remove any cats that (1) have not been vaccinated against rabies or which are demonstrating signs of the disease, (2) are not spayed or neutered, (3) are not identifiable through an EAID as belonging to a Feral Cat Colony that has a Sponsor and a Feral Cat Colony Caretaker, or (4) for public health or public safety concerns.
  - a. If no issue of public health or safety exists, or if any issues of public health and safety can be addressed by the removal and relocation of the cat to another area, a Sponsor can arrange to have the cat spayed or neutered, eartipped, and vaccinated against rabies by a licensed veterinarian, and have an EAID inserted. The Sponsor may then arrange for the cat to be adopted or placed in a Feral Cat Colony.





**Sec. 10-99. Effective Date.**

This Ordinance shall become effective thirty days after adoption.

Approved and adopted this 16th day of October 2007.

**07-O-73  
ORDINANCE**

**Sponsored by**

**THE HONORABLE TODD H. STROGER**

**PRESIDENT OF THE COOK COUNTY BOARD OF COMMISSIONERS**

**Co-Sponsored by**

**THE HONORABLE WILLIAM M. BEAVERS, JERRY BUTLER, FORREST CLAYPOOL,**

**JOHN P. DALEY, ELIZABETH "LIZ" DOODY GORMAN, GREGG GOSLIN,**

**JOSEPH MARIO MORENO, JOAN PATRICIA MURPHY, ANTHONY J. PERAICA,**

**MIKE QUIGLEY, DEBORAH SIMS, ROBERT B. STEELE AND LARRY SUFFREDIN**

**COUNTY COMMISSIONERS**

**THE COOK COUNTY NEIGHBORHOOD PRESERVATION HOMEOWNER  
EXEMPTION ORDINANCE ("N.P.H.E.")**

**PREAMBLE**

**WHEREAS**, the County of Cook, Illinois, is a home rule unit of local government pursuant to Article VII, Section 6(a) of the 1970 Illinois Constitution, and pursuant to the authority therein granted, may exercise any power and perform any function pertaining to its government and affairs; and

**WHEREAS**, the reassessment system in the County of Cook causes a shift of the tax burden; and

**WHEREAS**, the residential real estate property values over the last ten years have grown significantly faster than any other segment of the real estate market, and as a result, residential property taxpayers have seen their property tax bills and their share of the tax burden increase more rapidly than other taxpayers; and

**WHEREAS**, the reassessment increases and the shifting tax burden often results in homeowners receiving significant, unpredictable increases in their property tax bills, causing severe financial hardship for them; and

**WHEREAS**, the Cook County Board of Commissioners previously recognized this issue for mixed use residential property and Class 3 rental property by reducing the applicable assessment levels; and

**WHEREAS**, on July 12, 2004, the 93rd General Assembly of Illinois enacted Public Act 93-0715, which authorized a county to adopt an alternative general homestead exemption, 35 ILCS 200/15-176, ("7% assessment cap"); and

**WHEREAS**, on July 13, 2004, the Cook County Board of Commissioners adopted by ordinance (04-O-33) the provisions of the alternative general homestead exemption, 35 ILCS 200/15-176; and

**WHEREAS**, the 7% assessment cap resulted in a taxable value that grows more predictably, allowing homeowners the peace of mind of being able to plan and anticipate their tax bills; and

**WHEREAS**, the 7% assessment cap provided an immediate and effective form of property tax relief available to homeowners in the County of Cook; and

**WHEREAS**, effective October 12, 2007, the 95th General Assembly of Illinois overrode the Governor's Amendatory Veto (Public Act 95-0644), and extended the alternative general homestead exemption for another triennial for each reassessment district; and

**WHEREAS**, the 7% assessment cap is but one aspect of the effort to stop the ever increasing tax burden on the neighborhoods of Chicago and Cook County, with the long-term goal of restructuring a fairer and more predictable property tax system; and

**WHEREAS**, Illinois' tax structure is over-reliant on property taxes to fund schools and local taxing districts and is in need of major reform; and

**WHEREAS**, the County Board is desirous of implementing the provisions of 7% assessment cap as provided in Public Act 95-0644.

