Chapter 11 LICENSES, PERMITS AND BUSINESS REGULATIONS

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ARTICLE I. IN GENERAL

Sec. 11-1. Definitions.

For the purposes of this chapter the following words shall have the meanings indicated unless their context clearly requires otherwise:

Accessory use is a use customarily incidental and subordinate to the principal use of a building located on the same lot with the principal use of the building.

Corporate Authorities are the Mayor and Village Council.

Floor area is the sum total of the gross horizontal areas of all of the several floors of a building and its accessory buildings measured in square feet from the exterior faces of the exterior walls or from the center line of party walls separating two buildings or establishments on each of the respective floors, and shall include the basement floor, cellar floor, indoor motor vehicle parking space when such space is used in conjunction with a retail and wholesale establishment devoted to the sale, service or repair of motor vehicles, floor space used for storage of merchandise, whether open or enclosed, including such storage space as may be located on the roof, penthouse, attic space, balconies, mezzanines, porches and verandas and any other floor area devoted to and occupied by accessory uses.

Live Entertainment - shall consist of live music, dancing and/or singing performances, floor shows, D.J. shows and other entertainment performances, whether or not an admission fee is charged. Live entertainment shall not include ambient or incidental music provided for guests or patrons by musicians, such as a piano player, harpist, strolling violinist, traditional juke box, karaoke or guitarist. However, if there is an admission charge required to observe or attend such ambient or incidental music or entertainment, the music will be considered live entertainment. (Ord. 0-2-10, §1, 1/11/10)

Owner is any individual, firm, association, partnership, corporation, trust or any other legal entity having sufficient proprietary interest in any establishment to maintain and manage its operation.

Retail and wholesale establishment is a building or premises or portion thereof the principal use of which is for the sale or distribution of any commodity for a price or fee by a seller to a consumer or by one business to another business.

Service establishment is a building or premises or a portion thereof the principal use of which is for the rendering of a personal or material service, including a service intended to generate a sale by the person rendering the service or a person, firm, partnership or corporation represented by the person rendering the service, whether as a salesman, broker, manufacturer's representative or otherwise, regardless of whether or not a commodity is worked upon or exchanged; and also including clerical, administrative or other support services for or on behalf of a person, firm or corporation engaged in rendering a service, as described herein.

Village Manager - refers to the person in the position of Village Manager or his/her designee.

Sec. 11-2. Applications.

Applications for all licenses, permits and certificates of registration required by this chapter shall be made in writing to the Village Manager on forms supplied by the Village Manager, in the absence of

provisions to the contrary. Each application shall state the names of the applicants, the permit, license or certificate of registration desired, and the location to be used, if any. Each application shall contain such additional information as may be requested for the proper guidance of the village officials in the issuing of the permit or license applied for. (Code 1961, § 10.001)

Sec. 11-3 License required.

It shall be unlawful for any person (which refers to, for purposes of this Chapter, any individual, partnership, corporation, entity which conducts, engages in, maintains, operates, carries on or manages a business or occupation within the Village of Palatine) to conduct, engage in, maintain, operate, carry on, or manage a business or occupation for which a license is required by any provision of this code, without a license first having been procured for such business or occupation. Any person violating this section shall be fined no less than $200 nor more than $1,000 for each offense, and every day such violation continues shall constitute a separate and distinct offense.

Any business or occupation for which a license is required under this chapter or any other provision of this code, and to which no license to operate for this period in question has been issued may be closed by the Village Manager until such license is procured.

11-3.1 License required for businesses and occupations not provided for by other code provisions.

All persons who conduct, engage in, maintain, operate, carry on or manage a business or occupation for which a license is not required under any other provision of this code, other than those businesses or occupations which are exempt from municipal licensing pursuant to law, shall be required to make application to the Village and obtain a general business license for such business or occupation. The license fee for said license shall be set forth in Section 11-20.

Sec. 11-4. Duty of Village Manager.

Forms for all licenses, permits, certificates of registration and applications therefor, shall be prepared and kept on file by the Village Manager. (Code 1961, § 10.003)

Sec. 11-5. Reserved.

Sec. 11-6. Investigations.

(a) Upon receipt of an application for a license or permit, where an investigation or inspection is required by this chapter before the issuance of such permit or license, or where an inspection or investigation shall be deemed reasonably necessary or appropriate, the Village Manager, within five (5) business days of such receipt, shall refer the application to the appropriate officials for the making of such investigation or inspection.

(b) The officials to whom the application has been referred shall make a report thereon, favorably or otherwise, within thirty (30) working days after receiving such application or a copy thereof.

(c) The health officer shall make or cause to be made an inspection regarding such permits and licenses as relate to the care and handling of food, the prevention of nuisances and the spread of disease, and the protection of health. The Department of Community Development shall make or cause to be made any inspections which relate to compliance with the building code, zoning ordinance, and other related

regulations. All other investigations, except where otherwise provided, shall be made by the Chief of Police or by some other officer designated by the Village Manager.

(d) If, after due consideration of the information contained within the application and the related investigative reports, the Village Manager shall determine that the application is satisfactory, he shall approve the application and issue the license or permit.

(e) If, after due consideration of the information contained within the application and the related investigative reports, the Village Manager shall determine that the matters concerning the application are unsatisfactory, he may disapprove such application, indicating the reasons therefor. Thereupon, he shall promptly notify the applicant that his application is disapproved, and that no license or permit will be issued.

(f) In the event the Village Manager fails or refuses to issue a license, the Village Manager shall state in writing the basis of the denial. The denial may be appealed to the Corporate Authorities for a hearing. The person objecting to the denial shall present any facts or evidence showing compliance with Village ordinances, rules and regulations. The Village Manager shall detail the basis of the denial. The Corporate Authorities shall take final action on the recommendation and determine to issue or deny the license, permit or certificate of registration.

Sec. 11-7. Fees.

In the absence of provision to the contrary, all fees and charges for licenses, permits or certificates of registration shall be paid in advance at the time application therefor is made to the Village in the amounts prescribed in this Chapter or the Village's Fee Schedule Supplement to the Palatine Code of Ordinances.

Sec. 11-8. Termination.

All annual licenses shall be operative and the license year for the Village shall commence on the 1st day of January of each calendar year and shall terminate on the 31st day of December of the same year, where no provision to the contrary is made.

As directed by the Manager the business license division shall notify all licensees of the Village of the time of expiration three (3) weeks prior to the date of such expiration. Provided, however, that a failure to make such notification, or failure of the licensee to receive it, shall not excuse the licensee from the obligation to obtain a new license, or renewal thereof, nor shall it be a defense in an action based upon operation without a license. All payments are due on or before the last day of January. Starting on the first day of February a fifty (50) percent penalty will be added and after the last day of February an additional fifty (50) percent penalty plus a citation will be issued.

Sec. 11-9. Building and premises; compliance with laws required.

No license shall be issued for the conduct of any business, and no permit shall be issued for any purpose or activity, if the premises and building to be used for the purpose do not fully comply with all applicable provisions of this Code and other ordinances and regulations of the Village and the State.

Sec. 11-10. Location--Limited to one per license.

No license for the operation of a business or establishment in the Village shall be construed to permit the operation of a licensed business or establishment in more than one (1) location in the Village; a separate license shall be required for each location of a licensed establishment. For the purposes of this chapter, the existence of a single location shall be evidenced by the fact that all buildings containing the principal or accessory uses shall be connected or shall be located on the same lot or parcel, shall be operated and managed by the same person or owner, and shall be an establishment with the same classification.

Sec. 11-11. Location --Changes.

The location of any licensed business or occupation, or the location of any permitted act, may be changed provided that ten (10) days' notice thereof is given to the Village in the absence of any provisions to the contrary; provided, however, that all applicable provisions of this Code and other ordinances and regulations of the village shall be complied with.

Sec. 11-12. Nuisances prohibited.

(a) *Generally:* No business or establishment, whether or not licensed, shall be so conducted or operated as to constitute a nuisance in fact; and no building, vehicle, structure, yard, lot, premises, or part thereof, shall be used, kept, maintained, or operated in connection with any business or establishment so as to occasion any nuisance, or so as to be dangerous to life or detrimental to health.

(b) *Unsafe or unhealthful business:*

(1) No building or structure, utilized, constructed, or maintained in connection with any business or occupation, shall evidence an unsanitary, unsafe, or dangerous condition.

(2) No substance, matter, or thing of any kind whatever, which shall be dangerous or detrimental to health, shall be allowed to exist in connection with any business or occupation, or be used in any work or labor performed in the Village.

(c) *Refuse disposal:*

(1) *Containers:* The standard refuse container required by this section shall be a receptacle of not less than twenty (20) nor more than thirty-two (32) gallons capacity, of impervious material and sturdy construction, with a tight fitting cover, and equipped with handles properly placed to facilitate handling.

(2) *Duty to provide containers:* The occupant of every building, structure, or premises used or maintained in connection with any business or occupation shall provide and maintain in good condition and repair a sufficient number of refuse containers for the temporary storage of all refuse accumulating between collections. All refuse which is placed for collection service outside any building or structure must be kept in standard refuse containers.

(3) *Removal:* It shall be the duty of the occupant of every building, structure, or premises used or maintained in connection with any business or occupation to cause to be removed at his own cost and expense at least once each week all refuse produced therein.

(4) *Removal of restaurant garbage.* Every person owning or controlling any hotel, restaurant, cafe, or retail food establishment where more than thirty-two (32) gallons of refuse is normally produced weekly shall cause all garbage to be placed in sanitary refuse containers and shall cause all substances deposited in such containers to be removed daily from his premises and to be disposed of at his own expense.

Sec. 11-13. Working conditions.

(a) *Health requirements:* No owner, lessee, manager, or superintendent of any store, factory, workshop, or other place where persons are employed shall cause or permit such place, or any room or part thereof, to be overcrowded or inadequate or faulty in respect to light, ventilation, heat or cleanliness.

(b) *Sanitation:* All such places of employment shall be kept in a clean condition, free from the effluvia of a sewer, drain, privy, stable, or other nuisance; also as far as practicable such premises shall be free from all gases, vapors, dust, or other impurities generated by manufacturing processes or otherwise which are injurious to health. Sufficient washroom facilities for male and female employees shall be provided and such facilities shall be properly ventilated.

(c) *Heat required:*

(1) It shall be the duty of every person owning or controlling the heating plant which furnishes heat to any factory or workshop, to maintain a temperature within such factory or workshop of not less than sixty-eight (68) degrees Fahrenheit without such undue restriction of ventilation as to interfere with proper sanitary conditions therein; provided, however, that this requirement shall not apply to any factory or workshop where the business conducted therein is of such a nature that a higher or lower temperature than sixty-eight (68) degrees Fahrenheit is necessary or expedient for the work or manufacturing processes of such business.

(2) It shall be the duty of any person owning or controlling the heating plant which furnishes heat to any office, store, or other place of employment to maintain a temperature therein of not less than sixty-eight (68) degrees Fahrenheit without such undue restriction of ventilation as to interfere with proper sanitary conditions therein, between the hours of 8:00 a.m. and 6:00 p.m. from October 1 of each year to June 1 of the succeeding year, Sundays and legal holidays excepted.

(d) *Inspection:* The health officer and the Director of Community Development, or their designees, shall visit or cause to be visited all such places of employment in the Village as often as they shall deem necessary to assure compliance with the provisions of this section, and to have such arrangements made as may be deemed necessary for the health and safety of the employees.

Sec. 11-14. 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 any provision of this chapter, or are reasonably necessary to assure compliance with any provisions of this Code or other ordinance or regulation of the Village, or to detect violations thereof, it shall be the duty of the licensee or the person in charge of the premises to admit thereto for the purpose of making the inspection any officer or employee of the Village who is duly authorized to make such inspection at any reasonable time that such admission or entry is requested.

(b) Whenever an analysis of any commodity or material is reasonably necessary to assure compliance with the provisions of any ordinance or regulation, or to detect violations thereof, it shall be the duty of the licensee or the person in charge of the premises to give to any duly authorized officer or employee of the Village requesting the same sufficient sample of such material or commodity for such analysis upon official request.

(c) In addition to any other penalty which may be provided, the Village Manager may revoke the license of any owner or operator of a licensed business in the Village who refuses to permit any duly authorized officer or employee to make such inspection or to take an adequate sample of said commodity, or who interferes with such officer or employee while in the performance of his duties; provided, however, that no license shall be subject to revocation for such cause unless such officer or employee has been refused permission to enter upon the premises in the name of the Village after first having presented an administrative warrant authorizing such entry.

Sec. 11-15. Suspension or revocation of license or permit.

(a) Any license, permit, or certificate of registration issued under this Chapter may be suspended, revoked and/or a fine imposed for any of the following causes:

(1) Any fraud, misrepresentation, or false statement contained in the application for the license or permit;

(2) Any violation by the licensee or permittee of ordinance provisions relating to the license or permit or the premises occupied; violation of conditions of the license or permit; violation of or any other ordinance of the village; or violation of any state or federal law;

(3) Conviction of the licensee or permittee of any felony or of a misdemeanor involving moral turpitude;

(4) Failure of the licensee or permittee to pay any fee, tax, fine or penalty owing to the Village;

(5) Refusal to permit an inspection or sampling, or any interference with a duly authorized Village officer or employee while in the performance of his duties in making such inspections, as provided in section 11-14.

(6) Cause a nuisance or danger to public health, safety or welfare.

(7) Disorderly conduct on the premises or in the parking lot or for such acts that occur on adjoining land or in any other area within the control of the licensee, attributable to patrons of the holder of the license or the holder of the license or its employees. (Ord. #106-13, §1, 9/9/13)

(8) Fraudulent or unfair business practices.

(9) Cessation of business for more than sixty (60) consecutive days.

Such suspension or revocation, if ordered, shall not preclude prosecution and imposition of any other penalties provided for the violation of other applicable ordinances of the Village.

(b) The Village Attorney shall notify the licensee, permittee, or registrant of a violation of one or more of the above causes and call a hearing before the Village Manager (or designee) for the purposes of determining whether or not the license, permit or certificate of registration should be suspended, revoked and/or a fine imposed. Notice of the hearing for suspension or revocation of a license or permit shall be given in writing setting forth specifically the grounds of the complaint and the time and place of the hearing. Such notice shall be mailed to the licensee or permittee at his last known address at least five (5) days prior to the date set for the hearing.

(c) The Village Manager (or designee) shall preside over any hearing pursuit to section (b) above. At the hearing, the Village Attorney shall present the complaint and shall represent the village. The licensee or permittee shall be permitted counsel and shall have the right to submit evidence and otherwise fully participate in the proceeding. A record shall be made of the proceedings. If the Village Manager, (or designee) determines that the licensee, permittee, or registrant is guilty of one or more of the charges in the complaint, he shall issue written findings and an order with respect to the evidence presented. A copy of such order shall be delivered as promptly as possible to the licensee or permittee. The order shall state the penalty to be imposed. The Village Manager, (or designee) may impose any one or any combination of the following penalties:

(1) Suspension of the license or permit for a period not to exceed thirty (30) days;
(2) Revocation of the license or permit;
(3) The payment of a fine not to exceed $2,500 for each offense, not including any other applicable fees or fines as outlined in this Chapter;
(4) Such other penalty or imposition of conditions on further operations designed to correct and prevent future violations that the licensee or permittee was found guilty of violating.
(5) Refer the matter of suspension or revocation or further penalty, with or without a recommendation, to a hearing body of the Corporate Authorities for proceedings consistent with Section 11-16. The Corporate Authorities shall have the authority to impose any of the penalties set forth herein.

In the event that the Village Manager has a reason to believe that the continued operation of a particular licensed business will immediately threaten the welfare of the community, the Village Manager shall have the authority to issue a written order requiring the licensed business to close for not more than seven (7) days, giving the licensed business the opportunity to be heard at a hearing pursuant to Section 11-15 (b) of this Chapter.

(d) *Cessation of operation required*. If a suspension or revocation is imposed as a penalty, no activity at that location otherwise permitted under the license, permit, or certificate of registration shall be conducted by the licensee, permittee, or registrant until the suspension is served or the license, permit, or certificate of registration is reinstated.

(e) *Reinstatement*. Any licensee, permittee, or registrant whose license, permit, or certificate of registration has been revoked may make application for reinstatement. Following receipt of a written request, including a statement signed by the applicant that the conditions causing the revocation have been corrected, the Village Manager may reinstate or set a hearing which shall be conducted within not more than ten (10) working days. If a hearing is conducted, based upon the record of such hearing, the Village Manager shall make a finding, sustaining, modifying or rescinding the previous order. A written report of the hearing decision shall be furnished to the licensee, permittee, or registrant by mail.

Sec. 11-16. Appeal.

Any person aggrieved by the decision of the Village Manager, (or designee) in regard to the suspension or the revocation of a license or permit, or the failure to reinstate the same, as provided in section 11-15, shall make any such claim directly to the Circuit Court of Cook County pursuant to the Administrative Review Act (735 ILCS 5/3-101 et seq.). (Ord. No. O-17-75, § 2, 2-10-75) (Ord. No. O-112-23, 9-11-23)

Sec. 11-17. Costs and Expenses

All costs and expenses including but not limited to court reporter fees and attorneys' fees incurred by the Village in connection with any license suspension or revocation proceedings, shall be paid by the Licensee.

Sec. 11-18. Posting required.

It shall be the duty of every person conducting a licensed business in the Village to keep his license posted in a prominent place on the premises used for such business at all times.

Sec. 11-19. Required records.

The Village Clerk shall cause to be maintained a record of all establishments and regulatory documents which may from time to time be deemed necessary for the purpose of classifying, inspecting, serving, licensing and regulating all establishments in the Village.

Sec. 11-20. License suspension during liquor license suspension or revocation

Any license or permit issued under this chapter shall be suspended while a Village liquor license issued for the same premises, when the predominant use of the premises is the sale of alcoholic beverages, is suspended or revoked unless otherwise provided in the order of suspension

Sec. 11-21. Business License Types and Fees.

Business License fees for the businesses license types set forth below shall be as provided in the fee schedule supplement to the Palatine Code of Ordinances.

TYPE A--AMUSEMENT & ENTERTAINMENT ESTABLISHMENTS

Step	Floor Area in Square Feet
1	0--2,500
2	2,501—over

TYPE B--FOOD ESTABLISHMENTS

Step	Floor Area in Square Feet
1	0--2,500
2	2,501--5,000
3	5,001--7,500
4	7,501--over

TYPE C--SERVICE ESTABLISHMENTS

Step	Floor Area in Square Feet
1	0--2,500
2	2,501--over

TYPE D--RETAIL, WHOLESALE & OTHER ESTABLISHMENTS

Step	Floor Area in Square Feet
1	0--2,500
2	2,501--5,000
3	5,001--7,500
4	7,501--over

TYPE E--INDUSTRIAL ESTABLISHMENTS

Step	Floor Area in Square Feet
1	0--10,000
2	10,001--20,000
3	20,001--over

TYPE F - HOME OCCUPATIONS

The Business License type used to calculate the applicable Business License fee shall be based on the use that occupies the majority of the businesses floor area. The total floor area applicable for the determination of the yearly license fee shall include the sum total of all the floor area in use or reserved for or retained for the use of the amusement and entertainment, food, service, retail and wholesale, or industrial establishment, including but not restricted to principal and accessory floor area, cellars and basements, storage or detached accessory buildings, even though any such floor area may be temporarily vacant or not in use.

