

Chapter 6

Municipal Law: Cook County and the City of Chicago

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Municipal law is generally considered to be the body of ordinances, codes, and rules that a local government, such as a town, city, or county has created. These local laws only apply within the jurisdiction of that local governmental body. For example, the City of Chicago's Building Codes do not apply in the city of Rockford, IL. However, a single area will likely have multiple sets of municipal laws that apply to it. For example, both the City of Chicago's Municipal Code and the Cook County Code of Ordinances apply in Chicago.

Local Government

The first step in finding municipal law is identifying the levels of local government that have authority in the area. Depending on the size of the municipality, it may have home rule status, which means the local government has the power to act more autonomously. Non-home rule municipalities must first demonstrate they have the power to act. Home rule status could come from the state's statutes or constitution, as is the case in Illinois: [Article VII, Section 6 of the Illinois State Constitution, Powers of Home Rule Units](#). Municipalities with home rule status are more likely to produce larger amounts of local laws at different levels (*e.g.*, town, city, and county), while non-home rule municipalities will be limited in what they can legislate. See ["Purpose of Home Rule" by the Illinois Municipal League](#) for more information about home rule authority.

The Illinois Secretary of State maintains a [Name Index to Illinois Local Governments](#). Search by the name of the local government, form of government (*i.e.*, township, village, city, etc.), or county to explore, understand, and narrow in on the pertinent levels of local government in Illinois.

Finding Ordinances

The second step is locating the ordinances themselves. The local legislative body that is creating the ordinances must also publish them. This duty will likely fall to the municipality's clerk's office, which has the responsibility of maintaining copies of past and present ordinances. They may also maintain copies of agendas, meeting minutes, proposed ordinances, proposed amendments, and other materials created in the process of passing an ordinance, which can be very insightful documents when researching why an ordinance was needed. It is more and more common that these materials will be available online.

The Illinois Municipal League has a webpage called [All Online Codes](#) that lists the names of Illinois villages, towns, cities and counties with links to their codes. If the code is unavailable

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online or through one of the platforms described in the next section, it is necessary to contact the office that is maintaining the ordinances directly to ask about getting copies.

There are several free databases that provide electronic access to ordinances for the local governments in Illinois. They include [Municode](#), [American Legal Publishing](#), [General Code's eCode360](#), and [Sterling Codifiers](#). These databases include sophisticated browsing and searching capabilities. Each one features an interactive table of contents for navigating within the ordinances themselves and may have an index for finding ordinances on a particular subject. There will be a statement with the date of when the latest updates were added; this will often be found in the very beginning by the title page. It is important to note how current the ordinances are in case recent updates have not yet been added to the database. In that instance, there may be an advanced legislative service listing new ordinances that have not yet been added to the code (e.g., [Chicago Municipal Code – Advance Legislative Service](#)), or it may be necessary to go back to the governmental body for a copy of the newest ordinances. Another research issue is that one platform may not have all the ordinances for an area with more than one level of rule-making government. For example, the [City of Chicago Ordinances](#) can be found in American Legal Publishing, but [Cook County Ordinances](#) are in Municode.

For a deeper understanding of where municipal law comes from, let's take a look at both Cook County and the City of Chicago.

Cook County

Cook County contains 128 municipalities in its region, the most well-known being the City of Chicago. It is a home rule county governed by a 17-member [Board of Commissioners](#) who are elected from single-member districts. The Commissioners and a [County Board President](#) are elected to four-year terms by the citizens of the county. The City of Chicago and the suburban municipalities account for approximately 85% of the County's 946 square miles, while unincorporated areas make up the remaining 15%. The unincorporated areas of the County are under the jurisdiction of the Cook County Board of Commissioners.

The Cook County Board of Commissioners is the county's legislative body of government, and the President is the Board's Chief Executive Officer. The Cook County Board has the authority to set policy, and pass ordinances and resolutions related to the responsibilities of county government, such as approving certain county purchases, levying taxes and adopting the Annual Appropriation Bill that creates the annual budget for the entire county government. The Board of Commissioners conducts its business at regularly held bi-monthly Board meetings as well as through its standing legislative committees and subcommittee. The County Board also passes and enforces all regulatory ordinances for unincorporated areas of the county on issues such as public health and safety and building and zoning.

All records on final actions of the Cook County Board are housed with the [Cook County Clerk of the Board](#) (note: specific date search only). The Clerk of the Board records the activity of the Cook County Board of Commissioners by preparing bi-weekly agendas and post-meeting reports and maintaining county board records.

The [Cook County Board of Commissioners' website has a robust full-text database](#) that provides access to past, present, and pending county legislation, proposed amendments, committee agendas and minutes, and even video of committee meetings. The search is highly customizable and can be restricted by date, type of document, sponsor, file/enactment number, and more. Clicking to the "County Board" tab across the top will bring up recent activities that can be sorted by body (e.g., Board of Ethics, Building Ordinance Commission, etc.) and further sub-sorted by file number, name of document, type of action, status, file created date, final action date, and full descriptive title. This is an exemplary way to present municipal law and county governmental information; it searches and sorts the materials that committees generated while recommending ordinances as well as the ordinances themselves.