**NOW, THEREFORE, BE IT ORDAINED, BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF COOK, ILLINOIS, PURSUANT TO PUBLIC ACT 95-0644, THE COUNTY OF COOK DOES HEREBY SUBJECT ITSELF TO THE PROVISIONS OF 35 ILCS 200/15-176, ("7% ASSESSMENT CAP").**

"Section 74-43 of the Cook County Code is hereby amended to read as follows:

**Sec. 74-43. Neighborhood preservation homeowner exemption.**

(a) *Administration.*

(1) *Determination of entitlement to annual alternative general homestead exemption.* The County Assessor shall have the authority to determine which homestead property is entitled to an annual alternative general homestead exemption by application, visual inspection, questionnaire, or other reasonable method. Each year, at the time the assessment books are certified to the County Clerk by the County Board of Review, the Assessor shall furnish to the Clerk a list of properties qualified for the alternative general homestead exemption. The list shall note the adjusted homestead value of each property to be used in the calculation of the homestead exemption for the current tax year.

(2) *Exemption amount.* The amount of the alternative general homestead exemption is the equalized assessed value of the homestead property for the current tax year, minus the adjusted homestead value, with the following exceptions:

a. The amount of the exemption shall not exceed \$20,000.00 in equalized assessed value for any taxable year through taxable year:

i. 2005, if the general assessment year for the property is 2003;

ii. 2006, if the general assessment year for the property is 2004; or

iii. 2007, if the general assessment year for the property is 2005.

- b. Thereafter, the amount of the exemption is as follows:
    - i. if the general assessment year for the property is 2006, then the exemption amount may not exceed: \$33,000 for taxable year 2006; \$26,000 for taxable year 2007; and \$20,000 for taxable year 2008;
    - ii. if the general assessment year for the property is 2007, then the exemption amount may not exceed: \$33,000 for taxable year 2007; \$26,000 for taxable year 2008; and \$20,000 for taxable year 2009;
    - iii. if the general assessment year for the property is 2008, then the exemption amount may not exceed: \$33,000 for taxable year 2008; \$26,000 for taxable year 2009; and \$20,000 for taxable year 2010.
  - c. For the 2006 taxable year only, the maximum exemption amount provided in subsection (2)(b)(i) of this Section may be increased by: (i) \$7,000 if the equalized assessed value of the property for taxable year 2006 exceeds the equalized assessed value for taxable year 2002 by 100% or more; or (ii) \$2,000 if the equalized assessed value of the property for taxable year 2006 exceeds the equalized assessed value for taxable year 2002 by more than 80% but less than 100%.
  - d. In the case of homestead property that also qualifies for the exemption under Section 15-172 of the Property Tax Code, the property is entitled to the alternative general homestead exemption limited to the amount of (i) \$4,500.00 for tax year 2003; (ii) \$5,000.00 for tax years 2004 and 2005; or (iii) the lesser of the amount of the general homestead exemption under Section 15-175 or an amount equal to the increase in the equalized assessed value for the current tax year above the equalized assessed value for 1977 in tax year 2006 and thereafter.
- (3) *Initial value subject to review.* For any tax year for which the Assessor determines or adjusts an initial value for base homestead value purposes, the initial value shall be subject to review by the same procedures applicable to assessed values established by the Property Tax Code, 35 ILCS 200/1 et seq., for that tax year.
- (4) *Revision of base homestead value.* The base homestead value shall remain constant, except that the Assessor may revise it under the following circumstances:
- a. If the equalized assessed value of a homestead property for the current tax year is less than the previous homestead value for that property, then the equalized assessed value for the current tax year shall become the base homestead value in subsequent tax years, provided it is not based on a reduced assessed value resulting from a temporary irregularity in the subject property.

