



City of Chicago



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Office of the City Clerk

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Meeting Date:	10/26/2022
Sponsor(s):	Lightfoot (Mayor)
Type:	Ordinance
Title:	Amendment of Municipal Code Titles 2, 4, 6, 9, 10, 11, 15 and 18 (2023 Municipal Code Corrections Ordinance)
Committee(s) Assignment:	Committee on Budget and Government Operations

130136



OFFICE OF THE MAYOR
CITY OF CHICAGO

LORI E. LIGHTFOOT
MAYOR

October 26, 2022

TO THE HONORABLE, THE CITY COUNCIL
OF THE CITY OF CHICAGO

Ladies and Gentlemen:

At the request of the Corporation Counsel, I transmit herewith the 2023 Municipal Code Corrections Ordinance.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,

A handwritten signature in black ink that reads "Lori E. Lightfoot".

Mayor

C O D E C O R R E C T I O N
O R D I N A N C E

WHEREAS, The City of Chicago is a home rule unit of government as defined in Article VII, Section 6(a) of the Illinois Constitution; and

WHEREAS, As a home rule unit of government, the City of Chicago may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, From time to time, provisions of the Municipal Code are identified as being obsolete, erroneous, unworkable, or otherwise in need of correction; and

WHEREAS, Maintaining an up-to-date and accurate Municipal Code is a matter pertaining to the government and affairs of the City of Chicago; now, therefore,

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

SECTION 1. Section 2-45-040 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

2-45-040 Commissioner of Planning and Development – Powers and duties.

(a) The Commissioner has the authority to:

(Omitted text is not affected by this ordinance)

(3) expend legally available funds for the purpose of assisting the Chicago Housing Authority in maintaining and improving its property, including but not limited to, property repairs and rehabilitation, purchase and installation of fencing and other security measures and devices, nuisance abatement, playground construction and other site improvements. The Commissioner may enter into cooperative agreements with the Chicago Housing Authority when performing his the Commissioner's powers under this section. Such agreements shall not authorize the use of City funds for purposes of demolition or major capital projects.

(4) ~~Subject subject~~ to the appropriation of funds, ~~the Commissioner has the authority to~~ enter into land banking agreements with the Cook County Land Bank Authority (CCLBA), or its successor agency, and enter into and execute all such other instruments and perform any and all acts as shall be necessary or advisable in connection with the implementation of such agreements, including any extensions thereof. The agreements may authorize the Commissioner to pay or reimburse the CCLBA. or its successor agency for acquisition related costs, holding costs, and land banking fees for use of CCLBA. or such agency's staff and resources. and may include such other terms as the Commissioner deems appropriate, including provisions providing indemnification.

(5) ~~Subject subject~~ to the appropriation of funds, ~~the Commissioner has the authority to~~ enter into and execute any and all agreements or instruments and to perform any and all acts as shall be necessary or advisable to purchase delinquent or forfeited property taxes from the County of Cook in order to assemble property for development.

(Omitted text is not affected by this ordinance)

SECTION 2. Section 2-56-020 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

2-56-020 Inspector general – Qualifications, appointment and authority.

(Omitted text is not affected by this ordinance)

(b) *Appointment and authority.* The ~~inspector general~~ Inspector General shall be appointed for a term of four years, in accordance with the procedures set forth in this section, and shall have responsibility for the operation and management of the ~~office~~ Office of Inspector General.

(c) *Reappointment.* The ~~mayer~~ Mayor may reappoint an incumbent ~~inspector general~~ Inspector General term, subject to approval of the ~~city council~~ City Council, without seeking a recommendation of the Selection Committee described in subsection (d) of this section. Not less than 45 days prior to the end of the ~~inspector general's~~ Inspector General's term, the ~~mayer~~ Mayor shall notify the ~~city council~~ City Council whether he ~~the Mayor~~ will reappoint the then incumbent ~~inspector general~~ Inspector General.

