

**11-O-97
ORDINANCE**

Sponsored by

THE HONORABLE LARRY SUFFREDIN, COUNTY COMMISSIONER

**AN ORDINANCE ESTABLISHING THE
COOK COUNTY TAX INCREMENT FINANCING RECAPTURE POLICY**

BE IT ORDAINED, by the Cook County Board of Commissioners, that Chapter 34 Finance, Article VI Grant-Funded Payments, Section 34-377 of the Code of Ordinances, Cook County, Illinois is hereby enacted as follows:

Sec. 34-377. Tax Increment Financing Recapture.

It shall be the policy of Cook County to recapture any property taxes at the termination of a Tax Increment Finance District that had previously deferred tax revenues. The recaptured revenues shall be in addition to any other property tax owed to Cook County and shall be done to create fairness for all other property tax payers of Cook County whose taxes had not been deferred in the terminated Tax Increment Finance District.

Approved and adopted this 15th day of November 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

**11-O-98
ORDINANCE**

Sponsored by

**THE HONORABLE TONI PRECKWINKLE, PRESIDENT, JERRY BUTLER, JOHN P. DALEY,
JESUS G. GARCIA, GREGG GOSLIN AND ROBERT B. STEELE
COUNTY COMMISSIONERS**

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.

“*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;
- (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
 - (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	Rates, Fees, Charges dollars) (in
Chapter 30, Environment		
30-425.3	Gasoline Vapor Collection and Control System Annual Inspection Fee	200.00

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

Approved and adopted this 15th day of November 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

**11-O-99
ORDINANCE**

Sponsored by

**THE HONORABLE TONI PRECKWINKLE, PRESIDENT, JERRY BUTLER,
JESUS G. GARCIA, GREGG GOSLIN AND ROBERT B. STEELE
COUNTY COMMISSIONERS**

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.
 - (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.
 - c. 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, Charges dollars) (in
Chapter 30. Environment		
30-544(b)(2)a.	Residential Filing fee	\$150.00
30-544(b)(2)a.	Commercial and Industrial Filing fee	\$350.00
30-554(b)(2)c.	Permit Revision Fee	55.00

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

Approved and adopted this 15th day of November 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

**11-O-100
ORDINANCE**

Sponsored by

**THE HONORABLE TONI PRECKWINKLE, PRESIDENT, JERRY BUTLER, JOHN P. DALEY,
GREGG GOSLIN AND ROBERT B. STEELE
COUNTY COMMISSIONERS**

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 anthophyllite 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.

“*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 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.

(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.
 - (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.
- (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.

(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.

(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
- (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
30-551	No valid Asbestos Removal Contractor Certificate of Registration	1,000.00

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	Rates, Fees, Charges dollars) (in
Chapter 30. Environment		
30-551	Asbestos Removal Contractor Certificate of Registration, initial or renewed	200.00

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

Approved and adopted this 15th day of November 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

**11-O-101
ORDINANCE**

Sponsored by

**THE HONORABLE TONI PRECKWINKLE, PRESIDENT, JERRY BUTLER,
JESUS G. GARCIA, GREGG GOSLIN AND ROBERT B. STEELE
COUNTY COMMISSIONERS**

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	Rates, Fees, Charges dollars) (in
Chapter 30, Environment		
30-96(1)	Filing fee for the evaluation of plans, except domestic heating	\$140.00

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

Approved and adopted this 15th day of November 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

(S E A L)

Attest: 

DAVID ORR, County Clerk

**11-O-102
ORDINANCE**

Sponsored by

**THE HONORABLE TONI PRECKWINKLE, PRESIDENT
AND JESUS G. GARCIA, COUNTY COMMISSIONER**

**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 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 Fifty two Dollars and Fifty Cents (\$52.50).