- b. For any tax year in which new buildings, structures, or other improvements are constructed on the homestead property that would increase its assessed value, the Assessor shall adjust the base homestead value with due regard to the value added by the new improvements.
  - c. Except to sales or transfers between spouses or between a parent and a child, if the homestead property is sold or ownership is otherwise transferred after December 31, 2002, the base homestead value of the property shall be adjusted as provided in subdivision (b)(3)(b) of Section 15-176 of the Property Tax Code, 35 ILCS 200/15-176.
  - d. Pursuant to the recalculation of the base homestead value as provided in subdivision (b)(3)(A-5) of Section 15-176 of the Property Tax Code, 35 ILCS 200/15-176.
- (5) *Cooperatives or life care facilities.* In the case of an apartment building owned and operated as a cooperative, or as a life care facility, that contains residential units that qualify as homestead property under Section 15-176 of the Property Tax Code, 35 ILCS 200/15-176, the maximum cumulative exemption amount attributed to the entire building or facility shall not exceed the sum of the exemptions calculated for each qualified residential unit. The cooperative association, management firm, or other person or entity that manages or controls the cooperative apartment building or life care facility shall credit the exemption attributable to each residential unit only to the apportioned tax liability of the owner or other person responsible for payment of taxes as to that unit. Any person who willfully refuses to so credit the exemption is guilty of a Class B misdemeanor.
- (6) *Married persons maintaining separate residences.* When married persons maintain separate residences, the homestead exemption provided under Section 15-176 of the Property Tax Code, 35 ILCS 200/15-176, shall be claimed by only one such person and for only one residence.
- (7) *Sale or transfer of homestead property.* In the event the homestead property is sold or ownership otherwise transferred after December 31, 2002, other than sale or transfers between spouses or between a parent or child, the homestead exemption provided under Section 15-176 of the Property Tax Code, 35 ILCS 200/15-176, shall remain in effect for the remainder of the tax year and beginning with the 2006 taxable year, the exemption shall be calculated using the same base homestead value in which the sale or transfer occurs, but for any subsequent tax year it shall be calculated using the new base homestead value as provided in subdivision (b)(3)(b) of Section 15-176 of the Property Tax Code, 35 ILCS 200/15-176. The Assessor may require the new owner of the homestead property to apply for the exemption in the following year.
- (8) *State law provisions.* The provisions of the homestead exemption as provided under Section 15-176 of the Property Tax Code apply as follows:

- a. If the general assessment year for the homestead property is 2003, this exemption applies for assessment years 2003, 2004, 2005, 2006, 2007, and 2008. Thereafter, the provisions of Section 15-175 of the Property Tax Code, 35 ILCS 200/15-175, apply.
- b. If the general assessment year for the homestead property is 2004, this exemption applies for assessment years 2004, 2005, 2006, 2007, 2008, and 2009. Thereafter, the provisions of Section 15-175 of the Property Tax Code, 35 ILCS 200/15-175, apply.
- c. If the general assessment year for the homestead property is 2005, this exemption applies for assessment years 2005, 2006, 2007, 2008, 2009, and 2010. Thereafter, the provisions of Section 15-175 of the Property Tax Code, 35 ILCS 200/15-175, apply.

(b) *Applying the exemption.*

- (1) The Cook County Assessor shall provide to the County Clerk the information necessary to calculate the seven percent (7%) assessment cap homestead exemption in accordance with this section.
- (2) The Clerk shall have the authority to compute tax rates, to remove the seven percent (7%) assessment cap homestead exemption value from the calculation of the property tax bill and to provide this information to the County Treasurer to implement the provisions of this section.
- (3) The Treasurer shall state on the property tax bill the amount of taxes saved by the seven percent (7%) assessment cap homestead exemption.

Approved and adopted this 22nd day of October 2007.

**07-O-75  
ORDINANCE**

**Sponsored by**

**THE HONORABLE PETER N. SILVESTRI, COUNTY COMMISSIONER**

**RAFFLE LICENSURE REQUIREMENT**

**BE IT ORDAINED**, by the Cook County Board of Commissioners that Chapter 54 Licenses, Permits and Miscellaneous Business Regulations, Sec. 54-360 through Sec. 54-371 of the Cook County Code is hereby amended as follows:

**ARTICLE IX. RAFFLE LICENSES**

**Sec. 54-360. Raffle License Required.**

No person, firm or corporation shall conduct continuous raffle games in a permanent location or facility in unincorporated Cook County without first having obtained a license pursuant to this Ordinance.