(d) *Selection process.* A Selection Committee consisting of five members, three of whom shall be selected by the ~~mayer~~ Mayor and two of whom shall be selected by the ~~city council~~ City Council, shall be responsible for identifying potential candidates and proposing potential candidates to the ~~mayer~~ Mayor. The ~~mayer's~~ Mayor's selection must be confirmed by the ~~city council~~ City Council.

Within 15 days of an actual or expected vacancy in the position of ~~inspector general~~ Inspector General because of death, resignation, removal, or the ~~mayer's~~ Mayor's decision not to reappoint an incumbent ~~inspector general~~ Inspector General, the Selection Committee shall identify a national executive search firm (the "Search Firm") to perform executive search services and to create a pool of the 20 most qualified candidates for the position of Inspector General, produced by the search (the "Pool"). The Search Firm shall perform its services and submit the identities of the candidates which comprise the Pool, including ~~resumes~~ résumés, qualifications, and statements detailing each member of the Pool's credentials for the appointment of Inspector General, to the Selection Committee.

The Selection Committee shall review the credentials of Pool members, and shall recommend one or more qualified persons to the ~~mayer~~ Mayor, by concurrence of at least four Committee members. The ~~mayer~~ Mayor may appoint any person recommended by the Committee, subject to approval of the ~~city council~~ City Council. If the ~~mayer~~ Mayor rejects all candidates recommended by the Selection Committee, the Committee shall solicit and screen additional potential candidates in the same manner, repeating the process until the ~~mayer~~ Mayor appoints a recommended person, subject to approval of the ~~city council~~ City Council. The term of the ~~inspector general~~ Inspector General shall commence upon on the ~~city council's~~ City Council's approval of the ~~mayer's~~ Mayor's appointment, and shall extend for a period of four years.

SECTION 3. Section 2-56-030 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

2-56-030 Inspector general – Powers and duties.

In addition to other powers conferred herein, the ~~inspector general~~ Inspector General shall have the following powers and duties:

(Omitted text is not affected by this ordinance)

(b) To investigate the performance of governmental officers, employees, functions and programs, either in response to ~~complaint~~ complaints or on the ~~inspector general's~~ Inspector General's own initiative, in order to detect and prevent misconduct, inefficiency and waste within the programs and operations of the city government;

(c) To promote economy, efficiency, effectiveness and integrity in the administration of the programs and operations of the city government by reviewing programs, identifying any inefficiencies, waste and potential for misconduct therein, and recommending to the ~~mayer~~ Mayor and/or the city council City Council policies and methods for the elimination of inefficiencies and waste, and the prevention of misconduct;

(d) To report to the ultimate jurisdictional authority concerning results of investigations, audits and program reviews undertaken by the ~~office~~ Office of ~~inspector general~~ Inspector General;

(Omitted text is not affected by this ordinance)

(f) To conduct public hearings, at ~~his~~ the Inspector General's discretion, in the course of any activity conducted pursuant to this chapter ~~an investigation hereunder~~;

(Omitted text is not affected by this ordinance)

(i) To exercise any ~~of his~~ powers or duties granted to the Inspector General specified in this Code with respect to any sister agency, as that term is defined in Section 1-23-010, pursuant to an intergovernmental agreement that the ~~city~~ City may enter into with such sister agency as authorized by the ~~city council~~ City Council, and as such power or duty may be modified by such agreement;

(j) For the purpose of assisting in the investigation and prosecution of matters within the jurisdiction of the ~~inspector general~~ Inspector General as specified in this chapter, to engage in activities that are both authorized by and carried out under the direction of the Illinois Attorney General, the Cook County State's Attorney, the United States Department of Justice and other agencies authorized to investigate and prosecute violations of criminal law. The ~~inspector general~~ Inspector General shall undertake such training and certification as necessary and appropriate to engage in such activities. Provided, however, employees of the ~~office~~ Office of ~~inspector general~~ Inspector General shall not, in the performance of their official duties under the ~~code~~ Code: (i) arrest, commit for examination or detain in custody any person, or (ii) carry a firearm or other weapon;

(k) To promulgate rules ~~and regulations~~ for the conduct of investigations and public hearings consistent with the requirements of due process of law and equal protection under the law;

(l) To select, subject to the approval of the City Council, and supervise the Deputy Inspector General for Public Safety established by Sections 2-56-200 through 2-56-280 of this Chapter; and

(m) To receive and address complaints of sexual harassment in violation of Chapter 2-156 in accordance with Section 2-56-050.