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

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

ANNUAL INSPECTIONS

Annual Inspections shall be at the rate of \$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	\$525.00
B.	Petition for a Map Amendment	
	1. Less than one acre	420.00
	2. One acre to five acres	945.00
	3. Five acres to ten acres	1,890.00
	4. Ten acres to twenty acres	2,520.00
C.	Petitions for the Following Special Uses	
	1. Excavations for Artificial Lake on which Subdivision is proposed	2,100.00
	2. If sand, gravel, rock or fill to be sold from above item, additional	4,200.00
	3. Extraction of rock, sand, gravel, peat or any type of Borrow Pit	4,200.00
	4. Extraction of Top Soil	1,050.00
	5. Sanitary Land Fill	6,300.00
	6. Dry Land Fill	
	Under five acres	525.00
	Over five acres	4,200.00
	7. All hospitals, sanitariums, convalescent homes, nursing and rest homes for profit	2,100.00
	8. Planned Developments	
	Five acres and under	420.00
	Over five acres to ten acres	945.00
	Over ten acres to fifteen acres	1,470.00
	Over fifteen acres	2,520.00
	9. All other listed Special Uses as provided for in the Zoning Ordinance	525.00
D.	Petitions for Variations	
	1. All variations in all residential districts, regardless of number of different variations sought	\$157.50 or \$31.50 per lot whichever is greater
	2. All variations in all commercial and industrial districts, regardless of number of variations sought	\$315.00 plus cost of court reporter transcript
E.	Any combination of petitions, such as an Amendment, Special Use, and Variation, if requested by the applicant, will be treated as individual petitions as far as fees are concerned, but will be consolidated and heard at the designated time for the Public Hearing, before the Zoning Board of Appeals of Cook County.	
F.	Fees for any other uses not included in this list or new uses not yet conceived, shall be determined by the Commissioner of Building and Zoning until such time as a resolution can be presented to the Board of Commissioners of Cook County.	

2-Z. FOR USES OF LAND NOT INVOLVING BUILDINGS

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

- A. Sanitary Land Fill (Garbage Disposal or Organic Materials)
 \$630.00 + \$210.00 per acre or fraction thereof.

- B. Commercial Land Fill (Filling Holes with Non-combustible Materials, Stone, Concrete, Clay, Etc.)
\$630.00 + \$210.00 per acre or fraction thereof.
- C. Quarries (Extraction of Rock, Stone, Etc.)
\$630.00 + \$210.00 per acre or fraction thereof.
- D. Borrow Pits (Extraction of Gravel or Soil)
\$630.00 + \$210.00 per acre or fraction thereof.
- E. Commercial Peat Bogs (Extraction of Peat)
\$525.00 + \$147.00 per acre or fraction thereof.
- F. Commercial Stripping of Top Soil
\$630.00 + \$210.00 per acre or fraction thereof.
- G. Golf Courses, including Par 3 (Establishment of Fairways and Greens)
\$525.00 + \$147.00 per Fairway and Green
- H. Miniature Golf Courses.
\$630.00.
- I. Golf Driving Ranges
\$630.00.
- J. Barge Slips (Any Size)
\$735.00
- K. Creation of Artificial Lakes and Ponds or Detention Ponds.
\$315.00 + \$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 105.00
 - 2. Plan examination fee for accessory uses 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 105.00
plus \$15.00 for each additional dwelling unit
 - 2. Plan examination fee for a single accessory use for a two to six dwelling units structure 84.00
plus \$15.00 for each additional accessory use when included with the submission of a principal use or accessory use.
- C. Business District (C-1 through C-8)
 - 1. Plan examination fee for principal uses. 157.50
 - 2. Plan examination fee for accessory uses. 126.00
- D. Manufacturing District (I-1 through I-4)
 - 1. Plan examination fee for principal uses. 157.50
 - 2. Plan examination fee for accessory uses. 126.00
- E. Miscellaneous Uses
 - 1. Plan examination fee for special uses. 105.00
 - 2. Floodplain, Drainage, Grading and Soil Erosion, Sediment Control Permits.
 - a. Residential:

One (1) Acre or less	78.75
Over One (1) to Two (2) Acres	157.50
Over Two (2) to Three (3) Acres	236.25
Over Three (3) to Five (5) Acres	315.00
Over Five (5) Acres Constitutes a Landfill and a Special Use is required.	
b. Commercial, Industrial and Public Land:	
One (1) Acre or less	183.75
Over One (1) to Two (2) Acres	262.50
Over Two (2) to Three (3) Acres	367.50
Over Three (3) to Five (5) Acres	420.00
Over Five (5) Acres Constitutes a Landfill and a Special Use is required.	
F. Grading and Drainage Highway Review	
1. Residential	
One (1) Acre or less	52.50
Over One (1) to Two (2) Acres	105.00
Over Two (2) to Three (3) Acres	157.50
Over Three (3) to Five (5) Acres	262.50
Over Five (5) Acres	315.00
2. Commercial, Industrial and Public Land	
One (1) Acre or less	315.00
Over One (1) to Two (2) Acres	420.00
Over Two (2) to Three (3) Acres	525.00
Over Three (3) to Five (5) Acres	630.00
Over Five (5) Acres	1050.00