For a business that has been issued a village food permit, but the majority of their floor area is occupied by some other business use, the business license fee shall be calculated as follows. The floor area dedicated to the food establishment shall be used to calculate the corresponding Type B license fee (which fee shall then be reduced by fifty percent) and shall not be included in the total floor area when calculating the applicable business license fee for the remainder of the business (Type A, C, D or E).
All measured area expressed in square feet shall be to the nearest integral square foot; if a fraction is one-half (1/2) square foot or more, the integral square foot next above shall be taken.

Excluding Home Occupations, when an applicant has not engaged in the business or activity 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 or activity has been or will be conducted.

Except as otherwise provided, all license and permit fees shall become a part of the corporate fund. In no event shall any rebate or refund be made of any license fee, or part thereof, by reason of death or departure of the licensee or permittee; nor shall any rebate or refund be made by reason of non-use of the license or discontinuance of the operation or conduct of the licensed establishment, business or activity.

Sec. 11-22--11-29. Reserved.

ARTICLE II. AMUSEMENT FACILITIES

DIVISION 1. GENERALLY

Sec. 11-30. Definitions.

Amusement and entertainment establishment is a building or premises or a portion thereof the principal use of which is for the presentation to the public for a price or fee of any type of exhibition, athletic event, show or other amusement or entertainment, or the making available of such building or premises or portion thereof or facilities therein for the use, recreation, amusement or entertainment of a consumer thereof.

Sec. 11-31. Street shows.

No license or permit shall be granted or given for any carnival, exhibition, show or other amusement to be given on any public street or sidewalk or in such place that the only main accommodation for the public or the audience will be in a public place, except on order of the Village Council.

Sec. 11-32. Coin-operated amusement devices

(A) *Definition.* A "coin-operated amusement device" shall mean and include any machine which, upon the insertion of a coin, currency, slug, token, plate or disc, may be operated by the public generally for use as a game, entertainment or amusement, whether or not registering a score. It shall include such devices as marble machines, pinball machines, electronic games, skill ball, mechanical grab machines and all similar games, operations or devices however designated; but shall not include any music vending machine, contrivance or device, commonly known as a "juke box," which, upon the insertion of a coin, currency, slug, token, plate, disc or key into any slot or other opening, produces, plays or emits songs, music or other prerecorded entertainment.

(B) *License required.* No person, firm or corporation shall place, keep, install, maintain, operate or permit any coin-operated amusement device in any building or place within the Village for use by the public without first having obtained a license for each such device.

(C) *Classification of licenses and number of devices.*

(1) Classification of licenses. Licenses of coin-operated amusement devices shall be issued only for use in the following establishments and categories:

(a) Type A licenses shall be granted only to the following establishments which are duly licensed as such by the Village: Hotels and motels containing more than one hundred fifty (150) rooms and restaurants. In the case of hotels and motels, all coin-operated amusement devices shall be located in a single game room, access to which shall be available only to registered guests through the use of a room key.

(b) Type B licenses shall be granted only to facilities (not including those in (a) above) which are duly licensed for the sale of alcoholic liquor for consumption upon the premises. In such facilities where the holder of the liquor license is also engaged in another business, coin-operated amusement devices may only be located in the area in which alcoholic liquors are sold and to which access is limited to no person, other than an employee of the licensee, less than age twenty-one (21).

(c) Type C licenses shall be granted only to community colleges.

(d) Type D licenses shall be granted only to social service facilities, sponsored by agencies of local governments, which provide counseling services for persons under the age of eighteen (18) and which provide on-site adult supervision during their hours of operation.

(e) Type E licenses shall be granted only to bowling centers. Persons under the age of eighteen (18) are prohibited from operating coin-operated amusement devices on any premises subject to a Type E license except between the hours of 4:00 p.m. and curfew other than on Saturdays, Sundays and school holidays on which days curfew hours shall apply.

(f) Type F licenses shall be granted only to indoor sports facilities which offer sports for participation of the customer, including but not limited to soccer and baseball with use of the coin-operated amusement devices strictly limited to the time or times when such indoor sports facilities are in use and operation.

(g) Type G licenses shall be granted only to not-for-profit community organizations providing recreational facilities and activities to its members.

(h) Type H licenses shall be granted only to establishments conducting light-beam enhanced competitions which operate coin-operated amusement devices in a separate enclosed room as an incidental or ancillary use to the primary business of the establishment.

(i) Type I licenses shall be granted only to establishments providing admittance to children 16 and under who are accompanied by an adult. Such establishments shall require an admission charge.

(j) Type J licenses shall be granted only to restaurant establishments.

2) Number of devices.

(a) The number of coin-operated amusement devices permitted in Type A, B, D, G, H, and J, establishments shall be determined on the basis of the size of the establishment in accordance with the following schedule:

Size of Establishment (in square feet)	Number of Coin-Operated Amusement Devices Permitted
0—400	1
400—800	2
800--1,200	3
1,200--1,600	4
1,600--2,000	5
2,000--2,400	6
2,400--2,800	7
2,800--3,200	8
3,200--3,600	9
Over 3,600	10

(b) The number of coin-operated amusement devices permitted in Type E and F establishments shall be determined on the basis of the size of the establishment in accordance with the following schedule:

Size of Establishment (in square feet)	Number of Coin-Operated Amusement Devices Permitted
0—1,200	1
1,200--2,000	2
2,000--2,800	3
2,800--3,600	4
Over 3,600	5

(c) The number of coin-operated amusement devices permitted in Type C establishments shall be limited to twenty-two (22) and their location be restricted to the Student Union only.

(d) No coin-operated amusement device shall be permitted within one thousand six hundred (1,600) feet of any public or private school, other than community colleges.

(e) The number of coin operated amusement devices permitted in Type I establishments shall be limited to twenty (20).

(D) *Amortization.* Any establishment not authorized to be licensed for the use and operation of coin-operated amusement devices hereunder, which nevertheless has one or more coin-operated amusement devices in use and operation on the effective date of this amendatory ordinance, being April 26, 1982, shall phase out and terminate the use thereof within a period of two (2) years following said date, or reduce the number of devices to the appropriate number permitted.

(E) *Generally.* Unless otherwise authorized pursuant to Chapter 3 of the Code of Ordinances, no coin-operated amusement device shall provide a monetary reward for skill in the operation thereof, nor shall gambling of any kind be permitted in connection with any coin-operated amusement device. No coin-operated amusement device upon which free replays are awarded shall award more than six (6) free replays in total, howsoever accumulated, nor shall any coin-operated amusement device be equipped with a so-called "knock-off button" or other mechanism which releases or cancels free replays.

(F) *Application for license.* Any person, firm or corporation desiring a license shall make application therefor to the Village Manager. Application forms shall be provided by the Village Manager. The application shall set forth the names and addresses of the applicant or if a corporation, partnership or association, the principal officers and registered agent thereof and their addresses, the owners of the machine(s) and the address of the building where such device(s) will be located, maintained and operated, the character of the existing license, trade name and general description and total number of devices to be licensed and the charge to be made to the customer for such operation.

No license shall be issued for coin-operated amusement devices for any premises which are not in full compliance with all applicable ordinances of the Village.

(G) *Fees.* License fees for each coin-operated amusement device shall be as provided in the fee schedule supplement to the Palatine Code of Ordinances. In the event a coin-operated amusement device upon which an annual license fee has been paid is removed and replaced by another coin-operated amusement device, the full license fee shall be payable on the replacement device.

Sec. 11-32.1. Juke boxes.

It shall be unlawful to offer or maintain for public use any music vending machine, contrivance or device, commonly known as a "juke box," which, upon the insertion of a coin, currency, slug, token, plate, disc or key into any slot or other opening, or other payment method, produces, plays or emits songs, music or other prerecorded entertainment, without first having obtained a permit therefor. The annual fee for such permit shall be as provided in the fee schedule supplement to the Palatine Code of Ordinances.

Sec. 11-33. Athletic exhibitions.

It shall be unlawful to conduct, operate or exhibit any race between persons, animals or vehicles, or any baseball game, boxing or wrestling matches, light-beam enhanced competitions or any other athletic contest or exhibition for admission to which a fee is charged without having first procured a license therefor. Any sporting event held by a local school shall be exempt from this section. The fee for such license shall be one hundred dollars ($100.00).

The proprietor of such exhibition shall submit to the Village Manager a statement verified under oath of the gross receipts of each such game, contest or race, within one (1) week after such exhibition. At the same time, the proprietor or person exhibiting or operating such exhibition shall pay to the Village Manager a sum equal to three (3) per cent of the gross receipts, after deducting the license fee paid.

Sufficient members of the Police Department shall be admitted free of charge, to all such exhibitions for the purpose of preserving and maintaining order; and the Village Manager may post a person or any number of persons at the box office of each such performance; and may examine all the books pertaining to such performance showing or tending to show the gross receipts. (Code 1961, § 11.105; Ord. No. O-63-86, § 1, 6-23-86)

Sec. 11-34. Duty of audience to be orderly; crowding prohibited.

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

It shall be unlawful to permit or gather such a crowd to witness any amusement or show as to create a dangerous condition because of fire or other risks. (Code 1961, § 11.106)

Sec. 11-35. Inspections.

It shall be the duty of the Chief of Police and Fire Chief to see that every exhibition, amusement, theatrical or other public show or amusement is inspected by a member of the Police and Fire Departments, and to ensure conformity with the provisions concerning such amusements. (Code 1961, § 11.107)

Sec. 11-36. Indecency prohibited.

It shall be unlawful to permit any person to offer or present any theatricals or motion pictures which have a tendency to cause a riot or public disturbance of the peace, or any immoral, indecent, or blasphemous picture or performance.

Sec. 11-37. Exhibitions of criminals prohibited.

It shall be unlawful for any person, firm or corporation to exhibit any criminal or the body of any criminal or any person who shall have become notorious because of the commission of a crime, in any theatrical, exhibition, carnival, or other public place.

Sec. 11-38. Riots; amusements to cause, prohibited.

It shall be unlawful to present any public amusement or show of any kind which tends to or is calculated to cause or promote any riot or disturbance.

Sec. 11-39. Smoking--Regulations.

It shall be unlawful to smoke or carry a lighted cigar, cigarette or pipe on or beneath the stage or in a dressing room of any building used as an assembly hall with seating accommodations for more than one hundred (100) persons or in which theatricals, shows, amusements, lectures, or other entertainment are offered, presented, operated or exhibited.

Sec. 11-40. Same--Signs.

It shall be the duty of the owner of such premises or of the occupant in charge, to provide and place printed signs on which the words "NO SMOKING" shall appear in letters at least four (4) inches high, in conspicuous places, at least two (2) signs being upon the stage or in the wings thereof and one (1) in each dressing room.

Sec. 11-41. Exit lights.

It shall be the duty of the owner or occupant in charge of any building or hall used as an assembly hall to comply with the Life Safety Code.

Sec. 11-42. Premises.

It shall be unlawful to operate or permit the operation of any amusement licensed in this article unless the premises in which such amusement is operated or permitted to be operated conforms with all the provisions or requirements in this code relating to public buildings and public gatherings.

Sec. 11-43. Bowling alleys and billiard halls, etc.; hours of operation.

No person shall keep open, operate, or use any bowling alley or billiard hall or any other hall between the hours of 1:00 a.m. and 6:00 a.m. If any bowling alley, billiard hall, or other hall holds a Village liquor license, such facility shall operate in compliance with the corresponding permitted hours of operation for such liquor license.

Sec. 11-44. Reserved.

Sec. 11-45. Circuses, carnivals--Sideshows, rides, games and concessions.

The license fee for a circus shall be as provided in the fee schedule supplement to the Palatine Code of Ordinances.

The fee for a carnival license shall be as provided in the fee schedule supplement to the Palatine Code of Ordinances.

The fee for each sideshow, ride, game and concession (food or otherwise) operated in connection with any circus or carnival, shall be as provided in the fee schedule supplement to the Palatine Code of Ordinances.

Fees can be waived only by the Corporate Authorities upon prior written request by the applicant.

Sec. 11-46. Same--Inspections required.

It shall be the duty of the Chief of Police and the Fire Marshal to see that inspections as provided for in article I of this chapter, shall be made of all circuses, circus performances, and of the premises used.

Sec. 11-47. Same--Bonding requirement.

It shall be unlawful to conduct any parade connected with a circus on any public street, alley or other public way or place in the Village, unless a permit therefor is first obtained from the Village Manager. Such permit shall specify the route to be followed, and shall be accompanied by a bond in the sum of ten thousand dollars ($10,000.00), conditioned to indemnify the Village for any loss, damage or liability incurred or caused by the conduct of such exhibition or such parade.

Sec. 11-48. Theaters--Seating of audience required.

It shall be unlawful to permit any person, excepting ushers or other theater employees, to remain standing in a hall or room in which a motion picture is presented during the time of such performance; and it shall be unlawful to admit to any such hall more persons than can be accommodated by the seating arrangements for the premises.

Sec. 11-49. Same--Scenery.

It shall be unlawful to use any scenery in any theater other than non-flammable scenery or such as shall have been rendered non-flammable by the application of fire preventive coatings.

Sec. 11-50. Same--Exits.

It shall be unlawful to obstruct or permit the obstruction of any aisles, corridors or exits leading from the room or enclosures in which a motion picture performance or theatrical is being given or in which an audience for such a performance is gathered.

Sec. 11-51. Same--Outdoor; compliance required; washrooms required.

Outdoor theaters, where the audience is not housed in a building, shall be conducted in full compliance with all applicable provisions of this article. Each outdoor theater shall be equipped with washrooms.

Sec. 11-52. Public dance halls--Defined.

For the purposes of this article, a "public dance hall" shall mean an establishment offering dancing to music to the public. It shall include a club or other form of operation although admission may be open only to members, but not a dance sponsored by a public school, local government, or local unit of a recognized national fraternal or veterans organization.

Sec. 11-53. Same--regulations.

No public dance hall licensed hereunder may remain open between the hours of 1:00 a.m. and 1:00 p.m. Dance halls shall be supervised by at least one (1) adult employee, exclusive of checkroom or concession personnel, but including the proprietor or manager, for every one hundred (100) persons in attendance.

All areas designated for parking or driveways shall be illuminated to an average intensity of not less than two (2) foot candles. Luminaries height shall be not less than one-quarter (1/4) the distance between luminaries.

Sec. 11-54. Skating Rink; conduct restrictions.

It shall be unlawful to indulge in any improper conduct or to permit any improper conduct at any public ice-skating or roller skating rink, and it shall be unlawful to permit music at any public ice-skating or roller skating rink after the hour of 11:00 p.m.

Secs. 11-55--11-60. Reserved.

DIVISION 2. LIVE ENTERTAINMENT*

Sec. 11-61. Special use permit required.

It shall be unlawful to conduct or allow to occur any live entertainment unless a special use permit shall have been granted therefore, pursuant to the special use provisions of the zoning ordinance of the Village of Palatine. Live entertainment conducted indoors at public institutions, schools, and religious facilities, or within or upon any Park District facilities, shall be exempt from all the requirements of this Division.

Sec. 11-62. Applications and standards.

Applications for such special use permits and the standards for authorizing such live entertainment shall be as set forth in paragraph (d)(4), of Section 14.05 Article XIV of the Zoning Ordinance of the Village of Palatine.

Sec. 11-63. Procedures and fees.

(a) *Necessity of license.* No person, firm or corporation shall offer, provide, procure, make available, allow, suffer or permit *ANY* live entertainment without having first complied with the terms of this section relating to same and having procured a live entertainment license to do so. All licenses shall be subject to periodic inspections to ensure continual compliance with the terms of this section.

(b) *Issuance.* Upon issuance by the Village Manager, such live entertainment license shall entitle the holder to conduct live entertainment subject to all of the conditions imposed upon the licensee pursuant to the special use approval and pursuant to the Palatine Code of Ordinances, only upon the licensed premises.

(c) *Appeal of denial of license.* In the event the Village Manager fails or refuses to issue a live entertainment license, the Village Manager shall state, in writing, the basis of the denial. The denial may be appealed to the Corporate Authorities pursuant to the provisions of Section 11-6 (e) and (f) for a hearing.

(d) *Licenses term.* All live entertainment licenses shall expire on the thirtieth day of June thereafter. Such license may in the discretion of the Village Manager be transferred to a new location. The new premises must comply in all respects with all provisions of this section as if a new application were being made. This same provision shall apply whenever a change of agent of a corporation occurs, a change in managers or a change of ownership of the corporation (which shall be defined as a change of five (5) percent or more in the ownership of the stock) and such live entertainment license may, in the discretion of the Village Council, be transferred to the new agent. Any change of agency, management or ownership as herein defined shall be reported to the Village Manager within five (5) business days.

(e) *Suspension/revocation.* A live entertainment license may be suspended by the Village Manager and subsequently revoked or other penalties imposed by the Corporate Authorities for disorderly or immoral conduct on the premises or in the parking lot or for such acts that occur on adjoining land attributable to patrons of the holder of the license or in any other area within the control of the licensee, or for the violation of any of the rules, regulations or laws governing or applying to entertainment licenses or premises licensed to sell intoxicating liquor, or for any other violation of the Palatine Code of Ordinances

or on any of the grounds set forth in section 11-15 (a). The proceedings for suspension or revocation shall be pursuant to Section 11-15 through 11-17 of the Palatine Code of Ordinances.

(f) *Application terms.* No live entertainment license shall be granted hereunder unless the person or corporation desiring the same shall first have filed with the Village Manager a written application therefor under oath and on forms to be furnished by the Village Manager, designating the kind of license applied for, the address and description of the premises for which the license is desired and such other information as may be required to ensure compliance with this section, state law or such as may be required by the Village Council. No live entertainment license shall be granted under this section, however, unless the Village Council shall have approved the necessary special use. The Village Manager, in determining whether to issue or not issue such a license, may also consider as evidence the previous operating experience and past record of convictions or admissions of violations of the applicant related to the operation of entertainment establishments, restaurants, bars or other related businesses. The Village Manager may impose such reasonable conditions on the establishment including additional limitations on hours given the nature of the use, the location of the use and its environs and neighborhood and the past operating history of the applicant. Such live entertainment license shall be purely a personal privilege good for not more than one (1) year after issuance unless sooner revoked, as provided herein, and it shall not constitute property.

