

**NEW ITEMS AGENDA**

**Meeting of the Cook County Board of Commissioners  
County Board Room, County Building  
Tuesday, November 1, 2011, 10:00 A.M.**

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**COMMISSIONERS**

**RESOLUTION**

**ITEM #1**

Submitting a Resolution sponsored by

**11-R-332  
RESOLUTION**

**Sponsored by**

**THE HONORABLE EARLEAN COLLINS AND PRESIDENT TONI PRECKWINKLE,  
WILLIAM M. BEAVERS, JERRY BUTLER, JOHN P. DALEY, JOHN A. FRITCHEY,  
BRIDGET GAINER, JESUS G. GARCIA, ELIZABETH “LIZ” DOODY GORMAN,  
GREGG GOSLIN, JOAN PATRICIA MURPHY, EDWIN REYES, TIMOTHY O. SCHNEIDER,  
PETER N. SILVESTRI, DEBORAH SIMS, LARRY SUFFREDIN AND JEFFREY R. TOBOLSKI  
COUNTY COMMISSIONERS**

**IN HONOR OF JACQUELINE REED’S RETIREMENT**

**WHEREAS**, Jacqueline “Jackie” Reed founded the Westside Health Authority “WHA” in 1988; and

**WHEREAS**, during her over 20 years with WHA she served the Austin and surrounding communities from six different sites with the help of over 50 employees. She’s had a long history of empowering communities to become self sufficient; and

**WHEREAS**, in her capacity as Founder, President, and Former CEO the organization sought to build the capacity of local residents to improve their communities by increasing access to quality health care, improving job and educational opportunities, creating avenues for successful ex-offender reentry, and providing social, recreational, and academic activities for youth; and

**WHEREAS**, The Every Block a Village initiative is the founding principle of WHA. Every Block a Village is a network of over 100 blocks in the Austin community with residents working to build trusting relationships on the values of mutual caring, sharing, giving, and using their assets and strengths to spark community renewal and healing; and

**WHEREAS**, Jackie Reed has earned her reputation as a selfless advocate and pillar in the Austin community and surrounding cities; and

**WHEREAS**, Jackie along with her husband Ronald and children Derek, Ronald Jr., Morris, and Quiwana made Austin a safer place and have given back in profound ways to the community.

**COMMISSIONERS continued**

**RESOLUTION continued**

**ITEM #1 cont'd**

**NOW, THEREFORE, BE IT RESOLVED**, that the President and Board of Commissioners of Cook County do hereby extend their appreciation to Jackie Reed for her years of service to County of Cook and its residents and wish her a happy and healthy retirement; and

**BE IT FURTHER RESOLVED**, that a suitable copy of this Resolution be spread upon the official proceeding of this Honorable Body and that an official copy of the same be tendered to Jacqueline "Jackie" Reed.

Approved and adopted this 1st day of November 2011.

TONI PRECKWINKLE, President  
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

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In accordance with Cook County Code Section 2-107(z)(1) Amendment or suspension of rules, Commissioner Collins, seconded by Commissioner Silvestri, moved to suspend Section 2-107(h)(1) Prior notice to public; agendas. **The motion carried unanimously.**

In accordance with Cook County Code Section 2-107(z)(1) Amendment or suspension of rules, Commissioner Collins, seconded by Commissioner Silvestri, moved to suspend Section 2-107(g)(1) Order of business. **The motion carried unanimously.**

Commissioner Collins, seconded by Commissioner Silvestri, moved that the Resolution be approved and adopted. **The motion carried unanimously.**

**TRANSFER OF FUNDS**

**ITEM #2**

Transmitting a Communication, dated October 13, 2011 from

JOHN A. FRITCHEY, County Commissioner

requesting approval by the Board of Commissioners to transfer funds totaling \$6,000.00 from Account 092-110 Salaries and Wages of Regular Employees to Account 092-260 Professional and Managerial Services, for contractual services through the end of FY 2011.

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In accordance with Cook County Code Section 2-107(z)(1) Amendment or suspension of rules, Commissioner Daley, seconded by Commissioner Murphy, moved to suspend Section 2-107(h)(1) Prior notice to public; agendas. **The motion carried unanimously.**

Commissioner Daley, seconded by Commissioner Silvestri, moved that the transfer of funds be approved. **The motion carried unanimously.**

**BUREAU OF ADMINISTRATION**

**CONTRACT RENEWAL**

**ITEM #3**

Transmitting a Communication, dated August 23, 2011 from

ROBIN KELLY, Chief Administrative Officer

requesting authorization for the Purchasing Agent to amend, increase and renew Contract No. 10-45-2619 with Xerox Corporation, Chicago, Illinois, for maintenance and supplies for Xerox iGen printing equipment in the Bureau of Administration print shop.

Reason: Xerox Corporation is the sole source and manufacturer of this equipment. There is no other outlet for genuine parts associated or used with this equipment and, therefore the only provider of maintenance for this equipment.

Estimated Fiscal Impact: \$196,800.00. Contract period: December 1, 2011 through November 30, 2013. (011-355 Account).

Approval of this item would commit Fiscal Years 2012 and 2013 funds.

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In accordance with Cook County Code Section 2-107(z)(1) Amendment or suspension of rules, Commissioner Daley, seconded by Commissioner Murphy, moved to suspend Section 2-107(h)(1) Prior notice to public; agendas. **The motion carried unanimously.**

Commissioner Daley, seconded by Commissioner Silvestri, moved that the County Purchasing Agent be authorized to amend, increase and renew the requested contract. **The motion carried unanimously.**

**PRESIDENT**

**PROPOSED ORDINANCE AMENDMENTS**

**ITEM #4**

Submitting a Proposed Ordinance Amendment sponsored by

TONI PRECKWINKLE, President, JERRY BUTLER, JOHN P. DALEY, JESUS G. GARCIA,  
GREGG GOSLIN and ROBERT B. STEELE, County Commissioners

**PROPOSED ORDINANCE AMENDMENT**

**GASOLINE VAPOR COLLECTION AND CONTROL SYSTEM ORDINANCE**

**BE IT ORDAINED**, by the Cook County Board of Commissioners that Chapter 30 Environment, Article IV Noxious, Odorous and Toxic Matter, Sections 30-425 through 30-425.3 of the Cook County Code is hereby enacted as follows:

**Sec. 30-425. Short title and Definitions.**

(a) *Short title.* This section shall be known and may be cited as "The Cook County Gasoline Vapor Collection and Control System Ordinance.

(b) *Definitions.* For the purposes of this Section, the following definitions apply:

“*Certified*” means any vapor collection and control system which has been tested and approved by The California Air Resources Board (CARB) as having a vapor recovery and removal efficiency of at least 95% (by weight). CARB testing and approval is pursuant to the CARB manual incorporated by reference 35 Illinois Administrative Code 218.112.

“*Completion of installation*” means the successful passing of one or more of the following tests applicable to the installed vapor collection and control system: Dynamic Backpressure Test, Pressure Decay/Leak Test, and Liquid Blockage Test, incorporated by reference at 35 Illinois Administrative Code 218.112.

“*Constructed*” means fabricated, erected or installed; refers to any facility, emission source or air pollution control equipment.

“*CARB*” means California Air Resources Board, P.O. Box 2815, Sacramento, CA 95812.

“*Employee*” means any person who performs work for an Owner or Operator.

“*Gasoline Dispensing Operation*” or “*Gasoline Dispensing Facility*” means any building, structure, installation, operation or combination thereof located on contiguous properties and under common ownership where motor vehicle fuel is dispensed into motor vehicle fuel tanks or portable containers from a storage tank with a capacity of 2176 liters (575 gallons) or more.

“*Modification*” means any change, removal or addition, other than an identical replacement, of any component contained within the Vapor Collection and Control System.

**PRESIDENT continued**

**PROPOSED ORDINANCE AMENDMENTS continued**

**ITEM #4 cont'd**

“*Motor vehicle*” means any self-propelled vehicle powered by an internal combustion engine including, but not limited to, automobiles and trucks. Specifically excluded from this definition are watercraft and aircraft.

“*Motor Vehicle Fuel*” means any petroleum distillate having a Reid vapor pressure of more than 27.6 kilopascals (kPa) (four pounds per square inch) and which is used to power motor vehicles. Reid vapor pressure for gasoline shall be measured in accordance with either the method ASTM D323 or a modification of ASTM D323 known as the "dry method" as set forth in 40 CFR 80, Appendix E, incorporated by references in 35 Ill. Adm. Code 218.112

“*Owner or Operator*” means any Person who owns, leases, operates, manages, supervises or controls (directly or indirectly) a Gasoline Dispensing Operation.

“*Person*” or “*Persons*” means any individual, corporation, partnership, joint venture, trust, association, limited liability company, sole proprietorship or other legal entity.

“*Poppet valve*” means a spring-loaded valve that prevents vapor from escaping through the vapor recovery riser pipe opening of a storage tank.

“*Stage II System Type*” mean a Stage II system that consists of special nozzles and coaxial hoses at each gasoline pump that captures vapors from the vehicle's fuel tank and routes them to the station's underground or aboveground storage tank(s) during the refueling process with System parts that are clearly identified to show that they are CARB-certified by a CARB Executive Order number.

“*Vapor Collection and Control System*” means any system certified by CARB which limits the discharge to the atmosphere of motor vehicle fuel vapors displaced during the dispensing of Motor Vehicle Fuel into motor vehicle fuel tanks.

**Sec. 30-425.1. Dispensing Motor Fuel and Inspection.**

(a) No Owner or Operator of a Gasoline Dispensing Operation shall cause or allow the dispensing of Motor Vehicle Fuel at any time from a motor vehicle fuel dispenser unless the dispenser is equipped with and utilizes a Vapor Collection and Control System which is properly installed and operated as provided below:

- (1) Any Vapor Collection and Control System installed, used or maintained has been CARB certified;
- (2) Any Vapor Collection and Control System utilized is maintained in accordance with the manufacturer's specifications and the certification;

**PRESIDENT continued**

**PROPOSED ORDINANCE AMENDMENTS continued**

**ITEM #4 cont'd**

- (3) No elements or components of a Vapor Collection and Control System are modified, removed, replaced or otherwise rendered inoperative in a manner which prevents the system from performing in accordance with its certification and design specifications;
  - (4) A Vapor Collection and Control System has no defective, malfunctioning or missing components. Malfunction includes but is not limited to a dry break on a Poppet valve;
  - (5) The Poppet valve must be in a closed position, so that if depressed it will spring up upon release;
  - (6) Operators and Employees of the Gasoline Dispensing Operation are trained and instructed in the proper operation and maintenance of a vapor collection and control system by trainers recognized by the Illinois Environmental Protection Agency to be qualified; and
  - (7) Instructions are posted in a conspicuous and visible place within the motor fuel dispensing area and describe the proper method of dispensing motor vehicle fuel with the use of the vapor collection and control system.
- (b) Gasoline Dispensing Operations shall be subject to an annual inspection by the Department.
- (c) The Employee and/or Operator must cooperate with the Department's annual inspection and the Operator shall provide to the Department any records that may be requested pursuant to Section 30-425.2.

**Sec. 30-425.2. Record keeping obligations.**

- (a) Gasoline Dispensing Facilities shall retain the operation copies of the registration information required in subsection (b) for the current and previous calendar year.
- (b) Records and reports required pursuant to this subsection shall be made available to the Department upon request. The owner or operator of the Gasoline Dispensing Operation shall maintain records and reports which clearly demonstrate:
- (1) That a Certified Vapor Collection and Control system has been installed and tested to verify its performance according to its specifications;
  - (2) That proper maintenance has been conducted in accordance with the manufacturer's specifications and requirements;
  - (3) The time period and duration of all malfunctions of the Vapor Collection and Control System; and

**PRESIDENT continued**

**PROPOSED ORDINANCE AMENDMENTS continued**

**ITEM #4 cont'd**

- (4) That Operators and Employees are trained and instructed in the proper operation and maintenance of the Vapor Collection and Control System and informed as to the potential penalties associated with the violation of any provision of this Section.
- (c) The following documents shall also be made available upon request:
  - (1) Illinois EPA Issued Registration Certificate/Proof of Registration;
  - (2) Current and Consistent Maintenance Logs;
  - (3) Pressure/Vacuum Relief Valve Test Results;
  - (4) Training Certificate(s) for operators and Employees;
  - (5) Malfunction Logs; and
  - (6) Written verification of the Stage II System Type, dispenser brand name and model. This documentation shall be kept on site at the Gasoline Dispensing Operation. If system types cannot be determined through external visible inspection of the equipment, keys to the pump must be made available to the Cook County Environmental Control inspector to in order to attain that information as well as the compatibility of the Stage I and Stage II equipment.

**Sec. 30-425.3. Penalties and Inspection Fees.**

(a) Any Person that violates the Cook County Gasoline Dispensing Facilities Ordinance is subject to the fines set out in Section 30-213.

(b) An annual inspection fee shall be assessed on all Gas Dispensing Operations. The Owner or Operator of the gasoline dispensing operation shall pay these fees. The annual inspection fees are set out in Section 32-1.

**BE IT FURTHER ORDAINED**, by the Cook County Board of Commissioners that Chapter 32 Fees, 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:

| Code Section                   | Description   | Fees, Rates,<br>Charges<br>(in dollars) |
|--------------------------------|---|---|
| <b>Chapter 30, Environment</b> |   |   |
| <u>30-425.3</u>                | <u>Gasoline Vapor Collection and Control System Annual Inspection Fee</u> | <u>200.00</u>                           |

**PRESIDENT continued**

**PROPOSED ORDINANCE AMENDMENTS continued**

**ITEM #4 cont'd**

**Effective Date:** This Ordinance Amendment shall take effect on the 60th day following passage.

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In accordance with Cook County Code Section 2-107(z)(1) Amendment or suspension of rules, Commissioner Daley, seconded by Commissioner Murphy, moved to suspend Section 2-107(h)(1) Prior notice to public; agendas. **The motion carried unanimously.**

Commissioner Daley, seconded by Commissioner Butler, moved that the Proposed Ordinance Amendment be referred to the Committee on Finance. (Comm. No. 315196). **The motion carried unanimously.**

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**ITEM #5**

Submitting a Proposed Ordinance Amendment Sponsored by

TONI PRECKWINKLE, President, JERRY BUTLER, JESUS G. GARCIA, GREGG GOSLIN and ROBERT B. STEELE, County Commissioners

**PROPOSED ORDINANCE AMENDMENT**

**DEMOLITION AMENDMENT**

**BE IT ORDAINED**, by the Cook County Board of Commissioners that Chapter 30 Environment, Article VI Asbestos and Related Substances, Section 30-544 of the Cook County Code is hereby amended as follows:

**Sec. 30-544. Demolition.**

(a) Procedure for demolition of structure. Where the risk of public exposure to asbestos fiber from the dislodging of asbestos-containing materials is present, no demolition of a structure shall be initiated unless all safeguards necessary and practicable to reduce the emission of dust are taken. Such procedures shall include, but are not necessarily limited to:

- (1) Boilers and pipes and steel members insulated or fireproofed with asbestos-containing material shall be wetted and stripped before toppling of walls is begun. This procedure shall be followed, where practicable, as to all other asbestos-lined surfaces. Such asbestos waste shall be immediately bagged and disposed of in accordance with Section 30-542(a)(4).
- (2) When demolition by toppling occurs such reasonable enclosure for dust emission control as is compatible with the character of the structure shall be employed.
- (3) Before the demolition or toppling of any section or wall of the structure, adequate wetting to suppress the dust shall be employed.

**PRESIDENT continued**

**PROPOSED ORDINANCE AMENDMENTS continued**

**ITEM #5 cont'd**

- (4) Asbestos-containing debris shall not be dropped or thrown from any floor but shall be transported by dust-tight chutes or buckets shall be sufficiently wetted to preclude dust dispersion at the point of discharge.
- (5) All asbestos-containing debris shall be thoroughly wetted before loading into trucks, other vehicles or containers. During transport such waste shall be enclosed or covered so as to prevent dust dispersion. Asbestos-containing debris shall be disposed by burial at a sanitary landfill.
- (b) Standard for demolition of structures.
- (1) Contractor certification and performance.
  - a. Any person engaged in the commercial activity of construction, demolition, alteration or repair of a structure for which has been determined asbestos-containing material is present must present proof that the person possesses a valid license issued pursuant to the Asbestos Abatement Act (105 ILCS 105/1 et seq.) to the Department.
  - b. Any person engaged in asbestos removal activity shall be obligated to notify the Department and comply in the same manner as required in 40 CFR 61.141, 40 CFR 61.145 and 40 CFR 61.150.
  - c. Any person engaged in the commercial activity of asbestos removal shall comply with Illinois Pollution Control Board Regulations Asbestos 35 Ill. Admin. Code 228.
- (2) Permit required—fees.
  - a. A demolition permit shall be obtained from the Director prior to any demolition of any structure. The permit fees for demolition of structures on a property that is zoned as residential, commercial or industrial shall be as set out in Section 32-1.
  - b. An asbestos removal permit shall be required for all demolition, alteration or repair of a structure which has been determined to contain asbestos containing material. Such permit will be in lieu of requirements of Section 30-544 and shall be obtained prior to the start of a project. The permit fee for asbestos removal shall be as set out in Section 32-1. Inspection fee shall not be applicable to structures used primarily as a domestic residence.