Where a plan submittal is rejected a third time, an additional fee of \$210.00 shall be paid before a fourth review is made. An additional fee of \$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 \$1400.00*

Continuation Fee	½ cost of fee	
Additional appearance fee may be assessed		\$700.00

***Refundable if Appeal is upheld**

5-Z	Extension of time on variance	\$ 140.00
	Extension of time on Special Use	\$ 280.00

BUILDING PERMIT FEE SCHEDULE

1-B. NEW CONSTRUCTION

Minimum Fee of	73.50
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or \$21.00 each for each 1,000 cubic fee of volume, or fractional part of space computed from the basement to the highest part of the roof including all projections.

2-B. PRIVATE GARAGES – SHEDS

	Minimum Fee is	56.70
	or \$21.00 each for each 1,000 cubic fee of volume, or fractional part computed from the basement to the highest part of the roof including all projections.	
3-B.	ALTERATIONS, REMODELING AND MISCELLANEOUS ITEMS OF CONSTRUCTION	
	Minimum Fee is	73.50
	plus \$21.00 for each additional \$1,000.00 of estimated cost in excess of \$5,000.00. The estimated cost shall be based on the cost as shown on contracts signed between the owner and all contractors for the actual cost of the project.	
4-B.	DEMOLITION	
	A. One (1) story or single family detached dwelling	157.50
	B. Sheds or private garages	105.00
	C. Other than above	1.5% of cost of work, minimum \$630.00
5-B.	TRAILER CAMPS	
	Minimum Fee is	150.00
	plus \$52.50 for each trailer site.	
6-B.	AMUSEMENT PARKS	
	A. Portable Devices – for each exhibit	105.00
	B. Permanent Devices – for each exhibit	420.00
7-B.	CANOPIES	
	Fee	210.00
8-B.	MARQUEES – SIGNS – BILLBOARDS	
	A. 100 Square Feet or less (other than Billboards)	2.50
	B. 101 to 250 Square Feet (other than Billboards)	105.00
	C. Each additional 100 sq. ft. above 250 sq. ft. (other than Billboards)	31.50
	D. Billboards 100 sq. ft. or less	420.00
	Over 100 sq. ft.	840.00
9-B.	ISOLATED CHIMNEYS	
	Fee	210.00
10-B.	FENCES OVER FIVE (5) FEET IN HEIGHT	
	Minimum Fee is	315.00
	plus \$1.50 \$2.10 for each 10 lineal feet in excess of 100 lineal feet.	
11-B.	FIRE ESCAPES	
	Minimum Fee is	73.50
	plus \$15.00 \$21.00 for each floor in excess of 2nd floor.	
12-B.	STORAGE TANKS ABOVE GROUND	
	Minimum Fee is	420.00

13-B. ROOF RECOATING OR COVERING	
Residential SFR	75.00
Multi Family	150.00
Commercial fee for 1,000 square feet is	210.00
Each additional 100 square feet above 1,000 square feet	42.00
14-B. TEMPORARY TRAILERS FOR OFFICE OR OTHER PERMITTED USE	
(For one year only) Minimum Fee	525.00
15-B. PERMIT PENALTY FEES	
A penalty shall be added to a permit fee whenever construction is started prior to departmental approval or exceeds departmental approval in the case of a Temporary Permit.	
A penalty, as noted below, shall be added to a permit fee whenever construction is started prior to departmental approval or exceeds departmental approval in the case of a Temporary Permit.	
Single Family	420.00
All Others	945.00
or minimum 10% of total permit fee, whichever is greater.	
16-B. MISCELLANEOUS USES	
Temporary Tent	630.00**
Antennas	
Below seventy-five (75) feet	315.00
Above seventy-five (75) feet	525.00
Gas Pumps	28.00**
Spray Booth	315.00
Satellite Dish	315.00
Swimming Pool—Minimum \$105 or \$52.50 per 1000 cubic feet	
Underground Storage Tank—Minimum \$105 to 1000 gallon or \$63/1000 gallon above 1000	
Change of Contractor	\$73.50
Plan Revision	\$73.50
Garage Venting	\$63.00
Mobile Home , Set Up	\$73.50
Air Handler/Hood Fan	\$52.50
Towers (shot link)	\$525.00
Bleachers	\$325.50
Leaderboard	\$136.50
Thru & Leaderboards (split)	\$231.00
Thru & leaderboards (together)	\$199.50
Monster Board	\$262.50
Public Scoreboard	\$231.00
Fireworks	\$189.00

