

ORDINANCE NO. 016-110

AN ORDINANCE AMENDING  
ORDINANCE 006-75 WHICH  
RESTATED ORDINANCE 98-126  
REGARDING RULES OF  
CONDUCT TO PROMOTE  
HEALTH, SAFETY AND  
WELFARE ON PROPERTY  
OWNED, OPERATED OR  
MAINTAINED BY THE CHICAGO  
TRANSIT AUTHORITY

WHEREAS, Section 31 of the Metropolitan Transit Authority Act empowers the Chicago Transit Board ("Board") to pass all ordinances and make all rules and regulations which are proper and necessary to regulate the use, operation and maintenance of its property and facilities and to adopt fines and penalties for that purpose; and

WHEREAS, On September 11, 1991, the Board adopted Ordinance No. 91-170, governing use of paid areas of Chicago Transit Authority ("Authority") rail property; and

WHEREAS, On February 8, 1994, the Board passed Ordinance No. 94-27, amending and restating Ordinance No. 91-170 governing performance on property owned, operated or maintained by the Authority; and

WHEREAS, On November 12, 1998, the Board passed Ordinance No. 98-126, establishing rules of conduct to promote health, safety and welfare on property owned, operated and maintained by the Authority, thereby establishing uniform penalties for the ordinance violations; and

WHEREAS, On April 21, 1999, the City Council of the City of Chicago amended Chapter 10-8-526 of the Municipal Code of Chicago to give the Chicago Police Department authority to enforce the provisions of CTA Ordinance No. 98-126 and any subsequent amendments of Ordinance No. 98-126 within the areas of its jurisdiction on the transit system; and

WHEREAS, On June 14, 2006, in Ordinance No. 006-75, the Authority incorporated the provisions of Ordinance No. 94-27 into CTA Ordinance No. 98-126 in order to ensure that the Chicago Police Department had the express authority to enforce all of the provisions of CTA Ordinance No. 94-27; and

WHEREAS, On June 11, 2014, in Ordinance No. 014-60, the Authority amended Section 2.8 of Ordinance No. 006-75; and

ORDINANCE NO. 016-110  
(Continued) -2

WHEREAS, The Authority seeks to supplement and amend Ordinance No. 98-126 to enhance safety and the customer experience, reflect changes in the law and changes in fare media, improve the Authority's ability to better address fare media fraud, incorporate the Authority's policies prohibiting harassment and bullying, and regulate the transport of animals and use of personal recreational devices such as skateboards; and

WHEREAS, The Authority also seeks to increase the fine from \$100 to \$300 and to add the penalties of suspension of riding privileges on the Authority's system and/or confiscation of fare media; and

WHEREAS, The Authority seeks now to update, supplement and restate the provisions of Ordinance No. 98-126 and therefore amends Sections 1 through 5 of Ordinance No. 006-75 in their entirety as follows; now, therefore:

BE IT ORDAINED BY THE CHICAGO TRANSIT BOARD  
OF THE CHICAGO TRANSIT AUTHORITY:

SECTION 1. The following are rules of conduct for the Authority's transportation system and property. Unless previously authorized by the Authority, it is a violation of this ordinance for any person to engage in the following conduct:

	<b>Type of Conduct</b>	<b>Transit Vehicles</b>	<b>Other CTA Property</b>
(1)	Displaying or offering for sale, selling or distributing goods or services	Prohibited	Prohibited
(2)	Soliciting or begging for money or anything of value	Prohibited	Prohibited
(3)	Consuming any food or non-alcoholic beverages, excluding medicine	Prohibited	Allowed
(4)	Drinking alcoholic beverages or possessing open container of same	Prohibited	Prohibited
(5)	Using sound-producing devices or equipment (use of headphones allowed if output is inaudible to others)	Prohibited	Prohibited