**Sec. 54-361. Authority for Issuance.**

The Director of Revenue shall have the authority to issue licenses for raffles subject to the limitations set forth herein.

**Sec. 54-362. Licenses.**

Licenses for raffles shall be issued only to bona fide religious, charitable, labor, fraternal, educational or veterans' organizations or such organizations which collectively operate such raffles in a permanent facility that operate without profit to their members except for reimbursement for services rendered or in connection with funds expended, and which have been in existence continuously for a period of five years immediately before making an application for a license and have had during that entire five year period bona fide membership engaged in carrying out their objectives, or to a nonprofit fundraising organization that the licensing authority determines is organized for the sole purpose of providing financial assistance to an identified individual or group of individuals. A license issued by the County shall authorize the sale of raffle chances only within the borders of the County. The Director of Revenue shall act on a license application within thirty days from the date of application. Licenses shall not be required of religious organizations, or institutions affiliated with religious organizations, or for any raffle conducted for a specific period or purpose not exceeding 180 days.

**Sec. 54-363. Application for License.**

Application for a license shall be made in writing to the Director of Revenue no fewer than thirty days before the intended sale of raffle chances and on an annual renewal basis, on forms provided by the Revenue office. Licenses issued under this Ordinance shall be valid for a specified period not to exceed one year and may be suspended or revoked for any violation of this code.

Each license and application for a license shall contain the following information:

- (c) The name and address of the applicant; and
- (d) The area within the County in which the raffle chances will be sold or issued; and

(c) The time period during which raffle chances will be sold or issued, unless the license applicant is a continuous operation housed in a permanent facility; and

(d) The location(s) of determining or ascertaining the winning chances; and

(e) A sworn statement attesting to the nonprofit character of the perspective licensee organization, signed by its presiding officer or officers and the secretary of that organization or organizations; and

(f) A copy of the applicant's articles of incorporation and/or charter; and

(g) Such other information as the County Board may require.

**Sec. 54-364. License Fees.**

A fee of \$10,000.00 shall be required for issuance of a license for any organization conducting raffles on a continuous operation in a permanent facility. Such funds shall be designated for a specific budgetary appropriation related to veterans' affairs.

**Sec. 54-365. Restrictions on Licenses.**

No raffle license shall be issued to:

(d) Any person who has been convicted of a felony; and

(e) Any person who is or has been a professional gambler or gambling promoter; and

(f) Any person who is not of good moral character; and

(d) Any firm or corporation in which a person defined in (a), (b), or (c) herein has a proprietary, equitable or credit interest, or in which such person is active or employed; and

(e) Any organization in which a person defined in (a), (b), or (c) herein is an officer, director or employee, whether compensated or not; and

(f) Any organization in which a person defined in (a), (b) or (c) herein is to participate in the management or operation of a raffle as defined in this Ordinance.

**Sec. 54-366. Conduct of Raffles.**

The conducting of raffles in the County is subject to the following restrictions:

(a) The entire net proceeds of any raffle must be exclusively devoted to the lawful purposes of the organization permitted to conduct that game.

(b) No person except a bona fide member of the sponsoring organization or their designated raffles manager may participate in the management or operation of the raffle.

(c) No person may receive any remuneration or profit for participating in the management or operation of the raffle except for services rendered pursuant to Section 54-362.



(d) The maximum fee which may be charged for each raffle chance sold or issued shall not exceed one hundred dollars. All such fees shall be paid in currency, check, or credit card.

(e) Raffle chances may be sold or issued only within the area specified on the license, and winning chances may be determined only at those locations specified on the license.

(f) No person under the age of eighteen years may participate in the conducting of raffles or chances. A person under the age of eighteen may be within the area where winning chances are being determined only when accompanied by his parent or guardian. This subsection shall not apply to concession or maintenance operations.

