

**CITY OF CHICAGO  
DEPARTMENT OF ENVIRONMENT**

**ARTICLE XXII. INVASIVE SPECIES CONTROL**

**RULES AND REGULATIONS**

Whereas, pursuant to Chapters 2-30 and 11-4 of the Municipal Code of Chicago (the “Code”), the Department of Environment (the “Department”) is charged with enforcement of City environmental laws, including those regulating invasive species; and

Whereas, pursuant to the authority granted by Section 2-30-030 of the Code, the Commissioner of the Department of Environment (the “Commissioner”), is authorized to issue rules and regulations necessary or proper to accomplish the purposes of Chapter 11-4 of the Code, and is further authorized to make reasonable administrative and procedural regulations or rules interpreting or clarifying the requirements which are specifically prescribed in Chapter 11-4 of the Code; and

Whereas, this general rule-making authority includes any rules necessary to implement the provisions of Article XXII of the Code, Sections 11-4-3000 through 11-4-3030, “Invasive Species Control”; and

Whereas, Section 11-4-3010 of the Code gives the Commissioner authority to promulgate a list of regulated invasive species; and

Whereas, Section 11-4-3030(a) of the Code gives the Commissioner the additional authority to promulgate rules and regulations as he or she may deem appropriate for the proper administration and enforcement of the provisions of Article XXII of the Code; and

Whereas, in addition to the Commissioner, the Executive Director of Animal Care and Control (“Director”) is authorized, by Sections 11-4-3030(a) and 7-12-020, to enforce City invasive species laws; and

Whereas, the Department has solicited the opinions of numerous experts in the field of invasive species and has consulted with the Director; and

Whereas, after receiving comments from the experts and the Director, the Department has concluded that the species listed below (1) cause or threaten to cause significant economic harm if they are introduced into the ecosystem; (2) cause or threaten to cause significant hazards to wildlife or wildlife resources in the City; (3) in the case of the “regulated animal species” and the “regulated plant species” listed below, have limited value as food or as commercial products; (4) in the case of the “live transport species” listed below, have some value as food or commercial products but do not lose that value if they are sold dead; and (5) in the case of *Neogobius fluviatilis* (Monkey goby); *Xenopus laevis* (African clawed frog), *Cipangopaludina chinensis* (Chinese mysterysnail), and *Phoxinus phoxinus* (Eurasian minnow) carry or threaten to carry detrimental diseases or parasites; now, therefore,

I, Suzanne Malec-McKenna, Commissioner, Department of Environment, City of Chicago, issue the following rules and regulations pursuant to the authority granted to me by Sections 2-30-030, 11-4-3010, and 11-4-3030 of the Municipal Code of Chicago.

**1.0 Scope and Purpose.** The purpose of these rules and regulations is to provide standards and guidance for the enforcement of Article XXII, Section 11-4-3000 through 11-4-3030 of the Municipal Code of Chicago (“Invasive Species Control”), and to update the list of regulated species set forth herein. These Rules and Regulations replace the Invasive Species Control Rules and Regulations promulgated on May 9, 2007.

**2.0 Listed Species.** In accordance with Section 11-4-3010 of the Municipal Code of Chicago (the “Code”), the following plants and animals are hereby listed as regulated invasive species:

(a) **Regulated animal species**, as that term is defined by Section 11-4-3000(e) of the Code, shall include any of the following:

- (i) *Hypophthalmichthys nobilis* (Bighead carp);
- (ii) *Neogobius fluviatilis* (Monkey goby);
- (iii) *Perca fluviatilis* (European perch);
- (iv) *Phoxinus phoxinus* (Eurasian minnow);
- (v) *Anodonta woodiana*;
- (vi) *Xenopus laevis* (African clawed frog);
- (vii) *Cipangopaludina chinensis* (Chinese mystecrysnail);
- (viii) *Misgurnus anguillicaudatus* (Oriental weatherloach);
- (ix) All species from the genera *Channa* and *Parachanna*, from the family *Channidae* (Snakehead).
- (x) *Mylopharyngodon piceus* (Black carp);
- (xi) *Hypophthalmichthys molitrix* (Silver carp);

(b) **Live transport species**, as that term is defined by Section 11-4-3000(c) of the Code, shall include any of the following:

- (i) *Ctenopharyngodon idella* (Grass carp/White amur);
- (ii) *Orconectes rusticus* (Rusty crayfish).

(c) **Regulated plant species**, as that term is defined by Section 11-4-3000(f) of the Code, shall include any of the following:

- (i) *Trapa natans* (Water chestnut);
- (ii) *Egeria densa* (Brazilian elodea);
- (iii) *Ranunculus lingua* (Greater spearwort);
- (iv) *Houttuynia cordata* (Chameleon);
- (v) *Myriophyllum aquaticum* (Parrot feather watermilfoil);
- (vi) *Hydrilla verticillata* (Hydrilla or water thyme);

- (vii) *Eichhornia crassipes* (Water hyacinth);
- (viii) *Ipomoea aquatica* (Water spinach);
- (viii) *Myriophyllum spicatum* (Eurasian watermilfoil);
- (x) *Hydrocharis morsus-ranae* (European frog-bit);
- (xi) *Butomus umbellatus* (Flowering rush).

(d) **Regulated plant species**, as that term is defined by Section 11-4-3000(f) of the Code, shall also include any of the following, unless a person provides written evidence, such as a scientific publication, to demonstrate that the horticultural selection of the plant has been proven by the scientific community to be functionally sterile.

- (i) *Akebia quinata* (Chocolate vine);
- (ii) *Ampelopsis brevipedunculata* (Elegans porcelain berry vine);
- (iii) *Anthriscus sylvestris* (Wild chervil);
- (iv) *Celastrus orbiculatus* (Oriental bittersweet);
- (v) *Humulus japonicus* (Japanese hops);
- (vi) *Leymus arenarius* (Lyme grass);
- (vii) *Ligustrum* spp. (Privet);
- (viii) *Miscanthus sacchariflorus* (Amur silver grass);
- (viii) *Paulownia tomentosa* (Princess tree);
- (x) *Phellodendron amurense* (Amur corktree);
- (xi) *Phellodendron japonica* (Japanese corktree);
- (xii) *Polygonum cuspidatum* (Japanese knotweed);
- (xiii) *Quercus acutissima* (Sawtooth oak);
- (xiv) *Ranunculus ficaria* (Lesser celandine).

3.0 **Photographic References.** For ease of reference, the Department may publish photographs of listed invasive/regulated species on the City of Chicago's website, [www.cityofchicago.org](http://www.cityofchicago.org), on the Department's homepage.

4.0 **Regulation of Listed Species.** The regulated animal species, live transport species, and regulated plant species listed above shall be regulated by the Department and the Department of Animal Care and Control in the manner specified by Sections 11-4-3020 and 11-4-3030 of the Code.

I, Richard Rodriguez, hereby promulgate the foregoing Invasive Species Control Rules and Regulations on this 23 day of May, 2011.

  
 Richard L. Rodriguez, Acting Commissioner  
 City of Chicago, Department of Environment