ORDINANCE NO. 016-110

(Continued) -3

(6)	Spitting	Prohibited	Prohibited
(7)	Willfully blocking the free movement or access of another person	Prohibited	Prohibited
(8)	Possessing luggage or personal items or large carts or dollies of a size or quantity that the passenger cannot manage on his or her own in one trip on or off CTA buses and train cars. Possessing luggage or personal items or large carts or dollies of a size or quantity that the passenger cannot on his or her own enter paid areas of rail stations in one trip	Prohibited	N/A
(9)	Possessing items that necessarily because of their size or quantity block entry and exit of passengers and/or movement through aisles and/or access to priority seating for seniors and customers with disabilities	Prohibited	Prohibited
(10)	Occupying more than one seat by placing objects, shoes or feet on adjoining seats	Prohibited	N/A
(11)	Interfering with CTA services by tampering with any equipment including but not limited to safety and emergency equipment, emergency alarms and control switches on CTA escalators, elevators, buses and trains or impeding the progress of a transit vehicle	Prohibited	Prohibited
(12)	Sleeping or dozing where such activity may interfere with CTA services	Prohibited	Prohibited

ORDINANCE NO. 016-110

(Continued) -4

(13)	Crossing between the cars of a train or entering or remaining upon any track or right-of-way unless there is an emergency, and a CTA agent has directly instructed or authorized doing so	Prohibited	Prohibited
(14)	Loitering or storing personal property on a CTA bus or train. Loitering is defined as (1) remaining on the CTA system for more than one continuous trip without exiting the paid area and re-entering by paying a second fare or (2) riding on the system continuously in excess of two hours without exiting the system.	Prohibited	N/A
(15)	Loitering or storing personal property on all other CTA property except where authorized to do so	N/A	Sleeping or camping on CTA property and any other uses which are not related to transit and not otherwise authorized by law or CTA
(16)	Exposing one's breast (except for breast feeding of infant), buttocks or genitals or performing any sex act	Prohibited	Prohibited
17)	Urinating or defecating (except in a urinal or toilet intended for that purpose) or causing the presence of blood, urine, feces, vomit or other bodily fluids	Prohibited	Prohibited
(18)	Smoking including e-cigarettes. See Ordinance No. 014-60.	Prohibited	Prohibited

ORDINANCE NO. 016-110

(Continued) -5

(19)	Alarming or disturbing others or causing others to fear for their safety or provoking a breach of the peace or being under the influence of alcohol, narcotics or other drugs or engaging in boisterous or unruly behavior that seriously inconveniences, annoys or alarms other reasonable persons in their vicinity	Prohibited	Prohibited
(20)	Engaging in harassment or sexual harassment or bullying. Harassment is defined as offensive behavior toward an individual because of his or her sex, race, color, national origin, religion, marital status, sexual orientation, transgender status, pregnancy, ancestry, age, military status, disability, genetic information or any other status protected by law. Sexual harassment is defined as unwelcome conduct of a sexual nature directed at a person of the same or opposite sex. Bullying is defined as abusive, repeated conduct that is threatening, humiliating or intimidating.	Prohibited	Prohibited
(21)	Gambling including use of shell games, sleight-of-hand or juggling trick or other games to cheat, defraud or unlawfully obtain money or other things of value	Prohibited	Prohibited
(22)	Littering including dumping, depositing, dropping, throwing, discarding, leaving, causing or permitting the dumping, depositing, dropping, throwing, discarding or leaving of litter	Prohibited	Prohibited

ORDINANCE NO. 016-110

(Continued) -6

(23)	Distributing of advertisements or any other written materials or soliciting or petitioning	Prohibited	Prohibited in the paid areas and prohibited in the unpaid areas if blocking ingress or egress or the flow of traffic
(24)	Posting or affixing or painting or stamping any sign, notice, circular, handbill, placard, poster, card, advertisement or other device	Prohibited	Prohibited
(25)	Defacing, destroying, marking, cutting, etching or otherwise vandalizing any property owned by CTA including signage and advertisements thereon	Prohibited	Prohibited
(26)	Possessing any etching equipment or etching materials meaning any tool, device, equipment or substance including spray paint that can be used to make permanent marks on metal, glass, plastic, concrete or stone	Prohibited	Prohibited
(27)	Trespassing defined as any of the following: (1) entering CTA property after oral or written notice that such entry is forbidden; (2) entering into an area closed to public by gate, fence, wall or other barrier; (3) remaining on CTA property after receiving oral or written notice from any law enforcement officer or CTA employee or contractor to depart or (4) entering into the paid area of any CTA property without paying the required fare	Prohibited	Prohibited

ORDINANCE NO. 016-110

(Continued) -7

(28)	Possessing or carrying any weapon including, but not limited to, guns, clubs, knives, stun guns, tasers and explosive devices. This does not apply to those individuals authorized under Section 5/24-2 of the Illinois Criminal Code to carry weapons onto transit or to pepper spray.	Prohibited	Prohibited
(29)	Possessing inflammables, acids, biohazardous materials, compressed gases (except medically required oxygen tanks) clothing or other possessions, materials or animals that have or are capable of producing strong offensive odors, explosion or fire or are likely to endanger persons or property. This includes empty or partially empty containers of oil, gas, petroleum products, paint or varnish.	Prohibited	Prohibited
(30)	Selling, bartering or exchanging for consideration any fare media issued by the CTA or fare media issued by the Regional Transit Authority under the Special Fare Program	Prohibited	Prohibited
(31)	Using Special Fare Program Ventra fare media issued to someone else to enter the CTA transit system or misrepresenting eligibility to obtain Special Fare Program privileges or continuing to exercise those privileges after eligibility has expired. Excessive use of a Special Fare Program Ventra fare media, which use is defined under the Ventra User Agreement	Prohibited	Prohibited

ORDINANCE NO. 016-110

(Continued) -8

(32)	Paying a fare on behalf of another customer when such fare payment results in the customer paying less than he or she would otherwise have had to pay	Prohibited	Prohibited
(33)	Transporting animals except in a closed and secure small container designed for travel that is carried by one person and which can fit under seat or a service animal as defined in 49 CFR Section 37.3	Prohibited	Prohibited
(34)	Skateboarding, roller skating, using a hover or hubber board, bicycle riding or rollerblading or use of another recreational transportation device	Prohibited	Prohibited
(35)	Failure to follow a lawful direction or request from a CTA employee, representative or security agent or police	Prohibited	Prohibited
(36)	Passing through, around, over or under any crossing gate or barrier at a railroad grade crossing while such gate is closed or is being opened or closed or remaining on or traversing a railroad track when an audible bell or clearly visible electric signal is operational warning of approach of train in violation of 625 ILCS 5/11-1011	N/A	Prohibited



ORDINANCE NO. 016-110

(Continued) -9

SECTION 2. Any person who violates Section 1 of this ordinance shall be subject to any or all of the following pursuant to any order or judgment entered by a court or other tribunal of competent jurisdiction:

- 2.1 Fine  
A fine not less than \$300.00, the statutory maximum for each offense authorized by the Metropolitan Transit Authority Act, 70 ILCS 3605/31.
- 2.2 Supervision  
To complete a period of supervision.
- 2.3 Restitution  
To pay restitution when the violation involves damage to property.
- 2.4 Community Service  
Community service for not less than 30 and not more than 120 hours.

SECTION 3. Any person who violates Section 1 of this ordinance shall be subject to immediate removal from CTA property and is subject to suspension of riding privileges on CTA's system and/or confiscation of Ventra fare media.

SECTION 4. In interpreting or applying the rules set forth in Section 1 of this ordinance, the following provisions shall apply:

- 4.1 Exceptions  
Acts otherwise prohibited by any of these rules may be undertaken if specifically authorized by the terms of any written contract, agreement, permit, license or lease issued by the CTA, or to which the CTA is a party or by Sections 6 through 17 of Ordinance No. 006-75.
- 4.2 Accountability  
These rules shall apply with equal force to any person who either before or during the commission of an offense, and with the intent to promote or facilitate the commission of an offense, knowingly solicits, aids, abets, agrees to aid, or attempts to aid the other person in the planning or commission of an offense or act prohibited by this ordinance.

SECTION 5. Sections 6 through 17 of Ordinance No. 006-75 are not affected by this amendatory ordinance, have been omitted for convenience and remain in full force and effect.

ORDINANCE NO. 016-110  
(Continued) -10

SECTION 6. Ordinance No. 014-60 is not affected by this amendatory ordinance and remains in full force and effect.

SECTION 7. Any order or judgment of a court or other tribunal of competent jurisdiction that holds any provision of this ordinance to be invalid shall be confined to the section of the ordinance involving the controversy upon which the order or judgment was entered and shall not act to affect or invalidate any of the other provisions of this ordinance, which shall continue in full force and effect.

SECTION 8. This ordinance shall be in full force and effect ten (10) days after it is published in a newspaper of general circulation published in the metropolitan area, as required by the Metropolitan Transit Authority Act, 70 ILCS 3605/31.

APPROVED:

PASSED:

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Chairman

September 14, 2016

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Assistant Secretary

September 14, 2016