



# Office of City Clerk

## City Council Document Tracking Sheet

City Hall  
121 North LaSalle Street  
Room 107  
Chicago, IL 60602  
www.chicityclerk.com

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**Matter ID:** O2023-0005298

**Meeting Date:** 10/16/2023

**Sponsor(s):** Quinn (13) (C)  
Tabares (23) (C)  
Lopez (15) \*

**Type:** Ordinance

**Title:** Amendment of Municipal Code Chapter 8-16 to establish prohibitions and penalties for minors who violate curfew, engage in drag racing, flipping of cars, intoxication, or use of paintball guns

**Committee Assignment:** Committee on Public Safety

## ORDINANCE

**SECTION 1.** Section 8-16 of the Municipal Code of Chicago is hereby amended by deleting the language struck through and by adding the language underscored, as follows:

**8-16-005 Parental or legal guardian responsibility for minors.**

Any parent or legal guardian that willfully and/or knowingly allows for the minor or minors in their charge to participate in any of the conduct mentioned or referred to in Chapter 8-16, as well as any associated violation of any law, statute or ordinance of this city, the County of Cook, the State of Illinois, or the United States, where the violation of such law, statute or ordinance is punishable by fine or imprisonment, shall be held as responsible and accountable for the activity of said minor as if they committed the acts themselves, with all charges to be pursued by the Chicago Police Department accordingly in addition to any mandatory fees, family counseling & other remedies required herein.

**8-16-020 Curfew hours for minors.**

*(Omitted text not affected by this ordinance)*

(d) *Enforcement.* Before taking any enforcement action under this section, a police officer shall ask the apparent violator's age and reason for being in the public place. The officer may attempt to contact a parent or guardian at the time of engagement to determine if they are aware of possible curfew violation. The officer shall not issue a citation or make an arrest under this section unless the officer reasonably believes that an offense has occurred and that, based on any response and other circumstances, no defense in subsection (c) is present.

(e) *Penalties.* A person who violates any provision of this section is guilty of a separate offense for each day or part of a day during which the violation is committed, continued, or permitted. Each offense, upon conviction, is punishable by a \$1,000.000 fine ~~not to exceed \$500.00 or~~ and shall be given an order to perform community service pursuant to Section 1-4-120 of this Code and undergo licensed family counseling, ~~or both.~~ Any person who violates any provision of this section three times in any twelve-month period shall be subject ~~to up to~~ to up to three times the maximum monetary fine set forth in this subsection for any subsequent violation of this section within the twelve-month period, ~~or as an alternative or in addition to such fine~~ in addition to a requirement to perform community service and undergo licensed family counseling.

*(Omitted text not affected by this ordinance)*

#### **8-16-040 Flipping cars.**

It shall be unlawful for any person under the age of 18 years to climb, jump upon, cling to, or in any way attach himself to any streetcar, railroad locomotive, or car of any kind while the same is in motion, under a penalty of ~~not less than \$2.00 nor more than \$10.00~~ \$1,000.00 for each offense and shall be given an order to perform community service pursuant to Section 1-4-120 of this Code and undergo licensed family counseling.

#### **8-16-040 Street takeover & drag racing of vehicles.**

It shall be unlawful for any person under the age of 18 years to climb, jump upon, cling to, or in any way attach himself to any personal or public vehicle of any kind while the same is in motion, stopped in traffic, or intentionally blocked for the purposes prohibited in this section, under a penalty of \$2,500.00 for each offense for each impacted vehicle.

#### **8-16-050 Intoxication.**

No minor shall be intoxicated, or shall purchase, offer to purchase, or in any manner obtain unlawfully for his personal use any intoxicating liquor. Any minor who violates this section shall be fined ~~not more than \$25.00 for the first offense, and not more than \$100.00 for every subsequent offense~~ \$1,000.00 for each offense and shall be given an order to perform community service pursuant to Section 1-4-120 of this Code and undergo licensed family counseling; provided, however, any minor who violates this section while within 800 feet of a parade route which is not open to traffic shall be fined \$500.00 or shall be required to perform 25 hours of community service for each offense. For purposes of this section, the term "parade" has the meaning ascribed to the term in Section 10-8-330 of this Code.

#### **8-16-060 Alcoholic liquor.**

It shall be unlawful for any person to sell, give or deliver any alcoholic liquor to a person under the age of 21 years. It shall be unlawful for any person under the age of 21 years to purchase, deliver, possess, give or consume alcoholic liquor. Any minor who violates this section shall be fined \$1,000.00 for each offense and shall be given an order to perform community service pursuant to Section 1-4-120 of this Code and undergo licensed family counseling.