**PRESIDENT continued**

**PROPOSED ORDINANCE AMENDMENTS continued**

**ITEM #5 cont'd**

- c. ~~Permit fees under Subsections (b)(2)a and (b)(2)b of this section shall be established in accordance with Section 30-91 and thereafter Sections 30-92, through 30-95 shall be applicable. Any of the permits may be revised up to six (6) times before a new permit is required. Each time a permit is revised, (including but not limited to date revisions) a revision fee will be required in the amount set out in Section 32-1.~~
- d. ~~Permit fees under Subsections (b)(2)a and (b)(2)b of this section shall be established in accordance with Section 30-91 and thereafter Sections 30-92, through 30-95 shall be applicable.~~

**BE IT FURTHER ORDAINED**, by the Cook County Board of Commissioners that Chapter 32 Fees, 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:

| Code Section                   | Description                                 | Fees, Rates,<br>Charges<br>(in dollars) |
|--------------------------------|---|---|
| <b>Chapter 30. Environment</b> |   |   |
| 30-544(b)(2)a.                 | <u>Residential</u> Filing fee               | <del>50.00</del> <u>150.00</u>          |
| 30-544(b)(2)a.                 | <u>Commercial and Industrial Filing fee</u> | <del>50.00</del> <u>350.00</u>          |
| 30-554(b)(2)c.                 | <u>Permit Revision Fee</u>                  | <u>55.00</u>                            |

**Effective Date:** This Ordinance Amendment shall take effect on the 60th day following passage.

In accordance with Cook County Code Section 2-107(z)(1) Amendment or suspension of rules, Commissioner Daley, seconded by Commissioner Murphy, moved to suspend Section 2-107(h)(1) Prior notice to public; agendas. **The motion carried unanimously.**

Commissioner Daley, seconded by Commissioner Butler, moved that the Proposed Ordinance Amendment be referred to the Committee on Finance. (Comm. No. 315197). **The motion carried unanimously.**

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**PRESIDENT continued**

**PROPOSED ORDINANCE AMENDMENTS continued**

**ITEM #6**

Submitting a Proposed Ordinance Amendment sponsored by

TONI PRECKWINKLE, President, JERRY BUTLER, JOHN P. DALEY, GREGG GOSLIN  
and ROBERT B. STEELE, County Commissioners

**PROPOSED ORDINANCE AMENDMENT**

**ASBESTOS AND RELATED SUBSTANCES**

**BE IT ORDAINED**, by the Cook County Board of Commissioners that Chapter 30 Environment, Article VI Asbestos and Related Substances, Section 30-541 and Section 30-547 of the Cook County Code is hereby amended as follows:

**Sec. 30-541. Definitions.**

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

“*Asbestos*” means any fiber or any mixture containing fiber of hydrated silicate mineral, which, on the basis of its crystalline structure, falls into one of two categories:

- (1) Pyroxenes (chrysotile fiber);
- (2) Amphiboles (crocidolite, amosite, tremolite, actinolite or anthophilite fiber).

*Asbestos Abatement Contractor* means any Person, firm or corporation engaged in asbestos removal and abatement activities in Cook County, outside of the limits of the City of Chicago.

*Certificate of Registration* means the physical documentation issued by the Cook County Department of Environmental Control.

“*Commercial activity*” means any activity done for hire or having financial profit as a primary aim.

“*Cook County*” or “*County*” means the County of Cook, Illinois

“*Debris*” means asbestos-containing waste produced by the demolition of a structure.

“*Department*” means the County Department of Environmental Control.

“*Director*” means the Director of the County Department of Environmental Control.

“*Engage in Asbestos Abatement Activity*” shall refer to those activities provided in Sections 30-541 through 30-550 of the Ordinances of Cook County.

**PRESIDENT continued**

**PROPOSED ORDINANCE AMENDMENTS continued**

**ITEM #6 cont'd**

“Federal, State, or Local Regulations” means a law, administrative rule, or regulation of the federal government, any state in the United States of America, or any unit of local government, including but not limited to cities, counties, municipalities, or townships.

“Person” or “Persons” means any individual, corporation, partnership, joint venture, trust, association, limited liability company, sole proprietorship or other legal entity.

“Project Supervisor” means a licensed asbestos abatement contractor, foreman, or person designated as the asbestos abatement contractor's representative who is responsible for the onsite supervision of the removal, encapsulation, or enclosure of asbestos-containing materials.

“Spraying” means the pneumatic application of material used for fireproofing or insulation.

“Waste” means any asbestos-containing matter which has been or is intended to be discarded.

**Sec. 30-547. Inspection.**

(a) Any factory, plant or enterprise for which a permit is sought or has been granted pursuant to Section 30-542(c) shall be subject to inspection by the Agency Department at any reasonable time, without prior notice.

(b) In the event the Department inspects a work site where Asbestos Abatement Activity is taking place, the Asbestos Abatement Contractor must cooperate with the Department's attempts to monitor activity to ensure that safety concerns are appropriately addressed. Upon request, the Asbestos Abatement Contractor will be required to produce required information, including but not limited to the following:

(1) A copy of the Certificate of Registration; and

(2) Documentation verifying that all employees at that worksite have the appropriate licensure through the Illinois Department of Public Health, if licensure is required.

**BE IT FURTHER ORDAINED**, by the Cook County Board of Commissioners that Chapter 30 Environment Article VI Asbestos and Related Substances, Section 30-551 of the Cook County Code is hereby enacted as follows:

**Sec. 30-551. Asbestos Abatement Contractor registration, registration fees and penalties.**

(a) In order to ensure that the health and safety of the public is protected from the harmful effects of exposure to asbestos materials caused by negligent or improper Asbestos Abatement Activities, all Asbestos Abatement Contractors doing business in Cook County outside the corporate limits of the City of Chicago must register with the Department of Environmental Control.

**PRESIDENT continued**

**PROPOSED ORDINANCE AMENDMENTS continued**

**ITEM #6 cont'd**

(b) No Asbestos Abatement Contractor shall do business in Cook County outside of the corporate limits of the City of Chicago without having a currently valid Certificate of Registration issued by the Department.

(c) The Department shall prepare and maintain a list of registered Asbestos Abatement Contractors which list shall be made available upon request.

(d) To obtain a Certificate of Registration, the Asbestos Abatement Contractor shall complete an application provided by the Department of Environmental Control. The application shall be returned to the Department, accompanied by a non-refundable registration fee set forth in Section 32-1 of the Ordinances of Cook County.

(e) The application shall require the following information:

- (1) The Asbestos Abatement Contractor's name, mailing address, contact person, phone number, and e-mail address, together with its form of ownership. If a corporation, a copy of the corporation's last annual report filed with the Asbestos Abatement Contractor's state of incorporation. If the Asbestos Abatement Contractor is a corporation, partnership, or other firm, the substantial owners, as defined in Section 34, Article V of the Ordinances of Cook County, shall be identified.
- (2) The Asbestos Abatement Contractor's license number issued by the State of Illinois Department of Public Health, the date of license expiration and a copy of said license.
- (3) A list of all enforcement actions taken against the Asbestos Abatement Contractor in the preceding two (2) years for alleged violations of Federal, State or Local Regulations pertaining to the handling, removal or disposal of asbestos containing materials, including information about the alleged violations charged and the disposition.
- (4) The number of years the Persons has been doing business as an Asbestos Abatement Contractor.
- (5) A list of supervisors employed by the Asbestos Abatement Contractor who are licensed by the Illinois Department of Public Health.
- (6) A list of asbestos containing material removal and abatement techniques that have previously been employed by the Asbestos Abatement Contractor.
- (7) A list of the names and addresses of waste disposal sites and waste haulers primarily used by the Asbestos Abatement Contractor.
- (8) Certification by the Asbestos Abatement Contractor that all information furnished to the Department is true and accurate.

**PRESIDENT continued**

**PROPOSED ORDINANCE AMENDMENTS continued**

**ITEM #6 cont'd**

- (9) Other information as required by the Department.
- (f) The application shall require the Asbestos Abatement Contractor to certify compliance with all Cook County ordinances, including but not limited to the following:
  - (1) Chapter 30, Environment;
  - (2) Chapter 34, Article V, Child Support Payments;
  - (3) Chapter 38, Article III, Public Health and Private Nuisances;
  - (4) Chapter 58, Article III, Offenses Involving Public Safety, and Article IV, Offenses Involving Public Morals;
  - (5) The Cook County Building Ordinance, adopted originally on March 11, 1949, as amended, and/or the Cook County Building Code;
  - (6) Chapter 74, Taxation; or
  - (7) The Cook County Zoning Ordinance.
- (g) The Director shall determine whether the applicant satisfies the requirements to be registered as an Asbestos Abatement Contractor. Upon approval of the application, the Department shall issue a Certificate of Registration to the asbestos removal contractor. Such Certificate of Registration shall expire two years following its date of issuance, and shall be renewable.
- (h) The Asbestos Abatement Contractor is required to notify the Department of any material changes to the registration requirements set forth in Section 30-551(e). The Director of the Department may revoke the registration if the Asbestos Abatement Contractor fails to notify the Department of any material changes to the registration requirements identified in Section 30-551(e).
- (i) The Director shall have the authority to deny an application for a Certificate of Registration. The Director shall provide written notice, via certified mail, of the decision to deny an Asbestos Abatement Contractor's Registration. Any denial must be made in writing and include a statement of the public health or safety concern that was the basis of the denial. The Director may deny issuance of a Certificate of Registration to any Asbestos Abatement Contractor where any one of the following conditions exist:
  - (1) Failure to provide any of the required information on the application.
  - (2) Providing false information on the application.

**PRESIDENT continued**

**PROPOSED ORDINANCE AMENDMENTS continued**

**ITEM #6 cont'd**

- (3) Outstanding violations, debts or penalties owed to Cook County for violation of any County ordinance, unless such violations, debts or penalties are being contested or appealed.
- (4) Failure to have any required licensure by the Illinois Department of Public Health.
- (5) Five or more administrative violations, three or more enforcement actions impacting public health in the two years preceding the date of application or a combined total of five administrative and enforcement actions in the two years preceding the date of application.

(j) If one of the conditions listed in section (i) is found to exist prior to the expiration of the Certificate of Registration, the Director may revoke the registration after notifying the Asbestos Abatement Contractor of the violation via certified mail, of the decision. The contractor shall have 10 days from the date of the Director's letter to make a written request for an administrative hearing to contest the decision or to provide information to the Department that reaffirms that they remain in compliance with the requirements of the ordinance. The Asbestos Abatement Contractor may reapply for a Certificate of Registration after a period of 14 business days. Approval of the Certificate of Registration after a revocation shall be probationary for one year after issuance of the Certificate of Registration. Any additional violations during the one-year probation will result in the suspension of the Certificate of Registration for a period of no less than one month and no more than one year.

(k) Any Certificate of Registration issued by the Department pursuant to this Article may be renewed if the Asbestos Abatement Contractor submits a completed registration renewal application on a form provided by the Department, and makes payment of a renewal fee set by the Department, consistent with the provisions of Section 32-1 of the Ordinances of Cook County. Renewal of a Certificate of Registration may be withheld if the Director finds that evidence exists that renewal of the Certificate of Registration will present health and safety concerns for the public. The Director may refuse to renew a Certificate of Registration if any of the conditions identified in Section 30-551(i) exist. The Director shall provide written notice, via certified mail, of the decision to deny an Asbestos Abatement Contractor's Registration renewal. Any denial must be made in writing and include a statement of the public health or safety concern that was the basis of the denial. The applicant shall have 15 days from the date of the Director's letter to make a written request for an administrative hearing to contest the Director's decision.

(l) If the Director denies an application for or revokes a Certificate of Registration or an application for renewal of a Certificate of Registration, the Director shall so notify the Asbestos Abatement Contractor in writing within 30 days of the decision, including a statement of the basis for the denial or revocation. The Asbestos Abatement Contractor shall be given the opportunity to contest the Director's action decision in a hearing as set forth Article IX-Administrative Hearings, Section 2-901 *et seq.* of the Code of Ordinances. The Asbestos Abatement Contractor shall be given written notice at least seven days before the hearing is scheduled. The Department of Administrative Hearings shall make a final decision on granting the Certificate of Registration.

**PRESIDENT continued**

**PROPOSED ORDINANCE AMENDMENTS continued**

**ITEM #6 cont'd**

(m) Any person that performs asbestos removal activity governed by this Article without possessing a valid and current Certificate of Registration issued by the Department shall be subject to fines in accordance with the provisions of Section 30-213 of this Article.

(n) The Department shall maintain records of any instances of Asbestos Abatement Activity performed without a Certificate of Registration for five years from the date of the discovery of the non-authorized activity and said records shall be considered when reviewing subsequent applications for registration.

**BE IT FURTHER ORDAINED**, by the Cook County Board of Commissioners that Chapter 30 Environment, Article II Administration and Enforcement, Division 7 Enforcement Procedures, Subdivision II Inspections, Section 30-213 of the Cook County Code is hereby amended as follows:

**Sec. 30-213. Violations and penalty.**

(a) *Persons liable.*

(1) Unless otherwise specifically provided, the owner, the owner's agent for the purpose of managing, controlling, or collecting rents, and any other person managing or controlling a building or premises, in any part of which there is a violation of the provisions of this chapter, shall be liable for any violation therein, existing or occurring, or which may have existed or occurred, at or during any time when such person is or was the person owning or managing, controlling, or acting as agent in regard to the buildings or premises. Wherever used in the provisions of this chapter, the term "owner" shall include any person entitled under any agreement to the control or direction of the management or disposition of the building or premises or of any part of the building or premises where the violation in question occurs.

Unless otherwise specifically provided, where the violation of the provisions of this chapter involves a motor vehicle, the owner or the owner's agent for the purpose of managing or controlling the vehicle, and any other person managing or controlling the vehicle shall be liable for any violation therein, existing or occurring, or which may have existed or occurred, at or during any time when such person is or was the person owning or managing or controlling, or acting as agent in regard to the vehicle. Wherever used in the provisions of this chapter, the term "owner" shall include any person entitled under any agreement to the control or direction of the management or disposition of the vehicle.

(3) The liabilities hereunder imposed on an owner shall attach to a trustee under a land trust, holding title to such building, structure, or premises without the right of possession, management, or control, unless the trustee in a proceeding under the provisions of this chapter discloses in a verified pleading or in an affidavit filed with the court or the Department of Administrative Hearings, the name and last known address of each person who was a beneficiary of the trust at the time of the alleged violation and of each person, if any, who was then acting as agent for the purpose of managing, controlling, or collecting rents, as the same may appear on the records of the trust.

**PRESIDENT continued**

**PROPOSED ORDINANCE AMENDMENTS continued**

**ITEM #6 cont'd**

(b) *Penalty clause.* Any person, firm, or corporation or agents, employees or contractors of such, who violate, disobey, omit, neglect or refuse to comply with or who resist enforcement of any of the provisions of this chapter shall be subject to fines of not less than any of the values detailed in the following table but not more than \$10,000.00. Violations of the ordinance not listed in the following table are subject to fines not less than \$300.00 and not more than \$10,000.00. Collected fines will go to the Cook County Environmental Management Fund. A separate and distinct offense shall be regarded as committed each day on which such person continues or permits any such violation, or failure to comply exists after notification thereof. In addition to such fines and penalties, the permit or certification of operation of such person, or of the offending property, may be revoked as hereinbefore provided.

Any person, firm, or corporation that issues a check or other draft to the Department or the Department of Revenue that is not honored upon presentment because the drawer does not have an account with the drawee, or because the drawer does not have sufficient funds in his account, or because the drawer does not have sufficient credit with the drawee, shall be liable in the amount of \$25.00 and shall be liable for interest upon the amount at the rate of nine percent annually.

The Director shall refer a violation citation seeking a fine to the Cook County Department of Administrative Hearings for a hearing to be conducted by an administrative law officer or an administrative law judge following all rules and procedures set forth in Chapter 2, Article IX, of the Cook County Code. In determining the amount of the fine, the following factors shall be taken into consideration:

The Director shall refer a violation citation to the Cook County Department of Administrative Hearings for adjudication seeking a fine, collection of compliance fees owed to the Cook County Department of Environmental Control, and, if applicable, a \$25.00 fee for all checks and drafts not honored by a financial institution. The Cook County Department of Administrative Hearings shall set the matter for a hearing to be conducted by an administrative law judge following all rules and procedures set forth in Chapter 2, Article IX, of the Cook County Code. In addition to assessing a fine, the administrative law judge may, as a sanction, order the respondent to pay any outstanding compliance fees alleged in the citation and found by the administrative law judge to be due and owing to the Department. In determining the amount of the fine, the following factors shall be taken into consideration:

- (1) The gravity of the offense,
- (2) The respondent's past history with respect to compliance with the provisions of this chapter,
- (3) The respondent's financial situation,
- (4) The extent of respondent's cooperation,
- (5) The likelihood that the respondent will violate the provisions of this chapter in the future, unless deterred from doing so by the imposition of the maximum fine, and

**PRESIDENT continued**

**PROPOSED ORDINANCE AMENDMENTS continued**

**ITEM #6 cont'd**

- (6) Any other factors relevant to the circumstances relating to the violation.

| Section        | Violation   | Fine            |
|----------------|---|-----------------|
| 30-542(a)      | Release of ACM in the air   | \$5,000.00      |
| 30-542(b)(1)a. | Workers with no valid IDPH ACM Abatement license                        | 300.00          |
| 30-542(a)(4)   | Lack of vacuumed or sealing ACM waste                                   | 3,000.00        |
| 30-543(c)(1)   | Lack of enclosure if required   | 5,000.00        |
| 30-543(d)      | Visible release of ACM in the air                                       | 5,000.00        |
| 30-544(a)(3)   | Structure not adequately wet  | 1,000.00        |
| 30-544(a)(4)   | ACM dropped without dust tight method                                   | 3,000.00        |
| 30-544(a)(5)   | ACM not contained for transportation                                    | 5,000.00        |
| 30-544(b)(2)a  | No valid demolition permit  | 500.00          |
| 30-544(b)(2)b  | No valid ACM abatement permit   | 500.00          |
| 30-92          | Late payment of fees  | 300.00          |
| 30-186         | No valid certificate of operation                                       | 300.00          |
| 30-455(a)      | Noise   | 300.00          |
| 30-421         | Noxious odors   | 500.00          |
| <u>30-551</u>  | <u>No valid Asbestos Removal Contractor Certificate of Registration</u> | <u>1,000.00</u> |

**BE IT FURTHER ORDAINED**, by the Cook County Board of Commissioners that Chapter 32 Fees, 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:

| Code Section                   | Description  | Fees, Rates, Charges (in dollars) |
|--------------------------------|--|-----------------------------------|
| <b>Chapter 30. Environment</b> |  |                                   |
| <u>30-551</u>                  | <u>Asbestos Removal Contractor Certificate of Registration, initial or renewed</u> | <u>200.00</u>                     |

**PRESIDENT continued**

**PROPOSED ORDINANCE AMENDMENTS continued**

**ITEM #6 cont'd**

**Effective Date:** This Ordinance Amendment shall take effect on the 60th day following passage.

---

In accordance with Cook County Code Section 2-107(z)(1) Amendment or suspension of rules, Commissioner Daley, seconded by Commissioner Murphy, moved to suspend Section 2-107(h)(1) Prior notice to public; agendas. **The motion carried unanimously.**

Commissioner Daley, seconded by Commissioner Butler, moved that the Proposed Ordinance Amendment be referred to the Committee on Finance. (Comm. No. 315198). **The motion carried unanimously.**

\* \* \* \* \*

**ITEM #7**

Submitting a Proposed Ordinance Amendment sponsored by

TONI PRECKWINKLE, President, JERRY BUTLER, JESUS G. GARCIA, GREGG GOSLIN  
and ROBERT B. STEELE, County Commissioners

**PROPOSED ORDINANCE AMENDMENT**

**WHEREAS**, the Cook County Board of Commissioners has authorized pursuant to Chapter 30 Environment, Article II, Division 3, Sec. 30-96 the establishment of fees to be collected by the Department of Environmental Control for the inspection of plans, open burning applications, and the issuance of an installation permit for the installation, erection, construction, reconstruction, alteration of, or addition to any fuel-burning, combustion, or process equipment, process or device, storage tank, land remediation process, and installation of any apparatus or device for the prevention, arresting, or reducing of the discharge of smoke, particulate, liquid, gaseous, or other matter; and

**WHEREAS**, the \$20.00 filing fee for the evaluation of plans authorized under Sec. 30-96 has not been increased since 1991; and

**WHEREAS**, a cost analysis has been performed by the Department of Environmental Control regarding the time and costs associated in the evaluation of such plans and has determined that the fee associated does not cover the Department's costs.