**Sec. 54-367. Manager Bond.**

All operation of and the conduct of raffles shall be under the supervision of a single raffles manager designated by the organization. The manager shall give a fidelity bond in the sum of an amount determined by the Director of Revenue in favor of the organization conditioned upon his/her honesty in the performance of his/her duties. Terms of the bond shall provide that notice shall be given in writing to the Director of Revenue not less than thirty days prior to its cancellation. The Director of Revenue may waive this bond requirement by including a waiver provision in the license, provided that a request for such waiver has been made by the licensed organization.

**Sec. 54-368. Raffle Tickets.**

(a) Each raffle ticket, chance or other raffle token shall state on its face the name and address of the licensee, the date or dates of the drawings and the prize or prizes to be awarded; provided, however, that this requirement shall not apply to any raffle in which prizes in aggregate value under fifty dollars are awarded, or to any raffle in which raffle chances are sold only on the date of the drawing during the event at which the drawing is to be conducted or any raffle conducted by an organization which conducts continuous raffles in a permanent facility.

(b) If any raffle for which a license is issued under this Ordinance is permanently cancelled, the licensee shall refund all money paid for any raffle chances issued or sold to the County and designated for a specific budgetary appropriation related to veterans' affairs within forty five days after the date on which such raffle was to be conducted or within forty five days after cancellation of the raffle, whichever is sooner.

**Sec. 54-369. Prizes.**

Except organizations which operate continuous raffles in a permanent facility, which are otherwise governed by limitations set forth by state statute, the maximum cash prize awarded in any raffle shall be one million dollars; the maximum retail value of a non-cash prize awarded in any raffle shall be one million dollars. The aggregate value of all prizes awarded in any raffle shall not exceed one million dollars.

**Sec. 54-370. Records.**

(a) Each organization licensed to conduct raffles and chances shall keep records of its gross receipts, expenses and net proceeds for each single gathering or occasion at which winning chances are determined. All deductions from gross receipts for each single gathering or occasion shall be documented with receipts or other records indicating the amount, a description of the purchased item or service or other reason for the deduction, and the recipient. The distribution of net proceeds shall be itemized as to the payee, purpose, amount and date of payment.

(b) Gross receipts from the operation of raffle programs shall be segregated from other revenues of the organization.

(c) Each organization licensed to conduct raffles for a specific period if less than one year shall report promptly after the conclusion of each raffle to the Department of Revenue its gross receipts, expenses and net proceeds from raffles, and the distribution of net proceeds itemized as required in this section. Such reports shall be filed no later than forty five days after each single gathering or occasion at which winning chances are determined.

(d) Each organization licensed to conduct raffles for a one year period shall submit such reports on a quarterly basis and should be submitted no later than forty five days after the end of the reporting period.

(e) Records required by this section shall be preserved for three years, and organizations shall make available their records relating to operation of raffles for public inspection at reasonable times and places.

**Sec. 54-371. Regulations.**

The Director of Revenue or his/her designated agent, may publish rules and regulations consistent with this Ordinance or Illinois Law governing the conduct of raffle licenses hereunder.

**Effective Date.** This Ordinance shall take effect upon adoption.

Approved and adopted this 6th day of November 2007.

**07-O-76  
ORDINANCE**

**Sponsored by**

**THE HONORABLE ELIZABETH “LIZ” DOODY GORMAN, COUNTY COMMISSIONER**

**Co-Sponsored by**

**THE HONORABLE JOSEPH MARIO MORENO, JOAN PATRICIA MURPHY,**

**MIKE QUIGLEY, PETER N. SILVESTRI AND DEBORAH SIMS**

**COUNTY COMMISSIONERS**

**ALLOWING THE SALE OF ALCOHOLIC LIQUOR AT GAS STATIONS THAT OPERATE A  
CONVENIENCE STORE ON THE SAME PREMISES**

**BE IT ORDAINED**, by the Cook County Board of Commissioners that Chapter 6 Alcoholic Liquor, Sec. 6-1, Sec. 6-38 and Sec. 6-76 are hereby amended as follows:

**Sec. 6-1. Definitions.**

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning. All words and phrases used in this article which are defined in the Liquor Control Act of 1934 (235 ILCS 5/1-1 et seq.) shall have the same meaning herein as they have in such Act.

