VILLAGE OF
ORLAND PARK

14700 Ravinia Avenue
Orland Park, IL 60462
www.orland-park.il.us

Ordinance No: 5119 **File Number: 2016-0584**

AN ORDINANCE AMENDING TITLE 7 OF THE ORLAND PARK VILLAGE CODE IN REGARD TO BUSINESS AND LICENSES IN THE VILLAGE

VILLAGE OF ORLAND PARK

STATE OF ILLINOIS, COUNTIES OF COOK AND WILL

Published in pamphlet form this 7th day of September, 2016 by authority of the President and Board of Trustees of the Village of Orland Park, Cook and Will Counties, Illinois.

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Ordinance No: 5119

AN ORDINANCE AMENDING TITLE 7 OF THE ORLAND PARK VILLAGE CODE IN REGARD TO BUSINESS AND LICENSES IN THE VILLAGE

WHEREAS, the Village has determined that the amendments set out below are in the best interests of the Village and its residents and will enhance the public safety and welfare.

NOW, THEREFORE, Be It Ordained by the President and Board of Trustees of the Village of Orland Park, Cook and Will Counties, Illinois, as follows:

SECTION 1

The preambles set forth above are hereby expressly incorporated and adopted as if fully set forth herein.

SECTION 2

Section 7-1-2, “Applications,” of the Orland Park Village Code is hereby amended to replace the term “Building Department” with the term “Development Services Department.” All other portions of Section 7-1-2 shall remain unchanged.

SECTION 3

Section 7-1-3, “License Procedures,” of the Orland Park Village Code is hereby amended to read in its entirety as follows:

7-1-3: LICENSE PROCEDURES:

All persons desiring to operate a commercial activity or establishment as listed in this Title shall file with the Development Services Department an application for a license to operate the commercial activity in the Village no later than thirty (30) days prior to the time such person desires to commence operation in the Village. Thereafter, prior to a person's continued operation of such a licensable commercial activity or establishment in a subsequent license year, said person shall file a renewal application not later than December 31 prior to each subsequent license year. In the event such person fails to file said renewal application by December 31 of the year, a late fee of one hundred dollars ($100.00) shall be charged and be payable at the time of application. However, if application is made after January 31 the late fee shall be two hundred dollars ($200.00) and shall be charged and be payable at the time of application. Delinquency may also result in suspension and/or revocation of the right to conduct commercial activities within the Village.

Each license issued by the Village shall, in the absence of any provision to the contrary, bear the

signature of the Director of Development Services Department or his designee for purposes of this Chapter. All licenses authorized to be issued and required to be procured shall be issued by the Development Services Department. Each license issued shall be dated and shall state to whom it is issued, for what purpose, the location, if any, at which such business is to be conducted and the date when the license is to expire.

The required fee for each license issued shall be collected in full at the time the application for a license, or the renewal thereof, is filed with the Development Services Department. In no event shall any rebate or refund be made of any license fee, or part thereof, by reason of the death of the licensee or by any reason of nonuse of the license or discontinuance of the operation of the commercial establishment.

In addition, all contractors at the time of application shall furnish the Village a bond (compliance bond) in the amount of twenty thousand dollars ($20,000.00) secured by a surety company licensed in Illinois and which is acceptable to the Village. The bond shall be payable to the Village and shall guarantee that the contractor will comply with all requirements of applicable Village ordinances.

SECTION 4

Section 7-1-4, “Investigations,” of the Orland Park Village Code is hereby amended to replace the term “Building Department” with the term “Development Services Department.” All other portions of Section 7-1-4 shall remain unchanged.

SECTION 5

Section 7-1-5, “Approval; Disapproval,” of the Orland Park Village Code is hereby amended to read in its entirety as follows:

7-1-5: APPROVAL; DISAPPROVAL:

If, after due consideration of the information contained in the application, the Development Services Department determines the application is satisfactory, he shall approve the application. Thereupon the Development Services Department shall notify the applicant and issue a license as provided above.

If, after due consideration of the information contained within the application, the Development Services Department determines that matters concerning the application are unsatisfactory, it shall disapprove the application, indicating the reasons therefor. Thereupon, the Development Services Department shall notify the applicant that the application has not been approved and that no license or permit will be issued.

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SECTION 6

Section 7-1-6, “License Year and Termination,” of the Orland Park Village Code is hereby amended to read in its entirety as follows:

7-1-6: LICENSE YEAR AND TERMINATION:

The license year for the Village shall commence on January 1 and terminate on December 31 in each year, where no provision to the contrary is made. All licenses, whenever issued, shall terminate on December 31 in each year.