**NOW, THEREFORE, BE IT ORDAINED**, by the Cook County Board of Commissioners that Chapter 32 Fees, 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:

| Code Section                   | Description  | Fees, Rates,<br>Charges<br>(in dollars) |
|--------------------------------|--|---|
| <b>Chapter 30, Environment</b> |  |   |
| 30-96(1)                       | Filing fee for the evaluation of plans: <del>The first ten units or multiples of ten including domestic incinerators</del> , except domestic heating | <del>20.00</del> <u>140.00</u>          |

**Effective Date:** This Ordinance Amendment shall take effect on the 60th day following passage.

In accordance with Cook County Code Section 2-107(z)(1) Amendment or suspension of rules, Commissioner Daley, seconded by Commissioner Murphy, moved to suspend Section 2-107(h)(1) Prior notice to public; agendas. **The motion carried unanimously.**

Commissioner Daley, seconded by Commissioner Butler, moved that the Proposed Ordinance Amendment be referred to the Committee on Finance. (Comm. No. 315199). **The motion carried unanimously.**

\* \* \* \* \*

**ITEM #8**

Submitting a Proposed Ordinance Amendment sponsored by

TONI PRECKWINKLE, President and JESUS G. GARCIA, County Commissioner

PROPOSED ORDINANCE AMENDMENT

**PERMIT FEE SCHEDULE FOR COOK COUNTY  
DEPARTMENT OF BUILDING AND ZONING**

**BE IT ORDAINED**, by the Cook County Board of Commissioners pursuant to its home rule authority that Part E, Permit Fee Schedule of the Cook County Building Ordinance is hereby amended as follows:

**PART E. PERMIT FEE SCHEDULE FOR COOK COUNTY  
DEPARTMENT OF BUILDING AND ZONING**

**CONTRACTOR'S BUSINESS REGISTRATION FEE**

Fee for initial registration of all contractors\* shall be ~~Seventy five (\$75)~~ One hundred five (\$105.00) 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)~~ Fifty two Dollars and Fifty Cents (\$52.50).

**PRESIDENT continued**

**PROPOSED ORDINANCE AMENDMENTS continued**

**ITEM #8 cont'd**

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~~ \$63.00 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, including annual and semi-annual inspection 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. For purposes of this section, the waiver shall apply to Brookfield Zoo and Chicago Botanic Gardens, which are operated on forest preserve district property.

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  | \$ <del>375.00</del> <u>525.00</u>  |
| B. Petition for a Map Amendment   |                                     |
| 1. Less than one acre   | <del>300.00</del> <u>420.00</u>     |
| 2. One acre to five acres   | <del>675.00</del> <u>945.00</u>     |
| 3. Five acres to ten acres  | <del>1,350.00</del> <u>1,890.00</u> |
| 4. Ten acres to twenty acres  | <del>1,800.00</del> <u>2,520.00</u> |
| C. Petitions for the Following Special Uses                             |                                     |
| 1. Excavations for Artificial Lake on which Subdivision is proposed     | <del>1,500.00</del> <u>2,100.00</u> |
| 2. If sand, gravel, rock or fill to be sold from above item, additional | <del>3,000.00</del> <u>4,200.00</u> |
| 3. Extraction of rock, sand, gravel, peat or any type of Borrow Pit     | <del>3,000.00</del> <u>4,200.00</u> |

**PRESIDENT continued**

**PROPOSED ORDINANCE AMENDMENTS continued**

**ITEM #8 cont'd**

|   |   |
|---|---|
| 4. Extraction of Top Soil   | <del>750.00</del> <u>1,050.00</u>   |
| 5. Sanitary Land Fill   | <del>4,500.00</del> <u>6,300.00</u>   |
| 6. Dry Land Fill  |   |
| Under five acres  | <del>375.00</del> <u>525.00</u>   |
| Over five acres   | <del>3,000.00</del> <u>4,200.00</u>   |
| 7. All hospitals, sanitariums, convalescent homes,<br>nursing and rest homes for profit   | <del>1,500.00</del> <u>2,100.00</u>   |
| 8. Planned Developments   |   |
| Five acres and under  | <del>300.00</del> <u>420.00</u>   |
| Over five acres to ten acres  | <del>675.00</del> <u>945.00</u>   |
| Over ten acres to fifteen acres   | <del>1,050.00</del> <u>1,470.00</u>   |
| Over fifteen acres  | <del>1,800.00</del> <u>2,520.00</u>   |
| 9. All other listed Special Uses as provided for in the<br>Zoning Ordinance   | <del>375.00</del> <u>525.00</u>   |
| D. Petitions for Variations   |   |
| 1. All variations in all residential districts, regardless of<br>number of different variations sought  | <del>\$112.50</del> <u>\$157.50</u> or <del>\$22.50</del><br><u>\$31.50</u> per lot whichever is<br>greater |
| 2. All variations in all commercial and industrial<br>districts, regardless of number of variations sought  | <del>\$225.00</del> <u>\$315.00</u><br>plus cost of court reporter<br>transcript                            |
| E. Any combination of petitions, such as an Amendment, Special Use, and Variation, if<br>requested by the applicant, will be treated as individual petitions as far as fees are<br>concerned, but will be consolidated and heard at the designated time for the Public<br>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<br>determined by the Commissioner of Building and Zoning until such time as a resolution<br>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~~ \$630.00 + ~~\$150.00~~ \$210.00 per acre or fraction thereof.
- B. Commercial Land Fill (Filling Holes with Non-combustible Materials, Stone, Concrete,  
Clay, Etc.)  
~~\$450.00~~ \$630.00 + ~~\$150.00~~ \$210.00 per acre or fraction thereof.
- C. Quarries (Extraction of Rock, Stone, Etc.)  
~~\$450.00~~ \$630.00 + ~~\$150.00~~ \$210.00 per acre or fraction thereof.
- D. Borrow Pits (Extraction of Gravel or Soil)  
~~\$450.00~~ \$630.00 + ~~\$150.00~~ \$210.00 per acre or fraction thereof.
- E. Commercial Peat Bogs (Extraction of Peat)  
~~\$375.00~~ \$525.00 + ~~\$105.00~~ \$147.00 per acre or fraction thereof.
- F. Commercial Stripping of Top Soil  
~~\$450.00~~ \$630.00 + ~~\$150.00~~ \$210.00 per acre or fraction thereof.

**PRESIDENT continued**

**PROPOSED ORDINANCE AMENDMENTS continued**

**ITEM #8 cont'd**

- G. Golf Courses, including Par 3 (Establishment of Fairways and Greens)  
~~\$375.00~~ \$525.00 + ~~\$105.00~~ \$147.00 per Fairway and Green
- H. Miniature Golf Courses.  
~~\$450.00~~ \$630.00.
- I. Golf Driving Ranges  
~~\$450.00~~ \$630.00.
- J. Barge Slips (Any Size)  
~~\$525.00~~ \$735.00
- K. Creation of Artificial Lakes and Ponds or Detention Ponds.  
~~\$225.00~~ \$315.00 + ~~\$112.50~~ \$157.50.
- 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~~ 105.00
  - 2. Plan examination fee for accessory uses ~~60.00~~ 84.00
- 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~~ 105.00  
plus ~~\$10.00~~ \$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~~ 84.00  
plus ~~\$10.00~~ \$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~~ 157.50
  - 2. Plan examination fee for accessory uses. ~~90.00~~ 126.00
- D. Manufacturing District (I-1 through I-4)
  - 1. Plan examination fee for principal uses. ~~112.50~~ 157.50
  - 2. Plan examination fee for accessory uses. ~~90.00~~ 126.00
- E. Miscellaneous Uses
  - 1. Plan examination fee for special uses. ~~75.00~~ 105.00
  - 2. Floodplain, Drainage, Grading and Soil Erosion, Sediment Control Permits.
    - a. Residential:
      - One (1) Acre or less ~~56.25~~ 78.75
      - Over One (1) to Two (2) Acres ~~112.50~~ 157.50

**PRESIDENT continued**

**PROPOSED ORDINANCE AMENDMENTS continued**

**ITEM #8 cont'd**

|   |                                  |
|---|----------------------------------|
| Over Two (2) to Three (3) Acres   | <del>168.75</del> <u>236.25</u>  |
| Over Three (3) to Five (5) Acres  | <del>225.00</del> <u>315.00</u>  |
| Over Five (5) Acres Constitutes a Landfill and a Special Use is required. |                                  |
| b. Commercial, Industrial and Public Land:                                |                                  |
| One (1) Acre or less  | <del>131.25</del> <u>183.75</u>  |
| Over One (1) to Two (2) Acres   | <del>187.50</del> <u>262.50</u>  |
| Over Two (2) to Three (3) Acres   | <del>262.50</del> <u>367.50</u>  |
| Over Three (3) to Five (5) Acres  | <del>300.00</del> <u>420.00</u>  |
| 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  | <del>37.50</del> <u>52.50</u>    |
| Over One (1) to Two (2) Acres   | <del>75.00</del> <u>105.00</u>   |
| Over Two (2) to Three (3) Acres   | <del>112.50</del> <u>157.50</u>  |
| Over Three (3) to Five (5) Acres  | <del>187.50</del> <u>262.50</u>  |
| Over Five (5) Acres   | <del>225.00</del> <u>315.00</u>  |
| 2. Commercial, Industrial and Public Land                                 |                                  |
| One (1) Acre or less  | <del>225.00</del> <u>315.00</u>  |
| Over One (1) to Two (2) Acres   | <del>300.00</del> <u>420.00</u>  |
| Over Two (2) to Three (3) Acres   | <del>375.00</del> <u>525.00</u>  |
| Over Three (3) to Five (5) Acres  | <del>450.00</del> <u>630.00</u>  |
| Over Five (5) Acres   | <del>750.00</del> <u>1050.00</u> |

Where a plan submittal is rejected a third time, an additional fee of ~~\$150.00~~ \$210.00 shall be paid before a fourth review is made. An additional fee of ~~\$150.00~~ \$210.00 shall be charged for each subsequent submittal and review.

**4-Z** Appeal by any person or entity or by any officer, department, board or bureau aggrieved by a decision of the Zoning Administrator (see Article 13.3.5 of the Cook County Zoning Ordinance) shall pay a fee of ~~\$1000.00~~ \$1400.00\*

|   |                                      |
|---|--------------------------------------|
| Continuation Fee      ½ cost of fee       |                                      |
| Additional appearance fee may be assessed | <del>-\$500.00</del> <u>\$700.00</u> |

**\*Refundable if Appeal is upheld**

|  |                                     |
|--|-------------------------------------|
| <b>5-Z</b> Extension of time on variance | <del>\$100.00</del> <u>\$140.00</u> |
| Extension of time on Special Use         | <del>\$200.00</del> <u>\$280.00</u> |

**PRESIDENT continued**

**PROPOSED ORDINANCE AMENDMENTS continued**

**ITEM #8 cont'd**

**BUILDING PERMIT FEE SCHEDULE**

|   |   |  |
|---|---|--|
| <b>1-B. NEW CONSTRUCTION</b>  | Minimum Fee of  | <del>52.50</del> <u>73.50</u>  |
|   | or <del>\$15.00</del> <u>\$21.00</u> 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  | <del>40.50</del> <u>56.70</u>  |
|   | or <del>\$15.00</del> <u>\$21.00</u> 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  | <del>52.50</del> <u>73.50</u>  |
|   | plus <del>\$15.00</del> <u>\$21.00</u> 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   | <del>112.50</del> <u>157.50</u>  |
|   | B. Sheds or private garages   | <del>75.00</del> <u>105.00</u>   |
|   | C. Other than above   | 1% <u>1.5%</u> of cost of work, minimum<br><del>\$450.00</del> <u>\$630.00</u> |
| <b>5-B. TRAILER CAMPS</b>   | Minimum Fee is  | <del>100.00</del> <u>150.00</u>  |
|   | plus <del>\$37.50</del> <u>\$52.50</u> for each trailer site.   |  |
| <b>6-B. AMUSEMENT PARKS</b>   | A. Portable Devices – for each exhibit  | <del>75.00</del> <u>105.00</u>   |
|   | B. Permanent Devices – for each exhibit   | <del>300.00</del> <u>420.00</u>  |
| <b>7-B. CANOPIES</b>  | Fee   | <del>150.00</del> <u>210.00</u>  |
| <b>8-B. MARQUEES – SIGNS – BILLBOARDS</b>                                   | A. 100 Square Feet or less (other than Billboards)  | <del>37.50</del> <u>52.50</u>  |
|   | B. 101 to 250 Square Feet (other than Billboards)   | <del>75.00</del> <u>105.00</u>   |

**PRESIDENT continued**

**PROPOSED ORDINANCE AMENDMENTS continued**

**ITEM #8 cont'd**

|   |                                    |
|---|------------------------------------|
| C. Each additional 100 sq. ft. above 250 sq. ft. (other than Billboards)  | <del>22.50</del> <u>31.50</u>      |
| D. Billboards 100 sq. ft. or less   | <del>300.00</del> <u>420.00</u>    |
| Over 100 sq. ft.  | <del>600.00</del> <u>840.00</u>    |
| <b>9-B. ISOLATED CHIMNEYS</b>   |                                    |
| Fee   | <del>150.00</del> <u>210.00</u>    |
| <b>10-B. FENCES OVER FIVE (5) FEET IN HEIGHT</b>  |                                    |
| Minimum Fee is  | <del>225.00</del> <u>315.00</u>    |
| plus <del>\$1.50</del> <u>\$2.10</u> for each 10 lineal feet in excess of 100 lineal feet.  |                                    |
| <b>11-B. FIRE ESCAPES</b>   |                                    |
| Minimum Fee is  | <del>52.50</del> <u>73.50</u>      |
| plus <del>\$15.00</del> <u>\$21.00</u> for each floor in excess of 2nd floor.   |                                    |
| <b>12-B. STORAGE TANKS ABOVE GROUND</b>   |                                    |
| Minimum Fee is  | <del>300.00</del> <u>420.00</u>    |
| <b>13-B. ROOF RECOATING OR COVERING</b>   |                                    |
| Residential SFR   | <del>No Fee</del> <u>75.00</u>     |
| Multi Family  | <u>150.00</u>                      |
| Commercial fee for 1,000 square feet is   | <del>150.00</del> <u>210.00</u>    |
| Each additional 100 square feet above 1,000 square feet   | <del>30.00</del> <u>42.00</u>      |
| <b>14-B. TEMPORARY TRAILERS FOR OFFICE OR OTHER PERMITTED USE</b>   |                                    |
| (For one year only) Minimum Fee   | <del>375.00</del> <u>525.00</u>    |
| <b>15-B. PERMIT PENALTY FEES</b>  |                                    |
| 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   | <del>300.00</del> <u>420.00</u>    |
| All Others  | <del>675.00</del> <u>945.00</u>    |
| or minimum 10% of total permit fee, whichever is greater.   |                                    |
| <b>16-B. MISCELLANEOUS USES</b>   |                                    |
| Temporary Tent  | <del>450.00</del> <u>630.00</u> ** |
| Antennas  |                                    |
| Below seventy-five (75) feet  | <del>225.00</del> <u>315.00</u>    |
| Above seventy-five (75) feet  | <del>375.00</del> <u>525.00</u>    |

**PRESIDENT continued**

**PROPOSED ORDINANCE AMENDMENTS continued**

**ITEM #8 cont'd**

|   |                                     |
|---|-------------------------------------|
| Gas Pumps   | <del>20.00</del> <u>28.00</u> **    |
| Spray Booth   | <del>225.00</del> <u>315.00</u>     |
| Satellite Dish  | <del>225.00</del> <u>315.00</u>     |
| Swimming Pool—Minimum <del>\$75</del> <u>\$105</u> or <del>\$37.50</del> <u>\$52.50</u> per 1000 cubic feet                         |                                     |
| Underground Storage Tank—Minimum <del>\$75</del> <u>\$105</u> to 1000 gallon or <del>\$45</del> <u>\$63</u> /1000 gallon above 1000 | <del>\$52.50</del> <u>\$73.50</u>   |
| Change of Contractor  | <del>\$52.50</del> <u>\$73.50</u>   |
| Plan Revision   | <del>\$45.00</del> <u>\$63.00</u>   |
| Garage Venting  | <del>\$52.50</del> <u>\$73.50</u>   |
| Mobile Home , Set Up  | <del>\$37.50</del> <u>\$52.50</u>   |
| Air Handler/Hood Fan  | <del>\$375.00</del> <u>\$525.00</u> |
| Towers (shot link)  | <del>\$232.50</del> <u>\$325.50</u> |
| Bleachers   | <del>\$97.50</del> <u>\$136.50</u>  |
| Leaderboard   | <del>\$165.00</del> <u>\$231.00</u> |
| Thru & Leaderboards (split)   | <del>\$142.50</del> <u>\$199.50</u> |
| Thru & leaderboards (together)  | <del>\$187.50</del> <u>\$262.50</u> |
| Monster Board   | <del>\$165.00</del> <u>\$231.00</u> |
| Public Scoreboard   | <del>\$135.00</del> <u>\$189.00</u> |
| Fireworks   |                                     |

\*\*plus applicable plumbing and electrical fees

**17-B**

**A.** Preliminary Conference Fee with Architect, Plumbing and/or Electrical Plan Examiners ~~\$50.00~~ \$70.00 (per discipline). This fee shall be charged for the preliminary plan review of projects and plans other than single family buildings. \$50.00 \$70.00  
(per discipline)