*Beer garden* means the privately owned outdoor location adjacent to a premises licensed for retail sale of any alcoholic liquor where alcoholic liquor may be sold and/or consumed subject to the provisions regarding beer garden licenses.

*Cook County* means all territory within the geographical limits of the County, which is not within limits of any city, town or village.

*Convenience store* means a retail business with a primary emphasis placed on providing the public with a convenient location to quickly purchase from a wide array of consumable products (predominantly food or food and gasoline) and services. Convenience stores include the following characteristics: Stock of at least 500 SKUs (stock-keeping units) and Product mix includes grocery-type items and also includes items from the following groups: beverages, snacks (including confectionery), pharmaceutical items and tobacco.

**Sec. 6-38. Illegal for liquor control licensee to sell gasoline.**

It shall be illegal for any place of business licensed by the Liquor Control Commissioner to engage in the sale of gasoline. If the business engaged in the sale of gasoline also operates a convenience store on the same premises, then that business can sell alcoholic liquor in the convenience store area of the business. The business must be licensed by the Liquor Control Commissioner and shall be subject to all the rules and regulations of this Act regarding the selling of alcoholic liquor by retailers.

**Sec. 6-76. No liquor license to be issued to place of business selling gasoline.**

No liquor license shall be issued to any person, partnership, co-partnership or corporation for the sale or distribution at retail of any alcoholic liquor at any place of business where gasoline is sold or dispensed. If the business engaged in the sale of gasoline also operates a convenience store on the same premises, then that business can sell alcoholic liquor in the convenience store area of the business. The business must be licensed by the Liquor Control Commissioner and shall be subject to all the rules and regulations of this Act regarding the selling of alcoholic liquor by retailers.

Approved and adopted this 6th day of November 2007.

**07-O-77  
ORDINANCE**

**Sponsored by**

**THE HONORABLE TODD H. STROGER**

**PRESIDENT OF THE COOK COUNTY BOARD OF COMMISSIONERS**

**BE IT ORDAINED**, by the Cook County Board of Commissioners that Chapter 2 Administration, Sec. 2-214 and Chapter 32 Fees, Sec. 32-1, of the Cook County Code is hereby amended as follows:

**Sec. 2-214. GIS fee.**

(a) The terms used in this section shall have the meanings set forth below:

*Additional charge* is a charge as set out in Section 32-1, which is added to the existing fees imposed by the County Recorder for the filing of every instrument, paper, or notice of record.

*Countywide map* is a parcel based map of the County which includes all the supporting Geographic Information System.

*Geographic information system* is an organized collection of computer hardware, software, and geographic data designed to efficiently capture, store, update, manipulate, analyze, and display all forms of geographically referenced information.

(b) The charge will be distributed as follows:

- (1) Fourteen dollars will be deposited into a distinct fund set up by the County Bureau of Information Technology and Automation. These monies will be used solely to finance equipment, materials, and other necessary expenses incurred in implementing and maintaining a geographic information system.
- (2) One dollar will be deposited by the Recorder pursuant to 55 ILCS 5/3-5005.4 (deposit of fee income-special funds).

**Sec. 32-1. Fees.**

<i>Code Section</i>	<i>Description</i>	<i>Fees, Rates Charges (in dollars)</i>
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**CHAPTER 2, ADMINISTRATION**

2-214	GIS fee, additional charge	15.00
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Approved and adopted this 6th day of November 2007.

