



Memorandum

TO: Kevin J. Jackson, Village Manager 

FROM: Tammie Grossman, Development Customer Services Director 
Shatonya Johnson, Interim Chief, Police Department

FOR: Village President and Board of Trustees

DATE: May 6, 2022

SUBJECT: 24 Hour Gas Stations

Background

Historically, aside from liquor licenses, the Village has not regulated closing hours of businesses. Several years ago, staff conducted research on if the Village should consider regulating overnight hours of gas stations and the decision at that time was not to pursue the matter. Recently, the Village Board expressed an interest in reviewing if the Village should consider regulating gas station overnight hours. At this time, staff does not recommend that the Village Board pursue such regulations.

Analysis

Currently, there are eight (8) gas stations that operate 24 hours a day within the Village. Since January 2019, there have been a total of twenty-one (21) criminal incidents at seven (7) of these locations and fourteen (14) of those incidents occurred between the hours of 10 p.m. and 6 a.m. Based on these statistics, there were on average two (2) incidents per gas station during these hours over the 3-year period.

Staff researched how other area communities handle the regulation of gas station closing hours. The following communities allow 24-hour gas station operations:

Forest Park	Skokie
Berwyn	Cicero
Elmhurst	Addison
River Forest	River Grove
Melrose Park	

In addition, both Evanston and Elmwood Park allow pumps to remain operational 24 hours. However, convenience store hours are regulated in Evanston and Elmwood Park due to the fact that such stores are allowed to maintain alcoholic liquor sales and the regulations governing their liquor licenses include a prohibition against overnight liquor sales. The

Village does not allow the sale of alcohol in gas station convenient stores, and thus, this model is not applicable in Oak Park.

Given the fact that none of the Village's neighboring communities currently regulate gas station overnight hours, staff believes regulating the operating hours of Oak Park gas stations would place gas stations at a competitive disadvantage. Additionally, mandating closing hours for gas stations would prohibit Oak Park residents that work non-traditional hours from purchasing fuel at hours convenient to their schedule.

Staff is also concerned that regulating hours of operation without statistics that indicate a compelling reason for such a regulation could potentially be perceived as interference with a gas station ability to conduct business and could subject the Village to potential litigation.

While staff did not conduct a sales and gasoline tax analysis because we do not know the volume of overnight sales, we would anticipate a loss of tax revenue should the Village implement a restriction on business hours. As a frame of reference, total Village gas tax (6 cents per gallon) collections alone from these stations amounted to the following: 1.) 2019 - \$695,284; 2.) 2020 - \$541,142; and 3.) 2021 - \$585,423. Sales tax collected from convenience stores would be in addition to these totals.

If you have any questions, please contact Tammie Grossman, Director of Development Customer Services at 708.358.5422.

Cc: Lisa Shelley, Deputy Village Manager
Ahmad Zayyad, Deputy Village Manager
Christina M. Waters, Village Clerk
All Department Directors