**B.** Re-review of submitted architectural plans by Chief Plan Examiner

|                            |                                     |
|----------------------------|-------------------------------------|
| 1st re-review              |                                     |
| 2nd re review              |                                     |
| 3rd re review              | No Charge                           |
| 4th re review & subsequent | <del>-\$50.00</del> <u>\$70.00</u>  |
|                            | <del>\$100.00</del> <u>\$140.00</u> |
|                            | <del>\$500.00</del> <u>\$700.00</u> |

**PRESIDENT continued**

**PROPOSED ORDINANCE AMENDMENTS continued**

**ITEM #8 cont'd**

**MECHANICAL PERMIT FEES**

**1-M. BOILER FEES**

|                                 |                                 |
|---------------------------------|---------------------------------|
| A. For each low pressure boiler | <del>75.00</del> <u>105.00</u>  |
| B. High pressure boiler         | <del>150.00</del> <u>210.00</u> |
| C. Unfired pressure vessel      | <del>37.50</del> <u>52.50</u>   |
| D. Steam                        | <del>75.00</del> <u>105.00</u>  |
| E. Hot water coil               | <del>37.50</del> <u>52.50</u>   |
| F. Steam coil                   | <del>37.50</del> <u>52.50</u>   |

**2-M. REFRIGERATION**

|  |  |
|--|--|
| A. Cooler unit per each  | <del>75.00</del> <u>105.00</u>                       |
| B. Freezer unit per each   | <del>112.50</del> <u>157.50</u>                      |
| C. Single family dwelling air conditioning<br>Minimum to 3½ tons & <del>\$15</del> <u>\$21</u> each ton above 3½             | <del>45.00</del> <u>63.00</u>                        |
| D. Multiple family dwelling air conditioning each unit<br>Minimum to 3½ tons & <del>\$15</del> <u>\$21</u> each ton above 3½ | <del>45.00</del> <u>63.00</u>                        |
|  | <del>22.50</del> <u>31.50</u>                        |
| E. Non-residential air conditioning  | per ton, Minimum <del>\$150</del><br><u>\$210.00</u> |

**3-M. WARM AIR FURNACES**

|                             |   |
|-----------------------------|---|
| A. Fee for single family    | <del>75.00</del> <u>105.00</u>                      |
|                             | <del>22.50</del> <u>31.50</u> /100,000              |
| B. Others (gas or electric) | BTU, Minimum<br><del>\$112.50</del> <u>\$157.50</u> |
| C. Air handling units       | <del>112.50</del> <u>157.50</u>                     |

**4-M. MECHANICAL VENTILATING SYSTEMS**

(Except for Single and Multiple Family Dwellings)

|   |                               |
|---|-------------------------------|
| A. Supply or Exhaust – Minimum Fee  | <del>45.00</del> <u>63.00</u> |
| plus <del>\$15.00</del> <u>\$21.00</u> for each 1,000 cubic feet of air per minute in excess of 1,000 cubic feet of air per minute. Add <del>\$37.50</del> <u>\$52.50</u> for each exhaust fan. |                               |
| B. Increase in capacity – <del>\$7.50</del> <u>\$10.50</u> for each 1,000 cubic feet of air per minute. Add <del>\$37.50</del> <u>\$52.50</u> for each exhaust fan.                             |                               |
| NOTE: The capacity of the system is the sum of supply and exhaust.  |                               |
| C. Single Family Dwellings  | <del>37.50</del> <u>52.50</u> |
| D. Multiple Family Dwellings each apartment unit  | <del>37.50</del> <u>52.50</u> |

**5-M. ELEVATORS AND ESCALATORS**

|   |                                 |
|---|---------------------------------|
| Minimum Fee is  | <del>225.00</del> <u>315.00</u> |
| plus an additional fee of <del>\$75.00</del> <u>\$105.00</u> per floor, for each floor above three (3). |                                 |

**PRESIDENT continued**

**PROPOSED ORDINANCE AMENDMENTS continued**

**ITEM #8 cont'd**

|                            |   |                               |
|----------------------------|---|-------------------------------|
| <b>6-M. LIFTS</b>          | Fee   | <del>37.50</del> <u>52.50</u> |
| <br>                       |   |                               |
| <b>7-M. DUMBWAITERS</b>    | A. Power Operated – Minimum Fee   | <del>37.50</del> <u>52.50</u> |
|                            | plus <del>\$7.50</del> <u>\$10.50</u> for each floor above three (3).   |                               |
|                            | B. Hand Operated – Minimum Fee  | <del>41.25</del> <u>15.75</u> |
|                            | plus <del>\$7.50</del> <u>\$10.50</u> for each floor above three (3).   |                               |
| <br>                       |   |                               |
| <b>8-M. STAGE CURTAINS</b> | A Fee of <del>\$52.50</del> <u>\$73.50</u> will be assessed for each set of mechanical or electrically operated stage curtains. | <del>52.50</del> <u>73.50</u> |
| <br>                       |   |                               |
| <b>9-M. FIREPLACE</b>      | Fee   | <del>22.50</del> <u>31.50</u> |

**ELECTRICAL PERMIT FEE SCHEDULE**

|                                     |                          |                                 |
|-------------------------------------|--------------------------|---------------------------------|
| <b>1-E. SINGLE FAMILY DWELLINGS</b> | 0 to 499 Square Feet     | <del>52.50</del> <u>73.50</u>   |
|                                     | 500 to 799 Square Feet   | <del>67.50</del> <u>94.50</u>   |
|                                     | 800 to 1599 Square Feet  | <del>82.50</del> <u>115.50</u>  |
|                                     | 1600 to 1999 Square Feet | <del>105.00</del> <u>147.00</u> |
|                                     | 2000 and Over            | <del>127.50</del> <u>178.50</u> |

**2-E. MULTI-FAMILY DWELLINGS, COMMERCIAL & INDUSTRIAL**

|          |                                 |                                 |
|----------|---------------------------------|---------------------------------|
| A.       | 15                              | 20                              |
| CIRCUITS | AMPERES                         | AMPERES                         |
| 1        | <del>23.25</del> <u>32.55</u>   | <del>27.38</del> <u>38.33</u>   |
| 2        | <del>38.25</del> <u>53.55</u>   | <del>52.50</del> <u>73.50</u>   |
| 3        | <del>52.50</del> <u>73.50</u>   | <del>70.13</del> <u>98.18</u>   |
| 4        | <del>67.88</del> <u>95.03</u>   | <del>88.13</del> <u>123.38</u>  |
| 5        | <del>83.25</del> <u>116.55</u>  | <del>108.00</del> <u>151.20</u> |
| 6        | <del>102.75</del> <u>143.85</u> | <del>127.88</del> <u>179.03</u> |
| 7        | <del>119.25</del> <u>166.95</u> | <del>149.25</del> <u>208.95</u> |
| 8        | <del>124.13</del> <u>173.78</u> | <del>162.38</del> <u>227.33</u> |
| 9        | <del>135.38</del> <u>189.53</u> | <del>177.75</del> <u>248.85</u> |
| 10       | <del>147.75</del> <u>206.85</u> | <del>198.00</del> <u>277.20</u> |
| 11       | <del>155.25</del> <u>217.35</u> | <del>207.38</del> <u>290.33</u> |
| 12       | <del>162.75</del> <u>227.85</u> | <del>217.50</del> <u>304.50</u> |
| 13       | <del>173.25</del> <u>242.55</u> | <del>231.38</del> <u>323.93</u> |

**PRESIDENT continued**

**PROPOSED ORDINANCE AMENDMENTS continued**

**ITEM #8 cont'd**

|   |                                 |                                   |                               |                                     |
|---|---------------------------------|-----------------------------------|-------------------------------|-------------------------------------|
| 14  |                                 | <del>183.38</del> <u>256.73</u>   |                               | <del>235.13</del> <u>329.18</u>     |
| 15  |                                 | <del>189.75</del> <u>265.65</u>   |                               | <del>240.38</del> <u>336.53</u>     |
| 16  |                                 | <del>195.38</del> <u>273.53</u>   |                               | <del>255.00</del> <u>357.00</u>     |
| 17  |                                 | <del>204.75</del> <u>286.65</u>   |                               | <del>267.38</del> <u>374.33</u>     |
| 18  |                                 | <del>210.38</del> <u>294.53</u>   |                               | <del>276.75</del> <u>387.45</u>     |
| 19  |                                 | <del>216.00</del> <u>302.40</u>   |                               | <del>288.00</del> <u>403.20</u>     |
| 20  |                                 | <del>229.88</del> <u>321.83</u>   |                               | <del>300.00</del> <u>420.00</u>     |
| 21  |                                 | <del>239.63</del> <u>335.48</u>   |                               | <del>312.38</del> <u>437.33</u>     |
| 22  |                                 | <del>249.38</del> <u>349.13</u>   |                               | <del>321.75</del> <u>450.45</u>     |
| 23  |                                 | <del>257.25</del> <u>360.15</u>   |                               | <del>332.63</del> <u>465.68</u>     |
| 24  |                                 | <del>266.25</del> <u>372.75</u>   |                               | <del>342.38</del> <u>479.33</u>     |
| 25  |                                 | <del>279.75</del> <u>391.65</u>   |                               | <del>355.13</del> <u>497.78</u>     |
| 26 to 50<br>inclusive,<br>each add'l<br>cir.  | <del>9.38</del><br><u>13.13</u> | <del>236.25</del> <u>330.75</u>   | <del>12.00</del> <u>16.80</u> | <del>300.00</del> <u>420.00</u>     |
| 51 to 75<br>inclusive,<br>each add'l<br>cir.  | <del>9.00</del><br><u>12.60</u> | <del>227.63</del> <u>318.68</u>   | <del>12.00</del> <u>16.80</u> | <del>288.00</del> <u>403.20</u>     |
| 76 to 100<br>inclusive,<br>each add'l<br>cir. | <del>8.25</del><br><u>11.55</u> | <del>206.25</del> <u>288.75</u>   | <del>10.13</del> <u>14.18</u> | <del>257.25</del> <u>360.15</u>     |
| more than<br>100                              | <del>7.50</del><br><u>10.50</u> | <del>948.75</del> <u>1,328.25</u> | <del>9.38</del> <u>13.13</u>  | <del>1,200.00</del> <u>1,680.00</u> |

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    | <del>52.50</del><br><u>73.50</u>  |
| 500 to 799 Square Feet  | <del>67.50</del><br><u>94.50</u>  |
| 800 to 1599 Square Feet | <del>82.50</del><br><u>115.50</u> |

**PRESIDENT continued**

**PROPOSED ORDINANCE AMENDMENTS continued**

**ITEM #8 cont'd**

|  |                                 |
|--|---------------------------------|
| 1600 to 1999 Square Feet   | <del>105.00</del> <u>105.00</u> |
| 2000 and Over  | <del>127.50</del> <u>127.50</u> |
| D. Motor and Other Forms of Power  |                                 |
| Motors ¼ and over  | <del>52.50</del> <u>73.50</u>   |
| Additional motors or devices   | <del>13.50</del> <u>18.90</u>   |
| E. Cut-Over Jobs   |                                 |
| Fees on time basis: Per Hour   | <del>52.50</del> <u>73.50</u>   |
| F. Inspection of temporary installation, underground or overhead wires and apparatus |                                 |
| Fee on time basis: Per Hour  | <del>52.50</del> <u>73.50</u>   |
| G. Re inspection of any electrical apparatus – altered, changed or repaired          |                                 |
| Fee on time basis: Per Hour  | <del>52.50</del> <u>73.50</u>   |
| H. Extra inspections due to faulty information or construction or failure to repair  |                                 |
| Fee for each such inspection   | <del>52.50</del> <u>73.50</u>   |
| Minimum Electrical Inspection Fee  | <del>52.50</del> <u>73.50</u>   |

**3-E. PERMIT FEES – INSTALLATION OR ERECTION OF:**

|                                       |                               |
|---------------------------------------|-------------------------------|
| 1. Smoke and/or Fire Detector Systems |                               |
| 1st 5 devices                         | <del>52.50</del> <u>73.50</u> |
| Each additional                       | <del>13.50</del> <u>18.90</u> |
| 2. Central Vacuum Systems             |                               |
| Residential                           | <del>52.50</del> <u>73.50</u> |
| Multi-Family (Per Unit)               | <del>45.00</del> <u>63.00</u> |
| 3. Burglar Alarm Systems              | <del>52.50</del> <u>73.50</u> |
| 4. Garages                            | <del>45.00</del> <u>63.00</u> |
| 5. Electric Heat                      |                               |
| Residential                           | <del>52.50</del> <u>73.50</u> |
| Multi-Family (Per Unit)               | <del>52.50</del> <u>73.50</u> |
| 6. Wind-Powered Electrical Fees       | <del>52.50</del> <u>73.50</u> |

**4-E. INSPECTION FEES FOR ILLUMINATED SIGNS**

- 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~~ \$1.05 per square feet of area of each face.

**PRESIDENT continued**

**PROPOSED ORDINANCE AMENDMENTS continued**

**ITEM #8 cont'd**

- 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~~ \$52.50.
- 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~~ 52.50
  - 15 square feet or less – Double Face ~~52.50~~ 73.50
  - 16 to 32 square feet – Single Face ~~52.50~~ 73.50
  - 16 to 32 square feet – Double Face ~~67.50~~ 94.50
  - Any sign over 32 square feet – Single Face ~~75.00~~ 105.00
  - Any sign over 32 square feet – Double Face ~~105.00~~ 147.00
- 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~~ \$533.40 for the first 500 square feet, and ~~\$0.45~~ \$0.63 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
  - 1. Signs/signboards 100 sq. ft. or less ~~75.00~~ 105.00
  - 2. Signs/signboards over 100 sq. ft. ~~1.50~~ 2.10 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~~ \$52.50.
- G. The fee for cancellation of a permit shall be ~~\$22.50~~ \$31.50 and shall be deducted before the remaining amount is refunded.

**5-E. SWIMMING POOL ELECTRICAL FEES**

- A. Portable swimming pool (each) ~~37.50~~ 52.50
- B. In-ground swimming pool (each) ~~67.50~~ 94.50

**6-E. CARNIVAL, CIRCUS AND TEMPORARY DISPLAY**

- Minimum Fee ~~60.00~~ 84.00

**7-E. ELECTRIC CHANGE OF SERVICE FEES**

- Residential
  - 100 Amp to 200 Amp ~~52.50~~ 73.50
  - 200 Amp to 400 Amp ~~90.00~~ 126.00
- Temporary Service
  - Minimum Fee ~~52.50~~ 73.50

**PRESIDENT continued**

**PROPOSED ORDINANCE AMENDMENTS continued**

**ITEM #8 cont'd**

|                           |                                 |
|---------------------------|---------------------------------|
| Commercial and Industrial |                                 |
| 200 Amp to 400 Amp        | <del>90.00</del> <u>126.00</u>  |
| 600 Amp                   | <del>120.00</del> <u>168.00</u> |
| 800 Amp                   | <del>150.00</del> <u>210.00</u> |
| 1200 Amp                  | <del>180.00</del> <u>252.00</u> |
| 1600 Amp                  | <del>210.00</del> <u>294.00</u> |
| 2000 Amp                  | <del>240.00</del> <u>336.00</u> |
| 3000 Amp                  | <del>300.00</del> <u>420.00</u> |
| 4000 Amp                  | <del>420.00</del> <u>588.00</u> |

|   |                                 |
|---|---------------------------------|
| <b>8-E. COMMUNITY ANTENNA TELEVISION AND RADIO, SATELLITE COMMUNICATION SYSTEM FEES</b> |                                 |
| A. Minimum Permit Inspection Fee  | <del>52.50</del> <u>73.50</u>   |
| B. Service (Amplifier Booster Station)  | <del>22.50</del> <u>31.50</u>   |
| C. Single-Family Dwellings  | <del>22.50</del> <u>31.50</u>   |
| D. Multi-Family Dwellings, Commercial and Industrial                                    |                                 |
| Individual Units  | <del>16.13</del> <u>22.58</u>   |
| Per Mile of Cable or part thereof   | <del>150.00</del> <u>210.00</u> |
| Junction Box or Splicing Box  | <del>22.50</del> <u>31.50</u>   |
| Antenna   | <del>22.50</del> <u>31.50</u>   |
| Head in Electronics (Main Distribution)   | <del>45.00</del> <u>63.00</u>   |

**PLUMBING PERMIT FEE SCHEDULE**

|   |                                |
|---|--------------------------------|
| <b>1-P. WATER SUPPLY</b>  |                                |
| A. Connections to Existing Supply – New Construction                              | <del>60.00</del> <u>84.00</u>  |
| Repair to existing connections  | <del>40.50</del> <u>56.70</u>  |
| B. Well Drilling – New Construction   | <del>60.00</del> <u>84.00</u>  |
| Repair to existing well   | <del>40.50</del> <u>56.70</u>  |
| C. Change-over from Well to Municipal Water Supply                                | <del>60.00</del> <u>84.00</u>  |
| D. Plug Well  | <del>60.00</del> <u>84.00</u>  |
| <b>2-P. SEWAGE DISPOSAL</b>   |                                |
| A. Septic System – New Construction   | <del>75.00</del> <u>105.00</u> |
| Repair or alterations   | <del>60.00</del> <u>84.00</u>  |
| B. Sewer System – New Construction  | <del>52.50</del> <u>73.50</u>  |
| Repair or alterations   | <del>37.50</del> <u>52.50</u>  |
| C. Change-over from Septic to Sanitary Sewer                                      | <del>52.50</del> <u>73.50</u>  |
| <b>3-P. PLUMBING</b>  |                                |
| A. Minimum Fee  | <del>85.50</del> <u>119.70</u> |
| plus <del>\$6.50</del> <u>\$9.75</u> for every fixture in excess of five fixtures |                                |
| B. Replacement of Existing Fixtures   | <del>60.00</del> <u>84.00</u>  |
| plus <del>\$5.00</del> <u>\$7.50</u> for every fixture in excess of five fixtures |                                |