**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. \$70.00 (per discipline)

- B.** Re-review of submitted architectural plans by Chief Plan Examiner
- 1st re-review
 - 2nd re review
 - 3rd re review
 - 4th re review & subsequent
- No Charge
\$70.00
\$140.00
\$700.00

MECHANICAL PERMIT FEES

1-M. BOILER FEES

- A. For each low pressure boiler 105.00
- B. High pressure boiler 210.00
- C. Unfired pressure vessel 52.50
- D. Steam 105.00
- E. Hot water coil 52.50
- F. Steam coil 52.50

2-M. REFRIGERATION

- A. Cooler unit per each 105.00
- B. Freezer unit per each 157.50
- C. Single family dwelling air conditioning 63.00
Minimum to 3½ tons & \$21 each ton above 3½
- D. Multiple family dwelling air conditioning each unit 63.00
Minimum to 3½ tons & \$21 each ton above 3½
- E. Non-residential air conditioning 31.50
per ton, Minimum \$210.00

3-M. WARM AIR FURNACES

- A. Fee for single family 105.00
- B. Others (gas or electric) 31.50 /100,000 BTU,
Minimum \$157.50
- C. Air handling units 157.50

4-M. MECHANICAL VENTILATING SYSTEMS

- (Except for Single and Multiple Family Dwellings)
- A. Supply or Exhaust – Minimum Fee 63.00
plus \$21.00 for each 1,000 cubic feet of air per minute in excess of 1,000 cubic feet of air per minute. Add \$52.50 for each exhaust fan.
 - B. Increase in capacity – \$10.50 for each 1,000 cubic feet of air per minute. Add \$52.50 for each exhaust fan.
NOTE: The capacity of the system is the sum of supply and exhaust.

C. Single Family Dwellings	52.50
D. Multiple Family Dwellings each apartment unit	52.50
5-M. ELEVATORS AND ESCALATORS	
Minimum Fee is	315.00
plus an additional fee of \$105.00 per floor, for each floor above three (3).	
6-M. LIFTS	
Fee	52.50
7-M. DUMBWAITERS	
A. Power Operated – Minimum Fee	52.50
plus \$10.50 for each floor above three (3).	
B. Hand Operated – Minimum Fee	15.75
plus \$10.50 for each floor above three (3).	
8-M. STAGE CURTAINS	
A Fee of \$73.50 will be assessed for each set of mechanical or electrically operated stage curtains.	73.50
9-M. FIREPLACE	
Fee	31.50

ELECTRICAL PERMIT FEE SCHEDULE

1-E. SINGLE FAMILY DWELLINGS		
0 to 499 Square Feet		73.50
500 to 799 Square Feet		94.50
800 to 1599 Square Feet		115.50
1600 to 1999 Square Feet		147.00
2000 and Over		178.50
2-E. MULTI-FAMILY DWELLINGS, COMMERCIAL & INDUSTRIAL		
A.		
	15	20
CIRCUITS	AMPERES	AMPERES
1	32.55	38.33
2	53.55	73.50
3	73.50	98.18
4	95.03	123.38
5	116.55	151.20
6	143.85	179.03
7	166.95	208.95
8	173.78	227.33
9	189.53	248.85
10	206.85	277.20
11	217.35	290.33
12	227.85	304.50
13	242.55	323.93
14	256.73	329.18
15	265.65	336.53