City of Chicago

The City of Chicago is a home rule unit of government under the Illinois Constitution and thereby authorized to perform certain functions pertaining to its government and affairs. The government of the City of Chicago is divided into the executive and legislative branches. The mayor is the chief executive while the City Council, elected from 50 wards, is the legislative body. Government priorities and activities are established in a budget ordinance usually adopted in November of each year. The city takes official action through the passage of ordinances and resolutions.

Mayor

The [Mayor](#) is the chief executive of the city and responsible for the administration and management of various city departments. The Mayor submits proposals and recommendations to the City Council and is active in the enforcement of the city's ordinances. The Mayor also submits the city's annual budget and appoints city officers, department commissioners or directors, and members of city boards and commissions, including Commissioner of the Chicago Fire Department and Superintendent of the Chicago Police Department.

City Council

The [City Council](#) is the legislative branch of government of the City of Chicago. In accordance with Illinois law ([65 ILCS 5/3.1-40-5](#)), it consists of the Mayor and aldermen elected from each of the fifty wards to serve four-year terms. The legislative powers of the City Council are granted by the state legislature and by the home rule provisions of the Illinois constitution. Within specified limits, the City Council has the general right to exercise any power and perform any function pertaining to its government and affairs including, but not limited to, the power to regulate for the protection of the public health, safety, morals and welfare; to license; to tax; and to incur debt (Article VII, Section 6 of the Illinois State Constitution, Powers of Home Rule Units).

Chicago City Clerk's Legislative Information Center

The [Legislative Information Center](#) is a comprehensive online database of City of Chicago legal information, including:

- [Legislation](#). Includes proposed mayoral ordinances, ordinances, resolutions, orders, and claims. Legislative records contain detailed information including sponsors, actions taken and related dates, and passage status, as well as PDF copies of the actual legislative text.

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Legislative records prior to December 1, 2010 can be found in the [Chicago City Council Journals of Proceedings](#). The Journals of the Proceedings serves as the official record of City Council meetings and reflects all legislative actions. Included in the official record is a synopsis of Mayoral and Aldermanic introductions referred to committees, committee reports, complete text of adopted legislation, roll call votes, motions and parliamentary actions, notifications of filings with and legislative publications by the City Clerk, approval of City Council Journal, and other actions taken on the Council Floor.

- [City Council Meetings](#). Includes both full City Council meetings as well as Committee meetings. A meeting record will contain the date/time/location of the meeting, a list of all considered legislation, the notice, the agenda and the recorded minutes. City Council videos will be available for viewing on the [City Council News Central](#).
- [City Council Committees](#). Records include meeting history, membership, jurisdiction, and pending legislation.
- [Alderman](#). Aldermanic pages contain office contact information (including website links and social media links), committee membership, and sponsored legislation.

Public Law Libraries

Cook County Law Library

The [Cook County Law Library \(CCLL\)](#) opened on September 6, 1966, and is the first free, public law library for the legal profession and citizens of Cook County. The main office is on the 29th floor of the Daley Center, 50 West Washington Street, Chicago, IL 60602. Their phone number is (312) 603-5423. The CCLL provides professional library services at five branch locations at outlying courthouses: Criminal Courts, Bridgeview, Maywood, Markham, and Skokie. CCLL offers one of the largest and broadest collections of law books in the nation, including statutes, case law and digests for all fifty states, as well as numerous Illinois practice manuals. The library has an extensive collection of superseded state and federal statutes. In addition to print materials, CCLL provides access to premium legal research databases such as Westlaw, Lexis, HeinOnline, EBSCO Legal Information Reference Center, LegalTrac, Foreign Law Guide, LLMC Digital, and National Consumer Law Center (NCLC) – Consumer Law on the Web. The library also collects foreign legal materials (primary and secondary) especially in the area of commercial and business law, litigation, and family law.

Chicago Public Library Municipal Reference Collection

Chicago Public Library is an official repository for City of Chicago documents. The Municipal Reference Collection are documents from other local taxing bodies in Chicago. The historical collection is extensive, with information on almost every aspect of municipal life in Chicago. They have most city documents published since the mid-1800s. Other materials include an extensive local newspaper clipping file and historical ordinances including [Chicago Municipal Code](#), (1837 to date) including the [Building Code](#), [Chicago Zoning Ordinance](#), (1923 to date), and [Journal of the City Council](#) (1858 to date). Harold Washington Library Center, Fifth Floor South, 400 South State Street Chicago, IL 60605. Their reference desk phone number is (312) 747-4526.

Illinois Supreme Court Library

The [Illinois Supreme Court Library](#) is located in the Supreme Court Building, 200 E. Capitol, Springfield, IL 62701. Their phone number is (217) 782-2424. The Library of the Supreme Court of Illinois dates back to 1842. Since 1908, the library has been located in the Supreme Court Building in Springfield. The library primarily serves the Judicial branch of the State of Illinois; however, the library is also available to state, federal, and local governments, the bar, and the general public.

Other Public Law Libraries

Additional public law libraries in the Chicago area and other parts of Illinois are also open to the general public. See [Chapter 11: Where to Seek Additional Help](#) for a list of county law libraries in Illinois.