The Development Services Department shall endeavor to notify each annual licensee of the expiration of time of the license held by the licensee at least thirty (30) days prior to such expiration date; provided, however, that a failure to make such notification or the licensee's failure to receive it, shall not exclude the licensee from the obligation to obtain a new license or a renewal.

Except as otherwise provided herein, each license may be renewed upon proper application and payment of the required fee. The requirements and procedures for granting and issuing a license renewal shall be the same as the requirements and procedures for granting a new license.

SECTION 7

Section 7-1-7, “Computation of License Fees,” of the Orland Park Village Code is hereby amended to read in its entirety as follows:

7-1-7: COMPUTATION OF LICENSE FEES:

When any license is issued, the license fee shall be the amount as determined by this Title. Except as otherwise provided, all license fees shall become a part of the General Corporate Fund.

SECTION 8

Section 7-1-9, “Location,” of the Orland Park Village Code is hereby amended to replace the term “Building Department” with the term “Development Services Department.” All other portions of Section 7-1-9 shall remain unchanged.

SECTION 9

Section 7-1-10, “Change in Business,” of the Orland Park Village Code is hereby amended to read in its entirety as follows:

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7-1-10: CHANGE IN BUSINESS:

Other than changing location, when any licensee, by increasing the size of his store, shop, plant or other place of business, the number or size of his vehicles, the number or size of vending machines or amusement devices, the number of service accommodations in his food service establishment, or by making any change of any kind in his business, occupation or activity, which places him in a class where the provisions of this Chapter require him to pay a higher or additional license fee, he shall pay the additional license fee due to the change or increase, based on the annual license fee, and shall be entitled to receive a supplemental license. When the licensee request a change in location but all other business attributes remain the same, the Development Services Department may transfer the current active business license to the new location.

SECTION 10

Section 7-1-11, “Records and Standards,” of the Orland Park Village Code is hereby amended to read in its entirety as follows:

7-1-11: RECORDS AND STANDARDS:

The Development Services Department shall maintain a record of all commercial establishments and commercial licenses issued under this Chapter. These records shall be used for the purpose of classifying, inspecting, and licensing all commercial establishments in the Village. Subject to the terms and provisions of this Chapter, upon submittal of a business renewal application and payment in full of the required license fee to the Village, the Village shall issue a license, tag, or sticker, certificate, or similar evidence of license which shall be displayed by the owner of the commercial establishment in a conspicuous place of the license premises within ten (10) days after receipt of said license.

No license for the operation of a commercial establishment in the Village shall be issued if one or more of the following conditions are determined to exist:
1. The building or premises of the commercial establishment does not comply with the provisions and terms of the Village's Building Code, Land Development Code, fire regulations, health regulations, or with other applicable ordinances and regulations of the Village.
2. The building or premises of the commercial establishment are in a condition of being unsanitary or unsafe so as to endanger the public safety, health or welfare.
3. The owner of the commercial establishment or such legal entity comprising the commercial establishment is indebted to the Village.

SECTION 11

Section 7-1-16, Suspension, Revocation and Appeal,” of the Orland Park Village Code is hereby amended to read in its entirety as follows:

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7-1-16: SUSPENSION, REVOCATION AND APPEAL:

A. When the conduct or operation of any business, occupation, activity or establishment, whether licensed or unlicensed, shall constitute a nuisance in fact and a clear and present danger to the public health, safety or general welfare, or where the holder of any license shall have refused to allow an inspection of his premises or has refused to furnish a sample of his goods for testing, the Village of Orland Park shall be authorized to summarily order the cessation of business and the closing of the premises until the danger no longer exists.

Within eight (8) days after a license or permit is suspended pursuant to this paragraph A, the Village shall call a hearing in accordance with subsection C for the purpose of determining whether or not the license or permit should be revoked.

B. Unless otherwise provided, any license issued under this Chapter may be suspended or revoked by the Village Manager after notice and hearing as provided in this subsection C for any of the following causes:
1. Any fraud, misrepresentation or false statement contained in the application for the license.
2. Any violation by the licensee of this Chapter or other Village codes or ordinances relating to the license, permit, the subject matter of the license, or to the premises occupied.
3. Conviction of the licensee or permittee of any felony or of a misdemeanor where such conviction indicates their inability to operate a safe, honest and legitimate business operation within the Village.
4. Failure of the licensee to pay the license fee or any other indebtedness, charge, fine or penalty owing to the Village.
5. Refusal to permit inspections or interference with an authorized Village officer or employee while in the performance of his duties in making such inspections as provided in this Chapter.
6. When the conduct of any licensee, agent or employee is so inimical to the public health, safety or general welfare and/or the continued operation of the business constitutes a nuisance and thus gives rise to an emergency.