16			273.53		357.00
17			286.65		374.33
18			294.53		387.45
19			302.40		403.20
20			321.83		420.00
21			335.48		437.33
22			349.13		450.45
23			360.15		465.68
24			372.75		479.33
25			391.65		497.78
26	to	50			
inclusive,	each	13.13	330.75	16.80	420.00
add'l cir.					
51	to	75			
inclusive,	each	12.60	318.68	16.80	403.20
add'l cir.					
76	to	100			
inclusive,	each				
add'l cir.		11.55	288.75	14.18	360.15
more than 100					
		10.50	1,328.25	13.13	1,680.00

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

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

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

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

C. Single Family Dwellings

0 to 499 Square Feet 73.50

500 to 799 Square Feet 94.50

800 to 1599 Square Feet 115.50

1600 to 1999 Square Feet 105.00

2000 and Over 127.50

D. Motor and Other Forms of Power

Motors 1/4 and over 73.50

Additional motors or devices 18.90

E. Cut-Over Jobs

Fees on time basis: Per Hour 73.50

F. Inspection of temporary installation, underground or overhead wires and apparatus

Fee on time basis: Per Hour 73.50

G. Re inspection of any electrical apparatus – altered, changed or repaired

Fee on time basis: Per Hour 73.50

H. Extra inspections due to faulty information or construction or failure to repair

Fee for each such inspection 73.50

Minimum Electrical Inspection Fee 73.50

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

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

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 \$1.05 per square feet of area of each face.
- B. Area of skeleton letter designs shall be computed as that area within the perimeter design of the letters. No fee shall be less than \$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 | 52.50 |
| 15 square feet or less – Double Face | 73.50 |
| 16 to 32 square feet – Single Face | 73.50 |
| 16 to 32 square feet – Double Face | 94.50 |
| Any sign over 32 square feet – Single Face | 105.00 |
| Any sign over 32 square feet – Double Face | 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 \$533.40 for the first 500 square feet, and \$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 | 105.00 |
| 2. Signs/signboards over 100 sq. ft. | 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 \$52.50.
- G. The fee for cancellation of a permit shall be \$31.50 and shall be deducted before the remaining amount is refunded.

5-E. SWIMMING POOL ELECTRICAL FEES

A. Portable swimming pool (each)	52.50
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B.	In-ground swimming pool (each)	94.50
6-E.	CARNIVAL, CIRCUS AND TEMPORARY DISPLAY	
	Minimum Fee	84.00
7-E.	ELECTRIC CHANGE OF SERVICE FEES	
	Residential	
	100 Amp to 200 Amp	73.50
	200 Amp to 400 Amp	126.00
	Temporary Service	
	Minimum Fee	73.50
	Commercial and Industrial	
	200 Amp to 400 Amp	126.00
	600 Amp	168.00
	800 Amp	210.00
	1200 Amp	252.00
	1600 Amp	294.00
	2000 Amp	336.00
	3000 Amp	420.00
	4000 Amp	588.00
8-E.	COMMUNITY ANTENNA TELEVISION AND RADIO, SATELLITE COMMUNICATION SYSTEM FEES	
A.	Minimum Permit Inspection Fee	73.50
B.	Service (Amplifier Booster Station)	31.50
C.	Single-Family Dwellings	31.50
D.	Multi-Family Dwellings, Commercial and Industrial	
	Individual Units	22.58
	Per Mile of Cable or part thereof	210.00
	Junction Box or Splicing Box	31.50
	Antenna	31.50
	Head in Electronics (Main Distribution)	63.00

PLUMBING PERMIT FEE SCHEDULE

1-P.	WATER SUPPLY	
A.	Connections to Existing Supply – New Construction	84.00
	Repair to existing connections	56.70
B.	Well Drilling – New Construction	84.00
	Repair to existing well	56.70
C.	Change-over from Well to Municipal Water Supply	84.00
D.	Plug Well	84.00
2-P.	SEWAGE DISPOSAL	
A.	Septic System – New Construction	105.00
	Repair or alterations	84.00
B.	Sewer System – New Construction	73.50
	Repair or alterations	52.50
C.	Change-over from Septic to Sanitary Sewer	73.50
3-P.	PLUMBING	