(g) *Minimum requirements and conditions:*

(1) Every room used for entertainment purposes shall comply with the special use requirements established by the Village Council.

(2) Effective means shall be employed to prevent ordinary sounds of music, dancing, singing or entertainment within the premises from being heard on adjoining premises or on the public street, and no unusually loud music, singing or entertainment or any boisterousness or noisy conduct on the part of the patrons shall be permitted.

(3) All licensed premises and the parking lot(s) shall be lighted in accordance with Village ordinance at all times when any patrons shall be therein and at all times when the same is open to the public.

(4) The licensee shall, at all times, maintain sufficient supervisory control over the patrons on the premises and on the parking lot to prevent disturbance to the residents of adjoining property and to secure the safety of the patrons.

(5) No dancer or entertainer shall be permitted to engage in any performance that is lewd, obscene or indecent. As used in this subsection, "lewd," "obscene" or "indecent" means a performance which, when taken as a whole, depicts or describes sexual conduct in any way that appeals to the prurient interest, portrays sexual conduct in a patently offensive way, and does not have serious literary, artistic, political or scientific value. As used in this subsection, "sexual conduct" means acts of sexual intercourse between humans, normal or perverted, actual or simulated; acts of masturbation, fellatio, cunnilingus; acts of excretory function; lewd exhibition of the genitals, especially in a stimulated condition; and sexual relations between animals and humans.

(6) No intoxicated person shall be permitted to remain in any licensed premises and no person bordering on intoxication shall be permitted to dance in any licensed premises.

(7) The sale, service or consumption of commodities for which licenses are otherwise required shall not be permitted in any licensed premises unless the proper license or licenses therefor are obtained for the licensed premises in the name of the owner or manager of such licensed premises.

(8) As a condition of licensing, the licensee shall permit free and unobstructed access to the premises when licensed premises are open to the public by police, fire and health officers while acting on official duty.

(9) No person holding a live entertainment license under this chapter shall permit on the licensed premises any officer, director, associate, member, representative, agent, entertainer, patron or any employee of such licensee (whether the same are engaged in any live act, demonstration, dance, exhibition or otherwise) to:

a. Expose his or her genitals, pubic hair, buttocks, perineum and anal region or pubic hair region; or

b. Expose any device, costume or covering which gives the appearance of or simulates the genitals, pubic hair, buttocks, perineum, anal region or pubic hair region; or

c. Expose any portion of the female breasts at or below the areola thereof; or

d. Commit an act which constitutes public indecency under section 12-6 hereof.

(h) *Additional requirements and conditions for premises where the consumption of alcohol is permitted:*

(1) All premises shall comply with the Chapter 3 “Alcoholic Beverages” section of the Village’s code of ordinances.

(2) All premises shall be closed to the public and no patron shall be therein during the time that liquor or fermented malt beverages may not be sold.

(3) No minor under the age of twenty-one (21) years shall be permitted in any live entertainment licensed premises where alcohol is sold unless accompanied by parent or guardian.

Secs. 11-64 and 65. Reserved.

ARTICLE III. FOOD ESTABLISHMENTS AND VENDING MACHINES

DIVISION 1. GENERALLY

Sec. 11-66. Definitions.

The following adopted codes and Village of Palatine Ordinances sets the standards for the management and personnel; food operations; and equipment and facilities; and provides for plan review; employee exclusion and restriction; permit and license issuance, inspection and permit suspension of food establishments.

Sec. 11-66.1. Minimum Standards.

The Village of Palatine hereby adopts by reference the current version of the Food Code, Title 77, Chapter I, and subchapter m, Part 750 of the Illinois Administrative Code, effective December 7, 2018, as now or hereafter amended.

Sec. 11-66.2. Definitions.

For the purposes of this article, the following words shall have the meanings indicated unless their context clearly requires otherwise:

Food establishment means any operation as defined in the minimum standards referenced in Sec. 11-66.1.

Health authority means the Environmental Health Division of the Village of Palatine.

Health Officer means the Field Director of the Environmental Health Division of the Village of Palatine or their designated representative.

Permit means the document issued by the Health Officer that authorizes a person to operate a food establishment and can be further defined as one of the following types.

(a) *Permanent Food Establishment Permit* allows a permanent food establishment to operate in a permanently constructed structure.

(b) *Temporary Food Establishment Permit* allows a temporary food establishment to operate for a period of no more than 14 consecutive days in conjunction with a single event.

(c) *Stationary Food Establishment Permit* allows a stationary food establishment to operate in a non-permanently constructed structure and does not include temporary or mobile food establishments.

(d) *Mobile Food Dispensing Unit Permit* allows a mobile food establishment to operate and serve only TCS food in individual servings that are prepared and prepackaged or commercially prepackaged in an approved processing plant.

(e) *Vending Machine TCS Food Permit* allows the operation of a self-service device that dispenses unit servings of TCS food in bulk or packages that is not ancillary to a permanent food establishment.

(f) *Delivery Vehicle Residential Permit* allows the operation of a delivery service of TCS foods to residential properties that is not ancillary to a permanent food establishment.

(g) *Delivery Vehicle Retail Permit* allows the operation of a delivery service of TCS foods to commercial properties that is not ancillary to a permanent food establishment.

Time/Temperature Control for Safety (TCS) Food means a food or beverage as defined in the minimum standards referenced in section 11-66.1.

Sec. 11-67. Licenses, Permits and Fees Required.

(a) It shall be unlawful for any person to operate a food establishment in the Village of Palatine without having obtained a license and permit, pursuant to Sec. 11-3 and Article III of this Chapter. Such license and permit shall be valid only for the premises, machine, or vehicle for which it is issued. No license or permit may be transferable to any person other than to that issued. A valid license and permit shall be displayed on the premises, machine, or vehicle of any such food establishment at all times when such service is available to the public.

(b) Each of the following vending classifications shall require a separate annual license and license fee as provided in the fee schedule supplement to the Palatine Code of Ordinances:

(1) Vending machine that offers only prepackaged, non TCS food or beverages;

(2) Ice machine not ancillary to primary use;

(3) Machines vending general merchandise (no food or beverage of any kind).

(c) Each of the following vending classifications shall require a separate permit, annual license, and license fee as provided in the fee schedule supplement to the Palatine Code of Ordinances:

(1) Vending machine that offers TCS foods or beverages;

(2) Mobile food dispensing units and roadside stands;

(3) Vehicles used for the delivery of TCS foods or beverages.

(a) To individual residences;
(b) To retail establishments.

Sec. 11-68. License and Permit Application.

(a) *In general*: All applications for a license and permit shall be made on forms supplied by the Village Manager.

(b) *Permits*: All such applications for a permit shall be referred to the health authority, who shall either issue said permit or refuse issuance with a report of its findings and reasons for such refusal.

(c) *Licenses*: Licenses shall be issued by the Village Manager when the applicant has complied with all provisions of this Chapter, including issuance of a permit.

Sec. 11-69. Summary Suspension and Revocation of Food Establishment Permits

(a) *Suspension of permits by the Health Officer:*

(1) *Suspension of food establishment permits*: Whenever the Health Officer finds an imminent health hazard or other condition or circumstance that may endanger public health during the course of the inspection of a food establishment; the Health Officer may, in addition to any other action taken, order the immediate suspension of such permit. When a permit is suspended, business operations shall immediately cease. The holder of the permit shall be afforded, upon written request to the Health Officer an opportunity for hearing within two (2) business days of receipt of a request for hearing.

(2) *Reinstatement of suspended permits*: Any person whose permit has been suspended may, at any time, make application for a re-inspection for the purpose of reinstatement of the permit to the Health Officer. Following receipt of a written request, including a statement signed by the permit holder that the condition causing the suspension of the food establishment permit has been corrected; the Health Officer shall make a re-inspection. If the permit holder is found to be in compliance with the requirements of this Code, the permit shall be reinstated.

(3) *Hearings*: The hearings provided for in this section shall be conducted by the Village Manager at the time and place designated by the Village Manager within five (5) business days after receipt of a request for hearing from the permit holder. Based upon the record of such hearing, the Village Manager shall make a finding and shall sustain, modify, or rescind any official notice or order considered at the hearing. A written report of the hearing decision shall be furnished to the permit holder by the Village Manager.

(4) *Appeal*: The permit holder may appeal the decision of the Village Manager to the Board of Health by filing written notice of such appeal with the Village Manager within five (5) days after receipt of the Village Manager's written report of the hearing decision. The Board of Health shall hear such appeal within five (5) days after the permit holder files written notice thereof. The Board of Health shall promptly notify the permit holder of the time and place of such hearing. The decision of the Board of Health shall be final. Any appeal from a decision of the Board of Health shall be made directly to the Circuit Court of Cook County pursuant to the Administrative Review Act.

(b) *Suspension or revocation of licenses by Village Manager*: In the alternative, any license issued to a food establishment may be suspended or revoked by the Village Manager in accordance with Sec. 11- 15 of this Chapter.

Sec. 11-70. Food Establishment Noncompliance Inspection Service Fee.

When the Health Officer determines after an initial inspection of a food establishment, that additional follow-up inspections are necessary for enforcement of the code, two additional follow-up inspections for noncompliance shall be granted each permittee without charge. In the event more than two follow-up inspections are needed, the permittee shall be assessed a noncompliance service charge of $50. The $50 noncompliance service charge shall be assessed for each and every follow-up inspection after the initial inspection and two follow-up inspections per inspection cycle. Payment must be made in full prior to the business license being renewed. Failure to pay any balance will serve as grounds to deny further permits or licenses from being issued by the Village.

Sec. 11-71--11-89. Reserved.

DIVISION 2. DELIVERY VEHICLES

Sec. 11-90. Restrictions on Sales in School Zones.

It shall be unlawful for any person to sell, offer to sell, barter or exchange ice cream or other food products from mobile food dispensing units and delivery vehicles on any public street, alley, highway or public way within five hundred (500) feet of a school between the hours of 7:30 a.m. and 4:30 p.m. on a day when school is in session; provided, however, that this section shall not preclude the delivery of any items previously ordered where the purchaser has requested the seller, in writing, to deliver such merchandise.

For the purpose of this section, school property shall be measured from the property line of any lands owned by a public school district or a private or parochial school authorized to provide education by the state.

Sec. 11-91. Restrictions on Hours of Operation.

It shall be unlawful for any person to sell, offer to sell, barter or exchange ice cream or other food products from mobile food dispending units and delivery vehicles on any public street, alley, highway, or public way between the hours of 8:30 p.m. and 6:30 a.m.

Sec. 11-92--11-115. Reserved.

ARTICLE IV. MERCHANTS

DIVISION 1. RESERVED

Sec. 11-116--11-125. Reserved.

DIVISION 2. AUCTIONEERS

Sec. 11-126. License required.

It shall be unlawful for any person to conduct an auction in the Village or to do business as an auctioneer without having first obtained a license as is herein required, and paying the fee herein set forth.

Sec. 11-127. Fee.

The fee, payable in advance, for auctioneers shall be as provided in the fee schedule supplement to the Palatine Code of Ordinances; and a daily license fee shall be as provided in the fee schedule supplement to the Palatine Code of Ordinances.

Sec. 11-128. Application.

Applications for an auctioneer's license shall be made in writing to the Village Manager and shall state thereon the place of business, if any, intended to be occupied; and the names of any employees, not to exceed two (2), who are to be authorized to conduct auctions under the authority of the license.

Sec. 11-129. Investigations.

The Chief of Police, or any other officer designated by the Village Manager, shall investigate the character of every applicant for an auctioneer's license, and no such license shall he issued to any person who is not of good character.

Sec. 11-130. Employees.

Every person, licensed as an auctioneer, may designate not to exceed two (2) employees who may be authorized by him to conduct auctions. Notice containing the names of the employees so designated must be given to the Village, and an employee's license shall be issued on the payment of a fee as provided in the fee schedule supplement to the Palatine Code of Ordinances. This license shall be good for one year, and it shall be unlawful for any person, not licensed under this section to conduct an auction, or for any auctioneer to permit an auction to be conducted by an unlicensed employee.

Sec. 11-131. On streets prohibited.

No person shall sell or attempt to sell or offer for sale at public auction, any goods, chattels, or personal or real property of any kind upon the public streets or sidewalks of the Village.

Sec. 11-132. Exemptions.

Nothing in this article shall apply to any public auction or sale made or conducted by a public officer by virtue of any judicial order or process or by virtue of any power or authority contained in a mortgage or trust deed.

Sec. 11-133. Suspension or revocation of licenses and permits by Village Manager.

Any license or permit issued may be suspended or revoked by the Village Manager in accordance with Section 11-15 of this Chapter.

Sec. 11-134--11-140. Reserved.

DIVISION 3. CIGARETTE AND TOBACCO DEALERS

Sec. 11-141. License required.

It shall be unlawful to engage in the sale at retail of cigarettes, cigars or tobacco in any form, or in any number without having obtained first a license therefor. Applications for such licenses shall be made to the Village Clerk; and no such license shall be issued to any person who is not a person of good character, or to any corporation that is not represented in the Village by a person of good character.

Sec. 11-142. Fee.

The annual fee for such licenses shall be as provided in the fee schedule supplement to the Palatine Code of Ordinances.

Sec. 11-143. Sanitation.

Premises and buildings used for the sale of cigarettes, cigars or tobacco shall be kept in a clean and sanitary condition; the health officer shall investigate such places sufficiently often to insure compliance with the provisions of this section.

Sec. 11-144. Minors.

It shall be unlawful to sell or give tobacco products, alternative nicotine products or electronic smoking devices to any person under twenty-one (21) years of age.

Sec. 11-145. Sale and Possession of Tobacco Products, Alternative Nicotine Products or Electronic Smoking Devices

(a) Possession. It shall be unlawful for any person under the age of twenty-one (21) to possess any tobacco products, alternative nicotine products or electronic smoking devices.

(b) Sales, delivery. It shall be unlawful for any person, including any licensee, to sell, offer for sale, give away or deliver tobacco products, alternative nicotine products or electronic smoking devices to any person under the age of twenty-one (21).

(c) Purchase. It shall be unlawful for any person under the age of twenty-one (21) to purchase tobacco products, alternative nicotine products or electronic smoking devices or to misrepresent their identity or age, or to use false or altered identification for the purpose of purchasing tobacco products, alternative nicotine products or electronic smoking devices.

Sec. 11-146. Signage.

Signs informing the public of the age restrictions provided for herein shall be posted by every licensee at or near every display of tobacco products which offers tobacco products for sale. Each such sign shall be compliant with signage required by the Illinois Department of Human Services.

Sec. 11-147. Vending Machines.

It shall be unlawful for any licensee to sell or offer for sale, give away, deliver or to keep with the intention of selling, giving away or delivering tobacco products by use of a vending machine.

Sec. 11-148. Fines.

Fines for violations of this Division shall be assessed per the Village Fee Schedule Supplement.

Sec. 11-149. Suspension or revocation of licenses or permits by Village Manager.

Any license or permit issued may be suspended or revoked by the Village Manager in accordance with Section 11-15 of this Chapter.

Sec. 11-150--11-189. Reserved.

DIVISION 4. RESERVED

Sec. 11-190--11-200. Reserved.

DIVISION 5. ITINERANT MERCHANTS

Sec. 11-201. License required.

No itinerant merchant shall do business in the Village without having first obtained a license therefor. The fee for doing business as an itinerant merchant shall be as provided in the fee schedule supplement, except that the fee for doing business as an itinerant dealer in gold and silver shall be as provided in section 11-512, Division 16, of this chapter. Itinerant merchants operating in a Village-authorized farmer's market shall pay a fee as indicated in the fee schedule supplement.

Sec. 11-202. Fraud.

No itinerant merchant shall make any fraudulent statements in regard to the articles or merchandise with which he deals.

Sec. 11-203. Premises or conveyances.

Premises or conveyances used for business by an itinerant merchant must be kept in a clean and sanitary condition. It shall be unlawful to permit a collection or accumulation of combustible materials so as to create a fire hazard. The Village Manager shall be authorized to issue appropriate health and safety regulations for Village-authorized farmer's market merchants.

Sec. 11-204. Suspension or revocation of licenses or permits by Village Manager.

Any license or permit issued may be suspended or revoked by the Village Manager in accordance with Section 11-15 of this Chapter.

Sec. 11-205--11-210. Reserved.

DIVISION 6. RESERVED

Sec. 11-211--11-220. Reserved.

DIVISION 7. PAWNBROKERS

Sec. 11-221. 1 License required.

It shall be unlawful to operate or carry on the business of a pawnbroker without having obtained a license therefore, pursuant to Sec. 11-2 of this Chapter.

Sec. 11-221.2 Required records.

Every pawnbroker doing business in the Village shall keep a record of every article pledged with him or sold to him. This record shall be open to the inspection of any police officer And reported in a manner specified by the Palatine Police Department. Pawnbrokers shall remain compliant with the Pawnbrokers Regulation Act, 205 ILCS 510/.

Sec. 11-222. Weapons; restrictions on purchase and display.

No pawnbroker shall receive as a pledge or purchase any revolver, pistol, blackjack, or sawed-off shot gun. And no pawnbroker shall display in his window or shop any such weapons for sale.

Sec. 11-223. 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 in his business. No pawnbroker shall have any business dealings as pawnbroker with any person less than twenty-one (21) years of age, except with the written consent of the parent or guardian of the minor to each particular transaction.

Sec. 11-224. Stolen goods.

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

Sec. 11-225. Separate license for second-hand dealer required.

No pawnbroker shall conduct the business of a second-hand dealer without having obtained the license required for such dealer in addition to his pawnbroker's license.

Sec. 11-226. Suspension or revocation of licenses or permits by Village Manager.

Any license or permit issued may be suspended or revoked by the Village Manager in accordance with Section 11-15 of this Chapter.

Sec, 11-227. Violations.

Any violation of this Division shall be fined according to the Village Fee Schedule Supplement.

DIVISION 8. RESERVED

Sec. 11-228--11-240. Reserved.

DIVISION 9. RESERVED

Sec. 11-241--11-250. Reserved.

ARTICLE V. MISCELLANEOUS BUSINESS OPERATIONS

DIVISION 1. RESERVED

Sec. 11-251--11-259. Reserved.

DIVISION 2. RESERVED

Sec. 11-260--11-269. Reserved.

DIVISION 3. RESERVED

Sec. 11-270--11-280. Reserved.

DIVISION 4. RESERVED

Sec. 11-281 – 11-300. Reserved

DIVISION 5. ELECTRICAL CONTRACTORS

Sec. 11-301. Defined.

The term "electrical contractor" as used in this Chapter is hereby defined and shall be construed to mean any person engaged in the business of installing or altering by contract, equipment and electrical appliances, for the utilization of electricity supplied by light, heat or power, not including radio apparatus or equipment for wireless reception of sounds and signals, and not including apparatus, conductors and other equipment installed for or by public utilities, including common carriers, which are under the jurisdiction of the Illinois Commerce Commission for use in their operation as public utilities, but the term "electrical contractor" does not include employees employed by such contractor to do or supervise such work.