**07-O-78  
ORDINANCE**

**Sponsored by**

**THE HONORABLE ELIZABETH “LIZ” DOODY GORMAN AND MIKE QUIGLEY  
COUNTY COMMISSIONERS**

**Co-Sponsored by**

**THE HONORABLE JOAN PATRICIA MURPHY, COUNTY COMMISSIONER**

**WHEREAS**, Cook County is a home rule unit of local government pursuant to Article 7, Section 6(a) of the Illinois Constitution of 1970 with power to regulate those matters which pertain to its government and affairs of its citizenry; and

**WHEREAS**, the Cook County Board of Commissioners has determined that the County Assessor should maintain fair and reasonable public access to a database maintained by the County Assessor (the “Assessor Database”) and maintain access to the Assessor’s website at no charge to the public while protecting the website from commercial users who have employed automated or repetitive searches which slow and sometimes freeze the Assessor’s website; and

**WHEREAS**, the Cook County Board of Commissioners has determined that the County Assessor should provide to certain organizations a service that will compile data in a bulk form and license certain software to accomplish such tasks, all without impairing the functionality of the County Assessor’s website; and

**WHEREAS**, the Cook County Board of Commissioners enacted by ordinance on April 3, 2007 Chapter 2, Article IV, Section 2-315 which, among other things, asserted copyright protection of the Assessor Database and stated that it was the duty of the County Assessor to collect and receive for the County’s general fund subscription fees imposed by the ordinance and to enter into agreements in furtherance of the ordinance; and

**WHEREAS**, the Cook County Board of Commissioners desires to clarify the types of entities that are entitled to the bulk user subscription fee under Chapter 2, Article IV, Section 2-315; and

**WHEREAS**, the Cook County Board of Commissioners desires to provide additional options to subscribe to the service provided by the County Assessor under Chapter 2, Article IV, Section 2-315.

**NOW, THEREFORE, BE IT ORDAINED**, by the Cook County Board of Commissioners that Chapter 2 Administration, Article IV, Section 2-315 is hereby amended as follows:

Division 7. Assessor

**Sec. 2-315. Cook County Assessor’s Office database fee.**

(a) **Definitions.** The following terms used in this Ordinance shall have the meaning set forth below:

*Authorized Users* means (i) in the case of Commercial Users organized as corporations, the Commercial User's employees, (ii) in the case of Commercial Users organized as partnerships, the Commercial User's employees and partners and (iii) in the case of Commercial Users organized as limited liability companies, the Commercial User's employees and members, each of who, in compliance with this agreement, (a) is covered by the applicable fee paid by the Commercial User and (b) have been issued a username and password.

*CCAO Database* means an electronic database maintained by the County Assessor's Office containing property identification numbers, address information, property characteristics for all parcels in Cook County for the purposes of real estate taxation.

*Commercial User* means any individual, firm or organization accessing the CCAO Database for a commercial interest rather than a public, not for profit, or educational interest and may include a corporation, partnership, limited liability company, law firm or other business organization, that wishes to access the Database and/or utilize the Software.

*Limited Access* means access to that portion of the Database relating to those townships specified in an agreement with the County Assessor, which in no event shall exceed 13 townships.

*Repetitive Searches* means any program or computer procedure written, developed purchased, or implemented for the purpose of downloading or accessing data from the CCAO database, including, but not limited to, searching for more than 100 property searches of the CCAO database by a Commercial User in a given day.

(b) ***Fee Structure.*** The CCAO Database shall be made available on an annual subscription basis for a fee payable in cash, money order, or certified or cashier's check in one installment. Fees will be imposed as follows:

For a single authorized user - \$5,000 annually. The authorized user will be issued a username and password, with access to the CCAO search engine without any capability to download data. Enhanced customized search features will be included, strictly viewing only.

For two to five authorized users - \$15,000 annually. Each authorized user account will be issued a username and password, with access to the CCAO search engine without any capability to download data. Enhanced customized search features will be included, strictly viewing only.

For six to one hundred authorized users - \$30,000 annually. Each authorized user account will have full unlimited access, be able to download the CCAO database and have access to enhanced customized search features.

For one hundred to one thousand authorized users - \$60,000 annually. Each authorized user account would have full unlimited access, be able to download our database and have enhanced access to customized search features.

For greater than one thousand authorized users - \$100,000 annually. Each authorized user account would have full unlimited access, be able to download our database and have enhanced access to customized search features.