A. Minimum Fee		119.70
plus \$9.75 for every fixture in excess of five fixtures		
B. Replacement of Existing Fixtures		84.00
plus \$7.50 for every fixture in excess of five fixtures		
C. Water Heaters (each)		63.00
D. Lawn Sprinkler System – single units		52.50
plus \$2.40 per sprinkler head		
E. Filling Stations – Permit Fees for the Storage of Flammable Liquids shall be:		
1,065 gallons or less		126.00
1,066 to 7,000 gallons		180.60
7,001 to 25,000 gallons		270.90
25,001 to 50,000 gallons		451.50
50,001 to 100,000 gallons		541.80
100,001 to 200,000 gallons		900.90
F. Fire Line Sprinkler System		52.50
plus \$1.50 per head.		
G. Swimming Pools (In-ground)		136.50
Swimming Pools (Above-ground)		52.50
H. Sump and Ejector pumps and basins		21.00
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		73.50
J. Temporary Toilet Facilities (satellites) – Minimum Fee		105.00
For every unit in excess of five (5)		21.00

4-P. ANNUAL PLUMBING INSPECTION FEE		
Per Hour		63.00
5-P	Manholes & Sidebasins	73.50
	Gas Connection (each)	73.50

TEMPORARY PERMIT FEE SCHEDULE

1-T. TEMPORARY SEATING		
Fee		367.50
2-T. TEMPORARY PLATFORM FOR PUBLIC ASSEMBLY		
Fee		157.50
3-T. FAMILY FALLOUT SHELTERS		
Family Fallout Shelters shall have no fee, but shall meet the requirements in the Cook County Building Ordinance as stated in Section 17.5-1.		
4-T. TEMPORARY CERTIFICATE OF OCCUPANCY		

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

5-T. TEMPORARY FOOTING AND FOUNDATION

- A. Single family dwellings 315.00
- B. Multi-family dwellings, commercial units and other structures 630.00

6-T. CERTIFICATE OF OCCUPANCY FOR EXISTING STRUCTURES

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

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

Whenever periodical, semi-annual or annual inspections are required in accordance with Section 5.4-3 of the Cook County Building Ordinance, a minimum fee of ~~\$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	\$105.00
Renewal	\$52.50
Renewal after 1 year	\$105.00

Article 5.3-4 IX Penalties

1st offense	\$105.00
No more than	\$420.00
2nd offense	\$210.00
No more than	\$630.00
Submission of False Information	\$210.00
No more than	\$1050.00

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

Approved and adopted this 15th day of November 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

**11-O-103
ORDINANCE**

Sponsored by

**THE HONORABLE TONI PRECKWINKLE, PRESIDENT, WILLIAM M. BEAVERS,
JERRY BUTLER, JESUS G. GARCIA, JOAN PATRICIA MURPHY, EDWIN REYES,
PETER N. SILVESTRI AND DEBORAH SIMS, COUNTY COMMISSIONERS**

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, Article IV, Division 3, Subdivision 11, 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:

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	Rates, Fees, Charges (in dollars)
CHAPTER 2, ADMINISTRATION		
2-213	Filing Fee	\$5.00

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

Approved and adopted this 15th day of November 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

**11-O-104
ORDINANCE**

Sponsored by

**THE HONORABLE TONI PRECKWINKLE, PRESIDENT, WILLIAM M. BEAVERS,
JERRY BUTLER, JESUS G. GARCIA, JOAN PATRICIA MURPHY, EDWIN REYES,
PETER N. SILVESTRI AND DEBORAH SIMS, COUNTY COMMISSIONERS**

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

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:

Code Section	Description	Fees, Rates, Charges (in dollars)
CHAPTER 2, ADMINISTRATION		
2-216(a)	Electronic copies of documents from Recorder's website, per document	\$2.50

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

Approved and adopted this 15th day of November 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

**11-O-105
ORDINANCE**

Sponsored by

THE HONORABLE LARRY SUFFREDIN, COUNTY COMMISSIONER

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, Article XIII, 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 for parking lots or garages except for parking lots and garages in section (d).

Parking Charge or Fee Time Period	Imposed by Operator	Tax Amount
24 hours or less	\$2.00 or less	\$ 0.00
24 hours or less	\$2.01 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
Weekly	\$10.00 or less	\$ 0.00
Weekly	\$10.01 to \$24.99	\$ 2.50
Weekly	\$25.00 to \$59.99	\$ 3.75
Weekly	\$60.00 or more	\$ 5.00
Monthly	\$40.00 or less	\$ 0.00
Monthly	\$40.01 to \$99.99	\$ 10.00
Monthly	\$100.00 to \$239.99	\$ 15.00
Monthly	\$240.00 or more	\$ 20.00

(d) Tax rates for parking lots or garages owned by municipalities with populations of 250,000 inhabitants or less.