SECTION 4. Section 2-80-030 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through, as follows:

2-80-030 Commission – Purpose.

The purpose of the Commission is to:

(Omitted text is not affected by this ordinance)

(6) ensure that Department resources are not used inefficiently to address public health or safety issues that other professionals can are better equipped to address;

(Omitted text is not affected by this ordinance)

SECTION 5. Section 4-60-022 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

4-60-022 Restrictions on additional licenses.

Subject to the provisions of subsection 4-60-021(c), no additional license shall be issued for the sale of alcoholic liquor, for consumption on the premises within the following areas:

(Omitted text is not affected by this ordinance)

31st Ward

(Omitted text is not affected by this ordinance)

(31.23) On the west side of North Cicero Avenue, from West Roscoe Street to West Cornelia Street Avenue.

(Omitted text is not affected by this ordinance)

SECTION 6. Section 4-60-023 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

4-60-023 Restrictions on additional package goods licenses.

Subject to the provisions of subsection 4-60-021(c), no additional package goods license shall be issued for any premises located within the following areas:

(Omitted text is not affected by this ordinance)

31st Ward

(Omitted text is not affected by this ordinance)

(31.35) On the west side of North Cicero Avenue, from West Roscoe Street to West Cornelia Street Avenue.

(Omitted text is not affected by this ordinance)

SECTION 7. Section 9-80-110 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

9-80-110 Abandoned vehicles.

(a) It shall be unlawful for any person to abandon any motor vehicle on any public way within the city. A vehicle shall be deemed to have been abandoned if it ~~(a)~~ (i) is in such a state of disrepair as to be incapable of being driven in its present condition or ~~(b)~~ (ii) has not been moved or used for more than seven consecutive days and is apparently deserted or ~~(c)~~ (iii) has been left on the public way without state registration plates or a temporary state registration placard for two or more days. Any person who violates this subsection shall be fined the amount set forth in Section 9-100-020 for each offense. Each day a vehicle remains abandoned shall constitute a separate and distinct offense for which a separate penalty may be imposed.

(Omitted text is not affected by this ordinance)

SECTION 8. Chapter 6-10 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

6-10-010 Declaration of City policy.

It is the policy of the City of Chicago to assure that all persons within its jurisdiction shall have equal access to public services and shall be protected in the enjoyment of civil rights, and to promote mutual understanding and respect among all who live and work within this city.

The City Council of the City of Chicago hereby declares and affirms:

That prejudice, intolerance, bigotry, and the discrimination occasioned thereby, and sexual harassment, threaten the rights and proper privileges of the city's inhabitants and menace the institutions and foundation of a free and democratic society; and

That behavior which denies equal treatment to any individual because of that individual's race, color, sex, gender identity, age, religion, disability, national origin, ancestry, sexual orientation, marital status, parental status, military status, source of income, credit history (within the meaning of Section 6-10-053), or criminal record or criminal history (within the meaning of Section 6-10-054) undermines civil order and deprives persons of the benefits of a free and open society.

Nothing in this ~~ordinance~~ chapter shall be construed as supporting or advocating any particular lifestyle or religious view. To the contrary, it is the intention of this ~~ordinance~~ chapter that all persons be treated fairly and equally and it is the express intent of this ~~ordinance~~ chapter to guarantee to all of our residents fair and equal treatment under law.

6-10-055 Job opportunity advertisements.

No person shall publish or cause to be published, in print or on the internet, an advertisement for, or other posting of, any job opportunity that requires the applicant for the position to be employed or which states any other preference, limitation, or discrimination prohibited by this ~~ordinance~~ chapter. This prohibition does not apply to any third-party publisher of advertisements which is not itself the employer, agent of an employer, employment agency, or labor organization causing publication of the job opportunity.