Sec. 11-302. Registration required.

No person shall engage in the business of electrical contractor without having first obtained a certificate of registration therefor as herein required. Every person doing business in the Village as an electrical contractor shall show proof of a certificate of licensure. This certificate of licensure can be from any other city or village in this state that issues an electrical license or by other authorized agencies.

Sec. 11-303. Fees.

The required annual registration fee shall be as outlined in Section 11-473 of this Chapter.

Sec. 11-304. Regulations.

It shall be unlawful for any person registered under the provisions of this division to install any electrical appliances, wiring or fixtures without strict compliance with the ordinances relating to such fixtures, and it shall be unlawful for any such person to do any such work without having obtained such permits as may be required.

Sec. 11-305. Completion, Compliance and Damage Surety Bond

The provisions of Section 11-474 shall apply.

Sec. 11-306. Suspension or revocation of certificate of registration by Village Manager.

Any certificates of registration may be suspended or revoked by the Village Manager in accordance with Section 11-15 of this Chapter.

Sec. 11-307--11-310. Reserved.

DIVISION 6. RESERVED

Sec. 11-311--11-325. Reserved.

DIVISION 7. LAUNDRIES

Sec. 11-326. License required.

No person shall operate or conduct a laundry in the Village without having first obtained a license. Pursuant to Section 11-2 of this Chapter, applications for such license shall be made in writing to the Village Manager and shall state thereon the location intended to be occupied.

Sec. 11-327. Sanitation requirements.

Premises used for laundries must be kept in a clean and sanitary condition.

No refuse of any kind shall be permitted to accumulate on such premises; and the premises must be kept free from rats, mice and vermin.

It shall be unlawful to employ any person afflicted with a venereal or any contagious disease in a laundry.

Sec. 11-328. Inspections required.

It shall be the duty of the health officer or other official designated by the Corporate Authorities to inspect or cause to be inspected every establishment licensed under this division at least once every six (6) months. Any violation under the terms of this article, which are discovered, shall be reported to the Corporate Authorities.

Sec. 11-329. Suspension or revocation of licenses or permits by Village Manager.

Any license or permit issued may be suspended or revoked by the Village Manager in accordance with Section 11-15 of this Chapter.

Sec. 11-330. Operation.

As of January 1, 2023, any laundromat shall provide continuous on-site staffing during its hours of operation. Any laundromat in operation prior to January 1, 2023, that did not provide continuous on-site staffing as of January 1, 2023, shall, by not later than January 1, 2024, adjust their business operations to provide continuous on-site staffing during its hours of operation or provide video surveillance equipment, in a manner acceptable to the Village, that will function at any time that on-site staffing is not provided within the laundromat during hours of operation.

Sec. 11-331--11-350. Reserved.

DIVISION 8. RESERVED

Sec. 11-351--11-365. Reserved.

DIVISION 9. OUTDOOR ADVERTISERS

Sec. 11-366. Defined.

The term "advertiser" as used in this division is hereby defined, and for the purpose of this division shall be construed to mean any person engaged in the business of placing, posting, or painting any advertisements, notices, or displays 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. The term “advertiser” includes the owner or operator of a billboard. In connection with a billboard or any other advertisement, notice or display the issuance of such a license shall be conditioned upon the applicant obtaining the necessary zoning approvals to permit the establishment of same on a premises.

Sec. 11-367. License required.

It shall be unlawful for any outdoor advertiser to do business in the municipality without having first secured a license therefor pursuant to Section 11-2 and 11-368 of this Chapter, provided that no license, issued under this division shall be construed to permit the use of any structures, natural or artificial, which are located in any public street, sidewalk, alley or other public place for advertising purposes.

Sec. 11-368. Application.

Applications for such licenses shall be made in writing to the Village Manager, and shall be accompanied by a list of all places, including billboards or natural structures on which it is intended to place signs or advertisements. This list shall be amended from time to time by the licensee as the right to post or place advertisements or signs on additional places is required.

Sec. 11-369. Fee.

The annual fee for outdoor advertisers' licenses shall be as provided in the fee schedule supplement to the Palatine Code of Ordinances.

Sec. 11-370. Use of billboards.

No person shall post or maintain any advertisement or sign on any billboard or signboard which does not fully comply with this Code or any other ordinances of this municipality.

Sec. 11-371. Consent of owner.

It shall be unlawful to post any advertisement on any premises in the municipality without the consent of the owner of such premises. Such consents must be in writing and must be filed with the Village Manager.

Sec. 11-372. Refuse.

It shall be unlawful for any person engaged in outdoor advertising to permit any refuse resulting from this work to accumulate anywhere in the municipality except by placing it in properly established refuse receptacles. It shall be unlawful to permit any loose or flapping combustible materials to hang from or to be attached to any billboard, signboard or other place used for display or advertising purposes. All refuse resulting from the operating of this business must be carefully gathered and properly disposed of.

Sec. 11-373. Weeds and material at base of billboards.

It shall be the duty of every outdoor advertiser to keep all grass, weeds and other growths except trees and ornamental shrubbery, cut so that the same shall not grow to be a greater height than ten (10) inches within six (6) feet of any billboard or signboard used by him, provided that this obligation shall extend only to property controlled by the advertiser.

Sec. 11-374. Unlawful advertising.

It shall be unlawful for any person to post or display any advertisement of an obscene or immoral character, any advertisement tending to promote or cause a riot or breach of peace, any advertisement for an unlawful gathering, or advertisements of unlawful sales.

Sec. 11-375. Disfiguring signs.

It shall be unlawful to mutilate or disfigure any lawful sign or advertisement in the municipality.

Sec. 11-376. Name of advertiser.

It shall be unlawful for any outdoor advertiser to carry on his business unless the name of such advertiser is attached, displayed or printed on all billboards or signboards used by him, or in any notice, placard or advertisement posted by him, in such lettering as to be visible from a distance of at least five (5) feet from the notice or advertisement.

Sec. 11-377. Exemptions.

The provisions of this division shall not be construed to apply to the posting of a sign or notices by order of any court or by any public officer in the performance of his duties.

Sec. 11-378. Suspension or revocation of licenses or permits by Village Manager.

Any license or permit issued may be suspended or revoked by the Village Manager in accordance with Section 11-15 of this Chapter.

Sec. 11-379--11-390. Reserved.

DIVISION 10. RESERVED

Sec. 11-391--11-420. Reserved.

DIVISION 11. SCAVENGERS*

Sec. 11-421. License required.

It shall be unlawful for any person, firm or corporation to engage in the business of scavenger, or recycling, or the collection or disposal of animal, human or vegetable refuse, offal or refuse of any kind, without first having secured a license therefor.

Sec. 11-422. Classification of licenses.

(a) *Residential scavenger license.* Only one (1) public scavenger license shall be issued for the purpose of performing refuse collection from all residential property, including multifamily residences. That person, firm or corporation shall be awarded the contract with the Village which also includes the right to the collection or disposal of animal, human or vegetable refuse, offal or refuse of any kind from commercial, industrial and institutional properties, and no additional license will be required, therefor.

(b) *Commercial, industrial and institutional license.* The number of licenses issued for servicing commercial, industrial and institutional facilities, but not residential properties, are unlimited. A license for this purpose will be issued to each qualified applicant who presents evidence that he has adequate and proper equipment and approved disposal facilities. Each licensee will be issued vehicle licenses as are necessary. Such license shall be provided by the Village and displayed on each vehicle of the licensee used in the Village.

Sec. 11-423. Application.

(a) *Residential scavenger license.* The residential scavenger license shall be issued to the person, firm or corporation which has been awarded the contract for the collection and removal of all residential waste and shall also be subject to all conditions established in said contract. This contract shall be subject to the approval of the Corporate Authorities.

(b) *Commercial, industrial and institutional license.* Applications for the commercial, industrial and institutional license shall be made pursuant to section 11-2 of this chapter. The Director of Environmental Health shall review the application and make recommendations to the Village Manager for approval or denial. No such license shall be issued except on the order of the Village Manager.

(c) *Denial of license.* The Village Manager shall have the right to deny any applicant a license, and may require any reasonable proof necessary for assurance as to the applicant's compliance and ability to comply with the provisions this division or any other ordinance of the Village.

Sec. 11-424. Fees.

The annual fee for such licenses shall be as provided in the fee schedule supplement to the Palatine Code of Ordinances. Licenses issued in the midst of the, year shall be prorated.

Sec. 11-425. Term of license.

All scavenger licenses will be valid for a period of one (1) year, which shall begin January 1 of the year for which such license is issued and shall terminate on December 31 of the same year.

Sec. 11-426. Bond and liability insurance.

No license which has been otherwise approved shall be issued until the applicant furnishes a bond in the penal sum of fifty thousand dollars ($50,000.00) executed by a responsible surety company for the period of the license, which bond shall guarantee that the scavenger shall perform scavenger service in accordance with the regulations of the Village as ordered from time to time and shall indemnify the Village from any loss or damage resulting from any failure of the scavenger to so perform. Nor shall any license be issued until the scavenger has filed with the Village Manager a certificate or other evidence that the scavenger carries insurance of the following types of at least the limits specified below:

(1) Workman's compensation--Statutory as amended for time to time.

(2) Employer's liability--$500,000.00

(3) Bodily injury liability except automobile--$500,000.00 each occurrence, $1,000,000.00 aggregate

(4) Property damage liability except automobile--$500,000.00 each occurrence, $1,000,000.00 aggregate

(5) Automobile bodily injury liability--$500,000.00 each person, $1,000,000.00 each occurrence

(6) Automobile property damage--$500,000.00 each occurrence

(7) Excess umbrella liability--$5,000,000.00 each occurrence

Sec. 11-427. Equipment; inspection.

(a) Every scavenger must demonstrate that he has adequate and sufficient equipment to render service to any customer requesting service in accordance with the requirements of this division of this Code.

(b) All scavenger trucks and refuse containers shall be subject to inspection and approval by the Director of Environmental Health or his authorized representatives.

(1) *Truck requirements.* No scavenger truck shall be operated unless it is a modern enclosed leak proof truck with a load packer. Such equipment shall be cleaned at sufficient frequency to prevent nuisance and insect breeding and shall be maintained in good condition and repair. All scavenger trucks will be clearly identified with the name of the scavenger, lettering must be at least four inches in height.

(2) *Container requirements.* Refuse containers must have a tight-fitting cover, be in a state of good repair, be leak proof, free from rust and periodically painted. The name and phone number of the scavenger must be clearly visible on the container. All containers must meet all applicable safety standards as established by the Board of Health. Covers for the

storage of trade and construction waste shall not be necessary. The use of drums as refuse bins is prohibited.

Sec. 11-428. Service standards.

(a) All applicants and licensed scavengers shall provide evidence that all materials collected are being deposited at a lawful site designated and maintained for such purposes under the laws of the State of Illinois. The Village reserves the right to designate specific sites or locations in conjunction with its participation with the Solid Waste Agency of Northern Cook County or its successor.

(b) All licensed scavengers shall maintain an office telephone for the receipt of service calls or complaints and shall be available for such calls on all business days from 8:00 a.m. until 4:30 p.m. and between 8:00 a.m. and 12:00 noon on Saturdays.

(c) All licensed scavengers shall be responsible for the closing of all container lids after emptying and shall immediately clean up in a neat and workmanlike manner any refuse that it may have caused to spill anywhere in the Village.

(d) All licensed scavengers shall furnish capable employees for use in the crews performing the disposal services. The scavenger will prohibit any drinking of alcoholic beverages or use of illegal narcotics by its drivers and crew members while on duty.

(e) The hours of scavenger or recycling operations shall be limited to 6:30 a.m. to l2:00 midnight, and 6:30 a.m. to 8:00 p.m. within or adjacent to residential areas.

Sec. 11-429. Penalties.

(a) Any person who violates, disobeys, omits, neglects or refuses to comply with, or resists the enforcement of any of the provisions of this division, shall be fined not less than two hundred dollars ($200.00) nor more than one thousand dollars ($2,500.00) for each offense. Each day that a violation exists shall constitute a separate offense.

(b) In the event a licensed scavenger violates any provisions of any ordinance of the Village, or fails to remove the refuse as contracted with the customer, the Village Manager shall have the right to suspend or revoke the license pursuant to Section 11-15 of this Chapter, and/or abate the violation by any means available to the village, and any and all expense incurred by the Village thereby may be charged against the licensed scavenger and the performance bond furnished by the scavenger.

Sec. 11-430. Reserved.

DIVISION 12. TAXICABS*

Sec. 11-431. Definitions.

Unless otherwise expressly stated or the context clearly indicates a different intention, the following terms shall, for the purpose of this division, have the meanings indicated in this section:

(1) The term "livery cab" means any public passenger vehicle, having a rated seating capacity of not more than seven (7) persons, transporting passengers for hire, as a result of individual contract, on a trip or hourly basis.

(2) The term "public passenger vehicle" means taxicabs and livery cabs used for the transportation of passengers for hire.

(3) The term "public passenger vehicle license" means that license issued to each public passenger vehicle upon successful compliance with the applicable provisions of this division for the issuance of such license.

(4) The term "public passenger vehicle driver's license" means that license issued to a driver or operator of any public passenger vehicle when such driver or operator has complied with the applicable provisions of this division for the issuance thereof.

(5) The term "taxicab" means all motor-propelled vehicles, having a rated seating capacity of not more than seven (7) persons, carrying passengers for hire indiscriminately, accepting and discharging all such persons as may offer themselves for transportation

(6) The term "taximeter" means any instrument or fare-registering device attached to a taxicab and designed to register mechanically the distance traveled by the vehicle, to record the time the vehicle is in waiting, and to indicate upon the records, by figures, the fare to be charged in dollars and cents.

Sec. 11-432. Penalty.

Any person, firm or corporation violating any provision of this division shall be fined not less than two hundred dollars ($200.00) nor more than one thousand dollars ($1000.00) for each offense.

Sec. 11-433. Public passenger vehicle license required.

It shall be unlawful for any person to drive or operate any public passenger vehicle or engage in the business of operating public passenger vehicles in the Village, including the operation of one or more such vehicles, without obtaining a public passenger vehicle license for each such vehicle operated as provided in this division and otherwise conforming to the requirements of this Code, and applicable provisions of other ordinances of the Village.

Sec. 11-434. Application and fee for public passenger vehicle driver's license.

Any person desiring to secure a license as a driver or operator of any public passenger vehicle licensed under this division and used for the carriage of passengers for hire, shall be at least eighteen (18) years of age. Any person desiring to secure such a license shall make an application in writing therefor to

the Chief of Police upon the form provided, and shall pay the required annual fee as provided in the fee schedule supplement to the Palatine Code of Ordinances. The application shall set forth the following:

(1) Name, residence and occupation;

(2) Names and addresses of four (4) persons who have known the applicant for a period of at least two (2) years and who will vouch for the sobriety, honesty and general good character of the applicant;

(3) The experience of the applicant in the transportation of passengers, education background, and a concise history of employment;

(4) A statement whether or not the applicant has been convicted of a felony or of driving while intoxicated;

(5) Applicant's state chauffeur's license number;

(6) Applicant shall attach to the application two (2) recent one by one and one-half (1 X 1 1/2) inch photographs of himself, together with a set of his fingerprints for examination by the police chief;

(7) A statement whether applicant has made application for a similar license other than described in said application, and the disposition thereof;

(8) A statement that applicant is not disqualified to receive a license by reason of any matter or thing contained in this Code, laws of this state, or other ordinances of this Village;

(9) A statement whether a previous license by any state or subdivision thereof, or by the federal government, has been revoked, and the reasons therefor;

(10) A statement that the applicant will not violate any of the laws of the state or of the United States, or any provision of his Code or other ordinances of the Village in the conduct of his business;

(11) A statement as to whether such applicant's license issued under this Code or any other communities' Code has been revoked for a cause; and

(12) A statement as to whether the applicant has been convicted of a violation of any federal or state law concerning the manufacture, possession or sale of alcoholic liquor, subsequent to the passage of this Code or shall have forfeited his bond to appear in court to answer charges for any such violation.

Inquiry shall be made as to the character and record of the applicant for honesty, sobriety and capability. The Corporate Authorities may authorize the issuance of a public passenger vehicle driver's license to an applicant convicted of a felony provided that in their judgment the applicant has been rehabilitated and provided further that more than seven (7) years have elapsed since said conviction.

Sec. 11-435. Examination of applicant; issuance or refusal of public passenger vehicle driver's license.

(a) The Chief of Police, or person designated by him, shall satisfy himself:

(1) As to the truth of the statements made in the application for the public passenger vehicle driver's license.

(2) The applicant's knowledge of the provisions of this division, the traffic regulations of the village and the geography of the Village.

(3) The ability of the applicant to comply with the provisions of this division and the ordinances of the Village.

(4) Be able to effectively communicate with and receive directions from passengers.

(b) No public passenger vehicle driver's license shall be issued to any applicant if the results of the foregoing examination are unsatisfactory in any respect, nor to an applicant who makes false statements in his application, nor shall such license be issued (except as permitted under section 11-434 above) to:

(1) A person who has been convicted of a felony under the laws of the State of Illinois or of the United States;

(2) A person who has been convicted of reckless driving or a similar provision of a local ordinance or any like offense of another state or country, within the past five (5) years; (Ord. No. 0-149-11 §1, 12/5/11)

(3) A person whose license issued under this Code or any other communities' Code has been revoked for a cause; (Ord. No. 0-149-11 §1, 12/5/11)

(4) A person who has been convicted of pandering or other crime or misdemeanor opposed to decency and morality;

(5) A person who has been convicted of a violation of any federal or state law concerning the manufacture, possession or sale of alcoholic liquor, subsequent to the passage of this Code or shall have forfeited his bond to appear in court to answer charges for any such violation.

Sec. 11-435.1 Suspension or revocation by Village Manager.

In addition, any public passenger vehicle driver's license may be suspended or revoked by the Village Manager in accordance with Section 11-15 of the Code.

Sec. 11-436. Summary suspension of public passenger vehicle license.

(a) *Suspension of public passenger vehicle license by the Chief of Police.* The Chief of Police is empowered and directed to immediately suspend the operation of any public passenger vehicle found not to be in a safe condition.

(1) Not in a safe condition.

(2) Not in good condition with respect to appearance, cleanliness and mechanical operation.

(3) Not in accord with the provisions of this division.

(b) *Reinstatement of suspended permits:* Any person whose permit has been suspended or revoked may, at any time, make application for a re-inspection for the purpose of reinstatement of the permit. Following receipt of a written request, including a statement signed by the applicant that the condition causing the suspension of the permit has been corrected, the Chief of Police shall make a re-inspection. If the applicant is found to be in compliance with the requirements of this Code, the permit shall be reinstated.

(c) *Hearings:* The hearings provided for in this section shall be conducted by the Village Manager at the time and place designated pursuant to the procedures set forth in Section 11-15(b) and (c)

(d) *Appeal:* An appeal from the decision or order of the Village Manager shall be pursuant to Section 11-16.

Sec. 11-436.1 Suspension or revocation of public passenger vehicle licenses by Village Manager.

In addition, any public passenger vehicle license issued may be suspended or revoked by the Village Manager in accordance with Section 11-15 of this Code.

Sec. 11-437. Insurance and bond required.

Each application for a public passenger vehicle license or for renewal of a public passenger vehicle license to operate a public passenger vehicle in the Village shall be accompanied by:

(1) A certificate from the secretary of state showing compliance by the owner for each public passenger vehicle with the provisions of the statutes of the state now or hereafter in force, relating to the bonding or insurance of motor vehicles used for the carriage of passengers for hire.

(2) A policy of insurance or certificate of insurance showing that there is in full force and effect a policy of insurance which complies with this section, by a solvent and responsible insurance company to be approved by the board insuring the owner, his consent or any person operating the public passenger vehicle with the owner's express or implied consent against liability for injury to or death of any person or for damage to property other than the public passenger vehicle resulting from the negligence of the owner, his agent or any person operating the public passenger vehicle with his express or implied consent in the operation of the public passenger vehicle. Every application for any type of public passenger vehicle license shall be accompanied by a surety bond to insure payment of property damage in the amount of five thousand dollars ($5,000.00) and public liability insurance in the amount of fifty thousand dollars ($50,000.00) for each individual and two hundred thousand dollars ($200,000.00) for each accident, or a

certificate of insurance for such amount of property damage and public liability coverage. In the event the authority of the issuing company to do business in the state is revoked, the owner shall not operate nor permit any person to operate within the Village the public passenger vehicle covered by such policy, without replacing the policy with another policy or a bond which complies with the provisions of this section. If, at any time, in the judgment of the Corporate Authorities a policy of insurance given pursuant to this section is not sufficient for any good cause, the Corporate Authorities may require the owner of the public passenger vehicle who filed the same, to replace that policy of insurance with another good and sufficient bond or insurance policy which complies with the provisions of this section.

Sec. 11-438. Revocation of public passenger vehicle license upon failure to obtain insurance or bond.

The Village Manager is hereby empowered to revoke any license issued with respect to any public passenger vehicle not complying with the provisions of the preceding section, pursuant to the procedures set forth in Section 11-15.

Sec. 11-439. Inspection of public passenger vehicles.

No public passenger vehicle shall be issued a public passenger vehicle license until it has been thoroughly and carefully inspected and approved by the Chief of Police or a member of the Police Department designated by him and found to be in thoroughly safe condition for the transportation of passengers; clean, fit, of good appearance, and well-painted and varnished, and complying with the provisions of this division.

Sec. 11-440. Mechanical tests.

A. Mechanical tests shall be made three (3) times a year during the months of April, August and December, at any testing garage or testing station approved by the Chief of Police. Said testing shall be completed by the last day of each month and shall include the following:

(1) Brakes;
(2) Emergency brake;
(3) Wheel alignment;
(4) Horn;
(5) Windshield wipers;
(6) Rear view mirror;
(7) Steering mechanism;
(8) Head lights;
(9) Tail lights;
(10) Stop lights;
(11) Exhaust system.
(12) Taximeter; and
(13) All doors shall have functional interior door handles and latches.

B. The Chief of Police shall designate those facilities which may serve as inspection stations to conduct the vehicle inspections required by this chapter, which stations may be within or without the Village. He shall establish procedures for conducting the inspections and

minimum standards in order that a vehicle be approved. He shall supply inspection stations with certified inspection forms, numbered certified vehicle inspection stickers, and such other supplies as may be required to perform the duties required by this chapter and the regulations established hereunder.

C. A list of authorized inspection stations shall be kept by the Chief of Police and shall be given to each public passenger vehicle owner together with the notice that vehicles must be inspected. An owner may use the authorized inspection station of his choice.

D. Inspection stations shall charge the inspection fee authorized by the Chief of Police for all public passenger vehicle inspections. There shall be no charge for a reinspection within the five (5) working days allowed for repairs to a vehicle that fails the inspection. The authorized inspection fee shall be charged for reinspection made after the five (5) working days' grace period.

Sec. 11-441. Duty of owner to submit vehicles for inspection prior to issuance of public passenger vehicle license; unlawful to use until approved by Chief of Police.

It is the duty of the owner of each public passenger vehicle to submit to the Chief of Police each vehicle for inspection prior to the issuance of the public passenger vehicle license or at any time upon complaint. Also, the Police Department may inspect these vehicles at such other times as the Chief of Police may deem necessary and it is unlawful for the owner or person in charge of any such vehicle to use or permit its use, in case it has been condemned by the Chief of Police, until the vehicle has been repaired or replaced to the satisfaction of the Chief of Police.

Sec. 11-442. Public passenger vehicle license fees.

(a) A public passenger vehicle license fee, as provided in the fee schedule supplement to the Palatine Code of Ordinances, per year, shall be paid to the Village by the owner of the public passenger vehicle, which fee shall entitle such owner to a license for one public passenger vehicle. For each additional public passenger vehicle, a fee, as provided in the fee schedule supplement to the Palatine Code of Ordinances, shall be paid to the Village by owner.

(b) All public passenger vehicle licenses issued hereunder shall be for the calendar year beginning January 1st and ending December 31st; provided, however, that if an application for a public passenger vehicle license is made after July 1st of any year, the fee for such license for the remainder of the calendar year for one public passenger vehicle, and the fee for each additional public passenger vehicle, shall be as provided in the fee schedule supplement to the Palatine Code of Ordinances.

Sec. 11-443. Condition of vehicles.

All vehicles licensed under this division must be kept in a safe, clean and sanitary condition, and must be equipped with properly working brakes, lights and warning signals, in accordance with the motor vehicle laws of the State of Illinois, this division and the ordinances of the Village, and no license shall be issued for the operation of any public passenger vehicle under this division until it is shown to be in good mechanical condition.

Sec. 11-444. Identification of public passenger vehicles.

The name and telephone number of the owner of the public passenger vehicle shall be plainly printed in a conspicuous place on both sides of the vehicle in letters at least two (2) inches high. If any licensee operates more than one public passenger vehicle, each vehicle shall be numbered with figures not less than two (2) inches high, and no two (2) vehicles shall bear the same number. All such names and numbers shall be of such color and type as to be legible to one of normal eyesight at a minimum distance of twenty-five (25) feet.

Sec. 11-445. Public passenger vehicle driver's license to be displayed upon request.

Each licensed public passenger vehicle driver shall carry his public passenger vehicle driver's license while engaged in the operation of any public passenger vehicle, and shall exhibit it whenever requested to do so by any Village official, any member of the Police Department, any passenger or any person desiring to become a passenger.

Sec. 11-446. Load limitation.

No driver or operator of a public passenger vehicle shall carry more people than is recommended by the manufacturer of said vehicle, nor shall he carry any other person than the first person employing the public passenger vehicle without the consent of the first passenger. No driver or operator of a public passenger vehicle shall allow any person other than the passenger(s) being conveyed to occupy the public passenger vehicle, except in the training of a new driver.

Sec. 11-447. Public passenger vehicle license and public passenger vehicle driver's license nontransferable.

Neither the public passenger vehicle license nor the public passenger vehicle driver's license provided for in this division shall be transferable.

Sec. 11-448. Public passenger vehicles constructed, designed, etc., in imitation of other public passenger vehicles.

No public passenger vehicle or the owner of a public passenger vehicle shall be licensed under the provisions of this division if the vehicle sought to be licensed as a public passenger vehicle is constructed, designed, painted or labeled as to be so similar to the automobiles or similar vehicles of any other person licensed and engaged in the business of operating public passenger vehicles in the Village as to be an imitation thereof and calculated to deceive the patrons of public passenger vehicles into believing that such vehicles are in reality the public passenger vehicles of such other persons. (Ord. No. O-20-76, § 1, 3-8-76)

Sec. 11-449. Reserved.

Sec. 11-450. -Reserved.

Sec. 11-451 Taximeters--Required.

Every taxicab operated in the Village shall be equipped with an accurate and dependable taximeter.

Sec. 11-452. Same--To be placed so as to be visible to passengers; maintenance.

Taximeters shall be placed in the taxicab so as to be readily visible to passengers and shall be maintained in a good and correct operating condition at all times. Every taximeter shall be tested for accuracy at least semiannually by the Chief of Police, or some member of the Police Department designated by him, by checking its registration over a course of known length, and by checking its time registration. Errors in distance or time registration shall be sealed.

Sec. 11-453. Same--Unlawful to tamper with or change.

It is unlawful to tamper with or change any taximeter or the seal thereon.

Sec. 11-454 and 11-455. Reserved.

Sec. 11-456. Same--Transfer.

No person controlling or operating any taxicab shall transfer the taximeter to any other taxicab, unless a new inspection and certification of the taximeter is made.

Sec. 11-457. Regular operation required.

Every taxicab shall be operated regularly in the Village to the extent reasonably necessary to meet the public demands for taxicab service.

Sec. 11-458. Licensee of taxicab to have regular telephone service; required to have telephone number listed in local directory.

Every licensee who is licensed to operate a taxicab in the Village shall have and keep in service at all times while his license is in effect regular telephone service within the Village or by cellular telephone, by means of which a person desiring to rent a taxicab may call the licensee by calling a Village telephone exchange number. Moreover, the licensee shall see that his telephone number, including cellular telephone number, is listed in the local telephone directory which is published in and for the Village by the telephone company which furnishes local telephone service in the Village.

Sec. 11-459. Taxicab rates.

Every person, firm or corporation which is licensed to operate a taxicab or taxicabs in the Village shall establish a schedule of its fares and shall cause a true and correct copy thereof to be filed with the Village. Any person, firm or corporation which shall hereafter apply for a public passenger vehicle license shall file a schedule of its proposed fares with such application. In the event of any increase in such schedule of fares, or any part thereof, such person, firm or corporation shall file a notice thereof with the Village at least thirty (30) days prior to the effective date of the said increase.

Sec. 11-460. Uniform rates throughout the day.

Any rate schedule filed with the Village shall provide that the fares charged shall be uniform throughout all twenty-four (24) hours of each day.

Sec. 11-461. Definition. "Waiting time."

"Waiting time" shall include the time when the taxicab is not in motion, beginning with the arrival at the place to which it has been called, or the time consumed while standing at the direction of the passenger, but no charge shall be made for time lost on account of inefficiency of the taxicab, or its operator, or time consumed by a premature response to a call.

Sec. 11-462. Same--Posting of rates.

There shall be affixed on the inside of each taxicab in a conspicuous place and in such a manner that it may be conveniently and easily read by any person riding therein, a card upon which shall be printed in plain, legible type the rates of the fare of the taxicab.

Sec. 11-463. Same--Receipt.

Any taxicab passenger paying a fare shall, upon request, be given a receipt indicating the amount paid.

Sec. 11-464. Right of operator to demand fare in advance; refusal to convey passengers.

The operator or person in charge or control of any taxicab may demand, in advance, the payment of the fare of the person desiring to be carried by such taxicab, and may refuse to convey any person who shall not comply with the demand; but no driver or operator of a taxicab shall otherwise refuse or neglect to convey any orderly person, upon request, anywhere in the Village, unless previously engaged or unable to do so.

Sec. 11-465. Roof light required.

Each taxicab shall be equipped with a roof-mounted taxicab light, and this light shall be lit at all times while the taxicab is for hire. Each taxicab light shall have the word "TAXI" written on both sides of the roof light visible for a minimum distance of fifty (50) feet to one of normal eyesight.

Sec. 11-466. Unattended vehicles.

It shall be unlawful to leave any taxicab unattended in an established taxicab loading area or zone. A vehicle shall be considered unattended if its assigned driver is not in the taxicab or standing immediately adjacent thereto, available for call. It shall further be unlawful for any taxicab driver parked in an established taxicab loading zone or area to overtly solicit passengers for his vehicle.

Sec. 11-467. Livery cab regulations.

Livery cabs shall not use taxicab stands, nor pick up or solicit passengers for hire from the streets, nor indiscriminately accept passengers, but shall be limited in scope of operation to carrying passengers for hire on a contract basis at a price agreed upon prior to employment and by arrangement of the parties.

Sec. 11-468. Conduct of Taxicab Drivers.

1. It shall be unlawful for any driver to conduct himself in a disrespectful, rude or belligerent or contemptuous manner toward any person, or to use abusive or profane language while so occupied or in charge of such vehicle.
2. It shall be unlawful for any driver to solicit by word, gesture or otherwise the patronage of any person upon any public street or place in the Village.
3. Drivers shall be obligated to render reasonable aid to any person who suffers injury or illness while a passenger of a taxicab operated by the driver.
4. It shall be unlawful for any driver to violate any provision of this division and doing so may result in sanctions including but not limited to those found in Section 11-5 of this Code.

Sec. 11-469--11-470. Reserved.

DIVISION 13. BUILDING CONTRACTORS

Sec. 11-471. Defined.

For this Division, the term "contractor" shall include any general contractor, sub-contractor, or anyone engaging in the construction, repair or alteration of any building, structure, street, sidewalk or pavement in the municipality for which the contracted valuation of work conducted is over $1,000.00, regardless of whether or not a permit is required under the ordinances of the municipality.

Sec. 11-472. Annual Registration.

It shall be unlawful to engage in business in the municipality as a contractor, including all contractors licensed or registered by an outside agency, without first having obtained an annual Village registration. Exception: Contractors exempt from local registration per State Statute.

Sec. 11-473. Fees.

An annual registration fee, as provided in the fee schedule supplement to the Palatine Code of Ordinances, shall be assessed for the following contractor's annual registration.

(1) General contractors
(2) All other contractors and electrical contractors (as outlined in Division 5. Electrical Contractors of this Chapter)

These annual registration fees shall be reduced by fifty percent (50%) if the application for such registration is received on or after July 1 of the year in which the registration is being requested. Any contractor registered as a general contractor shall not be required to secure an additional registration for any self-performed carpentry, masonry, or concrete work.

Sec. 11-474. Completion, Compliance and Damage Surety Bond.

All building contractors shall, prior to receiving an annual registration, provide a surety bond in the following amounts.

(1) General contractors: twenty five thousand dollars ($25,000)
(2) All other contractors: ten thousand dollars ($10,000)

The above surety bonds must be in a form acceptable to the Village and shall indemnify, keep and save harmless the municipality and the party for whom the work was performed against any loss, cost, damage, judgement or liability of any kind whatsoever which the municipality or the party for whom the work was performed may suffer or be put to, or which may accrue against, be charged to or be recovered from the municipality or any of its officials or from the party for whom the work was performed by reason of any act or thing done or neglected to be done or by virtue of the authority given in such registration, and further conditioned that the applicant shall well and faithfully observe all the provisions of this ordinance and other ordinances and other regulations of the municipality relating to the activities engaged in under or by virtue of the authority given in such registration. Such bond shall remain in full force and effect for the duration of any permit and registration issued. The building contractor shall be responsible for providing a continuation bond as needed to maintain the bond duration as provided for above. Any expenses necessary for completion of work due to failure to comply with required codes or completion per approved plans, shall necessitate the filing of a claim against said surety bond. Such claims can be filed by the bond oblige or by the individual or party for which the work is performed.

Exceptions: Surety bonds shall not be required for the following construction, provided that the homeowner is performing all work associated with the construction project.

(1) Single-family residential fence installation.

(2) Single-family residential shed installation.

(3) Single-family residential driveway.

(4) Single-family residential patios and private walks

(5) Single-family residential roof tear-off.

(6) Single-family residential deck installation.

(7) Single-family residential above-ground swimming pool.

(8) Single-family air conditioner installations.

(9) Single-family residential sewer repair or replacement.

(10) Single-family residential lawn sprinklers.

(11) Single-family residential electric service revision.

Sec. 11-475. Duties of Registrant.

It shall be the duty of all building contractors to comply with all provisions of this Code and other ordinances relating to or regulating the activities engaged in and, in addition thereto:

(1) To at least once each week remove or cause to be removed from the site of building contractors' activities all trash, refuse and waste materials.

(2) To keep the site of activities in an orderly condition, free from standing water, unguarded dangerous implements and health and safety hazards.

(3) To not obstruct traffic on streets or sidewalks or permit dirt or waste materials to fall or to be carried onto such public ways.

(4) To begin construction work timely, complete work in a timely, workmanlike manner in accordance with the contract between the building contractor and client.

Sec. 11-476. Inspection; enforcement.

The provisions of this division are declared to be of a regulatory nature, and it shall at all times be the duty of the Community Development Department., the Police Department, and the Fire Department regularly to inspect the site of the contractors' activities to see that the activities are being conducted and operated in accordance with the requirements of all laws and ordinances applicable thereto. Failure to comply with the above, all ordinances including the provisions of the surety bond, as determined by the Director of Community Development, shall give the municipality the right to suspend, or revoke the contractor's certificate of registration in accordance with Section 11-15 of this Chapter, deny a building contractor a re-registration, deny a building contractor registration, revoke or deny a building contractor a building permit.

Sec. 11-477--11-489. Reserved.

DIVISION 14. RESERVED

Sec. 11-490--11-500. Reserved.

DIVISION 15. KENNELS, PET SHOPS, SHELTERS, POUNDS AND ANIMAL HOSPITALS

Sec. 11-501 – 11-503. Reserved.

Sec. 11-504. Sanitation requirements.

It shall be unlawful to keep, use or maintain within the Village any kennel, pet shop, shelter, pound or animal hospital that is unsanitary, foul, or offensive or in any way detrimental to the public health or safety or that violates state or local sanitation requirements. (Code 1961, § 16.604)

Sec. 11-505. Inspection.

It shall be the duty of the Village to make or cause to be made such inspections as may be necessary to insure compliance with section 11-504 above. Subject to compliance with legal requirements, the Village shall have the power to make or cause to be made entry into any building or premises in which is contained a kennel, pet shop, shelter, pound or animal hospital for the purpose of making such inspections.

Sec. 11-506. Suspension and revocation by the Village Manager.

The Village Manager may, in addition to other penalties provided herein, suspend, revoke or refuse to renew any kennel, pet shop, shelter, pound or animal hospital business license upon good cause, provided, however, such suspension, revocation or refusal shall be only after a hearing held in accordance with Section 11-15 .

Sec. 11-507. Reserved.

DIVISION 16. DEALERS IN GOLD AND SILVER

Sec. 11-508. Definitions.

The term "itinerant dealer in gold and silver" when used in this chapter shall mean any person engaged in the business of buying or selling tangible objects of gold and silver within the Village who has not established a permanent place of business within the Village from which such operation has been carried on for a period of at least ninety (90) days prior to the first sale or purchase of such objects.

The term "permanent dealer in gold and silver" when used in this chapter shall mean any person engaged in the business of buying or selling tangible objects of gold and silver within the Village who has established a permanent place of business within the Village and who presents to the Village Manager at the time of application title showing legal or beneficial ownership to the premises or a bona fide lease for a period of not less than one year for permanent premises within the Village.

Sec. 11-509. License required.

No person shall engage in the business of itinerant or permanent dealer in gold and silver within the Village without first having obtained a license therefor. If the operation of the gold and silver business, either as a stand alone business or in conjunction with the operation of a retail store (e.g. jewelry store, or other similar such store) results in 20% or more of their gross business receipts being derived from the purchase of gold or silver, a Special Use is required. The process and requirements are further detailed in Appendix ‘A’.

Sec. 11-510. Application.

An application as itinerant or permanent dealer in gold and silver shall be made in conformity with the general requirements of this Code relating to applications for licenses.

Sec. 11-511. Investigation.

The Chief of Police or any other Village official designated by the Village Manager shall make an investigation to determine whether the applicant is a person of good character and reputation. No such

license shall be issued to any applicant who is not found to be a person of good character and reputation and no license shall be issued to any applicant who has been convicted of receiving stolen goods, burglary, robbery or any other felony in the federal or state courts. In the event that the Village Manager shall not issue a license, an applicant may appeal to the Corporate Authorities in the manner provided by section 11-16 of this Code.

Sec. 11-512. Fees.

A fee, as provided in the fee schedule supplement to the Palatine Code of Ordinances, shall be paid for each day's proposed operation within the Village by an itinerant dealer in gold and silver.

A fee, as provided in the fee schedule supplement to the Palatine Code of Ordinances, shall be paid by a permanent dealer in gold and silver who is issued a license.

Sec. 11-513. Records.

Every itinerant dealer in gold and silver doing business in the Village shall keep a record of every article received, purchased, sold or exchanged by him, setting forth the following: The date of the transaction, name and address of the purchaser or seller, and a brief description of the article sold, purchased, received or exchanged, including identification number thereon, if any. Such record and the articles themselves shall, at all reasonable times, be open to the inspection of any police officer and reported in a manner as required by the Palatine Police Department.

Every permanent dealer in gold and silver doing business in the Village shall keep a record of every article received, except articles received, from an established wholesaler, antique dealer, or other licensed dealer with whom the permanent dealer does business on a regular and continuing basis, in the ordinary course of business. Such record shall be maintained, as described below. The date of the transaction, name and address of the purchaser or seller, and a brief description of the article sold, purchased, received or exchanged, including identification number thereon, if any. Such record and the articles themselves shall be open to the inspection of any police officer at all reasonable times during normal business hours. Said record shall he maintained by the dealer for a minimum of three (3) years. Refusal to permit police inspection of such record shall be grounds for immediate revocation of the license. Such records shall include the following information:

1. A listing of the item received, including the exact time and date when the item was received or purchased.
2. Digital picture or photographs of all of the received items sold, purchased or exchanged.
3. A copy of the government issued photo identification of all customers transacting an item of gold and silver.
4. Such records shall be transmitted (in a format approved by the Palatine Police Department) to the Palatine Police Department at the conclusion of each business day. Failure to deliver such record shall automatically revoke the license for the following day.

Sec. 11-514. Electronic reporting of transactions.

The Village may enter into a contract for service and maintain its contract for service with Leads Online, or a similar entity as designated by the Chief of Police, in order to enhance its investigative

services to protect gold and silver dealers and members of the general public. In the event of a change to its electronic reporting system, the Village will notify all impacted licensees of the change within a reasonable time prior to such change.

Every gold and silver dealer shall operate and maintain a computer system with internet access and photographic or video capability sufficient for the electronic reporting requirements described in this article. Any failure or malfunction of such equipment on the part of the licensee shall not exempt the licensee from the recording/reporting requirements outlined in Sec. 11-513 of this article. The licensee shall immediately notify the Police Department of any such failure or malfunction, and shall have such resolved as soon as practicable. Failure by the licensee to resolve any failure or malfunction of equipment in a reasonable amount of time will lead to license revocation proceedings under Section 11-516 of this article.

Sec. 11-515. Stolen goods.

It shall be the duty of every person licensed under the provisions of this division to report to the Police Department any article received or offered to him if he shall have reason to believe that the article was stolen or lost.

Sec. 11-516. Suspension or revocation of licenses or permits by Village Manager.

Any license or permit issued may be suspended or revoked by the Village Manager in accordance with Section 11-15 of this Chapter.

Sec. 11-516.1 Violations.

Any violations of this Division shall be cited and fined pursuant to the Village Fee Schedule Supplement.

ARTICLE VI. SOLICITORS

Sec. 11-517. Definitions.

For the purposes of this article the following words shall have the meanings indicated unless their context clearly requires otherwise:

Business shall mean and include those enterprises engaged in industry, warehousing, insurance, commercial or retail activity in order to produce a profit.

Charitable organizations are those organizations defined in the 225 ILCS 460/1 (a) and (f); to wit: (a) Any benevolent, philanthropic, patriotic, or eleemosynary person or one purporting to be such which solicits and collects funds for charitable purposes and includes each local, county, or area division with this State of such charitable organization, provided such local, county or area division has authority and discretion to disburse funds or property otherwise than by transfer to any parent organization. And (f) Charitable Purpose. Any charitable, benevolent, philanthropic, patriotic, or eleemosynary purpose.

Peddler I is defined as anyone seeking to sell or offer for sale, barter, or exchange, any goods, wares or merchandise, traveling from place to place along or upon streets of the Village, who shall sell and deliver from any vehicle: wagons, push carts, hand carts, or motor vehicles.

Peddler II is anyone who shall go about from place to place selling or delivering goods, wares and merchandise, whether selling or delivering from packs, baskets or similar containers.

Registered solicitor shall mean and include any person who obtained a valid certificate of registration as hereinafter provided, and which certificate is in the possession of the solicitor and clearly displayed while engaged in soliciting.

Residence shall mean and include every separate living unit occupied for residential purposes by one (1) or more persons, contained within any type building or structure.

Soliciting shall mean and include any one (1) or more of the following activities:

(1) Seeking to obtain order for the purchase of goods, wares, merchandise, foodstuffs, services, of any kind, character or description. whatever; or

(2) Seeking to obtain prospective customers for application or purchase of insurance of any type, kind or character; or

(3) Seeking to obtain subscriptions to books, magazines, periodicals, newspapers and every other type or kind of publication; or

(4) Seeking to obtain gifts or contributions of money, clothing or any other valuable thing for the support or benefit of any charitable or non-profit association, organization or project; or

(5) Peddling either as a Peddler I or as a Peddler II.

Sec. 11-518. Certificate of registration required.

Every person and organization desiring to engage in soliciting from persons in residences within the Village is hereby required to make written application for a certificate of registration as hereinafter provided.

Sec. 11-519. Application for certificate of registration; contents, filing, and identification; persons to whom certificate will not issue.

Application for a certificate of registration shall be made upon a form provided by the Chief of Police of this Village and filed with such Chief of Police upon completion. The applicant shall truthfully state in full the information requested on the application to wit:

(1) Name, address or present place of residence and telephone number, driver's license number, or state ID, and issuing State if applicant possesses one.

(2) Physical description of the applicant, including date of birth and gender.

(3) Name, address and telephone number of the person, firm or corporation or association, if any, whom the applicant is employed by or represents.

(4) Name of the person in charge of soliciting for the firm or corporation or association.

(5) Nature of the goods or service solicited for.

(6) Whether or not a deposit is to be collected and the number of persons to be involved in the solicitation effort.

(7) The dates of soliciting within the Village and the total number of days to be soliciting.

(8) If the person has ever solicited before within the Village, the dates and the firm or organization associated with during prior solicitations.

(9) If the applicant has ever been convicted of a felony and the details involved in the incident, arrest and conviction.

All statements made by the applicant upon the application or in connection therein shall be certified as the truth by the applicant signing their individual application.

All individual applications must be accompanied by two head and shoulder color photographs of the applicant, photographs to be no larger than one and a half inches by one and a half inches.

The Chief of Police shall cause an accurate record to be kept of every application received and acted upon together with all other information and data pertaining thereto and all certificates of registration issued under the provisions of this article and the denial of applications.

Sec. 11-520. Charitable Organizations.

Charitable organizations must furnish the Chief of Police the following information:

(1) Name and address of the organization.

(2) Name, address and telephone numbers of the person or persons having the primary responsibility for supervision of the solicitation with the village.

(3) The name, date of birth and gender of all individuals who will be soliciting.

(4) Evidence of full compliance with the provisions of "An Act to regulate solicitation and collection of funds for charitable purposes, providing for violations thereof, and making appropriation therefor," approved July 26, 1963, as amended (225 ILCS 460/1 et seq.)

(5) Two head and shoulder color photographs of each solicitor, one and a half inches by one and a half inches.

Sec. 11-521. Issuance.

The Chief of Police, after consideration of the completed application and all information obtained relative thereto, shall deny the application if the applicant does not possess the qualifications for such certificates as herein required. When the applicant is found to be fully qualified, the certificate of registration shall be issued. Provided the application for the certificate of registration is complete and all information required herein is provided on the application, the certificate of registration will generally be issued within two to five working days of receipt of the application by the Chief of Police.

Sec. 11-522. Youth Groups and School Groups from within the Village of Palatine

Youth groups and recognized groups from within the corporate limits of the Village of Palatine shall not be required to wear badges or name tags, nor pay required fees; however the organization shall be required to complete the solicitor's application process.

Sec. 11-523. Policy.

The regulations set forth in this and succeeding sections are designed to provide reasonable protection of the health, safety and welfare of the citizens of the Village, to guard them from unwarranted invasions of privacy and protect them in the peaceful enjoyment of their homes, while allowing all persons reasonable exercise of free speech and political expression as guaranteed by the First Amendment of the United States Constitution.

Every person desiring to secure the protection intended to be provided by the regulations pertaining to soliciting contained in this article, shall comply with the following directions, to wit:

Notice of the determination by the occupant of giving invitation to solicitors, or the refusal of invitation to solicitors, to any residence or business, shall be given in the manner following:

(1) One of four cards, approximately three inches by four inches in size, shall be exhibited upon or near the main entrance door to the residence or business, indicating the determination by the occupant, containing the applicable words, as follows:

(a) ONLY SOLICITORS REGISTERED IN PALATINE INVITED

(b) NO SOLICITORS INVITED

(c) ONLY CHARITABLE SOLICITORS INVITED

(d) SOLICITATION BY PRIOR APPOINTMENT ONLY (For display by businesses only)

(2) For purposes of uniformity, the cards shall be provided by the Village to persons requesting them.

(3) When such card is displayed, it shall constitute sufficient notice to any solicitor of the occupant's decision about inviting or not inviting solicitors to approach their door.

Sec. 11-524. Duty of solicitors.

It shall be the duty of every non-charitable solicitor engaging in solicitation from persons in residences within the Village to wear a nametag or other badge provided by the Village on his or her person clearly identifying the name of the person soliciting and nametag or badge number assigned to that individual and the date of expiration. Tags or badges pursuant to this section shall be issued by the Village Manager in such form as the Village Manager may determine. Fees for nametags or badges shall be as provided in the Fee Schedule Supplement to the Palatine Code of Ordinances.

It shall be the duty of every solicitor upon going onto any premises in the Village to immediately and peacefully abide by any notice so posted by the occupant in accordance with section 11-522 if indicated and depart the premises. Any solicitor who has gained entrance to any residence or business, whether invited or not, shall immediately and peacefully depart from the premises when requested to do so by the occupant.

Sec. 11-525. Prohibited soliciting.

(1) It is hereby declared to be unlawful and shall constitute a nuisance for any person to go upon any premises and ring the doorbell upon or near any door, or create any sound in any other manner calculated to attract the attention of the occupant of such residence, for the purpose of securing an audience with the occupant thereof and engage in soliciting as herein defined, in defiance of the notice exhibited at the residence in accordance with the provisions of section 11-522.

(2) It shall be unlawful for anyone to solicit from residences within the Village of Palatine without an approved certificate of registration.

(3) It shall be unlawful for anyone to solicit from residences within the Village of Palatine without displaying their issued nametag or badge, or a recognizable uniform worn, clearly visible to the occupant of the residence whereupon the solicitation is to take place.

(4) It shall be unlawful for anyone to solicit from any business which displays a notice described in section 11-522, or to violate a clearly posted notice to solicitors that solicitation is acceptable only by prior appointment.

Sec. 11-526. Time limit for soliciting.

It is hereby declared to be unlawful and shall constitute a nuisance for any person whether registered under this article or not to go upon any residential premises and ring the doorbell upon or near any door of a residence located thereon, or rap or knock upon any door, or create any sound in any manner calculated to attract the attention of the occupant of such residence, for the purpose of securing an audience with the occupant thereof and engage in soliciting prior to 9:00 a.m. of any weekday or Saturday, or after 7:00 p.m. of any weekday or 6:00 p.m. on Saturday, or at any time on a Sunday or on a State of Illinois or national holiday. For Peddler I and Peddler II, in addition to the foregoing time limitations, no soliciting shall occur after 6:00 p.m. on any week day.

Sec. 11-527. Fee; exemptions.

The registration fee for solicitors shall be as provided in the fee schedule supplement to the Palatine Code of Ordinances, plus a per day fee, as provided in the fee schedule supplement to the Palatine Code of Ordinances, for each day solicitation activities are conducted in the Village; provided, however, that no fee shall be charged for solicitation by charitable or not-for-profit organizations other than the fee for the cost of the name tag or badge, and further provided that no fee beyond the registration fee shall be charged to solicitors for holders of a franchise granted by the Village for the operation of a cable communications system.

Sec. 11-528. Enforcement and appeal.

The Palatine Police Department shall be responsible for enforcing this ordinance and may take any of the following actions upon receiving a complaint of a violation of this ordinance by a resident:

1. The name tag or badge of the individual solicitor may be confiscated and the individual solicitor's permit to solicit within the Village may be revoked for up to one calendar year.

2. An individual's permit to solicit may be revoked without the confiscation of the individual's name tag or badge, upon notification of revocation, the name tag or badge shall be returned to the Police Department.

3. The individual solicitor may be prosecuted.

4. The organization for which the individual solicitor is a part of may have their certificate of registration revoked.

5. A solicitor found to have a criminal record of crimes against persons, gang activity, or has been convicted of the commission of a felony under the laws of the State of Illinois, or any other state or federal law of the United States, within ten (10) years of the issuance shall have their license revoked.

Upon the confiscation of an individual solicitor's name tag or badge, the circumstances surrounding the complaint shall be reviewed by the Chief of Police or his designated representative, and upon completion of the investigation, the name tag or badge along with the permit to solicit to be either revoked or reinstated. If the individual solicitor's permit is revoked, the umbrella organization, if the solicitor is part of one, will be notified of the permit revocation.

The individual whose name tag or badge is confiscated and whose permit to solicit is revoked shall have the right to appeal the revocation to the Village Manager pursuant to Section 11-15 (e) within seven working days of the revocation.

Sec. 11-529 to 11-535 Reserved.

ARTICLE VII. RAFFLES.

Sec. 11-536. License Required.

It shall be unlawful to conduct a raffle as defined by 230 ILCS 15/2 et. seq. (1994) of the Illinois Compiled Statutes in the Village of Palatine without having obtained a license therefor in accordance with Sections 11-2, 11-539 , and 11-38 through 11-540 of this Chapter.

Sec. 11-537. Definitions.

The definitions contained in 230 ILCS 15/1 are incorporated by reference as if set forth herein.

Sec. 11-538. Fee.

A ten ($10) dollar fee shall be charged for licenses hereunder, or such fee may be waived.

Sec. 11-539. Requirements.

Only non-profit organizations as defined by 235 ILCS 15/2 of the Illinois Compiled Statutes may apply for a license. There shall be no limit on aggregate retail value of prizes, number of tickets, price of tickets or time period of the raffle.

The following are ineligible for any license under this Article.

1. Any person who has been convicted of a felony;
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2. Any person who is not of good moral character;
3. Any firm or corporation in which a person defined in 1, 2 or 3 has a proprietary, equitable or credit interest, or in which such a person is active or employed;
4. Any organization in which a person defined in 1, 2 or 3 is an officer, director or employee, whether compensated or not;
5. Any organization in which a person defined in 1, 2 or 3 is to participate in the management or operation of a raffle as defined in this Article.

Sec. 11-540. Application.

(1) Applications for raffle licenses shall be on forms provided by the Village.

(2) The license and application for license must specify the area or areas within the Village in which raffle chances will be sold or issued, the time period during which raffle chances will be sold or issued, the date, time, location and manner of determining the winning chances;

(3) A copy of the applicants articles of incorporation and/or charter shall be attached to the license application (or other such documentation as requested by the Village Manager);

(4) The application must contain a sworn statement attesting to the not-for-profit character of the prospective license organization, signed by the presiding officer and the secretary of that organization. No bond shall be required for such application and license.

Sec. 11-541. Conduct of raffles.

The conducting of raffles is subject to the following restrictions.

1. The entire net proceeds of any raffle must be exclusively devoted to the lawful purposes of the organization permitted to conduct the game.

2. No person except a bona fide member of the sponsoring organization may participate in the management or operation of the raffle.

3. No person may receive any remuneration or profit for participating in the management or operation of the raffle.

4. A licensee may rent a premises on which to determine the winning chance or chances in a raffle only from an organization which is also licensed under this Section.

5. Raffle chances may be sold or issued only within the area specified on the license and winning chances may be determined only at those locations specified on the license.

6. No person under the age of eighteen (18) years may participate in the conducting of raffles or chances. A person under the age of 18 years may be within the area where winning chances are being determined only when accompanied by his parent or guardian.

Sec. 11-542. Records.

Records shall be kept pursuant to the provisions 235 ILCS 15/6 of the Illinois Compiled Statutes.

Sec. 11-543. Suspension or revocation of licenses or permits by Village Manager.

Any license or permit issued may be suspended or revoked by the Village Manager in accordance with Section 11-15 of this Chapter.

Secs. 11-544 - 11-600. Reserved.

ARTICLE VIII. RELOCATORS AND REPOSSESSORS

Sec. 11-601. Definitions.

For the purposes of this article, the following words shall have the meanings indicated unless their context clearly requires otherwise:

Commission: Illinois Commerce Commission.

Collateral: Any motor vehicle, boat, recreational vehicle, motor home, motorcycle or other property that is subject to a security, lease or rental agreement.

Dispatcher: Any person who, as an employee or agent of a relocator or repossession agency, dispatches vehicles for operators who perform removal activities.

Operator: Any person who, as an employee of a relocator or repossessor, removes trespassing vehicles from private property by means of towing or otherwise recovers vehicles for collateral. This term includes the driver of any vehicle used in removing a trespassing vehicle from private property as well as any person other than the driver who assists in the removal of a trespassing vehicle from private property.

Relocator's license: A license issued to a commercial vehicle relocator in accordance with this chapter.

Relocator: Any person or entity engaged in the business of removing trespassing vehicles from private property by means of towing or otherwise, and thereafter relocating and storing vehicles.

Repossessor: Any person or entity conducting business, or an employee of the business, who, for any type of consideration, engages in the business of, accepts employment, or agrees to provide collateral vehicle recovery.

Sec. 11-602. Declaration of Village policy.

It is hereby declared to be the policy of the Village of Palatine to regulate the collateral recovery of vehicles and the removal of trespassing vehicles from private property and the subsequent relocation and storage of such vehicles in such manner as to fairly distribute rights and responsibilities among vehicle owners, private property owners and relocators and repossessors. For this purpose, the Village's regulations herein are for the purpose of complementing and supplementing the regulatory process of the Commission pursuant to 225 ILCS 422 and 625 ILCS 5/18a-100 et seq., and any amendments thereto, and its enforcement efforts thereunder. The laws and regulations adopted hereunder are adopted pursuant to the home rule authority of the Village of Palatine as well as the express authority conferred by the state legislature on local units of government pursuant to 225 ILCS 422 and 625 ILCS 5/18a-100 et seq.

Sec. 11-603. Towing performed pursuant to police order.

Nothing contained in this article shall be construed to regulate or otherwise affect towing performed by any relocator pursuant to the order of a law enforcement official or agency in accordance with 625 ILCS 5/4-201 through 5/4-204 of the Illinois Vehicle Code, or pursuant to section 18-90 of the Palatine Code of Ordinances.

Sec. 11-604. Repealed.

Sec. 11-605. General powers and duties of the Village Manager.

The Village Manager or his designee shall:

(1) Regulate relocators and repossessors and their employees or agents in accordance with this article and to that end may establish reasonable requirements with respect to proper service, and practices relating thereto;

(2) Require the maintenance of uniform systems of accounts, records and the preservation thereof;

(3) Require all drivers and other personnel used in relocation and repossession be employees of a relocator or repossessor;

(4) Issue permits to relocators and repossessors in accordance with the requirements of this article;

(5) Upon verified compliant in writing by any person, organization or body politic, or upon its own initiative, may investigate whether any relocator, reposessor, operator, dispatcher or person otherwise required to comply with any provision of this article or any rule promulgated hereunder has failed to comply with any such provision or rule.

Sec. 11-606. Relocators – unlawful practices.

It shall be unlawful for any relocator to:

(1) *Relocate vehicles from authorized spaces.* No vehicle shall be relocated if it is parked in a space on private property where it is authorized to be parked.

(2) *Relocate vehicles from private property without authorization from property owner.* No vehicle shall be relocated from private property without express, written authorization from the property owner, lessee or agent. The authorization must either direct the relocator to remove the specific vehicle in question or authorize the relocator to remove all unauthorized vehicles from the property.

(3) *Relocate vehicles not in accordance with proper posting.* No vehicle shall be relocated from a lot which does not, at the time of the tow and for at least twenty-four (24) hours prior thereto, have signs posted in compliance with this article. Furthermore, no vehicle shall be relocated to a storage lot or facility that is not identified on signs posted in compliance with this article at the location from which the vehicle is relocated. No vehicle shall be relocated and/or stored even temporarily at any other location than the location advertised on the relocator's sign. Once a vehicle is picked up from private property it must be towed immediately to the storage lot or facility that is identified on the sign posted on the private property. No vehicle shall be subsequently transported to any other lot or facility.

(4) *Relocate vehicles where owner or driver is present.* No vehicle shall be relocated where the owner or operator of such vehicle is present or arrives at such location at any time prior to the completion of the removal of the vehicle from private property, and provided such owner and operator is willing and able to remove the vehicle immediately, and provided that the owner or operator does immediately remove the vehicle from the private property.

(5) *Commercial Motor Vehicles*. No operator shall engage in the removal of a commercial motor vehicle that requires a commercial driver's license to operate, as required under 625 ILCS 5/6-500 et seq, by operating the vehicle under its own power on a highway without authorization by a police officer

(6) *Notification of police department.* No relocator or repossessor may transact any part of its business at any location until after the relocator or repossessor has obtained and remitted payment for a permit from the Police Department. The Police Department is authorized to establish an electronic method for relocators to obtain a permit online using the internet.

(7) *Post signs at locations where the relocator is not authorized to operate or tow beyond a maximum distance.* No relocator shall remove any vehicle otherwise in accordance with this article more than ten (10) air miles from its location when towed nor shall it post a sign at a location more than ten (10) air miles from the storage lot to which the relocator can relocate vehicles.

(8) *Relocate vehicles unless the relocation lot is open during certain prescribed hours.* No vehicle shall be relocated to a lot which is not open to allow the vehicle owner to retrieve the vehicle within two (2) hours following the tow.

(9) *Accept certain types of compensation:* Except as provided in subsection (b) below, no relocator shall demand, collect or receive anything of value or compensation in relation to its relocation business;

a. From the property owner, lessee or their agents or from any person other than the owner or owner's agent of the relocated vehicle, except according to terms in the contract entered into between the property owner or lessee and the relocator;

b. From the vehicle owner, lessee or their agents;

i. Greater than the amount posted on the signs, posted on the private property from which the vehicle was relocated;
ii. Greater than or other than the rates prescribed by the Commission; or
iii. Where the relocation was not performed in compliance with the law in this Article.

c. Storage fees must be posted in accordance with administrative rules of the Commission.

d. A relocator must release the vehicle provided payment is either in cash or through a valid major credit card, including, but not limited to, VISA, American Express, Discover or MasterCard.

(10) *Prerequisites to operation within the Village.* No relocator shall:

a. Operate within the Village without a valid, current relocator's license as approved by the Village as authorized in 11-609 this article.

b. Employ as an operator or otherwise so use the services of any person who has not been duly licensed by the Commission and the Illinois Secretary of State pursuant to the applicable laws, rules and regulations.

c. Operate a business other than in conformance with the laws of the Commission and the rules and regulations adopted thereunder.

d. Operate any towing vehicle which does not carry a copy of 625 ILCS 5/18A, of the Illinois Vehicle Code, a copy of this section of the Village of Palatine Code of Ordinances and sufficient copies of the Commission complaint form. All documents shall be made available to any complainant at their request in the event of a dispute regarding vehicle relocation.

e. Operate any vehicle which has not passed a safety test as required in 625 ILCS 5/13-101.

f. Relocate any vehicle prior to obtaining and remitting payment for a permit. The Police Department is authorized to establish an electronic method for relocators to obtain and remit payment for an online permit using the internet. This permit must be displayed in either paper or electronic form to any police officer. The fees for permits shall be codified in the Village Fee Schedule.

g. Relocate a vehicle unless the operator has a valid operator’s permit issued from the Commission

(11) *Notice to police department.* A relocator must:

a. Notify the Police Department prior to such removal by purchasing a permit as described in 11-606(10)(f). Notification shall include, but not limited to, a complete description of the vehicle, including the year, make, model vehicle identification number (VIN) and state license plate number, the registration numbers, the locations from which and to which the vehicle was removed, the time of removal and any other information required by state or local regulations, statute or ordinance.

b. Make a telephone number available to the Police Department at which the relocator or an employer of the relocator may be contacted at any time, twenty-four hours each day. This phone number shall be advertised for the purpose of effectuating the release of a towed vehicle. The relocator must have an employee

available at all times on the premises owned or controlled by the relocator for the purposes of arranging for the immediate release of the vehicle.

Sec. 11-606.1 Relocators – posting of signs; sign specifications.

(1) *Generally.* It shall be unlawful for an owner or other person in lawful possession or control of private property to remove or employ a relocator to remove an unauthorized vehicle from such property unless written notice is provided pursuant to the administrative rules of the Commission. Such notice shall consist of a sign posted in a conspicuous place in the affected area of a size and content as required by the Commission. Such sign shall state the amount of the towing charges to which the person parking may be subject. Such signs must be posted at least twenty-four (24) hours before any vehicle is relocated from the lot.

(2) *Application to residential property.* No express notice shall be required under this section upon residential property which, paying due regard to the circumstances in the surrounding area, is clearly reserved or intended exclusively for the use or occupation of residents or their vehicles.

(3) *Sign specifications:*

(a) Those portions of the sign warning that unauthorized vehicles will be relocated must be formatted in accordance with the administrative rules of the Commission.

(b) Each sign must contain:

i. A warning that unauthorized vehicles will be relocated;

ii. The full legal name of the relocator as it appears on the relocator's license, the address and telephone number of the relocator, and the address and telephone number of the location to which the vehicle will be relocated and at which it can be reclaimed, if different from the address of the relocator;

iii. The maximum fee which the relocator will charge the owner as a condition of reclaiming the vehicle and any restrictions on the method of payment which will be accepted by the relocator. No sign shall indicate a restriction on the method of acceptable payment that is contrary to section 11-606(8) (c);

iv. The hours which the owner can reclaim the vehicle to the extent that a sign does not show a limitation on hours or days when the vehicle can be reclaimed, the sign shall constitute a representation the vehicle can be reclaimed at any time or on any day. No sign shall include hours of doing business contrary to the restrictions contained in section 11-606(7).

(c) Such signs must be visible and readable from all entrances and exits, both during the day and at night, free of any natural or man-made interference.

(d) No more than one (1) location where the vehicle may be relocated shall be identified on any posted sign at any lot from where the vehicle was relocated.

(4) *Lighting standard.* All such signs shall be illuminated from dusk to dawn. Such lighting shall be directed to the sign face, uniformly distributed over the sign face and provide an illumination level on the sign face of at least twenty (20) feet.

Sec. 11-607. Repossessors - unlawful practice.

It shall be unlawful for any repossessor:

(1) To repossess a vehicle prior to obtaining a valid permit issued by the Village of Palatine. The Police Department is authorized to establish an electronic method of repossessors to obtain and remit payment for an online permit using the internet. This permit must be displayed in either paper or electronic form to any police officer. The fees for permits shall be codified in the Village Fee Schedule.

(2) To violate any other provision of this chapter, Commission regulations or orders adopted under this chapter or pursuant to chapter or pursuant to 225 ILCS 422 et.seq.

(3) The Police Department shall establish the form and content of the online permit.

(4) No repossessor may remove a vehicle from private property where trespassing signs have been erected prohibiting a repossessor from entering and remaining on the property.

Sec. 11-608. Penalties. Any relocator, repossessor, operator, dispatcher or employee of a relocator or repossessor who violates any provision of this Chapter shall be subject to fines as established in the Village Fee Schedule.

Sec. 11-609. Relocator's License Required.

(a) *Applications, original determinations.* Each application for a license to operate as a relocator shall be made in writing to the Village Manager, shall be verified under oath, shall be in such form and contain such information as the Village Manager may require. It shall be accompanied by the required application fee and proof of security. In addition to filling out the application required by the Village Manager and paying the filing fee as provided for in the Fee Schedule Supplement to the Palatine Code of Ordinances, a certified copy of the license issued by the Illinois Commerce Commission to such applicant to operate as a relocator shall be sufficient evidence to qualify a relocator for a Village commercial vehicle relocator's license. Nothing herein, however, shall interfere with the Village Manager's right to impose reasonable conditions on the issuance of such license. The relocator shall provide a copy of the license in each vehicle engaged in relocation operations.

(b) *Transfer.* A relocator's license is not transferable.

(c) *Expiration renewal:*

(1) All relocator's licenses shall expire on the same date that the license issued by the Illinois Commerce Commission expires. Consistent with the rules and regulations of the Illinois

Commerce Commission, the village may temporarily extend the duration of the license for the pendency of a renewal application until formally approved or denied by the Illinois Commerce Commission upon filing, no early than ninety (90) days nor later forty-five (45) days prior to such expiration, of written application for renewal, verified under oath, in such form and containing such information as the Village Manager requires, and accompanied by the required application fee and proof of security. The Village Manager, upon receipt of a certified copy of the Illinois Commerce Commission's renewal license, shall renew the license.

(2) The Village Manager may at any time during the term of the license make inquiry into the management, conduct of business or otherwise determine that the provisions of this Chapter are not being observed.

Sec. 11-610. Suspension of license.

The Village Manager shall suspend or revoke the permit of a relocator if it finds that:

(1) The relocator made a false statement on the application for a relocator's permit;

(2) The relocator's license issued by the Illinois Commerce Commission has been suspended or revoked; or

(3) After a hearing, it is established the relocator has violated one (1) or more of the unlawful practices contained in section 11-606 of this article and that revocation or suspension are appropriate penalty for the misconduct.

Sec. 11-611. Hearing on revocation/suspension.

(a) *Suspension and revocation.* A vehicle relocator's license may be suspended by the Village Manager and subsequently revoked by the Corporate Authorities for violation of this article, the state law or the rules and regulations adopted thereunder or for any of the grounds set forth in Section 11-15(a), or for any other violations of the Palatine Code of Ordinances. The procedures for suspension or revocation shall be pursuant to Section 11-15 (b) and (c).

(b) *Cessation of operations required.* If a fine or a suspension is imposed as a penalty, no activity otherwise permitted under the license shall be conducted by the relocator until such fine is paid or such suspension served. If a relocator is found to be operating without a license or after a license is revoked or suspended, the village shall enforce its ordinance or any other orders by fine, injunction or in any other means permitted by law.

ARTICLE IX. YOUNG ADULT ENTERTAINMENT FACILITIES

Sec. 11-612. Definitions.

As used in this division the following terms shall have the following meanings, unless the context clearly indicates that a different meaning is intended:

License Officer: The Village Manager or his designee.

Light Food Service: The ability to store, prepare, sell, and service hot and cold sandwiches, snacks, and similar food items and is separately licensed by the Village as a food service establishment.

Person: One or more natural persons, corporations, limited liability companies, partnerships, associations or other entities capable of having an action of law brought against such entity.

Premises: Any Zoning Lot, as defined in the Village Zoning Ordinance, where a Young Adult Entertainment Facility is operated or maintained including, but not limited to all hallways, bathrooms, parking areas and any other portions of the Zoning Lot which is accessible to the public during operating hours.

Special Event: An activity at a Young Adult Entertainment Facility which is marketed to patrons or prospective patrons as being of a temporary or non-routine nature.

Village: Village of Palatine

Young Adult Entertainment Facility: A for-profit establishment which is open to the public, the primary function of which is to offer, provide, procure, make available, allow, suffer or permit entertainment to patrons between the ages of 16 and 20 years an opportunity to engage in social activities such as dancing, or the enjoyment of live or pre-recorded music, or the enjoyment of' entertainment provided by dancers or other performers. A Young Adult Entertainment Facility shall provide light food service and beverages (excluding alcoholic beverages) to its patrons from the time of opening until 11:00 p.m.

The term "Young Adult Entertainment Facility" does not include the following: Premises which serve alcoholic beverages as defined by State and local laws; theaters in which the patrons sit in parallel rows of fixed seats; full service restaurants where the only entertainment consists of background music which is incidental to the primary function of serving food; outdoor performances; a banquet, party or celebration conducted for invited guests which is not open to the public; dances or events sponsored and operated by a governmental entity, an educational institution, or a nonprofit or charitable group duly licensed with the state and having a five (5) year operational history in the Village.

Sec. 11-613. Young Adult Entertainment Facility License Required.

It is unlawful for any person to own, operate, manage, or maintain a Young Adult Entertainment Facility in the Village without first obtaining a Young Adult Entertainment Facility License from the Village. The license fee shall be based on the permitted occupancy of the Young Adult Entertainment Facility as follows:

For occupancy up to 100	$ 1,000.00
For occupancy from 101 to 200	$ 5,000.00
For occupancy from 201 to 300	$10,000.00
For occupancy from 301 to 600	$20,000.00
For occupancy from 601 to 800	$25,000.00
For occupancy from 801 to 1000	$30,000.00

All Young Adult Entertainment Facilities shall have an occupancy limit established by the applicable fire or Village Code of Ordinances and by the special use approved for the facility. For the purpose of this subsection, licensed premises shall not include kitchen area, storage areas, hallways, or any area used by the licensee and/or his employees and not open to the licensee's patrons.

A license shall be effective from the date of its issue until June 30th of each year. The fee to be paid shall be reduced in proportion to the full calendar months which have expired in the fiscal year prior to the issuance of the license.

Sec. 11-614. Special Use Ordinance Required.

All Young Adult Entertainment Facilities shall require a special use permit to operate which shall set limits on the occupancy of the facility and set forth other operational constraints and conditions in connection with the operation.

Sec. 11-615. License Application Procedures.

A. An application for a license shall be made in writing to the Village, upon forms provided, and shall include the following:

1. The name, birthdate, and address of the applicant in the case of an individual; in the case of a partnership, the persons entitled to share in the profits thereof, and in the case of a corporation, the date of incorporation (in the case of a foreign corporation, the state where it was incorporated and the date of its becoming qualified under the Illinois Business Corporation Act to transact business in the State of Illinois), and the objects for which it was organized. In the case of an Illinois Limited Liability Company, the same information for its managing member and members. The names, dates of birth, and addresses of any partner, any officer and any director, and if a majority in interest of the stock of a corporation is owned by one person or his nominees, the name, date of birth and address of such person.

2. The location of the Young Adult Entertainment Facility including address, legal description and permanent index number.

3. Evidence of proof of ownership or a valid and binding leasehold interest in the form of a title policy or a fully executed copy of the lease.

4. If a leasehold (or any legal interest that is not fee simple ownership) a letter of authorization from the legal owner of the property of which the leasehold is a part.

5. A complete statement of all convictions of the applicant as provided in this section. If the applicant is a corporation, such statement shall include applicant's officers, and directors

thereof, and any stockholder or stockholders owning in the aggregate more than twenty percent of the stock of such corporation. If the applicant is a partnership, such statement shall include all general partners, and any limited partner owning more than twenty percent of the aggregate limited partner interest in such partnership. If the applicant is a limited liability company such statement shall include the managing member and shareholders owning more than 20% of the shares of the limited liability company. Such listing shall include but not be limited to the following:

(a) Any offense involving sexual misconduct with children of other sex offenses as defined in Article 11 of the Illinois Criminal Code of 1961, as amended.

(b) A felony based upon conduct or involvement in such business or activity or related or similar business or activity, within the past ten years; or

(c) A felony unrelated to conduct or involvement in such business or activity or related or similar business or activity, but which felony involved the use of a deadly weapon, traffic in narcotic drugs, or violence against another person, including rape, within the past five years; or

(d) A misdemeanor or licensing ordinance violation, based upon conduct or involvement in such business or activity or related or similar business or activity, within the past two years.

6. A description of the proposed Young Adult Entertainment Facility, including the anticipated age and number of patrons, hours of operation and all activities and business conducted at the same location, and the physical facilities to be used.

7. A written statement setting forth all measures proposed to ensure that adequate traffic control, crowd protection and security, both inside and outside the licensed premises, will be maintained, that the age limits of the patrons to be admitted to the Young Adult Entertainment Facility will be enforced and that the curfew will be enforced.

8. A statement of whether the business will be conducted by a manager. In such case the manager's name, address, telephone number and age shall be provided, along with a statement of any convictions as set forth under subsection (3), above.

9. A statement whether applicant has made similar application for a similar other license at a location other than described in this application and the disposition of such application.

10. The license fee as provided herein.

11. A site plan for the licensed premises, including a floor plan showing all entrances, exits and public areas.

12. The operation and training manuals to be used for the establishment, setting forth procedures for complying with this chapter, including, but not limited to, security and age verification.

13. A certificate of insurance evidencing that the applicant has secured commercial general liability insurance issued by one or more companies authorized to do business in the State of Illinois providing the following minimum coverage:

    (a) One million dollars ($1,000,000) per person, per occurrence; and

    (b) One million dollars ($1,000,000) annual aggregate.

14. A copy of the Special Use Ordinance approved by the Village Council.

B. In the event the applicant learns that any information or document submitted as part of this application process is inaccurate or incomplete, the applicant shall immediately notify the Village and provide appropriate corrections. Failure to accurately and completely provide, or as necessary update, required information may delay the processing of such application or result in its denial.

C. In addition to the requirements of subsections (A) and (B) above, the applicant and, if applicable, the manager shall submit their fingerprints to be used in completing the investigation. Applicants are required to present themselves for fingerprints to be taken by the Police Department as provided by the Chief of Police. If the applicant is a corporation, fingerprints shall be required of applicant's officers, directors, and any stockholder or stockholders owning in the aggregate more than twenty percent of the stock of such corporation. If the applicant is a partnership, fingerprints shall be required of all general partners, and any limited partner owning more than twenty percent of the aggregate limited partner interest in such partnership. If a limited liability company, the managing member and the owners of more than 20% of the stock shall be required. The applicant shall pay the fingerprint fee for each person required to submit fingerprints. Provided, in the case of a renewal application, fingerprints and the fingerprint fee shall not be required from a renewal applicant whose fingerprints are on file, unless the Chief of Police determines that there may be reason to believe that the renewal applicant may have unreported convictions.

Sec. 11-616. Procedures for Issuance or Denial of License.

After receiving a complete application for a Young Adult Entertainment Facility license, the Village shall follow the following procedures:

A. The License Officer shall forward copies of the application to appropriate Village officials for their comments regarding compliance with regulations under their jurisdiction. The License Officer shall consider all materials and comments submitted and issue or deny the license within thirty (30) working days after the date on which a completed application was filed unless the applicant agrees to an extension of the time period. In the event that the License Officer fails to act upon any application within the time period set forth herein, such failure to act shall be deemed a denial of the application.

B. The grounds for the denial of the issuance or renewal of a Young Adult Entertainment Facility License shall include but not be limited to one or more of the following reasons:

1. The applicant has been convicted of one or more of the following offenses

(a) Any offense involving sexual misconduct with children or other sex offenses as defined in Article 11 of the Illinois Criminal Code of 1961, as amended;

(b) A felony based upon conduct or involvement in such business or activity or related or similar business or activity, within the past ten years; or

(c) A felony unrelated to conduct or involvement in such business or activity or related or similar business or activity, but which felony involved the use of a deadly weapon, traffic in narcotic drugs, or violence against another person, including rape, within the past five years; or

(d) A misdemeanor or licensing ordinance violation, based upon conduct or involvement in such business or activity or related or similar business or activity, within the past two years.

2. The applicant whose license issued under this chapter has been revoked for cause.

3. The applicant who at the time of application for renewal of any license issued under this chapter would not be eligible for such license upon a first application.

4. The applicant is under the age of twenty-one (21) years.

5. If the applicant is a partnership and any general partner, or any limited partner of owning more that twenty percent (20%) of the aggregate limited partner interest in such partnership, would not be eligible to receive a license under this chapter.

6. If the applicant is a corporation and any officer or director, or any stockholder or stockholders owning in the aggregate more than twenty percent (20%) of the stock of such corporation, would not be eligible to receive a license under this chapter.

7. If the applicant is a corporation unless it is incorporated in Illinois or unless it is a foreign corporation which is qualified under the "Business Corporation Act of 1983" to transact business in Illinois.

8. If the applicant is a limited liability company and its managing member are the owners of 20% or more of the stock do not possess the same qualifications required of the licensee.

9. If the business of the Young Adult Entertainment Facility is to be conducted by a manager unless the manager possesses the same qualifications required by the licensee.

10. If the applicant is not legally authorized to run the business.

11. If the Premises do not comply with all applicable Village Ordinances and State laws including its zoning ordinance and other applicable ordinances of the Village.

12. If the application is incomplete or if it contains any material misrepresentation.

13. If the application does not show adequate measures for the protection of persons or property, security, both inside and outside the premises, and the monitoring of the ages of patrons admitted to the Young Adult Entertainment Facility.

14. A pattern or history and experience of the establishment proposing a threat to the public welfare.

15. A pattern of arrests or referrals to hospitals from the establishment.

16. A pattern of complaints received including, complaints at other facilities that are owned by the applicant or owned by others operating similar facilities in the Village or in other communities in Cook County.

17. Where grounds for revocation of the license exists.

C. In connection with the issuance of any license, the Village may impose any conditions on the license, the operating plan and on the conduct of the business that it deems necessary and appropriate including, but not limited to limitations on the days and hours of operation, the age of the patrons, the training and qualifications of the staff, staffing requirements, controls on parking lot and the environs outside of the facility, the layout of the licensed premises and additional insurance requirements.

D. If the License Officer denies a license or imposes conditions on the application found objectionable by the applicant, written notice of the denial stating the reasons why shall be sent to the applicant within five (5) working days after the denial. The applicant shall have a period of ten (10) working days after the date of license denial or the conditional license to appeal to the Village Council. Said appeal shall be in writing and shall be scheduled for hearing within fourteen (14) days of the receipt of the appeal for a regular meeting occurring not more than thirty (30) days after receipt of the notice and after at least five (5) days notification of the hearing date to the appellant.

Sec. 11-617. Operating Rules and Regulations.

A. It shall be unlawful for any person under the age of sixteen (16) years to enter or remain on the Premises of a Young Adult Entertainment Facility unless accompanied by a parent or guardian.

B. It shall be unlawful for any person twenty-one (21) years of age or older to enter or remain on the premises of a Young Adult Entertainment Facility except for bona fide employees or independent contractors hired by the licensee to work in the Young Adult Entertainment Facility, a parent or guardian of a person under twenty one (21) years of age present in the Young Adult Entertainment Facility or a governmental employee in the performance of his duties.

C. It shall be unlawful for any person to falsely represent their age for the purpose of gaining admission to a Young Adult Entertainment Facility.

D. The Licensee shall require each person admitted or seeking to be admitted to display to a supervisory security person of the Young Adult Entertainment Facility an identification card showing the photo and age of the person seeking admission. In addition all patrons shall be required to pass through a metal detection device or pass a scanning by a metal detection wand.

E. It shall be unlawful to knowingly permit a person to enter or remain in a Young Adult Entertainment Facility who is under the age of sixteen (16) years or over twenty (20) years of age or older unless such person is a bona fide employee or independent contractor hired by the licensee to work in the Young Adult Entertainment Facility or a governmental employee in the performance of his duties.

F. A patron once admitted to the Young Adult Entertainment Facility on the Premises not be permitted to exit and re-enter the Premises sooner than the following business day.

G. In the event of an emergency, health, or safety condition occurring anywhere on the licensed premises, including the parking lot, the licensee and its employees and/or agents shall immediately contact the Fire Department or Police Department, as appropriate to the incident, and request assistance. A written plan for implementing this requirement shall be placed of record with the Village.

H. It shall be the obligation of the licensee to employ two (2) off-duty police officers who shall be present on the Premises during all operating hours to maintain peace and order and to ensure compliance with all applicable laws of the State and of the Village. The licensee shall also employ qualified security personnel who shall have been trained in crowd control, drug awareness, and gang awareness. The names, addresses and birthdates of all such security personnel must be on file with the Chief of Police at least forty-eight (48) hours before their employment.

I. Each licensee shall provide at least one supervising security person to monitor and verify ages of those persons seeking to gain admittance to the licensed premises.

J. The licensee and its agents shall not permit or allow alcoholic beverages or controlled substances to be consumed or be present on any Young Adult Entertainment Facility premises shall not allow or permit tobacco to be sold in any Young Adult Entertainment Facility and shall not allow tobacco to be used by any person under the age of eighteen (18). The presence of any prohibited item upon the licensed premises shall be deemed a violation of this provision.

K. It shall be the obligation of the licensee to refuse admittance and to remove from the Young Adult Entertainment Facility any person who is, or appears to be, under the influence of, or affected by the use of alcohol or drugs, or whose conduct poses a physical danger to the safety of others present. It shall be the obligation of the licensee to refuse admittance and to remove from a Young Adult Entertainment Facility any person under the age of eighteen (18) years who possesses or uses tobacco.

L. It shall be the obligation of the licensee to provide proper and adequate illumination of all portions of the Premises which are available for public use. Such illumination shall be not less than 1.3 foot candle at floor level at all times when the premises are open to the public or when any member of the public is permitted to enter and remain on the premises. All off-street parking areas within one hundred feet (100') of any entrance shall be illuminated during all hours of operation after sunset with a lighting system designed to provide a minimum maintained horizontal illumination of greater than one (1) foot candle of light on the parking surface and/or walkway.

M. It shall be the obligation of the licensee to prevent loitering, the creation of public nuisances or disturbances of the peace by any patrons of the Young Adult Entertainment Facility on the Premises or in the immediate vicinity. "Loitering" shall not include the act of waiting in line to gain admission to the Premises.

N. It shall be the obligation of the licensee to clean up all litter resulting from its operations. The cleanup shall occur within two (2) hours after the end of each day's operation.

O. It shall be unlawful for a licensee to permit (a) a greater number of patrons into the premises at any time than the permitted occupancy, or (b) any greater number of patrons to remain upon the premises than the permitted occupancy. All Young Adult Entertainment Facilities shall provide seating for not less than thirty percent (30%) of the maximum permitted occupancy.

P. No licensee, his agent or employee shall allow or permit any person to perform acts of or acts which simulate: a) sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation or any sexual acts which are prohibited by law; b) the actual or simulated touching, caressing or fondling of the breast, buttocks, anus or genitals; c) the actual or simulated displaying of the pubic hair, anus, vulva or genitals; d) the actual or simulated displaying of the breast so as to expose the nipple of the female breast; e) the displaying of films or pictures depicting acts, a live performance of which is prohibited by a), b), c) or d) above.

Q. No licensee, his agent or employee shall allow or permit any person to remain in or upon the licensed premises who exposes in public view any portion of his or her genitals or anus.

R. Each licensee shall provide at least one (1) public telephone for outgoing calls only for each 125 patrons (based upon the maximum occupancy of the Premises). No licensee shall permit sound or vibration exceeding ninety (90) decibels measured with a standard meter "A" scale within two (2) feet of any public telephone receiver or audible at such level on the outside of any exterior wall of the premises located more than ten (10) feet from a doorway of the licensed premises. No public telephone shall be provided on the premises for incoming calls.

S. Designation of the individual who will be available prior to and during the event and who shall have authority to accept complaints, receive notice of violations, or take corrective action as required by proper officials of the Village;

T. Automatic counters are required to be used prior to entry into the licensed premises to determine occupancy of the premises;

U. The hours of operation of a Young Adult Entertainment Facility are as follows:

Sunday through Thursday, 10:00 a.m. to 11:00 p.m.
Friday and Saturday, 10:00 a.m. to midnight.
New Year's Eve, 10:00 a.m. to 1:00 a.m. the following day.

V. All employees and independent contractors hired by the licensee to work in the Young Adult Entertainment Facility who will be present on the premises during hours of operation shall submit to criminal background checks. No person shall be permitted to be employed who has been convicted of a felony violation of any section of the following:

Solicitation, Conspiracy and Attempt,
Homicide;
Kidnapping and Related Offenses;
Sex Offenses;
Bodily Harm;
Robbery;
Burglary;
Armed Violence; or Contributing to the Criminal Delinquency
of a Juvenile of the Illinois Criminal Code of 1961, as amended; or any section
of the Illinois Controlled Substances Act, as amended; or
Homicide;
Kidnapping;
Obscenity;
Rape;
Robbery and Burglary;
Sexual Exploitation of Children;

Sec. 11-618. Special Events.

A. The licensee shall deliver to the Chief of Police, no later than seventy-two (72) hours before any scheduled Special Event occurring at a licensed premises, true and accurate copies of any and all advertisements of whatever nature therefore used to advertise or promote the event. The licensee shall also include prior to any such advertised event:

B. The number of employees and/or performers to be used for the event;

C. A security plan with an identification of any changes to the security plan on file must be submitted to the Chief of Police in writing a minimum of two (2) business days before the event. The Chief of Police shall have the authority to approve the plan, approve subject to conditions or disapprove the plan. The security plan must be followed without any changes unless such change has been submitted to the Chief of Police in writing and he has approved it prior to the event being opened;

D. Security personnel shall be required for the maximum capacity of the event as determined by the maximum occupancy of the premises under Village's ordinance unless attendance is limited to a lesser number;

E. Inspections may be conducted by the Village to ensure compliance with its codes and ordinances;

F. No members of the general public shall be allowed admittance prior to the opening of the event;

G. Tickets may be sold before the event with the number of tickets sold limited to the occupancy limit of the premises for patrons, and after all said tickets have been sold, the licensee shall post a sign stating that the event is "Sold Out."

Sec. 11-619. Access by Police Officers.

All police officers of the Village and other Village employees engaged in inspection shall be permitted access to all Young Adult Entertainment Facilities for the purpose of inspection and to enforce compliance with the provisions of this ordinance at all times including when the Premises are open to patrons.

Sec. 11-620. Suspension or Revocation of Licenses.

A. The Village Manager may, at any time, suspend a Young Adult Entertainment Facility license whenever the licensee, or any manager, officer, director, agent or employee of the licensee has caused, permitted or knowingly done any of the following:

1. Failed to keep the building structure or equipment of the licensed premises in compliance with the applicable health, building, fire or safety laws, regulations or ordinances in a way which relates to or affects public health or safety on the Young Adult Entertainment Facility Premises.

2. Failed to comply with the provisions of Young Adult Entertainment Facilities specified in this chapter including the operating rules and regulations set forth above.

3. Whenever the Village learns that the licenses made a material false statement or representation, or failed to disclose any material information to the Village, in connection with any application for the Young Adult Entertainment Facility license or any license renewal.

4. Whenever the licensee or any manager, officer, director, agent or employee of the licensee knowingly permits conduct on the licensed premises that violates any federal, state or Village criminal or penal statute, law or ordinance, or the operating rules and regulations, this ordinance or the terms and conditions of the license and the special use or the Zoning Ordinance.

5. Whenever the operation of the Young Adult Entertainment Facility becomes the proximate cause of a significant increase in criminal activity on the premises or in the immediate vicinity in such a way as to endanger persons or property.

6. For any of the grounds set forth in Section 11-15(a).

B. Any license may be suspended or revoked by the Village Manager in accordance with Section 11-15 of this Chapter. The procedure for suspension or revocation or any penalty shall be subject to Section 11-15(b) and (c).

C. Any appeal shall be pursuant to the procedures set forth in Section 11-16 of this Chapter.

D. In the event of a license suspension or revocation, the licensee shall be responsible for all of the costs, including attorney's fees incurred by the Village which costs shall be taxed to the licensee and payment made by certified check to the Village before the reopening of the business.

Sec. 11-621. License, Non-transferable.

A license granted under the provisions of this chapter is non-transferable. The sale, lease or transfer of substantially all of the assets (more than 25%) of a business holding an Young Adult Entertainment Facility License or a sale or transfer of a controlling interest in a corporation or partnership holding an Young Adult Entertainment Facility License shall result in the termination of the license granted herein.

A license shall only be good for one (1) year and there shall be no obligation on the part of the Village to renew said license.

Sec. 11-622. Nuisance, Injunction.

Any violation of this chapter is declared to be a nuisance. In addition to any other relief provided by this chapter, the Village Attorney may apply to a court of competent jurisdiction for an injunction to prohibit the continuation of any violation of this chapter. The application for relief may include seeking a temporary restraining order, temporary injunction or permanent injunction.

Sec. 11-623. Penalty

Any person, firm or corporation violating any provision of this chapter shall be fined not less than Two Hundred ($200.00) Dollars nor more than One Thousand ($1,000.00) Dollars for each offense, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

Sec. 11-624 – 11-629. Reserved.

ARTICLE X. SPECIAL EVENTS

Sec. 11-630. Definitions.

Special Event. A proposed event that includes one or more of the following components shall be considered a Special Event, unless otherwise exempt by the Village's Code of Ordinances or by the Village Manager: 1) closure and/or use of any public streets or Village owned parking lots, right-of-way, or property (excluding closures in conjunction with a neighborhood block party); 2) an event to be held by a licensed business that will be open to the general public and requires the use of any property that is not under the direct ownership or control of the licensed business; 3) an outdoor event that includes a request for a temporary liquor license; and 4) an outdoor event that includes a request for a waiver of the Village's sound amplification ordinance (excluding an Outdoor Sound Waiver request for residential use only). Additionally, the Village Manager may determine an event to be a Special Event regardless if it includes one or more of the components listed above, but could impact the Village.

Sec. 11-631. Application and Fees Required.

A completed Special Event application shall be submitted to the Village for review no less than sixty (60) days prior to the proposed event. Applications may be accepted less than sixty (60) days prior to the event if, in the Village Manager's determination, the scope of the event and required approvals can be reviewed and processed in a shorter amount of time. Additional applications and/or approvals may also be required based on the location and scope of activities included in a proposed event. All Special Event applications shall be reviewed by Staff and may be forwarded to the Village Council for consideration at the discretion of the Village Manager.

For an event that is requesting to utilize a street within a public right-of-way a $75 application fee shall be submitted with the corresponding Special Event application. If the requested use of a street within a public right-of-way is approved, a street utilization fee of ten cents ($0.10) for every linear foot of street utilized must be paid. The Village Manager shall have the authority to waive the application and/or street utilization fees should the applicant be a registered not-for-profit organization that operates or provides services in Palatine or provides funding to community based organizations.