Parking Charge or Fee Time Period	Imposed by Operator	Tax Amount
24 hours or less	\$3.00 or less	\$ 0.00
24 hours or less	\$3.01 or \$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
Weekly	\$15.00 or less	\$ 0.00
Weekly	\$15.01 to \$24.99	\$ 2.50
Weekly	\$25.00 to \$59.99	\$ 3.75
Weekly	\$60.00 or more	\$ 5.00
Monthly	\$60.00 or less	\$ 0.00
Monthly	\$60.01 to \$99.99	\$ 10.00
Monthly	\$100.00 to \$239.99	\$ 15.00
Monthly	\$240.00 or more	\$ 20.00

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

Approved and adopted this 15th day of November 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

**11-O-106
ORDINANCE**

Sponsored by

**THE HONORABLE TONI PRECKWINKLE, PRESIDENT, JERRY BUTLER, JOHN P. DALEY,
JESUS G. GARCIA AND ROBERT B. STEELE, COUNTY COMMISSIONERS**

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 \$0.24 per gallon or the pro rata portion thereof.
- (2) Alcoholic beverages containing more than 14 percent and less than 20 percent alcohol by volume, a tax at the rate of \$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 \$2.50 per gallon or the pro rata portion thereof.
- (4) Beer, a tax at the rate of \$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.

Approved and adopted this 15th day of November 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

**11-O-107
ORDINANCE**

Sponsored by

**THE HONORABLE TONI PRECKWINKLE, PRESIDENT, JERRY BUTLER, JOHN P. DALEY,
JESUS G. GARCIA AND ROBERT B. STEELE, COUNTY COMMISSIONERS**

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.

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.

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.

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, retail tobacco dealers and retail cigarette manufacturer.

Wholesale tobacco dealers, 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.

(c) *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) *Other tobacco product tax rate.*

(1) A tax at the following rates is hereby imposed upon the following products through December 31, 2012:

(a) Smoking tobacco - \$0.30 per ounce or fraction thereof

(b) Smokeless tobacco - \$0.30 per ounce or fraction thereof

(c) Little Cigars - \$0.05 per unit or cigar

(d) Large Cigars - \$0.25 per unit or cigar

(2) A tax at the following rates is hereby imposed upon the following products effective January 1, 2013:

(a) Smoking tobacco - \$0.60 per ounce or fraction thereof

(b) Smokeless tobacco - \$0.60 per ounce or fraction thereof

(c) Little Cigars - \$0.05 per unit or cigar

(d) Large Cigars - \$0.30 per unit or cigar

(e) *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, collect the tax from the purchaser of said cigarettes, smoking tobacco, smokeless tobacco, little cigars and large cigars.

(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 20th 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.

(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. The tax shall be paid to the person required to collect it as trustee for and on account of the County of Cook.

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.

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

Approved and adopted this 15th day of November 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

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**11-O-108
ORDINANCE**

Sponsored by

**THE HONORABLE TONI PRECKWINKLE, PRESIDENT, JOHN P. DALEY
JESUS G. GARCIA, AND ROBERT B. STEELE, COUNTY COMMISSIONERS**

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 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.

(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.

Approved and adopted this 15th day of November 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

**11-O-109
ORDINANCE**

Sponsored by

**THE HONORABLE TONI PRECKWINKLE, PRESIDENT, JESUS G. GARCIA,
GREGG GOSLIN, TIMOTHY O. SCHNEIDER, PETER N. SILVESTRI
AND JEFFREY R. TOBOLSKI, COUNTY COMMISSIONERS**

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, 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.

“*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. Except as otherwise provided in this Chapter, the rate of the tax imposed by this Chapter is stated as follows:

Age of Vehicle	Tax Due
5 years or newer	\$225
6 to 10 years	\$200
11 or older	\$175

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.

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.

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.

Effective Date: This Ordinance shall be effective on the 90th day following passage.

Approved and adopted this 15th day of November 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk