

Title 5

BUSINESS LICENSES AND REGULATIONS

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Chapter 5.04

LICENSES
GENERALLY

AND

PERMITS

Sections:

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5.04.010 Applications.

Applications for all licenses and permits required by ordinance shall be made in writing to the Village Clerk in the absence of provision to the contrary. Each application shall state the name of the applicant, the permit or license desired, the location to be used, if any, the time covered and the fee to be paid; and each application shall contain such additional information as may be needed for the proper guidance of the Village officials in the issuing of the permit or license applied for. (Prior code § 5.04.010)

5.04.020 Person subject to license.

Whenever in this code a license is required for the maintenance, operation or conduct of any business or establishment, or for doing business or engaging in any activity or occupation any person, firm or corporation shall be subject to the requirement if by himself/herself or through an agent, employee or partner, he/she holds himself/herself forth as being engaged in the business or occupation, or attempts to perform any part of such business or occupation in the Village. (Prior code § 5.04.020)

5.04.030 Forms.

Forms for all licenses and permits, and applications therefor, shall be prepared and kept on file by the Village Clerk. (Prior code § 5.04.030)

5.04.040 Signatures.

Each license or permit issued shall bear the signature of the President and Village Clerk in the absence of any provision to the contrary. (Prior code § 5.04.040)

5.04.050 Investigations.

Upon the receipt of an application for a license or permit where ordinances of the Village necessitate an inspection or investigation before the issuance of such permit or license, the Village Clerk shall refer such application to the proper officer for making such investigation within forty-eight (48) hours of the time of such receipt. The officer charged with the duty of making an investigation or inspection shall make a report thereof, favorable or otherwise, within ten (10) days after receiving the application or a copy thereof. The Building Inspector shall make or cause to be made any such inspections relative to the construction of buildings or other structures. All other investigations except where otherwise provided shall be made by the Chief of Police or by some other officer designated by the President.

All inspections referred to in this section must be made in compliance with the provisions set forth in Chapter 1.08. (Prior code § 5.04.050)

5.04.060 Fees.

In the absence of provision to the contrary, all fees and charges for licenses or permits shall be paid in advance at the time application therefor is made to the Village Clerk. When an applicant has not engaged in the business until after the expiration of part of the current license year, the

license fee shall be prorated by quarters and the fee paid for each quarter or fraction thereof during which the business has been or will be constructed. Except as otherwise provided, all license fees shall become a part of the corporate fund. (Prior code § 5.04.060)

5.04.070 Termination of licenses.

A. All annual licenses shall terminate on the last day of the fiscal year of the Village, where no provision to the contrary is made.

B. The Village Clerk shall mail to all licensees of the Village a statement of the time of the expiration of the license held by the licensee, if an annual, three weeks prior to the date of expiration; provided, that a failure to send out such notice, or the failure of the licensee to receive it shall not excuse the licensee from a failure to secure a new license, or a renewal thereof, nor shall it be a defense in an action for operation without a license. (Prior code § 5.04.070)

5.04.080 Building and premises.

No license shall be issued for the conduct of any business, and no permit shall be issued for any thing or act, if the premises and building to be used for the purpose and the intended purpose itself do or does not fully comply with the regulations of the Village. (Prior code § 5.04.080)

5.04.090 Change of location.

The location of any licensed business or occupation, or of any permitted act, may be changed, provided ten (10) days' notice thereof is given to the Village Clerk, in the absence of any provision to the contrary, provided that all ordinances and regulations affecting the new location are complied with. (Prior code § 5.04.090)

5.04.100 Nuisances.

No business, licensed or not, shall be so conducted or operated as to amount to a nuisance in fact. (Prior code § 5.04.100)

5.04.110 Inspections.

A. Whenever inspections of the premises used for or in connection with the operation of a licensed business or occupation are provided for or required by ordinance, or are reasonably necessary thereto to secure compliance with any ordinance provision or to detect violations thereof, it shall be the duty of any licensee, or the person in charge of the premises to be inspected, to admit thereto for the purpose of making the inspection any officer or employee of the Village who is authorized or directed to make such inspection at any reasonable time that admission is requested.

B. Whenever an analysis of any commodity or material is reasonably necessary to secure conformance with any ordinance provision or to detect violations thereof, it shall be the duty of the licensee to give to any authorized officer or employee of the Village requesting the same sufficient samples of such material or commodity for such analysis upon request.

C. In addition to any other penalty which may be provided, the President and Board may revoke the license of any licensed proprietor of any licensed business who interferes with any authorized officer or employee while in the performance of his/her duty in making any such inspec-

tion or obtaining any such samples; provided that no license shall be revoked for such cause unless written demand is made upon the licensee or person in charge of the premises, in the name of the Village, stating that such inspection or sample is desired at the time it is sought to make the inspection or to obtain the sample. (Prior code § 5.04.110)

Chapter 5.08

ALCOHOLIC LIQUOR LICENSES

Sections:

- 5.08.010 Definitions.
- 5.08.020 License--Required.
- 5.08.030 License--Application--Contents.
- 5.08.040 License--Person declared ineligible.
- 5.08.050 License--Term--Fee prorated.
- 5.08.060 License--Fee.
- 5.08.070 Classes of licenses.
- 5.08.080 Number of licenses.
- 5.08.090 License--Disposition of fees.
- 5.08.100 License--List.
- 5.08.110 License--Transfer--Refund.
- 5.08.120 License--Renewal.
- 5.08.130 License--Change of premises location.
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- 5.08.150 Employees with infectious or other disease prohibited.
- 5.08.160 Location restrictions.
- 5.08.170 Closing hours--Sunday.
- 5.08.180 View from the street.
- 5.08.190 Live Entertainment.
- 5.08.200 Persons under disability.
- 5.08.210 Use of alcoholic liquor.
- 5.08.220 License--Revocation.

5.08.010 Definitions.

Unless the context otherwise requires, the following terms as used in this chapter shall be construed according to the definitions given below:

"Alcoholic liquor" means any spirits, wine, beer, ale, or other liquid containing more than one-half of one percent of alcohol by volume, which is fit for beverage purposes.

"Club" means a corporation organized under the laws of this state, not for pecuniary profit, solely for the promotion of some common object other than the sale and consumption of alcoholic liquors, kept, used and maintained by its members through the payment of annual dues, and owning or hiring or leasing a building or space in a building, of such extent and character as may be suitable and adequate for the reasonable and comfortable use and accommodation of its members and their guests and provided with suitable and adequate kitchen and dining room space and equipment and maintaining a sufficient number of servants and employees for cooking, preparing and serving food and meals for its members and guests; provided that such club files with the Village President at the time of its application for a license under this chapter two copies of a list of

names and residences of its members, and similarly files, within ten (10) days of the election of any additional member, his/her name and address; and provided that its affairs and management are conducted by a Board of directors, executive committee or similar body chosen by the members at their annual meeting, and that no member or any officer, agent or employee of the club is paid, or directly or indirectly receives, in the form of salary or other compensation any profits from the distribution or sale of alcoholic liquor to the club or the members of the club or its guests introduced by members beyond the amount of such salary as may be fixed and voted at any annual meeting by the members or by its Board of directors or other governing body out of the general revenue of the club.

"Hotel" means every building or other structure kept, used, maintained, advertised and held out to the public to be a place where food is actually served and consumed and sleeping accommodations are offered for adequate pay to travelers and guests, whether transient, permanent, or residential, in which twenty-five (25) or more rooms are used for the sleeping accommodations and dining rooms being conducted in the same building or buildings in connection therewith and such building or buildings, structure or structures being provided with adequate and sanitary kitchen and dining room equipment and capacity.

"Restaurant" means any public place kept, used, maintained, advertised and held out to the public as a place where meals are served, and where meals actually are served and regularly served, without sleeping accommodations, such space being provided with adequate and sanitary kitchen and dining room equipment and capacity and having employed therein a sufficient number and kind of employees to prepare, cook and serve suitable food for its guests.

"Retail sale" means the sale for use or consumption and not for resale. (Prior code § 5.36.010)

5.08.020 License--Required.

It is unlawful to sell or offer for sale at retail in the Village any alcoholic liquor without having a retail liquor dealer's license, or in violation of the terms of such license. (Prior code § 5.36.020)

5.08.030 License--Application--Contents.

Applications for such licenses shall be made to the Village President in writing, signed by the applicant, if an individual, or by a duly authorized agent, thereof, if a club or corporation verified by oath or affidavit, and shall contain the following statements and information:

A. The name, age and address of the applicant in the case of an individual; in the case of a copartnership, the person entitled to share in the profits thereto, and in the case of a corporation, the objects for which organized, the names and addresses of the officers and directors, and if a majority interest of the stock of such corporation is owned by one person or his/her nominee, the name and address of such person;

B. The citizenship of the applicant, his/her place of birth, and if a naturalized citizen, the time and place of his/her naturalization;

C. The character of business of the applicant, and in case of a corporation, the objects for which it was formed;

D. The length of time the applicant has been in business of that character, or in the case of a corporation, the date when its charter was issued;

- E. The amount of goods, wares and merchandise on hand at the time application is made;
- F. The location and description of the premises or place of business which is to be operated under such license;
- G. A statement whether applicant has ever made application for a municipal, county, state or federal license which was refused, and if so, the reason for such refusal to the best of applicant's knowledge;
- H. A statement that applicant has never been convicted of a felony and is not disqualified to receive a license by reason of any matter or thing contained in this article, laws of this state, or the ordinances of this Village;
- I. Whether a previous license by any state or subdivision thereof, or by the federal government has been revoked, and the reasons there for;
- J. A statement that the applicant will not violate any of the laws of the state of Illinois, or of the United States, or any ordinance of the Village in the conduct of his/her place of business. (Prior code § 5.36.030)

5.08.040 License--Person declared ineligible.

No such license shall be issued to a person declared ineligible to license by the provisions of the Illinois Liquor Control Act of 1934. (Ord. 2003-7 § 2; prior code § 5.36.040)

5.08.050 License--Term--Fee prorated.

Each such license shall terminate on the thirtieth day of April next following issuance. The fee to be paid shall be reduced in proportion to the full calendar months which have expired in the year prior to the issuance of the license. (Prior code § 5.36.050)

5.08.060 License--Fee.

Licensees holding Class A and Class B licenses shall pay an annual license fee in the amount of seven hundred dollars (\$700.00), payable in two semi-annual installments of three hundred fifty dollars (\$350.00) each, due May 1st and November 1st of each year. Licensees holding Class C licenses shall pay a license fee in the amount of forty dollars (\$40.00) plus fifteen dollars (\$15.00) for each day for which the license is to be used. Licensees holding Class D licenses shall pay an annual license fee in the amount of seven hundred dollars (\$700.00), payable in two semi-annual installments of three hundred fifty dollars (\$350.00) each, due May 1st and November 1st of each year. Licensees holding Class E licenses shall pay an annual license fee in the amount of seven hundred dollars (\$700.00), payable in two semi-annual installments of three hundred fifty dollars (\$350.00) each, due May 1st and November 1st of each year. (Ord. 96-4 § 1; Ord. 94-8 § 1; prior code § 5.36.060)

5.08.070 Classes of licenses.

Licenses to sell alcoholic liquor at retail are divided into five classes, as follows:

- A. Class A. Class A license shall authorize the retail sale of alcoholic liquors on the premises of such licensee for consumption on the premises, as well as other retail sales of such liquor.

B. Class B. Class B license shall authorize the retail sale of alcoholic liquors on the premises of such licensee in packages, and not for consumption on the premises where sold.

C. Class C. Class C license shall authorize the retail sale of beer in an outdoor location as part of a public activity which has been approved by the Village Board. The period of the license shall not exceed ten (10) days. Class licenses shall only be issued to civic or patriotic organizations which have been in active and continuous existence for at least one year prior to the making of such application and which in good faith have maintained a membership roll during the one-year period, or any such organizations which have been incorporated under the laws of Illinois. The fee for such license shall be forty dollars (\$40) plus fifteen dollars (\$15) for each day for which the license is to be used. All applications for a Class C license shall be filed at least four weeks prior to the proposed license period. The Village President, however, may waive the four-week filing requirement should he/she find that sufficient time remains for the Village and the state to process the application.

In addition to the regulations imposed upon other licenses in this chapter, a Class C licensee shall be subject to the following:

1. To protect public order, all licensees shall provide security guards at all times while beer is served.

2. To protect persons serving the beer, all licensees shall provide a reasonably substantial structure across which beer shall be served.

3. Consumption of beer shall be restricted to a confined area. The licensee shall designate in the application the area in which beer will be consumed and the means to be used to confine the area. A drawing shall be submitted with the application showing the layout of the area. Security guards shall ensure that beer is not taken from the area.

4. The licensee shall specify the occupancy limit for the area and the security guards shall see that the occupancy limit is complied with.

5. The licensee shall provide dram shop liability insurance in maximum limits so as to save the licensee, the Village and any property owner involved harmless from all financial loss, damage or harm.

6. The Village Board may modify the above regulations when a public event is approved in order to address special problems or circumstances.

D. Class D. Class D license shall authorize the retail sale of alcoholic liquors on the premises of any restaurant, for consumption only on the premises and for sale only with meals.

E. Class E. Class E license shall authorize the retail sale of alcoholic liquors on the premises in any restaurant that does not qualify for a Class D license for consumption on the premises, as well as, other retail sales of such liquor. (Ord. 96-4 § 2; Ord. 94-8 § 2 (part); prior code § 5.36.070)

5.08.080 Number of licenses.

There shall be in force in the Village no more than two Class A licenses, no more than two Class B licenses, no more than one Class C license, no more than two Class D licenses, and no more than two Class E licenses, at any time. (Ord. 96-4 § 3; Ord. 94-8 § 2 (part); prior code § 5.36.075)

5.08.090 License--Disposition of fees.

All such fees shall be paid to the Village President, at the time application is made, and shall be forthwith turned over to the Treasurer. In the event the license applied for is denied, the fee shall be returned to the applicant. If the license is granted, the fee shall be deposited in the general corporate fund or in such other fund as shall have been designated by the Board by proper action. (Prior code § 5.36.080)

5.08.100 License--List.

The Village Clerk shall keep or cause to be kept a complete record of all such licenses issued. (Prior code § 5.36.090)

5.08.110 License--Transfer--Refund.

A license shall be purely a personal privilege, good for not to exceed one year after issuance unless sooner revoked as provided in this chapter, and shall not constitute property, nor shall it be subject to attachment, garnishment or execution, nor shall it be alienable or transferable, voluntarily or involuntarily, or subject to being encumbered or hypothecated.

Such license shall cease upon the death of the licensee and shall not descend by the laws of testate or intestate devolution, provided that the executors or administrators of the estate of any deceased licensee, and the trustee of any insolvent or bankrupt licensee, when such estate consists in part of alcoholic liquor may continue the business of the sale or manufacture of alcoholic liquor under the order of the appropriate court, and may exercise the privileges of the deceased or insolvent or bankrupt licensees after the death of such deceased, or such insolvency or bankruptcy until the expiration of such license but not longer than six months after the death, bankruptcy or insolvency of such licensee. A refund shall be made of that portion of the license fees paid for any period in which the licensee is prevented from operating under the license in accordance with the provisions of this section. (Prior code § 5.36.100)

5.08.120 License--Renewal.

Any licensee may renew his/her license at the expiration thereof, provided that he/she is then qualified to receive a license and the premises for which such renewal license is sought are suitable for such purpose, provided further, the renewal privilege herein provided for shall not be construed as a vested right which shall in any case prevent the President from decreasing the number of licenses to be issued within his/her jurisdiction. (Prior code § 5.36.110)

5.08.130 License--Change of premises location.

A retail liquor dealer's license shall permit the sale of alcoholic liquor only in the premises described in the application and license. Such location may be changed only upon a written permission to make such change issued by the President of the Village. No change of location shall be permitted unless the proposed new location is a proper one for the retail sale of alcoholic liquor under the laws of this state and the ordinances of this Village. (Prior code § 5.36.120)

5.08.140 License--Posting required.

Every person, firm or corporation licensed in accordance with this chapter shall immediately post and keep posted while in force in a conspicuous place on the premises, the license received. (Prior code § 5.36.130)

5.08.150 Employees with infectious or other disease prohibited.

It is unlawful to employ in any premises used for the retail sale of alcoholic liquor any person who is afflicted with, or who is a carrier of, any contagious, infectious or venereal disease. It is also unlawful for any person who is afflicted with or is a carrier of any such disease to work in or about any premises or to engage in any way in the handling, preparation or distribution of such liquor. (Prior code § 5.36.140)

5.08.160 Location restrictions.

No license shall be issued for the sale at retail of any alcoholic liquor within one hundred (100) feet of any church, school, hospital, home for the aged or indigent persons or for veterans, their wives or children or any military or naval station; provided, that this prohibition shall not apply to hotels offering restaurant service, regularly organized clubs, or to restaurants, food shops or other places where the sale of alcoholic liquors is not the principal business carried on, if such place of business so exempted shall have been established for such purposes prior to the taking effect of this chapter. No person shall hereafter engage in business as a retailer of any alcoholic liquor within one hundred (100) feet of any undertaking establishment or mortuary. (Prior code § 5.36.150)

5.08.170 Closing hours--Sunday.

A. No person licensed hereunder as a retailer of alcoholic liquor shall sell, permit to be sold, or give away any alcoholic liquor between the hours of one a.m. and seven a.m. on weekdays and between the hours of one a.m. and twelve noon on Sundays.

B. It is unlawful to keep open for business or admit the public to any premises where the sale of alcoholic liquor for consumption on the premises is licensed (other than as a restaurant, hotel, or club) during the hours within which the sale of alcoholic liquor is prohibited.

C. No person other than a licensee of a licensed premises or any of his/her employees, while actually in the performance of their duties, shall be permitted to enter or remain upon the premises, nor shall any person consume any alcoholic liquor upon such premises, nor shall any alcoholic liquor be exposed upon such premises in any open individual serving container (including but not limited to, glasses or beer bottles), beyond thirty (30) minutes after the prescribed closing time for such licensed premises. (Ord. 97-7 § 1; Ord. 97-6 § 1; Ord. 94-8 § 3; prior code § 5.36.160)

5.08.180 View from the street.

In premises upon which the sale of alcoholic liquor for consumption on the premises is licensed (other than as a restaurant, hotel or club) no screen, blind, curtain, partition, article or thing shall be permitted in the windows or upon the doors of such licensed premises nor inside such premises, which shall prevent a clear view into the entire interior of such licensed premises

from the street, road or sidewalk at all times, and no booth, screen, partition, or other obstruction nor any arrangements of lights or lighting shall be permitted in or about the interior of such premises which shall prevent a clear view of the entire interior from the street, road or sidewalk. All rooms where liquor is sold for consumption on the premises shall be continuously lighted during business hours by natural light or artificial white light so that all parts of the interior of the premises shall be clearly visible. In case the view into any such licensed premises required by the foregoing provisions is wilfully obscured by the licensee or by him/her wilfully permitted to be obscured or in any manner obstructed, then such license shall be subject to revocation in the manner herein provided. In order to enforce the provisions of this section, the President shall have the right to require the filing with him/her of plans, drawings and photographs showing the clearance of the view as above required. (Prior code § 5.36.170)

5.08.190 Live Entertainment.

A. It is unlawful to provide live entertainment and/or live music in an establishment licensed to sell alcoholic liquors for consumption on the premises without having first secured a permit therefor.

B. Applications for such permits shall be made to the Clerk and shall comply with the general provision of the code related to such applications. However, no such permit shall be granted except on order of the President and Board of Trustees and upon payment of such permit fee as may be set by a resolution of the Board of Trustees. (Ord. 96-4 § 4: prior code § 5.36.175)

5.08.200 Persons under disability.

No licensee shall sell, give away or deliver alcoholic liquor to any person under twenty-one (21) years of age or to any intoxicated person. By acceptance of a license under this chapter all licensees agree to be conclusively bound by the acts of their employees and agents in selling and giving away alcoholic liquors.

B. No person to whom the sale of liquor is unlawful shall be permitted to loiter in or about any licensed premises or to serve alcoholic liquor therein. (Ord. 2003-7 § 3; prior code § 5.36.180)

5.08.210 Use of alcoholic liquor.

No person shall sell at retail for consumption on the premises any nonalcoholic beverage or ice knowing the same to be intended to be mixed with any alcoholic liquor, except upon premises licensed for the retail sale of alcoholic liquor for consumption on the premises. No liquor licensee or person as proprietor, agent, servant, or employee of such licensee shall knowingly permit any person to carry any alcoholic liquor in an unsealed or previously opened container from the premises where purchased. (Prior code § 5.36.185)

5.08.220 License--Revocation.

The Village President may revoke any retail liquor dealer's license for any violation of any provision of this chapter, or for any violation any state law pertaining to the sale of alcoholic liquor, or indebtedness to the Village or license fees required by this chapter or any other ordinance,

or misstatements or withholding of material information in connection with the application for license under this chapter. (Prior code § 5.36.190)

Chapter 5.12

AMUSEMENTS

Sections:

- 5.12.010 Application of provisions.
- 5.12.020 Street shows.
- 5.12.030 Table games.
- 5.12.040 Order--Overcrowding.
- 5.12.050 Inspections.
- 5.12.060 Obscene shows.
- 5.12.070 Smoking.
- 5.12.080 Exit lights.

5.12.010 Application of provisions.

The provisions of this chapter shall apply to all public shows, theatricals, circuses and other amusements in the Village, whether otherwise dealt with or not. (Prior code § 5.08.010)

5.12.020 Street shows.

A. It is unlawful to conduct any carnival, exhibition, show or other amusement to be given on any public street or sidewalk or in any public place or in any other place where the main accommodation for the public or the audience will necessarily be in a public place, without having first secured a license therefor.

B. Applications for such licenses shall be made to the Clerk and shall comply with the general provisions of the ordinance relating to such applications. However, no such license shall be granted except on order of the President and Board of Trustees and upon payment of such license fee as may be set by a resolution of the Board of Trustees. (Prior code § 5.08.020)

5.12.030 Table games.

A. It is unlawful to maintain or expose for public use any table games, or amusement devices operated with a slug or coin without having first obtained a license therefor. The annual fee for such licenses shall be as established annually by the Board of Trustees.

B. As used in this section the term "table game" means and includes any device, whether controlled by skill or chance, for the operation of a game, pastime or contest by the manipulation of a marble, sphere or of objects or figures, or by controlling the movements of the same or setting them in motion by mechanical means. (Prior code § 5.08.030)

5.12.040 Order--Overcrowding.

A. The audience of any amusement, show or theatrical must be orderly and quiet at all times, and it is unlawful for any person attending such amusement, show or theatrical to create a disturbance in the audience.

B. It is unlawful to permit or gather such a crowd to witness any amusement, show or theatrical as to create dangerous conditions because of overcrowding or blocking at passage ways. (Prior code § 5.08.040)

5.12.050 Inspections.

It shall be the duty of the Chief of Police to see that every exhibition, amusement, show, theatrical or other public performance is inspected by a member of the Police Department to insure conformity with regulations and ordinances of the Village. (Prior code § 5.08.050)

5.12.060 Obscene shows.

It is unlawful for any person, firm or corporation to present, exhibit, conduct or take part in any obscene show, theatrical, play, motion picture, exhibition or other form of public amusement or show. (Prior code § 5.08.060)

5.12.070 Smoking.

It is unlawful to smoke or carry a lighted cigar, cigarette or pipe within any building used as an assembly hall or in which theatricals, shows, amusements, lectures or other entertainments are offered, operated, presented or exhibited. (Ord. 2003-7 § 1: prior code § 5.08.070)

5.12.080 Exit lights.

It shall be the duty of the owner or occupant in charge of any building or hall used as an assembly hall with accommodations for one hundred (100) persons or more, in which theatricals, shows, amusements, lectures and other entertainments are offered, operated, or presented, to provide and place a sign, on which the word "EXIT" shall appear in letters at least six inches high, over every door or other opening from such hall to every means of egress therefrom, and each such sign shall in some suitable manner be lighted so as to be clearly visible during the entire period that the hall is open to the public and until the audience has left the hall. (Prior code § 5.08.080)

Chapter 5.16

AUTO WRECKERS

Sections:

- 5.16.010 Automobile wrecking establishment defined.
- 5.16.020 License--Required.
- 5.16.030 License--Application--Fee--Bond.
- 5.16.040 Record.
- 5.16.050 Nuisance.

5.16.010 Automobile wrecking establishment defined.

"Automobile wrecking establishment" means any establishment, building or other place where the activity is carried on of wrecking old, used, or secondhand automobiles or other motor vehicles, and adding or employing the accessories or parts thereof in equipping, repairing or rebuilding motor vehicles, or storing, selling, or otherwise disposing of such accessories or parts. (Prior code § 5.12.010)

5.16.020 License--Required.

No automobile wrecking establishment shall be located, built, constructed, maintained or operated within the Village unless the owner, operator or lessee of such establishment first obtains a license therefor as hereafter provided. (Prior code § 5.12.020)

5.16.030 License--Application--Fee--Bond.

A license application must be made in writing to the Village Clerk under oath, and must show compliance with the provisions of this chapter. The fee for an annual license shall be one hundred dollars (\$100.00). A bond in the sum of one thousand dollars (\$1,000.00), with two sureties, conditioned on compliance with the provisions of this chapter, shall accompany the license application and fee. A corporation wishing to engage in the business of auto wrecking shall be granted a license upon application under oath being made by its agent who is to act as manager of the establishment. (Prior code § 5.12.030)

5.16.040 Record.

A. Each licensee under this chapter shall keep in such form as the Village Board may prescribe, and written in ink or indelible pencil, a daily record in the English language of articles purchased including an accurate description of the name and residence of the person from whom each article was purchased and the name of the employer of such person, if any, also the day and hour of such purchase and the price paid. The records shall, at all reasonable times, be open to the inspection of any police official or the Village President, Chief of Police or other person duly authorized in writing for such purpose by the Chief of Police. No entry in such records shall be changed, erased, obliterated or defaced.

B. It shall be the duty of each licensee under this chapter to deliver or cause to be delivered to the Chief of Police, at least once each week, a copy of the records required to be kept as provided in this section and such other information as the Chief of Police may require of the secondhand motor vehicles, parts and accessories acquired, wrecked or left in the possession of the licensee. (Prior code § 5.12.040)

5.16.050 Nuisance.

Any automobile wrecking establishment begun or operated in the Village contrary to the terms of this chapter is declared to be a nuisance and to be unlawful. (Prior code § 5.12.050)

Chapter 5.20

BILLIARD AND POOL HALLS

Sections:

5.20.010 License--Required.

5.20.020 License--Fee.

5.20.030 Play prohibited.

5.20.040 View required.

5.20.010 License--Required.

No person, firm or corporation shall operate, maintain, or conduct a billiard, pool, bagatelle or pigeonhole table open to the public without having first obtained a license therefor as is provided in this chapter. All applications for such a license shall state thereon the intended location of the place of business and the number of tables to be used therein. (Prior code § 5.16.010)

5.20.020 License--Fee.

The annual fee for the license shall be as established annually by the Board of Trustees. (Prior code § 5.16.020)

5.20.030 Play prohibited.

No play for money or other valuable consideration shall be allowed on any table required to be licensed in this chapter, and no cards or card playing, whether or not for valuable consideration, and no gambling or games of chance shall be allowed in any such licensed place of business. (Prior code § 5.16.040)

5.20.040 View required.

The view of such licensed place of business from the street shall not be obstructed by curtains, screens, shades, darkened windows, or in any other manner whatsoever. No backrooms or apartments, basement or upstairs room will be run in connection with any such place of business, and the entire premises of any person, firm or corporation operating such licensed place of business shall be subject to inspection by the Chief of Police and by the President and Board of Trustees or any member thereof at any time. (Prior code § 5.16.050)

Chapter 5.24

BOWLING ALLEYS

Sections:

5.24.010 License--Required.

5.24.020 License--Fee.

5.24.010 License--Required.

No person, firm or corporation shall operate or maintain a nine or ten (10) pin alley open to the public without having first obtained a license therefor. Applications for such licenses shall be made in writing to the Clerk and shall state thereon the intended location of the place of business and the number of alleys to be used. (Prior code § 5.20.010)

5.24.020 License--Fee.

The annual fee for such license shall be as established annually by the Board of Trustees. (Prior code § 5.20.020)

Chapter 5.28

CHARITABLE SOLICITATIONS

Sections:

- 5.28.010 Permit--Required.
- 5.28.020 Permit--Application.
- 5.28.030 Requirements for issuance of permit.

5.28.010 Permit--Required.

It is unlawful for any person, firm or corporation to go from house to house soliciting funds or subscriptions, or to publicly solicit either in person or by agent, upon the public streets, sidewalks, or any other public place in the Village, subscriptions for charitable or religious or educational or other organization or purpose, whether present gifts of money or promises are sought, without having first secured a permit therefor. (Prior code § 5.64.010)

5.28.020 Permit--Application.

Applications for the permit required in Section 5.28.010 shall be made to the Clerk and shall be referred to the President and Board of Trustees. No such permit shall be issued except upon the order of the President and Board of Trustees. (Prior code § 5.64.020)

5.28.030 Requirements for issuance of permit.

The Board shall issue a permit to an applicant only if the Board finds that:

- A. All of the statements made in the application are true;
- B. The applicant, or its managing officers and agents if the applicant is not an individual person, are of good character and reputation for honesty and integrity;
- C. The applicant has not engaged in any fraudulent transaction or enterprise;
- D. The solicitation will not be a fraud on the public;
- E. The solicitation is prompted solely by a desire to finance the cause described in the application and will not be conducted for private profit;
- F. The control and supervision of the solicitation will be under responsible and reliable persons;
- G. The cost of raising the funds will be reasonable. Any such cost in excess of twenty-five (25) percent of the amount collected shall be considered to be unreasonable unless special facts are presented showing to the satisfaction of the Board that peculiar reasons make a cost higher than twenty-five (25) percent reasonable in the particular case;
- H. The kind, character and method of the proposed solicitation, the time when it will take place, and its duration are such that the solicitation will be in the interest of and not inimical to the safety, convenience, or welfare of the residents of the Village. (Ord. 2003-7 § 7)

Chapter 5.32

GARAGE SALES

Sections:

5.32.010 Unlawful.

5.32.010 Unlawful.

Garage sales may be held, permitted or sponsored by an owner or occupant of residential property on such premises, provided such sales fully comply with the definition of a garage sale, set forth in this section.

A. It is unlawful for an owner or occupant of residential property to hold such a sale or sales on such premises which exceed three consecutive days in length.

B. It is unlawful for an owner or occupant of residential property to hold, permit or sponsor such sales on such premises for a total of over six days in any twelve (12) month period.

For the purposes of this section, a "garage sale" is defined as a sale of second-hand items or materials owned by an owner or occupant of residential property, except for such items or materials owned by friends or neighbors which the seller permits, all of which items or materials are related to household uses; and which sale is conducted on the seller's residential property or portion thereof, such as a garage, carport, driveway, patio, or lawn. (Ord. 97-5 § 2)

Chapter 5.36

GARBAGE COLLECTORS

Sections:

- 5.36.010 Permit--Required.
- 5.36.020 Permit--Application.
- 5.36.030 Vehicles.
- 5.36.040 Disposal within Village Limits.

5.36.010 Permit--Required.

It is unlawful for any person, firm or corporation to engage in the business of the collection or disposal of animal, human or vegetable refuse, or garbage without having first secured a permit therefor. (Prior code § 5.52.010)

5.36.020 Permit--Application.

Applications for such permits shall be made to the Village Clerk, and shall be referred by him/her to the President and Board of Trustees. No such permit shall be issued except on order of the President and Board of Trustees. (Prior code § 5.52.020)

5.36.030 Vehicles.

Any vehicle used by such collector in his/her business shall be watertight, and equipped with airtight covers for such portions as are used for the transportation of refuse. (Ord. 2003-7 § 6; prior code § 5.52.030)

5.36.040 Disposal within Village Limits.

It is unlawful for any collector to dispose of or store any refuse in any place within the Village limits or within one mile thereof, excepting with the permission of the President and Board of Trustees. (Prior code § 5.52.040)

Chapter 5.40

HOUSE MOVERS

Sections:

5.40.010 License--Required.

5.40.020 License--Fee.

5.40.030 Hours of moving.

5.40.040 Bond.

5.40.010 License--Required.

It is unlawful to move a house, house trailer, or other structure without having secured a license therefor. Applications for such license shall be made in writing to the Village Clerk. (Prior code § 5.28.010)

5.40.020 License--Fee.

The fee for this license shall be determined annually by the Board of Trustees. (Prior code § 5.28.020)

5.40.030 Hours of moving.

All licensed moves shall be completed during daylight hours. (Prior code § 5.28.030)

5.40.040 Bond.

Every licensee under the provisions of this chapter shall file with the Clerk a bond in the sum of ten thousand dollars (\$10,000.00) with sureties to be approved by the President and the Board of Trustees conditioned to indemnify the Village for any loss, damage or expense occasioned by it. (Prior code § 5.28.040)

Chapter 5.44

JUNK DEALERS

Sections:

- 5.44.010 License--Required.
- 5.44.020 License--Application.
- 5.44.030 License--Fee.
- 5.44.040 Stolen goods.
- 5.44.050 Vehicles.

5.44.010 License--Required.

It is unlawful to operate or carry on the business of junk dealer or to keep any junk shop, store or place for the accumulation of junk, rags, old rope, paper or bagging, old iron, brass, copper or empty bottles, without having obtained a license therefor as provided in this chapter. (Prior code § 5.32.010)

5.44.020 License--Application.

Application for the license required by Section 5.44.010 shall be made in writing to the Village Clerk. (Prior code § 5.32.020)

5.44.030 License--Fee.

The annual fee for the license shall be as established annually by the Board of Trustees. (Prior code § 5.32.030)

5.44.040 Stolen goods.

Every keeper of a junk shop who receives or is in possession of any goods, articles or things of value which may have been lost or stolen shall upon demand produce such article or thing to any member of the Police Department for examination. (Prior code § 5.32.040)

5.44.050 Vehicles.

Every vehicle used by a licensee in the conduct of his/her business shall bear thereon in legible characters the name and address of the owner and proprietor thereof. (Prior code § 5.32.050)

Chapter 5.48

MACHINE SHOPS

Sections:

5.48.010 Defined.

5.48.020 Operation at night.

5.48.030 Nuisance.

5.48.010 Defined.

"Machine shop," as used in this chapter shall be construed to include every workshop in which machines are made or metal parts thereof are repaired, or where parts of machines or tools, implements, gears, dies, screws, or other metal articles are cut, filed, shaped or repaired by means of a lathe or other machinery. (Prior code § 8.28.010)

5.48.020 Operation at night.

No machine shop shall be operated in the night between the hours of eight p.m. and six a.m. in any place in which a majority of the buildings within a radius of four hundred (400) feet are used exclusively for residence purposes. (Prior code § 8.28.020)

5.48.030 Nuisance.

Any machine shop begun or operated in the Village contrary to the terms of this chapter is declared to be a nuisance. (Prior code § 8.28.030)

Chapter 5.52

MOTOR TRANSPORT DEPOTS

Sections:

- 5.52.010 License--Required.
- 5.52.020 License--Application.
- 5.52.030 License--Fee.
- 5.52.040 Fire hazard prevention.
- 5.52.050 Premises.

5.52.010 License--Required.

No person, firm or corporation shall operate, conduct or maintain a motor transport depot in the Village without first having obtained a license therefor. The term "motor transport depot" means and includes either a terminal where motor transport vehicles are garaged, whether in buildings or in the open, or a place for the loading or unloading of motor transport vehicles. (Prior code § 5.40.010)

5.52.020 License--Application.

A. Applications for such licenses shall state the number of motor vehicles expected to be accommodated and the location of the proposed depot in the case of the storage or garaging of the vehicles themselves; and the proposed location and the area of the loading or unloading depots and platforms.

B. Applications shall be in writing and shall be referred to the President and the Board of Trustees. (Prior code § 5.40.020)

5.52.030 License--Fee.

The annual fee for such license shall be as established annually by the Board of Trustees. (Prior code § 5.40.030)

5.52.040 Fire hazard prevention.

Every building or premises used as a motor transport depot as provided in this chapter shall be equipped with adequate fire extinguishing facilities and shall be constructed of incombustible materials. (Prior code § 5.40.040)

5.52.050 Premises.

Premises used as a motor transport depot shall be kept in a clean and sanitary condition. (Prior code § 5.40.070)

Chapter 5.56

OUTDOOR ADVERTISERS

Sections:

- 5.56.010 Defined.
- 5.56.020 Use of poster panels.
- 5.56.030 Consent of owner required.
- 5.56.040 Refuse.
- 5.56.050 Weeds and materials at base of billboards.
- 5.56.060 Unlawful advertising.
- 5.56.070 Disfiguring signs.
- 5.56.080 Name of advertiser.
- 5.56.090 Exemptions.

5.56.010 Defined.

"Advertisers" as used in this chapter means any person, firm or corporation engaged in the business of placing, posting or painting any sign, advertisement, notice or display in or on any place for the purpose of outdoor advertising so that the resultant display is visible from any street, alley, sidewalk or other public place. (Prior code § 8.20.010)

5.56.020 Use of poster panels.

No person shall post or maintain any advertisement or sign on any poster panel, billboard or signboard, which does not fully comply with the ordinances of the Village. (Prior code § 8.20.020)

5.56.030 Consent of owner required.

It is unlawful to post any advertisements on any premises in the Village without the consent of the owner of such premises. Such consents shall be in writing, and must be filed with the Village Clerk. (Prior code § 8.20.030)

5.56.040 Refuse.

It is unlawful for any advertiser to permit any refuse resulting from this work to accumulate anywhere in the Village except by placing it in receptacles for refuse. It is unlawful to permit any loose or flapping combustible materials to hang from or be attached to any billboard or signboard or other place used for display or advertising purposes.

