
CITY OF CHICAGO

RULES



PROCEDURE FOR NOTICE OF HEARINGS



Mayor Lori E. Lightfoot

Commissioner Allison Arwady, M.D.

BY AUTHORITY VESTED IN THE COMMISSIONER OF THE DEPARTMENT OF PUBLIC HEALTH PURSUANT TO SECTIONS 2-112-070, 2-112-110, AND 11-4-1660 OF THE MUNICIPAL CODE OF CHICAGO, THE FOLLOWING RULES REGARDING PROCEDURE FOR NOTICE OF HEARINGS ARE ADOPTED HEREIN.

By Order of the Commissioner:

Signed: 
Commissioner Allison Arwady, M.D.

Date: May 4, 2022

Publication/Effective Date: May 4, 2022

**CITY OF CHICAGO
DEPARTMENT OF PUBLIC HEALTH
RULES FOR NOTICE OF PUBLIC HEARINGS
UNDER 11-4-1660 OF THE CODE**

Whereas, pursuant to Section 2-112-110(b)(1) of the Municipal Code of Chicago (the “Code”), the Commissioner of Public Health (the “Commissioner”) is authorized to “supervise the execution of and implement all laws, ordinances, and rules pertaining to environmental protection and control as provided in Chapter 11-4” of the Code;

Whereas, pursuant to Section 2-112-110(b)(9) of the Code, the Commissioner is authorized to issue all permits, certificates, notices, or other documents required under the provisions of Chapter 11-4;

Whereas, pursuant to the authority granted by Section 2-112-070(a) of the Code, the Commissioner is authorized to issue rules necessary or proper for the administration or enforcement of environmental ordinances;

Whereas, further pursuant to Section 2-112-070(a) of the Code, the Commissioner shall have the power to make reasonable administrative and procedural rules interpreting or clarifying the requirements that are specifically prescribed in Chapters 2-112, 4-8, 7-38, 7-40, 7-42, and 11-4 of this Code, without notice, hearing, or solicitation of written or electronically submitted comments;

Whereas, pursuant to Section 11-4-1660 of the Code, the Commissioner shall conduct a public hearing on permit applications for certain waste treatment or disposal facilities “to examine the impact on the community and compliance with the provisions of this chapter;” and, “[n]otice of the public hearing and procedures therein shall be as provided in rules issued by the Commissioner”;

Whereas, pursuant to Section 2-112-120 of the Code, the Commissioner and the Department of Public Health assumed all rights, powers, duties, obligations, and responsibilities of the former Commissioner of Environment related to permitting and enforcement; and all rules issued by the former Commissioner of the Department of Environment relating to permitting and enforcement, in effect as of January 1, 2012, shall remain in effect until amended or repealed by the Commissioner of Public Health;

Whereas, on February 25, 1994, the former Commissioner of Environment issued certain “rules regarding the notice of public hearings required under Chapter 11-4-1640 [sic] for waste control facilities,” entitled “Rules and Regulations of Procedure for Notice of Hearings Held Before the Department of Environment”;

Whereas, the aforesaid rules set forth “notice for all waste control facilities, including but not limited to reprocessible construction/demolition material facilities, transfer stations, landfills, incinerators, resource recovery facilities, and liquid waste handling facilities”; now, therefore,

I, Allison Arwady, M.D., Commissioner of Health, City of Chicago, issue the following rules pursuant to the authority granted to me by Sections 2-112-070, 2-112-110, 2-112-120, and 11-4-1660 of the Code.

1.0 Scope and Purpose. The purpose of these rules is to update, correct, and clarify the Rules and Regulations of Procedure for Notice of Hearings Held Before the Department of Environment, issued on February 25, 1994 (the “1994 Rules”). These rules amend and supersede the 1994 Rules.

2.0 Applicability. These notice requirements apply to applications for waste handling facilities permits submitted to the Department of Health (the “Department”) under Section 11-4-250 of the Code and for reprocessible construction/demolition material facilities submitted to the Department under Section 11-4-1930 of the Code, for which an application to the Zoning Board of Appeals for a special use permit is required under the Chicago Zoning Ordinance and for which a hearing is required pursuant to Section 11-4-1660 of the Code.

3.0 Notice of hearings. The Department shall give notice of the time, date, and location of the hearings required hereunder at least two (2) weeks prior to the scheduled hearing date. Notice shall be given by publication of the time, date, and location of the hearing in a newspaper of general circulation within the city, or by other means designed to provide widespread and targeted notice, including by publication on the Department’s website and by e-mailing notice to the alderman of the ward within which the proposed facility is located.

4.0 Conduct of hearings. At the public hearing, members of the public may attend, register for comment, and raise questions or make statements regarding the permit application. In addition, the Department will explain the permitting process, allow the permit applicant to present the proposed facility and operations, and listen to any local feedback or concerns.