#### **8-16-063 Cannabis offenses involving minors.**

*(Omitted text not affected by this ordinance)*

(c) *Penalty for Violation.* Any person who violates this section shall be subject to a fine of \$50.00 for the first offense, and \$100.00 for the second and each subsequent

offense occurring within a period of 30 days, or may be required to perform community service in accordance with Section 1-4-120 or attend a drug awareness, drug education, or restorative justice program, or any combination thereof. Any minor who violates this section shall be fined \$1,000.00 for each offense and shall be given an order to perform community service pursuant to Section 1-4-120 of this Code and undergo licensed family counseling.

#### **8-16-065 Social hosting.**

*(Omitted text not affected by this ordinance)*

(b) It shall be unlawful for any supervising adult to host minors consuming any alcoholic liquor in a person's residence or any land, building, structure or room owned, occupied or procured by such a person to be used by an invitee of such a person or an invitee of such person's child or ward, in a manner that results in the possession or consumption therein of alcoholic liquor by minors. There shall be a presumption that an adult who is physically present on the premises where minors are found to possess or consume alcoholic liquor is a supervising adult. The prohibition of this section shall not apply to the possession or consumption of alcoholic liquor by a minor in the performance of a religious service or ceremony, or under the direct supervision and approval of that minor's parent or guardian in the privacy of a home. A supervising adult who violates this subsection upon conviction shall be punished as follows for each offense:

(i) incarceration for a term not less than three days, nor more than six months, under the procedures set forth in Section 1-2-1.1 of the Illinois Municipal Code, as amended, and the Illinois Code of Criminal Procedure of 1963, as amended; and /or

(ii) a ~~\$2,500.00~~ fine of ~~not less than \$50.00, nor more than \$200.00~~ for each offense; and

(iii) each minor hosted shall constitute a separate violation of this subsection.

(c) Any participating minor who violates this section shall be fined \$1,000.00 for each offense and shall be given an order to perform community service pursuant to Section 1-4-120 of this Code and undergo licensed family counseling.

(ed) Any person who violates this section shall be liable for any costs incurred by the city pursuant to Chapter 1-20.

(de) *Severability.* If any section, subsection, paragraph, or part of this ordinance is for any reason held to be unconstitutional or invalid by any final court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance.

*(Omitted text not affected by this ordinance)*

#### **8-16-090 Firearms for minors.**

No person shall sell, loan, or furnish to any minor any toy gun, toy pistol, paintball gun, or other toy firearm in which any explosive substance can be used. Any minor who violates this section shall be fined \$1,000.00 for each offense and shall be given an

order to perform community service pursuant to Section 1-4-120 of this Code and undergo licensed family counseling.

*(Omitted text not affected by this ordinance)*

**8-16-120 Begging or soliciting by a minor.**

It shall be unlawful for any person, parent, guardian, business or organization to employ or use or to permit the employment or use of any ~~girl~~ minor under the age of 18 years, ~~or any boy under the age of 17 years,~~ for the purpose of solicitation or begging of money or other valuable thing upon the public ways or public places within the city, whether such solicitation is for personal, professional, or charitable purposes or any other purpose, or whether such solicitation is conducted on a day set apart as a so-called tag day or otherwise.

**8-16-125 Contributing to delinquency of minor.**

*(Omitted text not affected by this ordinance)*

(c) No minor or person over the age of 18 years shall knowingly or willfully cause, aid, abet or encourage ~~such child~~ any minor on any social media platform to commit any act or omission in violation of any law, statute or ordinance of this city, the County of Cook, the State of Illinois, or the United States, where the violation of such law, statute or ordinance is punishable by fine or imprisonment.

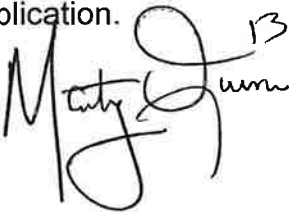
(ed) Any person who violates this section shall be subject to a \$5,000.00 fine of ~~not less than \$200.00 nor more than \$500.00~~ for each offense.

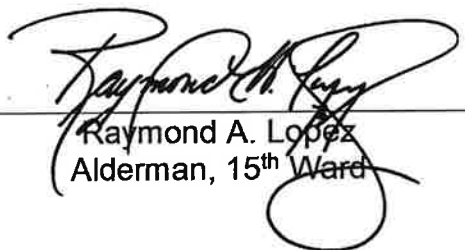
*(Omitted text not affected by this ordinance)*

**8-16-130 Violation – Penalty.**

Any person who shall violate any of the provisions of this chapter for which no other penalty is provided shall be fined \$1,000.00 ~~not less than \$5.00 nor more than \$100.00~~ for each offense.

**SECTION 2.** This ordinance shall take effect immediately following passage and publication.

 Marty J. Jurn 13

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

  
Silvana Dubois  
23<sup>rd</sup> Ward