Said suspension or revocation, if ordered, shall be in addition to any other provision imposing a penalty for the violation of any section of the codes or ordinances of the Village.

C. The Village shall conduct a hearing for the purpose of determining whether or not the license should be suspended or revoked in accordance with the following subsections:
1. 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 may be hand-delivered or mailed by certified mail, return receipt requested, to the licensee to his last known address at least five (5) days prior to the date set for the hearing.

2. An attorney designated by the corporate authorities shall represent the Village at the hearing. The licensee shall be permitted counsel and have the right to submit evidence and cross-examine witnesses. The Village Manager shall serve as the hearing officer and shall render the decision, which may include suspension for up to 10 days, or revocation, and/or the payment of fines and performance of other actions.

3. At or prior to the hearing, the parties may enter into an agreement which establishes a series of actions to be taken and/or fines to be paid which will avoid suspension or revocation at that time.

D. Any person aggrieved by the decision of the Village Manager in connection with the suspension or revocation of a license as provided in this Section, shall have the right of appeal to the Village Board of Trustees. Such appeal shall be taken by filing with the Board of Trustees, within ten (10) days after notice of suspension or revocation, a written statement under oath setting forth specifically the grounds for appeal. The Board of Trustees shall thereupon set the time and place for a hearing on such appeal and notice of such hearing shall be given to the applicant or licensee in the same manner as provided in this Section. The decision of a majority of the Board of Trustees present at the hearing of such appeal shall be required to reverse the decision of the Village Manager.

SECTION 12

Section 7-1-17, “License to be Posted, Destruction, Removal of License,” of the Orland Park Village Code is hereby amended to replace the term “President” with the term “Village Manager.” All other portions of Section 7-1-17 shall remain unchanged.

SECTION 13

Section 7-1-19, “Activities and Organizations Excluded,” of the Orland Park Village Code is hereby amended to read in its entirety as follows:

7-1-19: ACTIVITIES AND ORGANIZATIONS EXCLUDED:

The terms and provisions of this Chapter shall not be made applicable to a building or premises or portion thereof, the principal use of which is for the practice or operation of a business which is pre-exempted from regulation by State law; provided, however, that such activities when accessory to the operation of a commercial establishment as herein defined shall not exclude the principal commercial establishment from the terms and provisions of this Chapter.

The license fee requirements of this Chapter shall not apply to activities sponsored or conducted by religious, educational, civic or political organizations or institutions except to the extent that such

organization or institution routinely engages in the sale, serving or preparation of food or drink; or to governmental institutions or agencies acting in either a governmental or proprietary capacity; or to any franchised public utility except to the extent that such franchised public utility engages in the sale or preparation of food or drink for its employees; or to carriers regulated exclusively by the Federal government; or to home occupations allowed under the Land Development Code; or to private clubs except to the extent that such club routinely engages in the sale or preparation of food or drink for its members or their guests. Nothing in this Section shall be deemed to diminish the authority of the Village to perform any of its necessary or ordinary regulatory functions, nor shall any organization as described in this Section be relieved of the responsibility of filing an application and securing a license as is otherwise provided in this Chapter.

SECTION 14

Section 7-2-3, "Schedule A, Annual License Fees Not Determinable on a Square Foot Basis," of the Orland Park Village Code is hereby amended to read in its entirety as follows:

7-2-3: SCHEDULE A, ANNUAL LICENSE FEES NOT DETERMINABLE ON A SQUARE FOOTAGE BASIS:

SEE EXHIBIT A

SECTION 15

Section 7-2-4, "Exceptions to Schedule A, Fee Requirements," of the Orland Park Village Code is hereby amended to read in its entirety as follows:

7-2-4: EXCEPTIONS TO SCHEDULE A, FEE REQUIREMENTS:

Even though vending machines, coin operated music and juke boxes, ice or milk vending machines, and snack tray boxes maintained on a premises are incidental to the principal commercial activity licensed under this Chapter, a licensee shall be required to maintain such machines and/or snack tray boxes with the payment of the annual license fee required in Schedule A. All licensees must file an application and receive a license for each machine and/or snack tray box in accordance with the provisions of this Chapter.