**PRESIDENT continued**

**PROPOSED ORDINANCE AMENDMENTS continued**

**ITEM #8 cont'd**

|  |                                 |                                |
|--|---------------------------------|--------------------------------|
| C. Water Heaters (each)  | <del>45.00</del> <u>63.00</u>   |                                |
| D. Lawn Sprinkler System – single units<br>plus <del>\$1.60</del> <u>\$2.40</u> per sprinkler head | <del>37.50</del> <u>52.50</u>   |                                |
| E. Filling Stations – Permit Fees for the Storage of Flammable Liquids shall be:                   |                                 |                                |
| 1,065 gallons or less  | <del>90.00</del> <u>126.00</u>  |                                |
| 1,066 to 7,000 gallons   | <del>129.00</del> <u>180.60</u> |                                |
| 7,001 to 25,000 gallons  | <del>193.50</del> <u>270.90</u> |                                |
| 25,001 to 50,000 gallons   | <del>322.50</del> <u>451.50</u> |                                |
| 50,001 to 100,000 gallons  | <del>387.00</del> <u>541.80</u> |                                |
| 100,001 to 200,000 gallons   | <del>643.50</del> <u>900.90</u> |                                |
| F. Fire Line Sprinkler System<br>plus <del>\$1.00</del> <u>\$1.50</u> per head.                    | <del>37.50</del> <u>52.50</u>   |                                |
| G. Swimming Pools (In-ground)  | <del>97.50</del> <u>136.50</u>  |                                |
| Swimming Pools (Above-ground)  | <del>37.50</del> <u>52.50</u>   |                                |
| H. Sump and Ejector pumps and basins   | <del>15.00</del> <u>21.00</u>   |                                |
| NOTE: Fixture Connections covered by permit include but are not limited to the following:          |                                 |                                |
| Bathtubs   | Kitchen Sinks                   | Urinals                        |
| Bidets   | Laundry Tubs                    | Washing Machines               |
| Dishwashers  | Lavatories                      | Waste Openings                 |
| Drinking Fountains   | Showers-where separate          | Water Closets                  |
| Floor Drains   | from tub                        | Water Openings                 |
| Hose Connections   | Slop Sinks                      |                                |
| I. Drain Tile Installation   |                                 | <del>52.50</del> <u>73.50</u>  |
| J. Temporary Toilet Facilities (satellites) – Minimum Fee  |                                 | <del>75.00</del> <u>105.00</u> |
| For every unit in excess of five (5)   |                                 | <del>15.00</del> <u>21.00</u>  |

|  |                               |
|--|-------------------------------|
| <b>4-P. ANNUAL PLUMBING INSPECTION FEE</b> |                               |
| Per Hour                                   | <del>45.00</del> <u>63.00</u> |
| <b>5-P Manholes &amp; Sidebasins</b>       | <del>52.50</del> <u>73.50</u> |
| Gas Connection (each)                      | <del>52.50</del> <u>73.50</u> |

**TEMPORARY PERMIT FEE SCHEDULE**

|   |                                 |
|---|---------------------------------|
| <b>1-T. TEMPORARY SEATING</b>   |                                 |
| Fee   | <del>262.50</del> <u>367.50</u> |
| <b>2-T. TEMPORARY PLATFORM FOR PUBLIC ASSEMBLY</b>  |                                 |
| Fee   | <del>112.50</del> <u>157.50</u> |
| <b>3-T. FAMILY FALLOUT SHELTERS</b>   |                                 |
| 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. |                                 |

**PRESIDENT continued**

**PROPOSED ORDINANCE AMENDMENTS continued**

**ITEM #8 cont'd**

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

- A. Temporary Certificates of Occupancy Fees shall be ~~\$25.00~~ \$37.50 for one dwelling unit, ~~\$27.00~~ \$40.50 for two dwelling units or ~~\$10.00~~ \$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 ~~\$25.00~~ \$37.50; and ~~\$15.00~~ \$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~~ 315.00
- B. Multi-family dwellings, commercial units and other structures ~~450.00~~ 630.00

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

- A. Certificate of Occupancy Fees shall be ~~\$25.00~~ \$37.50 for one dwelling unit, ~~\$27.50~~ \$41.25 for two dwelling units or ~~\$10.00~~ \$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 ~~\$45.00~~ \$63.00 per hour or fraction thereof, for a building or zoning inspection.

**Article 5.3-4 IV Registration of Multiple Buildings- Time of Registration**

|                      |                    |                 |
|----------------------|--------------------|-----------------|
| Initial Registration | <del>\$75.00</del> | <u>\$105.00</u> |
| Renewal              | <del>\$37.50</del> | <u>\$52.50</u>  |
| Renewal after 1 year | <del>\$75.00</del> | <u>\$105.00</u> |

**Article 5.3-4 IX Penalties**

|                                 |                     |                  |
|---------------------------------|---------------------|------------------|
| 1st offense                     | <del>\$75.00</del>  | <u>\$105.00</u>  |
| No more than                    | <del>\$300.00</del> | <u>\$420.00</u>  |
| 2nd offense                     | <del>\$150.00</del> | <u>\$210.00</u>  |
| No more than                    | <del>\$450.00</del> | <u>\$630.00</u>  |
| Submission of False Information | <del>\$150.00</del> | <u>\$210.00</u>  |
| No more than                    | <del>\$750.00</del> | <u>\$1050.00</u> |

**PRESIDENT continued**

**PROPOSED ORDINANCE AMENDMENTS continued**

**ITEM #8 cont'd**

**Effective Date:** This Ordinance shall be effective on the 30th day following passage.

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In accordance with Cook County Code Section 2-107(z)(1) Amendment or suspension of rules, Commissioner Daley, seconded by Commissioner Murphy, moved to suspend Section 2-107(h)(1) Prior notice to public; agendas. **The motion carried unanimously.**

Commissioner Daley, seconded by Commissioner Butler, moved that the Proposed Ordinance Amendment be referred to the Committee on Finance. (Comm. No. 315200). **The motion carried unanimously.**

\* \* \* \* \*

**ITEM #9**

Submitting a Proposed Ordinance Amendment sponsored by

TONI PRECKWINKLE, President, WILLIAM BEAVERS, JERRY BUTLER,  
JESUS G. GARCIA, JOAN PATRICIA MURPHY, EDWIN REYES, PETER N. SILVESTRI  
and DEBORAH SIMS, County Commissioners

**PROPOSED ORDINANCE AMENDMENT**

**DOCUMENT STORAGE FEE**

**WHEREAS**, pursuant to Illinois Statute and Cook County home rule authority, the Recorder of Deeds ("Recorder") is authorized to charge an additional fee for the filing of every instrument, paper or notice of record to defray the costs of document storage; and

**WHEREAS**, the Cook County Board of Commissioners previously adopted the Document Storage Fee Ordinance, Chapter 2 Administration, Article IV Officers and Employees, Division 3 Recorder of Deeds, Subdivision 11 Fees, Section 2-213 of the County Code, and the current fee is set at \$3.00; and

**WHEREAS**, the document storage fee has not been increased since 1989 and in order to defray the costs of document storage an increase is warranted.

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

**PRESIDENT continued**

**PROPOSED ORDINANCE AMENDMENTS continued**

**ITEM #9 cont'd**

**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,<br/>Charges<br/>(in dollars)</b> |
|----------------------------------|--|--|
| <b>CHAPTER 2, ADMINISTRATION</b> |  |  |
| 2-213                            | Electronic copies of documents from Recorder's website, per document | <del>3.00</del> <u>5.00</u>                      |

**Effective Date:** This Ordinance Amendment shall be effective on the 30th day following passage.

\_\_\_\_\_

In accordance with Cook County Code Section 2-107(z)(1) Amendment or suspension of rules, Commissioner Daley, seconded by Commissioner Murphy, moved to suspend Section 2-107(h)(1) Prior notice to public; agendas. **The motion carried unanimously.**

Commissioner Daley, seconded by Commissioner Butler, moved that the Proposed Ordinance Amendment be referred to the Committee on Finance. (Comm. No. 315201). **The motion carried unanimously.**

\* \* \* \* \*

**ITEM #10**

Submitting a Proposed Ordinance Amendment sponsored by

TONI PRECKWINKLE, President, WILLIAM BEAVERS, JERRY BUTLER,  
JESUS G. GARCIA, JOAN PATRICIA MURPHY, EDWIN REYES, PETER N. SILVESTRI  
and DEBORAH SIMS, County Commissioners

**PROPOSED ORDINANCE AMENDMENT**

**INTERNET DOCUMENT COPY FEE**

**WHEREAS**, pursuant to Illinois Statute 55 ILCS 5/3-5018 and 55 ILCS 5/5-1106.1, the Recorder of Deeds ("Recorder") is authorized to charge a fee for electronic copies of recorded documents obtained from the Recorder's Internet website; and

**PRESIDENT continued**

**PROPOSED ORDINANCE AMENDMENTS continued**

**ITEM #10 cont'd**

**WHEREAS**, in 2004 the Cook County Board of Commissioners adopted the Recorder Internet Document Copy Fee Ordinance, Chapter 2 Administration, Article IV Officers and Employees, Division 3 Recorder of Deeds, Subdivision 11 Fees, Section 2-216 of the County Code, and set the fee at \$.50 for an Internet copy; and

**WHEREAS**, in 2008 the Cook County Board of Commissioners amended the Internet Document Copy Fee and set the fee at \$1.50 for an Internet copy; and

**WHEREAS**, pursuant to calculations performed by the Industrial Engineers regarding the recording process, the cost analysis indicates that the \$1.50 does not cover the Recorder's costs.

**NOW, THEREFORE, BE IT ORDAINED**, by the Cook County Board of Commissioners that Chapter 32 Fees, 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<br/>(in dollars)</b> |
|----------------------------------|--|--|
| <b>CHAPTER 2, ADMINISTRATION</b> |  |  |
| 2-216(a)                         | Electronic copies of documents from Recorder's website, per document | <del>1.50</del> <u>2.50</u>                  |

**Effective Date:** This Ordinance Amendment shall be effective on the 30th day following passage.

In accordance with Cook County Code Section 2-107(z)(1) Amendment or suspension of rules, Commissioner Daley, seconded by Commissioner Murphy, moved to suspend Section 2-107(h)(1) Prior notice to public; agendas. **The motion carried unanimously.**

Commissioner Daley, seconded by Commissioner Butler, moved that the Proposed Ordinance Amendment be referred to the Committee on Finance. (Comm. No. 315202). **The motion carried unanimously.**

\* \* \* \* \*

**PRESIDENT continued**

**PROPOSED ORDINANCE AMENDMENT continued**

**ITEM #11**

Submitting a Proposed Ordinance Amendment sponsored by

TONI PRECKWINKLE, President, JERRY BUTLER, JOHN P. DALEY  
and JESUS G. GARCIA, County Commissioners

**PROPOSED ORDINANCE AMENDMENT**

**PARKING GARAGE TAX AMENDMENT**

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

**WHEREAS**, pursuant to the County's home rule powers, the Cook County Board of Commissioners adopted an Ordinance to provide for a Parking Garage and Operations Tax on November 21, 2000; and

**WHEREAS**, certain parking fees or charges should be revised in the interests of a fair and equitable implementation of said Ordinance.

**NOW THEREFORE, BE IT ORDAINED**, by the Cook County Board of Commissioners that Chapter 74 Taxation, Article XIII Parking Lot and Garage Operations Tax, Section 512(c) of the Cook County Code of Ordinances is hereby amended as follows:

**Sec. 74-512. Tax imposed.**

(a) A tax is imposed upon the use and privilege of parking a motor vehicle in or upon any parking lot or garage in the County. The tax shall be collected by operators and valet parking operators, as described in this article, from any person who seeks the privilege of occupying space in or upon any parking lot or garage.

(b) Valet Parking Operators are required to collect and remit the tax imposed by this article, for each motor vehicle parked at a Parking Lot or Garage, as described in this article; however the valet parking operator is not required to collect or remit the tax if the Valet Parking Operator pays the tax to the Operator, who shall remit the tax to the Department.

(c) Tax rates.

| Parking Charge or Fee Time Period | Imposed by Operator                       | Tax Amount |
|-----------------------------------|---|------------|
| 24 hours or less                  | <del>\$3.00</del> <u>\$2.00</u> or less   | \$ 0.00    |
| 24 hours or less                  | <del>\$3.01</del> <u>\$2.01</u> to \$4.99 | \$ 0.50    |
| 24 hours or less                  | \$5.00 to \$11.99                         | \$ 0.75    |
| 24 hours or less                  | \$12.00 or more                           | \$ 1.00    |

**PRESIDENT continued**

**PROPOSED ORDINANCE AMENDMENTS continued**

**ITEM #11 cont'd**

|         |  |         |
|---------|--|---------|
| Weekly  | <del>\$15.00</del> <u>\$10.00</u> or less    | \$ 0.00 |
| Weekly  | <del>\$15.01</del> <u>\$10.01</u> to \$24.99 | \$ 2.50 |
| Weekly  | \$25.00 to \$59.99                           | \$ 3.75 |
| Weekly  | \$60.00 or more                              | \$ 5.00 |
| Monthly | <del>\$60.00</del> <u>\$40.00</u> or less    | \$ 0.00 |
| Monthly | <del>\$60.01</del> <u>\$40.01</u> to \$99.99 | \$10.00 |
| Monthly | \$100.00 to \$239.99                         | \$15.00 |
| Monthly | \$240.00 or more                             | \$20.00 |

**Effective Date:** This Ordinance Amendment shall be effective on the 30th day following passage.

In accordance with Cook County Code Section 2-107(z)(1) Amendment or suspension of rules, Commissioner Daley, seconded by Commissioner Murphy, moved to suspend Section 2-107(h)(1) Prior notice to public; agendas. **The motion carried unanimously.**

Commissioner Daley, seconded by Commissioner Butler, moved that the Proposed Ordinance Amendment be referred to the Committee on Finance. (Comm. No. 315203). **The motion carried unanimously.**

\* \* \* \* \*

**ITEM #12**

Submitting a Proposed Ordinance Amendment sponsored by

TONI PRECKWINKLE, President, JERRY BUTLER, JOHN P. DALEY, JESUS G. GARCIA  
 and ROBERT B. STEELE, County Commissioners

**PROPOSED ORDINANCE AMENDMENT**

**ALCOHOL BEVERAGE TAX**

**BE IT ORDAINED**, by the Cook County Board of Commissioners that Chapter 74 Taxation, Article IX Alcoholic Beverage Tax, Section 74-352 of the Cook County Code is hereby amended as follows:

**Sec. 74-352. Tax imposed.**

(a) A tax is hereby imposed on the retail sale in the County of all alcoholic beverages. Such tax is to be paid by the purchaser, and nothing in this article shall be construed to impose a tax upon the occupation of retail or wholesale alcoholic beverage dealers. This tax shall be levied according to the following schedule:

- (1) Alcoholic beverages other than beer, containing 14 percent or less alcohol by volume, a tax at the rate of ~~\$0.16~~\$0.24 per gallon or the pro rata portion thereof.

**PRESIDENT continued**

**PROPOSED ORDINANCE AMENDMENTS continued**

**ITEM #12 cont'd**

- (2) Alcoholic beverages containing more than 14 percent and less than 20 percent alcohol by volume, a tax at the rate of ~~\$0.30~~\$0.45 per gallon or the pro rata portion thereof.
- (3) Alcoholic beverages containing 20 percent or more alcohol by volume, a tax at the rate of ~~\$2.00~~ \$2.50 per gallon or the pro rata portion thereof.
- (4) Beer, a tax at the rate of ~~\$0.06~~ \$0.09 per gallon or the pro rata portion thereof.
- (b) The ultimate incidence of and liability for payment of the tax levied in this article is to be borne by the consumer of the alcoholic beverages.
- (c) It shall be deemed a violation of this article for a retail alcoholic beverage dealer to fail to include the tax imposed in this article in the sale price of the alcoholic beverage or to otherwise absorb such tax. The tax levied in this article shall be in addition to any and all other taxes.
- (d) Except as provisions are made in this article for the collection of the tax levied in this article upon the sale of alcoholic beverages in the possession of retail dealers of alcoholic beverages on the effective date of the ordinance from which this article is derived, the tax levied in this article shall be collected by each wholesale dealer of alcoholic beverages who sells alcoholic beverages to a retail dealer of alcoholic beverages doing business in the County.
- (e) Any wholesale alcoholic beverage dealer who shall pay the tax levied by this article to the Department shall collect the tax from any retail alcoholic beverage dealer to whom the sale of the alcoholic beverages is made, and any retail alcoholic beverage dealer shall in turn then collect the tax from the purchaser of the alcoholic beverages. The tax shall be paid to the person required to collect it as trustee for and on account of the County.

**Effective Date:** This Ordinance Amendment shall be effective on the 30th day following passage.

---

In accordance with Cook County Code Section 2-107(z)(1) Amendment or suspension of rules, Commissioner Daley, seconded by Commissioner Murphy, moved to suspend Section 2-107(h)(1) Prior notice to public; agendas. **The motion carried unanimously.**

Commissioner Daley, seconded by Commissioner Butler, moved that the Proposed Ordinance Amendment be referred to the Committee on Finance. (Comm. No. 315204). **The motion carried unanimously.**

\* \* \* \* \*

**PRESIDENT continued**

**PROPOSED ORDINANCE AMENDMENTS continued**

**ITEM #13**

Submitting a Proposed Ordinance Amendment sponsored by

TONI PRECKWINKLE, President, JERRY BUTLER, JOHN P. DALEY, JESUS G. GARCIA  
and ROBERT B. STEELE, County Commissioners

**PROPOSED ORDINANCE AMENDMENT**

**TOBACCO TAX AMENDMENT**

**BE IT ORDAINED**, by the Cook County Board of Commissioners that Chapter 74 Taxation, Article XI Tobacco Tax, Sections 74-431 to 74-433 and 74-435 is hereby amended as follows:

**Sec. 74-431. Definitions.**

For the purpose of this article, whenever any of the following words, terms or definitions are used herein, they shall have the meaning ascribed to them in this section.

*Altered or mutilated tax stamp* means any tax stamp on which the identity information is illegible or incomplete.

*Chewing tobacco* means any leaf tobacco that is not intended to be smoked.

*Cigar* means any roll of tobacco wrapped in leaf tobacco or in any substance containing tobacco (other than any roll of tobacco which is a cigarette as defined in this article).

*Cigarette* means any roll for smoking made wholly or in part of tobacco, irrespective of size or shape and whether such tobacco is flavored, adulterated or mixed with any other ingredient, or not, and the wrapper of which is made of paper or any other substance or material except tobacco.

*Concealment* means cigarettes, other tobacco products, or cigarette tax stamps, in violation of this article, deliberately hidden to prevent or evade discovery and offered for sale by or in the possession of a wholesale or retail tobacco dealer.

*Conspicuous* means easily or clearly visible.

*Counterfeit cigarettes* means any cigarette or pack of cigarettes bearing a false, forged, artificial or imitation manufacturing label.

*County* means the County of Cook.

*Department* means the Department of Revenue within the Bureau of Finance of the County of Cook.

**PRESIDENT continued**

**PROPOSED ORDINANCE AMENDMENTS continued**

**ITEM #13 cont'd**

*Director* means the Director of the Department of Revenue.

*Improperly stamped pack* means, any packs of cigarettes on which is affixed an altered/mutilated; used or reused; or counterfeit tax stamp.

*Large cigar* means any roll of tobacco wrapped in leaf tobacco or any substance containing tobacco and weighing more than three pounds per thousand.

*Little cigar* means any roll of tobacco wrapped in leaf tobacco or any substance containing tobacco and not weighing more than three pound per thousand.

*Loose cigarettes* means cigarettes that are not contained within a sealed container, pack, or package as provided by the manufacturer or as a result of any wholesale or retail tobacco dealer or person breaking or otherwise opening any cigarette package to sell or distribute individual cigarettes or a number of unpackaged cigarettes that is smaller than the minimum package size of 20 cigarettes or any quantity of cigarettes that is smaller than the smallest package distributed by the manufacturer for individual consumer use.

*Loose little cigars* mean little cigars that are not contained within a sealed container, pack or package as provided by the manufacturer.

*Manufacturer* means any person, other than a Retail Cigarette Manufacturer, who makes or fabricates cigarettes and/or tobacco products and sells them.

*Other Tobacco products* includes, but is not limited to, smokeless tobacco, smoking tobacco, large cigars and little cigars, but does not include cigarettes.

*Package* means the original packet, box, tin or container whatsoever used to contain and to convey cigarettes tobacco products to the consumer.

*Person* means any individual, corporation, Limited Liability Corporation, organization, government, governmental subdivision or agency, business trust, estate, trust, partnership, association and any other legal entity.

*Pipe tobacco* includes any tobacco which, because of its appearance, type, packaging or labeling is suitable for use and likely to be offered to, or purchased by, consumers as tobacco to be smoked in a pipe.

*Premises* means, but is not limited to, buildings, vehicles or any place where cigarette inventory is possessed, stored or sold.

*Purchaser* means consumer or end-user.

**PRESIDENT continued**

**PROPOSED ORDINANCE AMENDMENTS continued**

**ITEM #13 cont'd**

Retail cigarette manufacturer means any retail tobacco dealer who makes, fabricates, or produces cigarettes or provides to consumers tobacco and other material and equipment for the production of cigarettes in Cook County.

*Retail tobacco dealer* means any person who engages in the business of selling cigarettes or other tobacco products in the County of Cook to a purchaser for use or consumption and not for resale in any form.

*Roll-your-own tobacco* includes any tobacco which, because of its appearance, type, packaging or labeling is suitable for use and likely to be offered to, or purchased by, consumers as tobacco for making cigarettes or cigars or for use as wrappers of cigars or cigarettes.

*Sale, resale, selling* means any transfer of ownership or possession, or both, exchange or barter, conditional or otherwise, in any manner or by any means whatsoever for a valuable consideration.

*Smokeless tobacco* includes any snuff, snus, chewing tobacco, or other tobacco products not intended to be smoked.

*Smoking tobacco* includes granulated, plug cut, crimp cut, ready rubbed and other kinds and forms of tobacco prepared in such manner as to be suitable for smoking in a pipe or cigarette.

*Snuff* means any finely cut, ground or powered tobacco that is not intended to be smoked.

*Stamp* means paper or other material with an imprint or decalcomania device thereon, of such size, design, color and denominations as may be prescribed and procured by the Department which, when affixed to a package of cigarettes, shall evidence payment of the tax thereon, as provided by this article.

*Tobacco products* includes, but is not limited to, any cigars; cheroots; stogies; periques; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff or snuff flour; Cavendish; plug and twist tobacco; fine-cut and other chewing tobaccos; shorts; refuse scraps, clippings, cuttings, and sweeping of tobacco; and other kinds and forms of tobacco, prepared in such manner as to be suitable for chewing or smoking in a pipe or otherwise, or both chewing and smoking; but does not include cigarettes or tobacco purchased for the manufacture of cigarettes by cigarette wholesale tobacco dealers and manufacturers as defined in this article.

*Unit* means any division of quantity that may be used as a standard to measure the quantity sold based on length, width, weight such as pounds, ounces and/or grams or volume or some other similar unit of measure, including but not limited to per item.

*Unstamped pack* means any pack of cigarettes on which a Cook County tax stamp is not affixed.

**PRESIDENT continued**

**PROPOSED ORDINANCE AMENDMENTS continued**

**ITEM #13 cont'd**

*Use* means any exercise of a right or power, actual or constructive, and shall include but is not limited to the receipt, storage, or any keeping or retention for any length of time, but shall not include possession for sale by a retail or wholesale tobacco dealer as defined in this article.

*Used or reused tax stamp* means, any tax stamp previously affixed to a tobacco product, removed and subsequently affixed to any tobacco product purchased, offered for sale or sold by any person, wholesale or retail tobacco dealer; or any removed tax stamp purchased, offered for sale, sold by, or in the possession of a wholesale or retail tobacco dealer.

*Wholesale tobacco dealer* means any person who engages in the business of selling or supplying cigarettes and/or tobacco products, who brings into the County cigarettes, to any person for resale in or outside the County of Cook. For the purposes of this article, wholesale tobacco dealers also include cigarette distributors who are licensed with the State of Illinois (35 ILCS 143/10-20).

**Sec. 74-432. Registration of wholesale, ~~and~~ retail tobacco dealers and retail cigarette manufacturer.**

Wholesale tobacco dealers, ~~and~~ retail tobacco dealers and retail cigarette manufacturers as defined in this article, shall register with the Department in accordance with policies or procedures prescribed by the Department.

**Sec. 74-433. Tax imposed; cigarettes, other tobacco products; collection; remittance.**

(a) *Cigarette Tax rate.* A tax at the rate of 100 mils or \$0.10 per cigarette is hereby imposed upon all cigarettes possessed for sale and upon the use of all cigarettes within the County of Cook, the ultimate incidence of and liability for payment of said tax to be borne by the consumer of said cigarettes. The tax imposed hereby at the rate of 100 mils or \$0.10 per cigarette shall become in force and effect on March 1, 2006. The tax herein levied shall be in addition to any and all other taxes.

(b) *Cigarette Tax stamp purchases.* The tax imposed in this section shall be paid by purchase of tax stamps from the Department, except as otherwise provided in Subsections 74-446(a) and (b) of this article. The Department shall only sell Cook County cigarette tax stamps to cigarette distributors who are licensed with the State of Illinois. It shall be the duty of every wholesale tobacco dealer, before delivering or causing to be delivered any cigarettes to a retail tobacco dealer in the County of Cook to purchase from the Department a tax stamp for each package of cigarettes and to cancel said stamps prior to the delivery of such cigarettes to any retail tobacco dealer in the County of Cook. Said stamps shall be affixed and cancelled in the manner prescribed by rules and regulations of the Department.

**PRESIDENT continued**

**PROPOSED ORDINANCE AMENDMENTS continued**

**ITEM #13 cont'd**

(c) ~~*Tax collection.* Any wholesale tobacco dealer who shall pay the tax levied by this article to the Department shall collect the tax from any retail tobacco dealer to whom the sale of said cigarettes is made, and any retail tobacco dealer shall, in turn, and then collect the tax from the purchaser of said cigarettes. The tax shall be paid to the person required to collect it as trustee for and on account of the County of Cook.~~ *Retail cigarette manufacturer rate.* A tax at the rate of \$0.10 per cigarette is hereby imposed upon each cigarette produced by a retail cigarette manufacturer.

(d) ~~*Tax included in sales price.* It shall be deemed a violation of this article for a retail tobacco dealer or retail cigarette manufacturer to fail to include the tax imposed in this article in the sale price of cigarettes and other tobacco products to otherwise absorb such tax. The tax levied in this article shall be in addition to any and all other taxes.~~ *Other tobacco product tax rate.* A tax at the following rates is hereby imposed upon the following products:

- (1) Smoking tobacco - \$0.60 per ounce or fraction thereof
- (2) Smokeless tobacco - \$0.60 per ounce or fraction thereof
- (3) Little Cigars - \$0.05 per unit or cigar
- (4) Large Cigars - \$0.30 per unit or cigar

(e) ~~*Tax debt owed to County.* The tax required in this article to be collected by any wholesale tobacco dealer, or retail tobacco dealer, or retail cigarette manufacturer pursuant to this article shall constitute a debt owed by such wholesale or retail tobacco dealer to the County.~~ *Wholesale Tobacco Dealer Tax collection.* Any wholesale tobacco dealer who shall pay the tax levied by this article to the Department shall collect the tax from any retail tobacco dealer to whom the sale of said cigarettes, or other tobacco products is made, and any retail tobacco dealer shall, in turn, and then collect the tax from the purchaser of said cigarettes, smoking tobacco, smokeless tobacco, little cigars and large cigars. The tax shall be paid to the person required to collect it as trustee for and on account of the County of Cook.

(f) *Retail cigarette manufacturer Tax collection.* Any retail cigarette manufacturer who shall pay the tax levied by this article to the Department shall collect the tax from the purchaser.

(g) *Other Tobacco Products Tax collection.* It shall be the duty of every of wholesale tobacco dealer and retail cigarette manufacturer to remit tax due for Other Tobacco Product sales along with forms prescribed by the Department, on or before the 20<sup>th</sup> day of the month following the month for which the tax is due.

(h) *Tax included in sales price.* It shall be deemed a violation of this article for a retail tobacco dealer or retail cigarette manufacturer to fail to include the tax imposed in this article in the sale price of cigarettes and other tobacco products to otherwise absorb such tax. The tax levied in this article shall be in addition to any and all other taxes.

**PRESIDENT continued**

**PROPOSED ORDINANCE AMENDMENTS continued**

**ITEM #13 cont'd**

(i) Tax debt owed to County. The tax required in this article to be collected by any wholesale tobacco dealer, or retail tobacco dealer, or retail cigarette manufacturer pursuant to this article shall constitute a debt owed by such wholesale or retail tobacco dealer to the County.

**Sec. 74-435. Sales, possession, use or hindrance violations and penalties.**

(a) It shall be a violation of this article to engage in the sale, possession, or use of any cigarettes and/or other tobacco products subject to any tax provided by this article upon which said tax has not been paid or the stamps affixed and cancelled as herein required, including, as described in this article:

- (1) Counterfeit cigarettes or counterfeit other tobacco products.
- (2) Counterfeit tax stamps.
- (3) Improperly stamped packs.
- (4) Unstamped packs.

(b) It shall be a violation of this article for any wholesale tobacco dealer, ~~or~~ retail tobacco dealer, or retail cigarette manufacturer to engage in any of the following:

- (1) Utilization of used or reused tax stamps by possessing or offering for sale or resale packs of cigarettes affixed with a used or reused tax stamp.
- (2) Concealment, as described in this article.
- (3) Sell or distribute loose cigarettes or little cigars.
- (4) Sell cigarettes to any person, other than to another registered Cook County wholesale tobacco dealer, unless each package bears an un-mutilated Cook County tax stamp affixed, or where the selling wholesale tobacco dealer, or its agent, delivers the unstamped cigarettes to a location outside Cook County.
- (5) Hinder or prevent an authorized Department representative from performing an inspection or audit.

(c) Prima facie presumption. The sale, resale or possession by a wholesale or retail tobacco dealer of altered/mutilated, counterfeit, used or reused tax stamps; or packs of counterfeit, improperly stamped, unstamped cigarettes or loose cigarettes shall give rise to the prima facie presumption that the wholesale or retail tobacco dealer is in violation of the provisions of this article.

(d) Cigarette pack, tax stamp, loose cigarettes and little cigars, other tobacco products and hindrance violation penalties.

**PRESIDENT continued**

**PROPOSED ORDINANCE AMENDMENTS continued**

**ITEM #13 cont'd**

| Violation Type  | Penalties Amount |
|---|------------------|
| <b>Concealment</b>                                    |                  |
| 1st Offense   | \$2,000.00       |
| 2nd and each subsequent offense, an additional        | 4,000.00         |
| <b>Counterfeit packs of cigarettes</b>                |                  |
| 40 or less  | 2,000.00         |
| 41 or more, per pack                                  | 50.00            |
| 2nd and each subsequent offense, an additional        | 4,000.00         |
| <b>Counterfeit tax stamps</b>                         |                  |
| 40 or less  | 2,000.00         |
| 41 or more, per stamp                                 | 50.00            |
| 2nd and each subsequent offense, an additional        | 4,000.00         |
| <b>Improperly stamped packs</b>                       |                  |
| 40 or less  | 2,000.00         |
| 41 or more, per pack                                  | 50.00            |
| 2nd and each subsequent offense, an additional        | 2000.00          |
| <b>Loose cigarettes and little cigars</b>             |                  |
| 40 or less  | 1,000.00         |
| 40 or more, per cigarette                             | 25.00            |
| 2nd and each subsequent offense, an additional        | 2,000.00         |
| <b><u>Other tobacco products</u></b>                  |                  |
| <u>1st offense</u>                                    | <u>1,000.00</u>  |
| <u>2nd and each subsequent offense, an additional</u> | <u>2,000.00</u>  |
| <b>Sales to unregistered wholesalers</b>              |                  |
| 1st offense   | 2,000.00         |
| 2nd and each subsequent offense, an additional        | 4,000.00         |
| <b>Unstamped packs</b>                                |                  |
| 40 packs or less                                      | 1,000.00         |
| 41 packs or more, per pack                            | 25.00            |

**PRESIDENT continued**

**PROPOSED ORDINANCE AMENDMENTS continued**

**ITEM #13 cont'd**

|  |          |
|--|----------|
| 2nd and each subsequent offense, an additional | 2,000.00 |
| Utilization of used or reused tax stamps       |          |
| 40 or less packs or stamps                     | 2,000.00 |
| 41 or more packs or stamps, per pack or stamp  | 50.00    |
| 2nd and each subsequent offense, an additional | 4,000.00 |
| Hinder inspection or audit                     |          |
| 1st Offense                                    | 1,000.00 |
| 2nd and each subsequent offense, an additional | 2,000.00 |

**Effective Date:** This Ordinance Amendment shall be effective on the 30th day following passage.

\_\_\_\_\_

In accordance with Cook County Code Section 2-107(z)(1) Amendment or suspension of rules, Commissioner Daley, seconded by Commissioner Murphy, moved to suspend Section 2-107(h)(1) Prior notice to public; agendas. **The motion carried unanimously.**

Commissioner Daley, seconded by Commissioner Butler, moved that the Proposed Ordinance Amendment be referred to the Committee on Finance. (Comm. No. 315205). **The motion carried unanimously.**

\* \* \* \* \*

**ITEM #14**

Submitting a Proposed Ordinance Amendment sponsored by

TONI PRECKWINKLE, President, JOHN P. DALEY and JESUS G. GARCIA, County Commissioners

**PROPOSED ORDINANCE AMENDMENT**

**WHEEL TAX AMENDMENT**

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

**WHEREAS**, pursuant to the County's home rule powers, the Cook County Board of Commissioners on December 30, 1971 adopted an Ordinance to provide for taxes, fees, and licenses associated with the sale and use of various motor vehicles in certain parts of Cook County; and

**PRESIDENT continued**

**PROPOSED ORDINANCE AMENDMENTS continued**

**ITEM #14 cont'd**

**WHEREAS**, the fees associated with the Wheel Tax were last revised by the County Board of Commissioners on December 21, 2005; and

**WHEREAS**, the fees associated with obtaining, transferring, or replacing vehicle licenses do not sufficiently address the cost of providing services associated with public health and safety in various parts of Cook County; and

**WHEREAS**, the fees associated with various motor vehicles are insufficient to address the cost of maintaining and improving relevant highways, roads, and infrastructure and to further provide public health and safety services to various parts of Cook County.

**NOW, THEREFORE, BE IT ORDAINED**, by the Cook County Board of Commissioners that Chapter 74 Taxation, Article XIV, Sections 74-563 and 74-564 of the Cook County Code of Ordinances are hereby amended as follows:

**ARTICLE XIV. WHEEL TAX**

**Sec. 74-563. Transfer.**

(a) Whenever the owner of any vehicle licensed under this article, before the expiration of such license, sells or otherwise disposes of such vehicle, and thereafter acquires another vehicle and desires to transfer the vehicle license originally issued for the vehicle disposed of to such newly-acquired vehicle, such owner shall immediately make application to the Department for a transfer of said vehicle license to the newly-purchased vehicle. Said application shall state the name and address of the licensee and the name and address of the purchaser of said vehicle, together with a description of the newly-purchased vehicle. Upon surrender of the original license and transparent sticker or vehicle tag in case a metal tag has been issued, or upon proof that the transparent sticker or plate has been destroyed, the Department shall transfer said license to apply to the new-acquired vehicle upon payment of the proper license fee of ~~\$10.00~~ \$20.00, provided, that the Department shall not transfer any license where the transparent sticker emblem issued under said license is defaced or mutilated so as to prevent identification of the emblem. It shall be unlawful for any person to displace a transparent sticker emblem on any vehicle other than the vehicle for which the emblem was originally issued, without first transferring the license to such other vehicle, as provided herein.

(b) The owner of any vehicle licensed under this article shall promptly notify the Department whenever the transparent sticker emblem issued under such license is lost, stolen or destroyed. A duplicate transparent sticker may be purchased from the Department for ~~\$20.00~~ \$40.00.

**PRESIDENT continued**

**PROPOSED ORDINANCE AMENDMENTS continued**

**ITEM #14 cont'd**

**Sec. 74-564. Dealer license.**

(a) If any manufacturer or dealer of any of the motor vehicles mentioned in this article shall make application to the Department and shall state that the manufacturer or dealer is a manufacturer operating a plant for the construction of motor vehicles within the unincorporated area of Cook County, or a dealer in such motor vehicles with a salesroom located within the unincorporated area of Cook County, and desires a license emblem to be used by the dealer or manufacturer, the Department shall upon payment by such applicant of the fee hereinafter set for to such manufacturer or dealer a distinctive license plate or transparent sticker license emblem with a number thereon. Said emblem must be attached to or borne by any such motor vehicles while being operated on the streets of the unincorporated area of Cook County. When any such vehicle is in use and carries such license plate or transparent sticker license emblem, no other license fee shall be collected under the provision of this article.