All refuse resulting from the operation of this business must be carefully gathered up and properly disposed of. (Prior code § 8.20.040)

5.56.050 Weeds and materials at base of billboards.

It shall be the duty of every outdoor advertiser to keep all grass and weeds and other growths, except trees and ornamental shrubbery, cut down so that the same shall not grow to a height

greater than ten (10) inches within six feet of any billboard or signboard used by him/her; provided that this obligation shall extend only to property controlled by the advertiser. (Prior code § 8.20.050)

5.56.060 Unlawful advertising.

It is unlawful for any person, firm or corporation to post or display any advertisement of any obscene character, or any advertisement tending to promote or cause a riot, or breach of peace, or any advertisement of an unlawful gathering, or advertisements of unlawful sales. (Prior code § 8.20.060)

5.56.070 Disfiguring signs.

It is unlawful to mutilate or disfigure in any way any lawful signs or advertisements in the Village. (Prior code § 8.20.070)

5.56.080 Name of advertiser.

It is unlawful for any outdoor advertiser to carry on his/her business unless the name of such advertiser is attached, displayed or printed, on all billboards or signboards used by him/her, or on any notice, placard or advertisement posted by him/her, in such lettering as to be visible from a distance of at least five feet from the notice or advertisement. (Prior code § 8.20.080)

5.56.090 Exemptions.

The provisions of this chapter shall not be construed to apply to the posting of signs or notices by order of any court or by any public officer in the performance of his/her duties. (Prior code § 8.20.090)

Chapter 5.60

PAWNBROKERS

Sections:

- 5.60.010 License--Required--Revocation.
- 5.60.020 License--Application--Investigation.
- 5.60.030 License--Fee.
- 5.60.040 Records.
- 5.60.050 Weapons.
- 5.60.060 Minors.
- 5.60.070 Stolen goods--Report.
- 5.60.080 Secondhand dealer--License required.

5.60.010 License--Required--Revocation.

No person, firm or corporation shall conduct or operate the business of pawnbroker without having first secured a license therefor as provided in this chapter, or in violation of any of the provisions contained in this chapter. Any pawnbroker's license may be revoked by the Board of Trustees for any violation of any provision of this chapter. (Prior code § 5.44.010)

5.60.020 License--Application--Investigation.

Applications for pawnbroker's licenses shall be made to the Clerk and shall state thereon the name of the applicant; the place of business; and the number of employees intended to be engaged. The Chief of Police or any other officer of the Village designated by the Board shall investigate each applicant for such license, and shall report back whether or not such applicant is a person of good character. No license shall be issued to a person who has been convicted of a felony or of any criminal offense relating to dishonesty or breach of trust in connection with the operation of a pawnshop. (Ord. 2003-7 § 4; prior code § 5.44.020)

5.60.030 License--Fee.

The annual fee for such license shall be as established annually by the Board of Trustees. (Prior code § 5.44.030)

5.60.040 Records.

Every pawnbroker doing business in the Village shall keep a record of every article pledged with him/her or sold to him/her, and this record shall be open to the inspection of any police officer at any time during business hours. (Prior code § 5.44.040)

5.60.050 Weapons.

No pawnbroker shall receive as a pledge or purchase any revolver, pistol, blackjack or sawed-off shotgun. No pawnbroker shall display in his/her window or shop any such weapons for sale. (Prior code § 5.44.050)

5.60.060 Minors.

No pawnbroker's license shall be issued to any person who is not twenty-one (21) years of age or over, and no pawnbroker shall employ a person of less than twenty-one (21) years of age to assist him/her in his/her business. No pawnbroker shall have any business dealings as a pawnbroker with any person under eighteen (18) years of age. (Ord. 2003-7 § 5; prior code § 5.44.060)

5.60.070 Stolen goods--Report.

It shall be the duty of every pawnbroker to report to the police any article pledged with him/her or which is sought to be pledged with him/her, if he/she shall have reason to believe that the article was stolen or lost, and found by the person attempting to pledge it in the case of a lost article. (Prior code § 5.44.070)

5.60.080 Secondhand dealer--License required.

No pawnbroker shall conduct the business of a secondhand dealer without having obtained the license required for such dealer in addition to his/her pawnbroker's license. (Prior code § 5.44.080)

Chapter 5.64

PEDDLERS
ITINERANT MERCHANTS

AND

Sections:

- 5.64.010 License--Required.
- 5.64.020 License--Application.
- 5.64.030 License--Fee.

5.64.010 License--Required.

It is unlawful to do business as a peddler or itinerant merchant without having first secured a license as is herein provided. For the purpose of this chapter anybody engaging or intending to engage in business as a merchant in the Village for a period of time not exceeding one hundred (100) days shall be considered as an itinerant merchant. (Prior code § 5.48.010)

5.64.020 License--Application.

Every application for a license shall set forth the commodities to be sold, and the place intended to be occupied or used for the business and a permanent address of the applicant. Each applicant must agree not to commence business prior to eight a.m. or continue business after six p.m. (Prior code § 5.48.020)

5.64.030 License--Fee.

The fees for such licenses shall be two dollars (\$2.00) for each day. (Prior code § 5.48.030)

Chapter 5.72

SKATING RINKS

Sections:

- 5.72.010 License--Required.
- 5.72.020 License--Application.
- 5.72.030 License--Fees.
- 5.72.040 Premises.

5.72.010 License--Required.

It is unlawful to operate or maintain a public skating rink in the Village without first having obtained a license therefor as is provided in this chapter. (Prior code § 5.60.010)

5.72.020 License--Application.

Applications for such licenses shall be made in conformance with the provision of the ordinances relating to licenses and shall specify the location of the proposed skating rink and the person or organization sponsoring the same. (Prior code § 5.60.020)

5.72.030 License--Fees.

The annual fee for such license shall be as established annually by the Board of Trustees. (Prior code § 5.60.030)

5.72.040 Premises.

It is unlawful to conduct a public skating rink in any hall or building which is not equipped with sufficient and adequate exits. No hall or building which is not provided with at least two exits of four feet or more in width shall be used for a skating rink. (Prior code § 5.60.040)