

ORDINANCE

AN ORDINANCE AMENDING CHAPTER 8 ("BUSINESS LICENSING"), ARTICLE 2 ("FEE SCHEDULE"), SECTION 8-2-1 ("LICENSE FEE SCHEDULE") OF THE OAK PARK VILLAGE CODE REGARDING TEMPORARY FOOD ESTABLISHMENT AND MOBILE FOOD LICENSE FEES

BE IT ORDAINED by the President and Board of Trustees of the Village of Oak Park, Cook County, Illinois, in the exercise of their home rule powers, as follows:

Section 1. Village Code Amended. Chapter 8 ("Business Licensing") Article 2 ("Fee Schedule"), Section 8-2-1 ("License Fee Schedule") of the Oak Park Village Code is amended to add the underlined language and delete the overstricken language to read as follows:

8-2-1: LICENSE FEE SCHEDULE:

- A. Compliance Required: It shall be unlawful for any person to engage in or operate any business, trade or occupation without first obtaining a license therefor and paying the license fee listed below. Not for profit businesses shall be required to obtain a license, but shall be exempt from the license fees set forth below.

Applicants shall pay a fifty dollar (\$50.00) application fee with the initial application for a business license in the Village of Oak Park. The application fee will not apply toward the license fee. All license fees are for a one year period, with the exception of temporary food establishment licenses. Temporary food establishment licenses shall expire on December 31 annually. There shall be no application fee for the renewal of a business license, temporary food establishment license or temporary food establishment farmers' market license.

- B. Fees For Specific Businesses: The business license fee for the following categories of businesses shall be as set forth in this table. Where a business falls into more than one category, it will be charged only the higher fee.

Category	License Fee
Accessory Use Tour House	\$ 200.00
Adult Day Program, for profit	300.00
Assisted Living Establishment as defined by 210 Illinois Compiled Statutes 9/10	1,000.00
Bed and Breakfast	350.00
Catering Facility	640.00

Day/night care center for children		560.00
Daycare home based		100.00
Dealers in household pets		250.00
Environmental:		
	Junk dealer (includes scrap metal and other scavengers)	200.00
	Scavenger/Waste Hauler	
	Per service	1,000.00
	Per vehicle: Commercial truck which operates on alternate fuel such as compressed natural gas	500.00
	Per vehicle: If under contract with the Village	200.00
Hospital		1,050.00
Itinerant or mobile vendor, peddler or commercial solicitor		100.00
"Long term care facility", including nursing home, skilled nursing, intermediate care facility or sheltered care facility as defined in section 8-25-1 of this chapter		1,300.00
Massage establishment		300.00
Mobile food cart establishment		100.00
<u>Category I – high risk</u>		<u>400.00</u>
<u>Category II – medium risk</u>		<u>300.00</u>
<u>Category III – low risk</u>		<u>150.00</u>
Pawnbroker		2,000.00
Professional offices (For records only, includes, but is not limited to, professionals holding State licenses such as doctors, lawyers, accountants, real estate brokers, architects, detective agencies, opticians, insurance offices or political party offices. Also includes government office, not for profits, banks and savings and loans.)		0.00
Restaurant:		
	Category I – high risk	790.00
	Category II – medium risk	670.00
	Category III – low risk	490.00

"Retail food store" as defined in section 8-24-1 of this chapter:		
	With 12,000 or more square feet	1,700.00
	Between 8,000 and 11,999 square feet	920.00
	With less than 8,000 square feet	Fee per subsection 8-2-1C of this section
Roll-off waste hauler, dropoff container service (The Public Works Department charges right-of-way permit fees and daily fees which are separate from this license fee.)		200.00
Roll-off waste hauler, per truck		50.00
<u>Temporary food establishment: A temporary food establishment fee shall be charged per event and shall be valid for not more than fourteen (14) consecutive days after the start date of the event.</u>		<u>100.00</u>
<u>Temporary food establishment late fee: A late shall be charged for temporary food license applications received by the Village less than (10) calendar days prior to event. Applications received by the Village less than three (3) days prior to an event shall not be accepted by the Village.</u>		<u>100.00</u>
<u>Temporary food establishment farmers' market: A license fee shall be charged for a market season license which shall be valid for up to twenty-five (25) total market dates.</u>		<u>100.00</u>
Temporary operations including, but not limited to, temporary food service events ¹ , Christmas tree vendors, single auctions, events, or amusements and single transaction firearm sales authorized by law.		100.00
Theater: 500 or fewer seats		1,000.00
Theater: 500 or more seats		1,400.00
Tobacco sales		300.00
Transportation:		
	Horsedrawn carriage	100.00
	House mover	200.00
	Mover	100.00
	Private ambulance per driver	10.00

	Private ambulance per vehicle	50.00
	Taxi company or chauffeur service	200.00
	Taxi: Each driver	20.00
	Taxi Each vehicle	70.00
	Tour trolley	100.00
	Valet parking service	300.00
	Veterinarian	250.00

Note:

~~1. Temporary food service applications and license fees shall be submitted at least 7 days prior to an applicable event.~~

C. General Business Fees:

1. Fee Based On Square Footage: Any business not specifically identified in subsection 8-2-1B of this section with a permanent location in Oak Park shall pay a general business license fee based on the number of square feet of occupied space according to the following table:

0 – 1,999 square feet	\$100.00
2,000 – 4,999 square feet	150.00
5,000 – 7,999 square feet	200.00
8,000 + square feet	250.00

2. Food Establishments: In addition to the general business license fee set forth in subsection 8-2-1C1 of this section, all food establishments, as defined in section 8-24-1 of this chapter, adult daycare facilities and pharmacies with food sales which are not specifically identified in 8-2-1B subsection of this section, shall be charged a food establishment fee as follows:

Category I (low risk) food establishments	\$240.00
Category II (medium risk) food establishments	420.00
Category III (high risk) food establishments	540.00

The Director of Public Health or the Director's designee shall determine whether a food establishment or a mobile food establishment is a category I, II or III food establishment

in accordance with the definition of those terms as set forth in 77 Illinois Administrative Code 615.310, as amended.

3. Swimming Pools, Whirlpools And Spas: Any business with a swimming pool, whirlpool or spa shall pay an additional fee of one hundred sixty dollars (\$160.00).
4. Preemption: In the case that State or Federal law preempts a home rule municipality from the regulation of the location or existence of a business or activity, the establishment shall register with the Village but not be charged a fee.

Section 2. Severability and Repeal of Inconsistent Ordinances. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance. All ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 3. Effective Date. This Ordinance shall be in full force and effect upon its approval, passage and publication as provided by law on January 1, 2019.

ADOPTED this 19th day of November, 2018, pursuant to a roll call vote at follows:

Voting	Aye	Nay	Abstain	Absent
President Abu-Taleb				
Trustee Andrews				
Trustee Boutet				
Trustee Button				
Trustee Moroney				
Trustee Taglia				
Trustee Tucker				

APPROVED this 19th day of November, 2018.

Anan Abu-Taleb, Village President

ATTEST

Vicki Scaman, Village Clerk

Published in pamphlet form this 19th day of November, 2018.

Vicki Scaman, Village Clerk