(b) The annual license fee to be paid for each such license plate or transparent sticker license emblem shall be ~~\$20.00~~ \$40.00, and said fee shall not be prorated.

(c) Every manufacturer or dealer applying for said plates or transparent sticker license emblem must submit to the Department satisfactory proof of the person's status as such manufacturer or dealer and satisfactory proof of the number of sets of dealer's plates issued to the application by the State of Illinois; provided that no license plates or transparent sticker license emblems shall be issued under this article unless the applicant is in possession of an Illinois dealer's license for the current year. The total number of license plates and transparent sticker license emblems that may be obtained under this article shall not exceed the number of sets of dealer's license plates issued to the applicant by the State.

(d) No such license, plate or emblem shall be used on any motor vehicle rented by such manufacturer or dealer, or on any vehicle used to transport persons or property for hire, or on any vehicle unless such vehicle is operated under a dealer's license issued by the State of Illinois and to which both State license plates are attached.

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

**Sec. 32-1. Fee schedule.**

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

| Class |                                   | Annual License Fee (in dollars) |
|-------|-----------------------------------|---------------------------------|
|       | MOTOR VEHICLES                    |                                 |
| MB    | Motor bicycles or motor tricycles | <del>25.00</del> <u>50.00</u>   |

**PRESIDENT continued**

**PROPOSED ORDINANCE AMENDMENTS continued**

**ITEM #14 cont'd**

|     |   |                                 |
|-----|---|---------------------------------|
| XSV | Smaller passenger vehicles with a curb weight under 4,500 pounds  | <del>40.00</del> <u>80.00</u>   |
| XLV | Larger passenger vehicles with a curb weight of at least 4,500 pounds and hearses, ambulances, and privately owned, noncommercial motorized vacation camper or other motorized recreation vehicle   | <del>50.00</del> <u>100.00</u>  |
| NF  | Vehicles owned by the United States Government, State of Illinois or units of local government or vehicles owned by nonprofit organizations or buses owned and operated by churches or vehicles owned by persons with a disability, disabled veterans and persons over the age of 65. (See Sec. 74-554 Exemptions including limitations). | No Fee                          |
| SB  | Privately owned school buses  | <del>15.00</del> <u>30.00</u>   |
|     | RECREATIONAL TRAILERS   |                                 |
| RT  | All noncommercial recreational trailers, including boat trailers, snowmobile trailers, horse trailers, camping trailers and other noncommercial, nonmotorized recreational trailers   | <del>30.00</del> <u>60.00</u>   |
|     | COMMERCIAL TRAILERS   |                                 |
| CT  | All commercial trailers regardless of gross weight in pounds of vehicle plus its maximum load   | <del>75.00</del> <u>150.00</u>  |
|     | MOTOR TRUCKS, TRACTOR-SEMITRAILER UNITS AND MOTOR BUSES   |                                 |
|     | (Gross weight in pounds of vehicle plus its maximum load)   |                                 |
| A   | Up to 10,000 lbs.   | <del>50.00</del> <u>100.00</u>  |
| B   | 10,001 to 20,000 lbs.   | <del>75.00</del> <u>150.00</u>  |
| C   | 20,001 to 36,000 lbs. (2 or more axles)   | <del>90.00</del> <u>180.00</u>  |
| D   | 36,001 to 50,000 lbs. (3 or more axles)   | <del>100.00</del> <u>200.00</u> |
| E   | 50,001 to 75,000 lbs. (4 or more axles)   | <del>115.00</del> <u>230.00</u> |

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

**Sec. 32-1. Fee schedule.**

| Code Section                     | Description   | Fees, Rates, Charges (in dollars) |
|----------------------------------|---|-----------------------------------|
| <b>CHAPTER 2, ADMINISTRATION</b> |   |                                   |
| 74-565(b)                        | Annual license fee for dealer license plate or transparent sticker license emblem, each plate or emblem | <del>20.00</del> <u>40.00</u>     |

**Effective Date:** This Ordinance Amendment shall take effect on July 1, 2012.

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In accordance with Cook County Code Section 2-107(z)(1) Amendment or suspension of rules, Commissioner Daley, seconded by Commissioner Murphy, moved to suspend Section 2-107(h)(1) Prior notice to public; agendas. **The motion carried unanimously.**

Commissioner Daley, seconded by Commissioner Butler, moved that the Proposed Ordinance Amendment be referred to the Committee on Finance. (Comm. No. 315206). **The motion carried unanimously.**

\* \* \* \* \*

#### **ITEM #15**

Submitting a Proposed Ordinance Amendment sponsored by

TONI PRECKWINKLE, President, JOHN P. DALEY, JESUS G. GARCIA  
and ROBERT B. STEELE, County Commissioners

#### PROPOSED ORDINANCE AMENDMENT

#### **USE TAX AMENDMENT**

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

**WHEREAS**, pursuant to the County's home rule powers, the Cook County Board of Commissioners on May 4, 1992, adopted an Ordinance to provide a tax on the sale and use of tangible personal property that is licensed or registered with the State of Illinois; and

**WHEREAS**, the use tax associated with such tangible personal property does not sufficiently address the costs associated with roads and highways in certain parts of Cook County, and the provision of public health and safety services for all of Cook County;

**NOW, THEREFORE, BE IT ORDAINED**, by the Cook County Board of Commissioners that Chapter 74 Taxation, Article VII Use Tax, Section 74-272 of the Cook County Code of Ordinances be hereby amended as follows:

#### **Sec. 74-272. Tax imposed, tax rate; collection; purchaser; and tax collector.**

(a) *Tax imposed on user.* The tax imposed by this article and the obligation to pay the same is upon the user, as described in this article.

(b) *Tax Rate.* Except as provide in Section 74-273, a tax is imposed at the rate ~~of three-quarters of one percent~~ of one percent on the selling price of tangible personal property, purchased through a sale at retail, which is titled or registered with an agency of the State of Illinois at location inside Cook County.

**PRESIDENT continued**

**PROPOSED ORDINANCE AMENDMENTS continued**

**ITEM #15 cont'd**

(c) *Collection; remittance; sales receipt.* The tax imposed by this article shall be collected from the purchaser by the tax collector as defined by Section 74-271, and remitted to the Department as provided in this article. The tax imposed by this article shall, when collected, be stated as a distinct item separate and apart from the selling price of tangible personal property; and, the tax collector when collecting the tax shall give to the purchaser a receipt for such tax in the manner and form prescribed by the Department. Such receipt shall be sufficient to relieve the purchaser from further liability for the tax to which such receipt may refer.

(d) *Tax paid by Purchaser.* Except as provided in Section 74-277, the purchaser shall pay the tax imposed by this article to the tax collector.

(e) *Tax Collector liable.* The tax collector shall be liable to the County for the amount of tax that it is required to collect; and, shall collect the tax from purchasers by adding the tax to the selling price of tangible personal property, when sold for use in the County, in the manner prescribed by this article and the Department. If any retailer in collecting the amount which purports to constitute use taxes measured by receipts from sales which are subject to tax under this article, collects more from the purchaser than the actual use tax liability on the transaction, the purchaser shall have a legal right to claim a refund of such amount from such retailer. However, if such amount is not refunded to the purchaser for any reason, the retailer is liable to pay such amount to the Department.

**Effective Date:** This Ordinance Amendment shall be effective on the 30th day following passage.

---

In accordance with Cook County Code Section 2-107(z)(1) Amendment or suspension of rules, Commissioner Daley, seconded by Commissioner Murphy, moved to suspend Section 2-107(h)(1) Prior notice to public; agendas. **The motion carried unanimously.**

Commissioner Daley, seconded by Commissioner Butler, moved that the Proposed Ordinance Amendment be referred to the Committee on Finance. (Comm. No. 315207). **The motion carried unanimously.**

\* \* \* \* \*

**ITEM #16**

Submitting a Proposed Ordinance Amendment Sponsored by

TONI PRECKWINKLE, President, JERRY BUTLER, JESUS G. GARCIA  
and ROBERT B. STEELE, County Commissioners

**PROPOSED ORDINANCE AMENDMENT**

**AMUSEMENT DEVICE TAX**

**BE IT ORDAINED**, by the Cook County Board of Commissioners that Chapter 74 Taxation, Article XVI Amusement Device Tax, Sections 74-585 through 74-590 of the Cook County Code, is hereby enacted as follows:

**PRESIDENT continued**

**PROPOSED ORDINANCE AMENDMENTS continued**

**ITEM #16 cont'd**

**ARTICLE XVI. AMUSEMENT DEVICE TAX.**

**Sec. 74-585. Short title.**

This Article shall be known and may be cited as the Amusement Device Tax Ordinance. The tax herein imposed is in addition to all other taxes imposed by the County of Cook, the State of Illinois or any municipal corporation or political subdivision of any of the foregoing.

**Sec. 74-586. Definitions.**

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

*“Amusement Device”* means any machine, mechanical, electrical, electronic, or otherwise, which, upon the insertion of a coin, slug, token, card, thing of value, or similar object, or upon any other payment method, may be utilized generally as a game, entertainment, or amusement, whether or not registering a score and operated for gain or profit. If a device consists of more than one screen, display, or monitor which permits individual persons to operate the device simultaneously, each separate screen, display, or monitor shall be deemed an automatic amusement device. The term Amusement Device includes but is not limited to gambling, redemption, and coin-operated machines and devices as defined by Illinois law, including the Illinois Criminal Code, the Riverboat Gambling Act, and the Video Gaming Act, as well as such devices as pool and billiard tables, jukeboxes, video games or terminals, pinball machines, slot machines, film screening machines, simulated sports games, mechanical grab machines, electronic targets games, and all similar games and devices.

*“Department of Revenue”* or *“Department”* means the Department of Revenue in the Bureau of Finance of Cook County.

*“Director”* means the Director of the Department of Revenue.

*“Owner”* means any Person who has an ownership or leasehold interest in such an Amusement Device, or any Person who has a proprietary interest in the Amusement Device, so as to entitle such Person to all or a portion of the proceeds from the operation, conduct or presentation of such Amusement Device.

*“Person”* means any individual, corporation, limited liability company, organization, association, joint venture, government, governmental subdivision, agency or authority, business trust, estate, trust, partnership, association and any other legal entity.

**PRESIDENT continued**

**PROPOSED ORDINANCE AMENDMENTS continued**

**ITEM #16 cont'd**

*“Prize-generating Amusement Device”* means an Amusement Device which is (a) a redemption machine as defined in Section 28-2 of the Illinois Criminal Code or utilized to directly or indirectly return to the user money, credits, tickets, property, or other things of value that do not cumulatively exceed the value paid for the corresponding use of the device; or (b) utilized as a gambling device in a manner, time, and place permitted by the State of Illinois.

*Simple Amusement Device* means an Amusement Device that returns no money, property, or thing of monetary value.

*“Sheriff”* means the Sheriff’s Office of Cook County, Illinois.

**Sec. 74-587. Tax rates.**

An annual tax in the amount of \$150.00 for Simple Amusement Devices and \$225.00 for Prize-generating Amusement Devices is imposed for each calendar year upon each Amusement Device operated for gain or profit. The calendar year in which the tax rate shall apply shall be set by the Director.

**Sec. 74-588. Tax emblem and display, additional information for device.**

(a) Before any Amusement Device is made available for use by the general public anywhere in Cook County, the Owner of the Amusement Device shall obtain a tax emblem for the Amusement Device by registering the Amusement Device, including the type of Amusement Device with the Department of Revenue and remitting the tax due to the Department, in accordance with the procedures, regulations, rules, and policies promulgated by the Department. The applicable Amusement Device Tax shall be paid by the Owner of such Amusement Device to the Department.

(b) The Director of Revenue shall issue as evidence of the payment of the tax a non-transferable, self-voiding adhesive tax emblem to be placed on each Amusement Device. Such emblem shall bear the words “County of Cook Amusement Device Tax”, and such other wording as may be prescribed by the Director. It shall be unlawful for any person to mutilate said tax emblem during the year for which it was issued. The tax emblem shall be valid for a period of 12 months.

(c) No Person may make an Amusement Device available to the general public in Cook County unless the tax has been paid on said Amusement Device and is evidenced by the tax emblem conspicuously affixed to the Amusement Device. It shall be unlawful for the Owner or Person in control of such premises to permit the installation or use of an Amusement Device within the County of Cook unless the tax has been paid and is evidenced by the tax emblem. Each such Amusement Device shall be plainly labeled with the name, address and telephone number of the Owner or Owners of the Amusement Device. No Person shall remove, alter or deface the tax emblem or label, required by this Article, or allow use of an Amusement Device if the tax emblem or label has been removed, altered, defaced or has become illegible.

**PRESIDENT continued**

**PROPOSED ORDINANCE AMENDMENTS continued**

**ITEM #16 cont'd**

(d) No tax emblem provided for an Amusement Device shall be transferable. No refunds shall be made for any tax emblem properly issued by the Department.

**Sec. 74-589. Registration of Owners and Remittance.**

(a) Each Owner or Person in possession of an Amusement Device shall apply for registration with the Department within twenty (20) days after the adoption of this Ordinance or the commencement of business. Application for registration shall be made to the Department by use of a form furnished by the Department for such purpose and shall contain information the Department requires.

(b) Each Owner of an Amusement Device made available for public use in Cook County shall make payable to the Cook County a tax remittance, which must accompany its application. No application shall be processed unless a tax remittance of \$150.00 per Simple Amusement Device and \$225.00 per Prize-generating Amusement Devices accompanies said application.

**Sec. 74-590. Books and Records.**

Every Owner or Person in possession of an Amusement Device within Cook County shall jointly and severally have the duty to maintain complete and accurate books, records and accounts showing the proper tax has been paid for each Amusement Device. These documents shall be made available to the Department or a duly authorized representative for examination upon reasonable notice and during normal business hours.

**Sec. 74-591. Rules and Regulations.**

The Department may promulgate reasonable rules, definitions, and regulations necessary to carry out the duties imposed upon it by this Ordinance. As far as practicable in accordance with the purposes of this Ordinance, such procedures, regulations, rules, and policies shall be consistent with the practices of the automatic amusement industry.

**Sec. 74-592. Violations, penalties, administrative hearings.**

(a) If at any time an Amusement Device that is available for public use in Cook County does not have fixed upon it the adhesive tax emblem required by this Article, the Owner or Person in possession of an Amusement Device, shall be jointly and severally liable for a fine of \$500.00 for the first offense relative to the Amusement Device, and \$1000.00 for any subsequent offense relative to any Amusement Device. Every day such violation continues shall constitute a separate and distinct offense.

(b) Administrative Adjudication. Any Person issued a notice of violation for violation of this Article may, upon request, receive an administrative hearing in accordance with Chapter 2, Administration, Article IX, Administrative Hearings of this Code.

**PRESIDENT continued**

**PROPOSED ORDINANCE AMENDMENTS continued**

**ITEM #16 cont'd**

**Sec. 74-593. Application of uniform penalties, interest, and procedures ordinance.**

Whenever not inconsistent with the provisions of this article or whenever this article is silent, the provisions of the uniform penalties, interest and procedures ordinance, Chapter 34 Finance, Article III, Uniform Penalties, Interest and Procedures, of this Code shall apply and supplement this article.

**Sec. 74-594. Enforcement.**

The Department is authorized to enforce this Article and the Sheriff of Cook County is authorized to, and shall assist the Department, in enforcement of this Ordinance.

**Effective Date:** This Ordinance Amendment shall be effective on the 90th day after passage.

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In accordance with Cook County Code Section 2-107(z)(1) Amendment or suspension of rules, Commissioner Daley, seconded by Commissioner Murphy, moved to suspend Section 2-107(h)(1) Prior notice to public; agendas. **The motion carried unanimously.**

Commissioner Daley, seconded by Commissioner Butler, moved that the Proposed Ordinance Amendment be referred to the Committee on Finance. (Comm. No. 315208). **The motion carried unanimously.**

**PROPOSED RESOLUTION**

**ITEM #17**

Submitting a Proposed Resolution sponsored by

TONI PRECKWINKLE, President and JOHN P. DALEY  
and ROBERT B. STEELE, County Commissioners

**PROPOSED RESOLUTION**

**COURTHOUSE FACILITY PARKING RESOLUTION**

**WHEREAS**, since 2006, the Cook County Board of Commissioners have discussed the need to have a plan to implement fee-based parking at all Cook County owned parking lots; and

**WHEREAS**, implementing fee based parking at the Cook County Courthouse Facilities will provide a revenue resource that will not only assist in deficit reduction but will help offset the costs of the parking facilities; and

**PRESIDENT continued**

**PROPOSED RESOLUTION continued**

**ITEM #17 cont'd**

**WHEREAS**, the Department of Facilities Management supervises County owned parking lots and is working with the Purchasing and Revenue Departments to implement fee-based parking; and

**WHEREAS**, fee-based parking should be implemented at the following Cook County Courthouse Facilities: Criminal Courts Complex (26<sup>th</sup> Street); Bridgeview Courthouse; Skokie Courthouse; Maywood Courthouse; Markham Courthouse and the Rolling Meadows Courthouse; and

**WHEREAS**, fees should be charged to any individual or employee entering utilizing the Cook County Courthouse Facility parking garages on a daily basis in an amount no less than \$4.75 a day; and

**WHEREAS**, monthly passes should be made available that could be applied for monthly use at any one of the Cook County Courthouse Facility parking garages for a fee of no less than \$65.00.

**NOW, THEREFORE, BE IT RESOLVED**, by the Cook County Board of Commissioners that the Departments of Facilities Management, Purchasing and Revenue Departments implement fee based parking at the following Cook County Courthouse Facility parking garages: Criminal Courts Complex (26<sup>th</sup> Street); Bridgeview Courthouse; Skokie Courthouse; Maywood Courthouse; Markham Courthouse and the Rolling Meadows Courthouse; and

**BE IT FURTHER RESOLVED**, by the Cook County Board of Commissioners that the Departments of Facilities Management, Purchasing and Revenue shall work together to implement the fee based parking within 6 months of the effective date of this Resolution inclusive of any applicable tax other than parking taxes imposed by Cook County; and

**BE IT FURTHER RESOLVED**, by the Cook County Board of Commissioners that the Departments of Facilities Management, Purchasing and Revenue report back to the Board of Commissioners within 120 days regarding the status of the implementation of fee based parking at the Cook County Courthouse Facility parking garages.

