
CITY OF CHICAGO

RULES



COMMERCIAL PASSENGER VESSEL RULES

Last Updated: June 5, 1999



BY AUTHORITY VESTED IN THE COMMISSIONER OF THE DEPARTMENT OF BUSINESS AFFAIRS AND CONSUMER PROTECTION PURSUANT TO **CHAPTERS 2-25 AND 4-250**, THE FOLLOWING RULES REGARDING **COMMERCIAL PASSENGER VESSELS** ARE ADOPTED HEREIN.

By Order of the Commissioner:

Signed: 
Commissioner Maria Guerra Lapacek

Date: July 28, 2015

Published: **June 5, 1999**

Effective: **June 5, 1999**

Rule No. 1 Definitions

- a. "Commissioner" shall refer to the Commissioner of the Department of Consumer Services of the City of Chicago.
- b. "Commercial Passenger Vessel" ("CPV") shall refer to any boat that carries passengers for hire, including but not limited to: charter, cruise, dinner, excursion, ferry, harbor tender, taxi, and tour boats.

Rule No. 2 Commercial Passenger Vessel Licensing and Routes

All CPV owners shall be licensed by the Commissioner before commencing operations; provided, however that CPV businesses that are in operation on or before the effective date of these rules shall complete the required licensing no later than ten days following the aforementioned date. The licensing shall be on forms designated by the Commissioner of Consumer Services. Owners seeking to be licensed by the Commissioner shall present, for each CPV, a copy of the following: (1) documentation indicating that each vessel is in compliance with Coast Guard or other applicable federal agency requirements; (2) documentation indicating that proper insurance has been obtained in accordance with applicable federal requirements; (3) documentation indicating proof of ownership of the vessel; (4) documentation indicating compliance with applicable waste disposal requirements; and (5) with respect to each location where a CPV will temporarily or permanently dock, documentary proof of a lease, license, or other agreement by the owner of the property indicating consent to such docking.

Each owner seeking to be licensed shall provide the Commissioner with a list of all CPV operations of the owner, whether organized in separate fleets or otherwise, and shall list each vessel in each such operation or fleet. This information shall be shown on the face of the license issued to the owner.

Licensed owners shall register with the Commissioner all established routes of service fifteen days prior to offering such service. The routes of service should include all embarkation and destination locations; days and hours of service, and frequency of service. Any amendments to the routes of service should be registered with the Commissioner fifteen days prior to offering such service, together with docking consent documentation for any new stops (see Rule No. 2(5)). Routes of service may be changed for good cause, including, but not limited to, instances in which there are operational difficulties caused by the weather.

A notice of existing routes of service and proposed routes of service or amendments to existing routes of service should be posted conspicuously on each CPV and, if possible, at each embarkation and destination location along the route. Owners with fixed offices and fixed routes may post rates and routes at their ticket offices and in brochures, instead of on the CPV. Any owner who disseminates brochures, flyers or other promotional or informational material in the public way shall include on all such materials a description of all routes and retail ticket prices.

A copy of the CPV owner's license shall be posted conspicuously at each location where tickets are sold.

Each licensed owner shall correct or supplement the licensing information provided to the Commissioner within 10 days of any such information becoming inaccurate or incomplete.

Rule No. 3 Annual Licensing

CPV owners shall be licensed by the Commissioner on or before May 1 of each year. Any new owner shall obtain a license prior to commencing operations. In addition to other penalties set forth by ordinance and regulation, a penalty of 25% of the annual license fee shall be imposed on a licensee for operating a CPV without a valid license.

Pursuant to Section 2-24-041 of the Municipal Code of Chicago, any CPV used in unlicensed operation may be impounded. The procedures set forth in Section 9-112-555 of the Municipal Code of Chicago shall apply with regard to any such impoundment. The applicable administrative penalty shall be \$750.00, and towing and storage fees shall be in an amount sufficient to cover the City's costs of towing and storage.

Rule No. 4 Parking and Docking of Boats

- a. All CPV owners must maintain a legal location to park their boat(s).
- b. A CPV shall dock at or otherwise use city-owned property for the purpose of picking up or dropping off passengers only pursuant to a valid and current use and occupancy agreement between the owner and the City of Chicago or Metropolitan Pier and Exposition Authority ("MPEA").

Rule No. 5 Cancellation Policy

Each CPV business shall adopt a policy or procedure relating to cancellation of a scheduled CPV excursion. Such policy or procedure shall be provided to the customer in one of the following three ways: either by printing the policy on the ticket itself, or by posting the policy where tickets are sold (e.g., the ticket booth) in a location clearly visible to customers, or by posting the policy on each licensed vessel in a location clearly visible to customers. Any such policy or procedure shall include the following statement: "Pursuant to City ordinance, if an excursion or event is canceled by the operator, the operator must refund to the customer the full amount of any funds advanced for that excursion or event. For comments, compliments or complaints, please call the City of Chicago Department of Consumer Services at (312) 744-9400." The cancellation policy or procedure shall be registered with the Commissioner at least fifteen days prior to its effective date.

Rule No. 6 Rates of Fare for Scheduled Service

All CPV operators providing service pursuant to a registered route schedule shall register the rates of fare applicable to their operations or amendments to those rates with the Commissioner at least fifteen days prior to the effective date thereof. All such CPV owners shall prominently display on the notifications of the routes of service required in Rule No. 2 the applicable rates of fare.

CPV owners may discount their rates of fare for scheduled service based on the age of the passengers or advanced payments of fares through coupons or passes. Such discounts must be included in the rates filed with the Commissioner and displayed on the notifications of the routes of service as required above.