For an unlimited number of authorized users seeking Limited Access to requested townships - \$3,000 per requested township. Each authorized user account will be issued a username and password, with access to the CCAO search engine without any capability to download data. Enhanced customized search features will be included, strictly viewing only.

These fees shall be adjusted annually by the Consumer Price Index as of January 1 of each year following the effective date of this Ordinance.

(c) **Agreement Form.** To further carryout the intent of the section above, the County Assessor's Office may enter into agreements using a form of agreement similar to that outlined in Exhibit A.

(d) **Fee Requirements.** It shall be the duty of the County Assessor to collect and receive for the County's general fund the subscription fees imposed by this ordinance. The County Assessor shall adopt, promulgate and enforce rules and regulations not inconsistent with this ordinance relating to the administration and enforcement of the provisions of this ordinance. Such rules and regulations shall be consistent with the provisions of this ordinance designed to promote fairness. The Cook County Auditor is hereby authorized to examine the books, papers and records of any such subscription agreement during regular business hours.

(e) **Repetitive searches of the website.** The Assessor may implement reasonable procedures to prevent users of the website from performing repetitive searches or downloading significant quantities of data from the publicly available website. However, those procedures shall not prevent the regular use of the website by the public or individuals not engaged in repetitive searches which can slow the performance of the site.

(f) **Effective Date.** This Ordinance shall be effective upon its passage by the Cook County Board of Commissioners.

Approved and adopted this 6th day of November 2007.



**07-O-79  
ORDINANCE**

**Sponsored by**

**THE HONORABLE JOHN P. DALEY, COUNTY COMMISSIONER**

**Co-Sponsored by**

**THE HONORABLE GREGG GOSLIN, JOSEPH MARIO MORENO,**

**JOAN PATRICIA MURPHY, TIMOTHY O. SCHNEIDER, PETER N. SILVESTRI**

**DEBORAH SIMS, ELIZABETH “LIZ” DOODY GORMAN AND ANTHONY J. PERAICA**

**COUNTY COMMISSIONERS**

**BE IT ORDAINED**, by the Cook County Board of Commissioners that Chapter 2 Administration, Article 1, Section 2-80 in hereby amended as follows:

Sec. 2-80. Legislative and Fiscal Impact Review.

1) Any proposed legislation introduced before the Illinois General Assembly at the behest of the Cook County Treasurer, Recorder of Deeds, Assessor, Sheriff, Clerk of the Circuit Court, Chief Judge, State's Attorney, County Clerk, member of the Board of Review, or any person acting on behalf of the President of Cook County in a capacity as chief of a bureau or head of a department, is required to carry the prior written consent of the President and Board of Commissioners. In the event that any of the herein named officials appears in the record as a proponent of a measure that passes both houses of the General Assembly and becomes law, where said law has a fiscal impact on Cook County government, the full amount of the fiscal impact will be charged against the budget of the elected or appointed county official so identified as a proponent.

2) A Fiscal Impact Review shall be conducted annually by the Director of Budget and Management Services, for purposes of evaluating the accuracy of annual income projections from revenue sources based on fees, when said projections were provided by the office of the Cook County Treasurer, Recorder of Deeds, Assessor, Sheriff, Clerk of the Circuit Court, Chief Judge, State's Attorney, County Clerk, or Board of Review (the “Elected Officials”) in conjunction with consideration and adoption of the Annual Appropriations Ordinance. In the event that revenue generated from a fee is not sufficient to equal or exceed the annual projection and a shortfall is projected, as determined by the Budget Director at the Mid-Year Budget Review, and when it is further determined that the shortfall is a result of a failure to impose a fee as required by law, or a failure to properly administer and collect a fee as required by law, the Budget Director shall report the shortfall to the Board of Commissioners for an immediate amendatory reduction in appropriation authority previously granted to the budgetary unit(s) of the Elected Official responsible for calculating said revenue estimate(s), of an amount corresponding to the identified shortfall.

Approved and adopted this 20th day of November 2007.