6-10-120 Violation – Penalty.

Unless another fine or penalty is specifically provided in this Code, any person who violates this ~~ordinance~~ Article I of Title 6 as determined by this Commission shall be fined not less than \$5,000.00 and not more than \$10,000.00 for each offense. In addition, any City licensee who violates this chapter or any rule promulgated thereunder may be subject to license discipline

pursuant to Section 4-4-280 of this Code. Every day that a violation shall continue shall constitute a separate and distinct offense.

SECTION 9. Section 10-32-250 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

10-32-250 Severability.

Should any section, clause or provision of this ~~ordinance~~ chapter be declared by any court to be invalid, the same shall not affect the validity of the ~~ordinance~~ chapter as a whole or part thereof, other than the part so declared to be ~~valid~~ invalid. To this end the provisions of this ~~ordinance~~ chapter are declared to be severable.

SECTION 10. Section 11-12-040 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

11-12-040 Maintenance and repairs.

Except as otherwise specified in Article IX of this chapter, every ~~Every~~ person having service from the Chicago Waterworks System shall, at ~~his~~ the person's own cost and expense, keep in repair all pipes, including private supply pipes or fire hydrants, leading from the shutoff rod box to ~~his~~ the person's building or premises, and prevent all waste of water from such pipes. If any such pipe be permitted to remain out of repair, the ~~commissioner~~ Commissioner may, after a two-day prior notice in writing, cut off the water from said premises; and whenever the water is so cut off it shall not be permitted to be again turned on until such pipe or pipes have been placed in proper repair. The notice herein provided for may be served by personal service, or by mailing it to the owner or occupant, or person in possession, charge or control of the premises.

SECTION 11. Chapter 15-20 of the Municipal Code of Chicago is hereby amended by adding the language underscored, and by deleting the language struck through, as follows:

15-20-010 Definitions.

"Explosives" means any chemical compounded or mechanical mixture which is commonly used or intended for the purpose of producing an explosion, or which contains any oxidizing and combustible units, or other ingredients, in such proportions, quantities or packing that an ignition by fire, by friction, by concussion, by percussion, or by detonator of any part of the compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures will be capable of producing destructive effects on contiguous objects or of destroying life or limb articles subdivided as follows:

(a) Unlawful Explosives. The manufacture, storage, sale, transportation or use of the following explosives is hereby prohibited:

(Omitted text is not affected by this ordinance)

10. New explosives until approved by the ~~Interstate Commerce Commission or~~ United States Department of Transportation, except that permits may be issued to educational, governmental or industrial laboratories for instructional or research purposes;

11. Explosives condemned by the ~~Interstate Commerce Commission~~ or United States Department of Transportation;
12. Explosives not packed or marked in accordance with the requirement of the ~~Interstate Commerce Commission~~ or United States Department of Transportation;

(Omitted text is not affected by this ordinance)

15-20-030 General transportation requirements.

(Omitted text is unaffected by this ordinance)

(i) Vehicles carrying explosives shall comply with Sections 15-24-1150 to 15-24-1210, inclusive. Wherever the phrase flammable liquids is used, it shall mean explosives and wherever the phrase truck, tank truck, semitank truck, or tank vehicle is used, it shall mean vehicles on which explosives are transported. The truck shall meet applicable United States Department of Transportation ~~and/or Interstate Commerce Commission~~ regulations and all requirements of the Municipal Code of ~~the City of Chicago~~.

(Omitted text is unaffected by this ordinance)

15-20-080 Transportation by vessel or railroad car.