Rule No. 7 Solicitation

Regardless of the number of fleets, operations or vessels covered by a CPV license, no CPV owner-licensee may permit a total of more than two persons at any one time to solicit passengers on public or private property for transportation by a CPV within either of the following two bounded areas (i.e., a limit of four persons in total; two in each bounded area):

- (1) Beginning at the intersection of the east side of North Stetson Avenue and the south side of east South Water Street, then proceeding west on east South Water Street to

the west side of North State Street, then proceeding north on North State Street to the north side of West Kinzie Street, then proceeding east on West Kinzie Street and continuing east on North Water Street to North Cityfront Plaza Drive, then proceeding south on North Cityfront Plaza Drive to its termination, then continuing in a straight line to the north bank of the Chicago River and across the Chicago River, then continuing in a straight line from the south bank of the Chicago River to the northeast corner of Wacker Drive and North Stetson Avenue, then proceeding south on North Stetson Avenue to the South Side of east South Water Street.

- (2) **Beginning at the intersection of the east side of Wells Street and the north side of Adams Street, then proceeding west on Adams Street to the west side of South Canal Street, then proceeding south on South Canal Street to the south side of West Van Buren Street, then proceeding east on West Van Buren Street to Wells Street.**

A person exclusively selling tickets from a ticket booth shall not be considered a solicitor and shall not be subject to the limitation on solicitors. Any person engaging in solicitation of passengers within either of the above two bounded areas shall prominently display on the front of their torso an identification badge issued by the Commissioner. The replacement fee for a second or subsequent loss of a badge shall be \$200.00. The owner and the person engaging in solicitation shall be jointly and severally liable for the failure to display a proper badge, and the penalty for such violation shall be a fine of \$200.00. Any person engaging in solicitation shall promptly cease soliciting and depart the area upon being directed to do so by a police officer or authorized representative of the Department of Consumer Services, when in the judgment of such officer or authorized representative such a temporary departure is necessary to preserve order.

Rule No. 8 Charter Services

Charter services are permitted. All CPV owners who offer charter services shall make available to customers and prospective customers a refund and cancellation policy. Such policy shall be filed with the Commissioner at least fifteen days prior to the date upon which it becomes effective or is amended. For purposes of this section "charter services" shall refer to the hiring of the boat for a specified period of time for an agreed price.

Rule No. 9 Compliance with Agreements and Ordinances

Any CPV owner who enters into a use and occupancy agreement with the City of Chicago shall observe all conditions of such agreement. Such business shall also comply with all applicable City of Chicago and MPEA ordinances. Where MPEA requirements or restrictions are more stringent than City of Chicago requirements or restrictions, the MPEA requirements or restrictions shall prevail.

Rule No. 10 Applicable Licenses Required

No CPV owner shall offer any food, beverages (alcoholic or non-alcoholic), or entertainment in conjunction with its operation without having first secured the applicable City of Chicago, MPEA or State of Illinois licenses required for such operations.

Rule No. 11 Compliance with Municipal Code

All CPV owners shall comply with the provisions of the Municipal Code of Chicago, including Section 2-24-060, Section 4-276-470, Section 10-40-260, Section 10-40-261 and Section 10-40-281 of the Municipal Code relating to advertising.

Rule No. 12 Refusal of Service

No CPV operating pursuant to a registered route schedule of service shall refuse transportation to any passenger along that route unless that passenger cannot pay the scheduled fare or that the vessel is already at capacity as mandated by the United States Coast Guard or other authority. Service may be refused, or an excursion canceled or terminated, with respect to persons who, as a result of inebriation, drug use, or otherwise, are conducting themselves in a manner that impedes the safe operation of the CPV or threatens the physical safety or well-being of anyone on the CPV.

Rule No. 13 Proper Conduct

Every person, including the owner, employee, agent or any other person acting on behalf of a CPV shall be courteous to passengers, prospective passengers, and other persons at all times when performing any acts in conjunction with the operation of the CPV. No person involved with the operation of a CPV shall assault, threaten, abuse, insult, provoke, interfere

with, or use profane language or obscene gestures around any passenger, prospective passenger or any other person.

Rule No. 14 Owner Responsibility

The CPV owner shall be responsible for the actions of all employees, officers and directors (if the owner is a corporation), agents, and any other persons when those persons are performing any acts in conjunction with the operation of the business of the CPV.

Rule No. 15 Penalties

Unless a specific penalty is otherwise provided for, any owner found in violation of any rule set forth herein shall be fined no more than \$250 for a first offense, fined no more than \$500 for a second offense, and fined no more than \$750 for third and subsequent offenses. Each day that a violation continues shall constitute a separate and distinct offense.

In addition to the fines and penalties set forth herein and by ordinance, the violation of any of these Rules and Regulations at any time shall be grounds for suspension of the CPV owner's license. In addition to the fines set forth herein, the violation of any three of these Rules and Regulations within one license term shall be grounds for revocation of the CPV owner's license. Any such suspension or revocation shall be imposed only after a finding of violation(s) by the City's Department of Administrative Hearings.

Rule No. 16 Display and Inspection of Documents

All CPVs shall display in a location visible to all passengers the original CPV owner's license issued by the Commissioner, and shall maintain on the vessel, and make available for inspection upon an authorized request, documentation indicating that the person who will operate the CPV is properly licensed to operate such vessels.

Rule No. 17 Applicability

These rules and regulations shall apply to all CPV operations, including those using public or private docks, in the City of Chicago.