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In accordance with Cook County Code Section 2-107(z)(1) Amendment or suspension of rules, Commissioner Daley, seconded by Commissioner Murphy, moved to suspend Section 2-107(h)(1) Prior notice to public; agendas. **The motion carried unanimously.**

Commissioner Daley, seconded by Commissioner Butler, moved that the Proposed Resolution be referred to the Committee on Finance. (Comm. No. 315209). **The motion carried unanimously.**

**PRESIDENT continued**

**PROPOSED INTERGOVERNMENTAL AGREEMENT**

**ITEM #18**

Transmitting a Communication, dated November 1, 2011 from

TONI PRECKWINKLE, President, Cook County Board of Commissioners

per the Regional Transportation Authority Act, 70 ILCS 3615/4.10 and at the request of the Chicago Transit Authority, requesting authorization to enter into and execute an Intergovernmental Agreement between the County of Cook, the City of Chicago and the Chicago Transit Authority, pursuant to which Cook County (“the County”) shall tender to the Chicago Transit Authority \$2,000,000.00 from its motor fuel tax funds for public transportation purposes.

The proposed Intergovernmental Agreement was tendered to the Cook County Chief Financial Officer on October 26, 2011.

It is hereby requested that this item be referred to the Cook County Committee on Finance.

Estimated Fiscal Impact: \$2,000,000.00.

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In accordance with Cook County Code Section 2-107(z)(1) Amendment or suspension of rules, Commissioner Daley, seconded by Commissioner Murphy, moved to suspend Section 2-107(h)(1) Prior notice to public; agendas. **The motion carried unanimously.**

Commissioner Daley, seconded by Commissioner Butler, moved that the communication be referred to the Committee on Finance. (Comm. No. 315210). **The motion carried unanimously.**

**PROPOSED APPOINTMENT**

**ITEM #19**

Transmitting a Communication, dated November 1, 2011 from

TONI PRECKWINKLE, President, Cook County Board of Commissioners

Please be advised that I hereby submit for appointment, on behalf of the respective districts and commissioners, the following individuals to the Cook County Commission on Women’s Issues for terms to begin immediately and to expire November 1, 2013:

1. Cheryl Ealey (1st District);
2. Carnice Carey (4th District);
3. Juana Ballesteros (7th District);
4. Alyx Pattison (10th District, replacing Kaethe Morris Hoffer) and
5. Charlene Vickery (16th District).

**PRESIDENT continued**

**PROPOSED APPOINTMENT continued**

**ITEM #19 cont'd**

Please be advised that I hereby submit for reappointment, on behalf of the respective districts and commissioners, the following individuals to the Cook County Commission on Women's Issues for terms to begin immediately and to expire November 1, 2013:

1. Tiffany Randle (2nd District);
2. Dr. Francis G. Carroll (3rd District);
3. Jennifer Artis (5th District);
4. Jacquelyn M. Small (6th District);
5. Carmen Flores-Rance (8th District);
6. Marjorie A. Manchen (9th District);
7. Honorable Ginger Rugai (11th District);
8. Andrea A. Raila (12th District);
9. Trina Janes (13th District);
10. Linda Fleming (14th District);
11. Laura Bartell (15th District); and
12. Kathryn A. Below (17th District).

Please be advised that I hereby appoint Ann Kalayil to the Cook County Commission on Women's Issues as a Commissioner at Large to replace to replace Thamreen Siddiqui for a term to begin immediately and to expire November 1, 2013. I also hereby reappoint the following individuals to the Cook County Commission on Women's Issues as Commissioners at Large for terms to begin immediately and to expire November 1, 2013:

1. Peggy A. Montes;
2. Dr. Harvette Grey; and
3. Dr. Aparna Sen-Yeldandi.

I submit this communication for your approval.

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In accordance with Cook County Code Section 2-107(z)(1) Amendment or suspension of rules, Commissioner Daley, seconded by Commissioner Murphy, moved to suspend Section 2-107(h)(1) Prior notice to public; agendas. **The motion carried unanimously.**

Commissioner Suffredin, seconded by Commissioner Silvestri, moved to defer consideration of Proposed President's Appointments to the November 15, 2011 Board meeting. **The motion carried unanimously.**

## **BUREAU OF HUMAN RESOURCES**

### **PROPOSED RESOLUTIONS**

#### **ITEM #20**

Transmitting a Communication dated, November 1, 2011 from  
MAUREEN O'DONNELL, Chief, Bureau of Human Resources  
transmitting herewith are Salary Schedules for your consideration and approval.

Submitting a Proposed Resolution sponsored by  
TONI PRECKWINKLE, President, Cook County Board of Commissioners

#### **PROPOSED RESOLUTION**

#### **RESOLUTION APPROVING SALARY SCHEDULES AND WAGE ADJUSTMENTS**

**WHEREAS**, the Illinois Public Employee Labor Relations Act (5 ILCS 315/1 et seq.) has established regulations regarding collective bargaining with a union; and

**WHEREAS**, the Salary Schedules and wage adjustments for the period of December 1, 2008 through November 30, 2012 have been negotiated between the County of Cook, Chief Judge of Cook County, Cook County State's Attorney, Cook County Assessor, and the American Federation of State County and Municipal Employees Union, Council 31(AFSCME) representing Cook County employees in AFSCME Locals 1111, 1178, 1276, 1767, 3315, 3696 (Public Defender), 2060, 2060 (Chapter 2) 3477, 3486, 3835, 3696 (Chief Judge), 3969; and

**WHEREAS**, the general increases and wage adjustments that have been negotiated are reflected in the Salary Schedules and are included in the Collective Bargaining Agreements negotiated between AFSCME Council 31 and the County of Cook, Chief Judge of Cook County, Cook County State's Attorney, Cook County Assessor.

**NOW, THEREFORE, BE IT RESOLVED**, that the Cook County Board of Commissioners does hereby approve the Salary Schedules and wage adjustments negotiated between the County of Cook, Chief Judge of Cook County, Cook County State's Attorney, Cook County Assessor, and AFSCME Council 31 as provided by the Bureau of Human Resources; and

**BE IT FURTHER RESOLVED**, that the Chief of the Bureau of Human Resources and the Cook County Comptroller are hereby authorized to implement the Salary Schedules and wage adjustments as negotiated.

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In accordance with Cook County Code Section 2-107(z)(1) Amendment or suspension of rules, Commissioner Daley, seconded by Commissioner Murphy, moved to suspend Section 2-107(h)(1) Prior notice to public; agendas. **The motion carried unanimously.**

Commissioner Murphy, seconded by Commissioner Garcia, moved that the Proposed Resolution be referred to the Finance Subcommittee on Labor. (Comm. No. 315211). **The motion carried unanimously.**

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**BUREAU OF HUMAN RESOURCES continued**

**PROPOSED RESOLUTIONS continued**

**ITEM #21**

Transmitting a Communication dated, November 1, 2011 from  
MAUREEN O'DONNELL, Chief, Bureau of Human Resources  
transmitting herewith are Salary Schedules for your consideration and approval.  
Submitting a Proposed Resolution sponsored by  
TONI PRECKWINKLE, President, Cook County Board of Commissioners

**PROPOSED RESOLUTION**

**RESOLUTION APPROVING SALARY SCHEDULES AND WAGE ADJUSTMENTS**

**WHEREAS**, the Illinois Public Employee Labor Relations Act (5 ILCS 315/1 et seq.) has established regulations regarding collective bargaining with a union; and

**WHEREAS**, the Salary Schedules and wage adjustments for the period of December 1, 2008 through November 30, 2012 have been negotiated between the County of Cook and Service Employees International Union, Local 20, CTW/CLC (SEIU) representing Psychologists, Attending Physicians and other health care professionals at Ambulatory Care Health Network (ACHN), Cermak Health Services, Stroger, Provident and Oak Forest Cook County Health Facilities; and

**WHEREAS**, the general increases and wage adjustments that have been negotiated are reflected in the Salary Schedules and are included in the Collective Bargaining Agreements negotiated between the County of Cook and SEIU Local 20, CTW/CLC representing Psychologists, Attending Physicians and other health care professionals at the Ambulatory Care Health Network (ACHN), Cermak Health Services, Stroger, Provident and Oak Forest Cook County Health Facilities.

**NOW, THEREFORE, BE IT RESOLVED**, that the Cook County Board of Commissioners does hereby approve the Salary Schedules and wage adjustments negotiated between the County of Cook, and SEIU Local 20, CTW/CLC; and

**BE IT FURTHER RESOLVED**, that the Chief of the Bureau of Human Resources and the Cook County Comptroller are hereby authorized to implement the Salary Schedules and wage adjustments as negotiated.

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In accordance with Cook County Code Section 2-107(z)(1) Amendment or suspension of rules, Commissioner Daley, seconded by Commissioner Murphy, moved to suspend Section 2-107(h)(1) Prior notice to public; agendas. **The motion carried unanimously.**

Commissioner Murphy, seconded by Commissioner Garcia, moved that the Proposed Resolution be referred to the Finance Subcommittee on Labor. (Comm. No. 315212). **The motion carried unanimously.**

**PRESIDENT**

**PROPOSED ORDINANCE**

**ITEM #22**

Submitting a Proposed Ordinance sponsored by

TONI PRECKWINKLE, PRESIDENT, JESUS G. GARCIA, GREGG GOSLIN, TIMOTHY O. SCHNEIDER, PETER SILVESTRI AND JEFFREY R. TOBOLSKI, County Commissioners

**PROPOSED ORDINANCE**

**USE TAX ON NON-RETAILER TRANSFERS OF MOTOR VEHICLES**

**BE IT ORDAINED**, by the Cook County Board of Commissioners that Chapter 74 Taxation, Article XVII Cook County Use Tax on Non-Retailer Transfers of Motor Vehicles, Sections 74-595 through 74-605 of the Cook County Code, is hereby enacted as follows:

**ARTICLE XVII. COOK COUNTY USE TAX ON NON-RETAILER TRANSFERS  
OF MOTOR VEHICLES**

**Sec. 74-595. Short title.**

This Article shall be known and may be cited as the "Cook County Home Rule Use Tax Ordinance for Non-retailer Transfers of Motor Vehicles." The tax shall be known as the "Cook County Home Rule Use Tax for Non-retail Transfers of Motor Vehicles" and is imposed in addition to all other taxes imposed by the County of Cook, the State of Illinois or any other municipal corporation or political subdivision of the State of Illinois.

**Sec. 74-596. Definitions.**

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

"*County*" means Cook County, Illinois.

"*Illinois Vehicle Code*" means the Illinois Vehicle Code, effective July 1, 1970, as amended, 625 ILCS 5/1, et seq.

"*Illinois Use Tax Act*" means the Use Tax Act, effective July 14, 1955, as amended, 35 ILCS 105/1, et seq.

"Motor vehicle" means a motor vehicle, as defined by the Illinois Vehicle Code, which is titled or registered with an agency of the State of Illinois at a location within the corporate limits of the County of Cook.

"Use" has, to the extent applicable, the meaning set forth in the Illinois Use Tax Act.

**PRESIDENT continued**

**PROPOSED ORDINANCE continued**

**ITEM #22 cont'd**

“*Department*” means the Department of Revenue.

“*Director*” means the director of the Department of Revenue or duly authorized representative.

“*Tax*” or use tax means the tax imposed by this article, unless the context requires construction

“Use Tax for Non-retailer Transfers of Motor Vehicles in Cook County” means tax applied to the transfer or purchase of a motor vehicle that is titled or registered from a non-retailer, at a location in Cook County, with an agency of the State of Illinois

“User” means any person whose name is on the motor vehicle title or registration.

**Sec. 74-597. Tax imposed and Tax Rate**

(a) Tax imposed on user. The tax imposed by this article and the obligation to pay the same is upon the user, as described in this article.

1. Except as otherwise provided by this Chapter, a tax is imposed upon the privilege of using in the County any motor vehicle that is acquired by purchase, gift or transfer. The ultimate incidence of and obligation for payment of the tax is on the person that acquires the motor vehicle by purchase, gift or transfer.
2. Notwithstanding subsection (a)1 of this section, the tax shall not apply if the motor vehicle is purchased at retail from a retailer and the purchaser is required to pay Use Tax per Article VII of the County’s Code.

(b) Nothing in this Article shall be construed to impose a tax upon any business or activity which, under the constitutions of the United States and the State of Illinois, may not be made the subject of taxation by the County.

(c) Tax Rate. A tax is imposed on the non-retailer transfer of motor vehicles by taking into consideration the purchase or fair market value of the motor vehicle; the tax rates shall be as follows:

1. Use when purchase price of a vehicle is less than \$15,000.00. The following rates shall be imposed on the use of the non-retailer transfer of motor vehicles which is titled or registered with an agency of the State of Illinois at a location inside Cook County if the purchase price (or fair market value) of the motor vehicle from a non-retailer or the transfer of the motor vehicle from a non-retailer is less than \$15,000:

**PRESIDENT continued**

**PROPOSED ORDINANCE continued**

**ITEM #22 cont'd**

| Purchase Price (or Fair Market Value) is less than \$15,000.00 and Vehicle Age (years) is: | Tax Due |
|--|---------|
| 1 or newer   | \$390   |
| 2  | \$290   |
| 3  | \$215   |
| 4  | \$165   |
| 5  | \$115   |
| 6  | \$90    |
| 7  | \$80    |
| 8  | \$65    |
| 9  | \$50    |
| 10   | \$40    |
| 11 or older  | \$25    |

2. Use when purchase price of a motor vehicle from a non-retailer is greater than \$15,000.00. The following rates shall be imposed on the use of the non-retailer transfer of motor vehicles which is titled or registered with an agency of the State of Illinois at a location inside Cook County if the purchase price (or fair market value) of the motor vehicle from a non-retailer or the transfer of the motor vehicle from a non-retailer is greater than \$15,000:

| Purchase Price (or fair market value) is greater than \$15,000.00 | Tax Due |
|---|---------|
| 15,000 to 19,999.99   | \$750   |
| 20,000 to 24,999.99   | \$1,000 |
| 25,000 to 29,999.99   | \$1,250 |
| 30,000 or more  | \$1,500 |

3. The rate of the tax shall be \$25.00 for each motor vehicle acquired from a non-retailer under the following circumstances:
- a. The transferee or purchaser is the spouse, mother, father, brother, sister or child of the transferor and proof of family relationship is established;
  - b. The transfer is a gift to a beneficiary in the administration of an estate and the beneficiary is not a surviving spouse;
  - c. The motor vehicle has been taxed pursuant to the Illinois Retailers' Occupation Tax Act, 35 ILCS 120/1, et seq., as amended, or the Illinois Use Tax Act or any other state retailers' occupation tax, sales tax or use tax and the motor vehicle is transferred in connection with the organization, reorganization, dissolution or partial liquidation of an incorporated or unincorporated business provided that the beneficial ownership is not changed.

**PRESIDENT continued**

**PROPOSED ORDINANCE continued**

**ITEM #22 cont'd**

**Sec. 74-598. Duty of department to collect.**

It shall be the duty of the Department to collect and receive the tax imposed by this article. The Department shall keep an accurate and separate account of all such tax payments received by it showing the name and address of the person remitting the tax and the date of each payment. The Director is hereby empowered to adopt, promulgate and enforce, rules and regulations not inconsistent with this article, relating to the administration and enforcement of the provisions of this article, including provisions for examination, reexamination, correction and amendment of all returns filed or required to be filed pursuant to this article or request the Department of Administrative Hearing to conduct hearings, to aid in establishing liability for payment of taxes due under this article.

**Sec. 74-599. Exemptions.**

Notwithstanding any other provision of this Article, the tax imposed by this Article shall not apply to:

- (a) A motor vehicle that is purchased and used by a governmental agency or a society, association, foundation or institution organized and operated exclusively for charitable, religious or educational purposes;
- (b) The use of a motor vehicle that is exempt under the applicable provisions of Section 3-55(b), (c), (d), (e) or (f) of the Illinois Use Tax Act;
- (c) Implements of husbandry;
- (d) A motor vehicle for which a junking certificate has been issued pursuant to Section 3-117.1(a) of the Illinois Vehicle Code;
- (e) A motor vehicle that is subject to the replacement vehicle tax imposed by either Section 3-2001 of the Illinois Vehicle Code;
- (f) A motor vehicle that is transferred as a gift to a beneficiary in the administration of an estate and the beneficiary is a surviving spouse.

**Sec. 74-600. Obligation of taxpayers to file returns and pay tax.**

Every person that is required to pay the tax imposed by this Article shall file a return on a form prescribed by the Director and pay all applicable tax to the Department or its designee on or before the last day of the calendar month following the month that the motor vehicle was acquired.

**PRESIDENT continued**

**PROPOSED ORDINANCE continued**

**ITEM #22 cont'd**

**Sec.74-601. Rules and regulations.**

The director is authorized to adopt, promulgate and enforce reasonable rules and regulations pertaining to the administration and enforcement of this Article.

**Sec. 74-602. Tax additional.**

The tax imposed in this article is in addition to all other taxes imposed by the County, the State or any municipal corporation or political subdivision thereof.

**Sec. 74-603. Violations; penalty.**

Any user determined to have violated this article, as amended, shall be subject to a fine of \$1,000.00 for the first offense, and a fine of \$2,000.00 for the second and each subsequent offense. Separate and distinct offense shall be regarded as committed each day upon which said person shall continue any such violation, or permit any such violation to exist after notification thereof. It shall be deemed a violation of this article for any person to knowingly furnish false or inaccurate information to the Department. Criminal prosecution pursuant to this article shall in no way bar the right of the County to institute civil proceedings to recover delinquent taxes, interest and penalty due and owing as well as costs incurred for such proceeding.

**Sec. 74-604. Application of uniform penalties, interest and procedures ordinance.**

Whenever not inconsistent with the provisions of this article or whenever this Article is silent, the provisions of the uniform penalties, interest and procedures ordinance, Chapter 34 Finance, Article III, Uniform Penalties, Interest and Procedures, of this Code shall apply and supplement this article.

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In accordance with Cook County Code Section 2-107(z)(1) Amendment or suspension of rules, Commissioner Daley, seconded by Commissioner Murphy, moved to suspend Section 2-107(h)(1) Prior notice to public; agendas. **The motion carried unanimously.**

Commissioner Daley, seconded by Commissioner Sims, moved that the Proposed Ordinance be referred to the Committee on Finance. (Comm. No. 315213). **The motion carried unanimously.**