No explosives shall be landed at the piers or elsewhere in the city, or transported to a vessel lying at a pier, unless the explosives contained in the vessel making delivery are in charge of a duly certified employee of a person licensed to transport or sell explosives within the city limits. No explosives shall be landed at any pier in the city unless for immediate loading into wagons for distribution to consumers for use within 48 hours and for which orders have been previously received, or for immediate transportation by railway to points beyond the city limits; and explosives received at railway stations within the city limits shall be promptly discharged and removed to such storage as ~~the provisions of this chapter prescribes~~. Explosives received at any railway or freight stations within the city limits, for reshipment to points beyond the city limits, shall be promptly transferred; provided, however, that no explosives received for shipment shall remain at any railway or freight station for a period exceeding 48 hours. Every railroad car containing explosives within the city limits must be placarded on sides and ends with standard explosive placards as prescribed by the ~~Interstate Commerce Commission~~ United States Department of Transportation regulations for explosives and other dangerous articles.

15-20-090 Labeling of packages.

Each package containing an explosive must have the name and brand of the manufacturer marked thereon, and must be marked conspicuously as prescribed by the ~~Interstate Commerce Commission~~ United States Department of Transportation for explosives and other dangerous articles.

15-20-250 Exemptions.

Nothing contained in this part of this chapter dealing with fireworks shall be construed as applying to the transportation of any article or thing shipped in conformity with the regulations prescribed by the ~~Interstate Commerce Commission~~ United States Department of Transportation, nor as applying to the military or naval forces of the United States.

SECTION 12. Chapter 15-24 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-24-330 Labels on products for sale.

All flammable liquids, flammable liquid compounds or flammable liquid mixtures, offered for sale at retail in containers shall be conspicuously marked or labeled "flammable" in easily legible type, which is in contrast by typography, layout or color with any other printed matter on the label. Labels shall not be required on beverages, articles of food or drugs, when the container is labeled in accordance with the regulations of the ~~Interstate Commerce Commission~~ or United States Department of Transportation or when the container is labeled in accordance with the Federal Hazardous Substances Labeling Act and Regulations.

15-24-430 Outside container storage.

Closed containers stored outside in the open shall be of a type meeting the regulations of the ~~Interstate Commerce Commission~~ or United States Department of Transportation or as herein required. No more than 40 drums (55 gallon capacity per drum) of Class I flammable liquids shall be stored per pile and the pile shall be located at least 40 feet from the nearest building; except that the pile can be located ten feet from the nearest building located on the same premises and under the same management. No more than 80 drums (55 gallon capacity per drum) of Class II flammable liquids shall be stored per pile and the pile shall be located at least 30 feet from the nearest building; except that, the pile can be located ten feet from the nearest building located on the same premises and under the same management. Provided, however, where closed container drum storage on the premises is for resale only with no use other than repackaging the maximum amount of Class I flammable liquids stored per pile may be not more than 120 drums and not more than 160 drums for Class II flammable liquids. A minimum distance of five feet shall be maintained between all piles of Class I and/or Class II flammable liquids. There shall be a 12-foot wide access road within 200 feet of each container. If equipped with a deluge- type sprinkler system, the size of the piles can be doubled and all safety clearances reduced by one half. All storage shall be located so that runoff due to leakage is not toward any structure.

SECTION 13. Chapter 15-26 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-26-020 Definitions.

(Omitted text is unaffected by this ordinance)

The following definitions shall apply to sections regulating liquefied petroleum gas only:

1. "Containers" means all vessels, such as tanks, cylinders or drums used for transportation or storing of liquefied petroleum gas.

2. "Capacity of container" means the amount of liquefied petroleum gas that a container will hold. For ~~Interstate Commerce Commission or~~ United States Department of Transportation approved containers, this is expressed in pounds of liquefied petroleum gas. For American Society of Mechanical Engineers approved containers, this is expressed in gallons of water capacity.

(Omitted text is unaffected by this ordinance)

(2) A jobs report providing anonymized information on each employee, including their status as full-time or part-time; the ZIP code of the employee's primary residency; and the employee's total employment tenure in months; and a statement of whether the employee's wages are above or below a "Base Wage" as defined by Section 2-92-610;

(Omitted text is unaffected by this ordinance)

15-26-200 Trucks on public ways.

Vehicles carrying fume hazard or flammable compressed gases shall comply with Sections 15-24-1150 to 15-24-1210, inclusive. Wherever the phrase flammable liquids is used, it shall mean fume hazard and flammable compressed gases, and wherever the phrase truck, tank truck, semi-tank truck, or tank vehicle is used, it shall mean vehicles on which fume hazard and flammable compressed gases are transported. The truck shall meet applicable United States Department of Transportation ~~and/or Interstate Commerce Commission~~ regulations and all requirements of the Municipal Code of ~~the City of~~ Chicago.

15-26-220 Tank cars – Unloading procedures.

Tank cars shall comply in all respects with ~~Interstate Commerce Commission or~~ United States Department of Transportation specifications. They shall be received and unloaded only on a private track of the consumer or on a leased track, protected as hereinafter provided.

(Omitted text is unaffected by this ordinance)

15-26-230 Danger signs.

Caution signs which comply with the following regulations of the ~~Interstate Commerce Commission or~~ United States Department of Transportation regulations shall be provided and used.

Caution signs must be so placed on the track or car as to give necessary warning to persons approaching car from open end or ends of siding and must be left up until after car is unloaded and disconnected from discharge connection. Signs must be of metal, at least 12 by 15 inches in size and bear the words "STOP – TANK CAR CONNECTED" or "STOP – MEN AT WORK" and the word "STOP" being in letters at least four inches high and the other words in letters at least two inches high. The letters must be white on a blue background.

Such signs shall show the name of the specific fume hazard gas in the tank car.

15-26-620 Containers – Construction standards.

All containers for liquefied petroleum gas shall be constructed in accordance with ~~the applicable provisions of~~ the American Society of Mechanical Engineers Boiler and Pressure Vessel Code, Section VIII Unfired Pressure Vessels, 1973 Edition or the ~~Interstate Commerce Commission or~~ United States Department of Transportation regulations. Each container shall have markings as required by the code under which it is manufactured. All containers shall be protected from mechanical injury whenever used or stored.

15-26-800 Chlorine gas.

The sale, storage, use or handling of chlorine gas is hereby prohibited within the limits of the city unless chlorine gas is stored in buildings constructed and maintained in accordance with ~~the building provisions of~~ this Code in containers constructed in compliance with the ~~Interstate Commerce Commission~~ United States Department of Transportation rules and regulations.

No combustible material of any kind shall be placed or kept in any room or building used for the storage of chlorine gas.

SECTION 14. Chapter 15-28 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

15-28-370 Transportation.

Vehicles carrying potentially explosive chemicals shall comply with Sections 15-24-1150 to 15-24-1210 inclusive. Wherever the phrase flammable liquids is used, it shall mean potentially explosive chemicals and wherever the phrase truck, tank truck, semitank truck, or tank vehicle is used, it shall mean vehicles on which potentially explosive chemicals are transported. The truck shall meet applicable United States Department of Transportation ~~and/or Interstate Commerce Commission~~ regulations and all requirements of the Municipal Code of the ~~City of~~ Chicago.

15-28-980 Capacity regulations.

Not more than 25 pounds of nitrocellulose shall be manufactured or reclaimed in other than a nitrocellulose building or a nitrocellulose room constructed as required; provided, however, that completely manufactured nitrocellulose enclosed within sealed shipping containers, meeting the regulations of the ~~Interstate Commerce Commission~~ United States Department of Transportation for containers for nitrocellulose may be stored in one or more standard fireproof vaults located in any building, except as prohibited under this Code.

SECTION 15. Section 18-28-1001.1 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and inserting the language struck through, as follows:

18-28-1001.1 Scope.

This article shall govern the installation, alteration and repair of boilers, water heaters and pressure vessels.

Exceptions:

1. Pressure vessels used for unheated water supply.
2. Portable unfired pressure vessels and ~~Interstate Commerce Commission~~ United States Department of Transportation containers.

(Omitted text is unaffected by this ordinance)

SECTION 16. This ordinance shall take effect upon its passage and approval.