In the event an amusement, activity or exhibition is to be held at the principal place of business of a person licensed under this Chapter, and such licensee regulates and sponsors the amusement, activity or exhibition, the licensee shall not be required to pay the license fee under Schedule A. Regardless of whether a fee is to be paid or not, all licensees must file an application and receive a license for each amusement, activity or exhibition in accordance with the provisions of this Chapter.

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SECTION 16

Section 7-2-5, "Schedule B, Annual License Fees Determined on A Square Footage Basis," of the Orland Park Village Code is hereby amended to read in its entirety as follows:

7-2-5 SCHEDULE B, ANNUAL LICENSE FEES DETERMINED ON A SQUARE FOOTAGE BASIS:

Businesses not listed under 7-2-3 shall be determined on a square footage basis. The minimum annual fee for businesses shall be seventy-five dollars ($75.00).

The foregoing enumerated minimum license fee schedule of seventy-five dollars ($75.00) as relates and pertains to commercial establishments having floor area as herein defined, shall be applicable only to those commercial establishments, business and commercial enterprises or activities having a floor area of zero (0) to three thousand (3,000) square feet, and the above enumerated commercial establishments, business and commercial enterprises or activities having a floor area in excess of three thousand (3,000) square feet shall pay a yearly license fee as shall be determined in accordance with the license fee schedule hereinafter set forth.

The foregoing enumerated minimum license fee schedule shall not be all inclusive, and all other commercial establishments, business and commercial enterprises not specifically enumerated herein, and not preempted by State law and having floor area as herein defined shall pay a yearly license fee as in the schedule hereinafter set forth.

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 commercial establishment, including but not restricted to principal and accessory floor area, cellars and basements, even though any such floor area may be temporarily vacant or not in use:

SEE EXHIBIT B

SECTION 17

Section 7-2-6, "Schedule C, License Fees," of the Orland Park Village Code is hereby amended to read in its entirety as follows:

7-2-6: SCHEDULE C, LICENSE FEES:

The annual license fee for each food service establishment shall be in accordance with Schedule B as set forth in Section 7-2-5 and shall include, in addition to the license fee determined on a square footage basis, a $90 inspection fee per number of required annual inspections as determined by its risk category. The risk category is based on the Illinois Department of Public Health Food Service Sanitation Code (77 Ill. Adm. Code 750). Category I shall receive no less than three inspections; category II shall receive no less than two inspections and category III shall receive no less than one inspection annually.

In the event a food service establishment is operated as a part of, or incidental to the principal commercial activity of a licensee required to pay a licensee fee under either Schedule A or B of this Chapter, such food service establishment shall not be required to pay the license fee under this Schedule C. Nothing in this paragraph shall relieve a food service establishment from applying for a license or otherwise complying with all ordinances of the Village. There shall be no license fee for an occasional food service establishment.

SECTION 18

Section 7-2-7, “Other Business License Fees,” of the Orland Park Village Code is hereby amended to read in its entirety as follows:

7-2-7: OTHER BUSINESS LICENSE FEES:

For the following license fees, consult other sections of this Code as indicated:

Grease Haulers	7-3-9
Billiards	7-3-11
Automatic Amusement Devices	7-6-2
Sale of Tobacco Products	7-15-4

SECTION 19

Section 7-3-4-4, “Ceiling Height - Air Space - Ventilation,” of the Orland Park Village Code is hereby amended to replace the term “Building Department Director” with the term “Development Services Department Director.” All other portions of Section 7-3-4-4 shall remain unchanged.

SECTION 20

Section 7-3-4-10, “Inspection,” of the Orland Park Village Code is hereby amended to replace the term “Building Department Director” with the term “Development Services Department Director.” All other portions of Section 7-3-4-10 shall remain unchanged.

SECTION 21

Section 7-3-5-2, “Established Route,” of the Orland Park Village Code is hereby amended to replace the term “Building Department” with the term “Development Services Department.” All other portions of Section 7-3-5-2 shall remain unchanged.

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SECTION 22

Section 7-3-5-3, “Inspections,” of the Orland Park Village Code is hereby amended to replace the term “Building Department Director” with the term “Development Services Department Director.” All other portions of Section 7-3-5-3 shall remain unchanged.

SECTION 23

Section 7-3-7-7, “Additional Requirements for Firearm/Firearm Ammunition Dealer License,” of the Orland Park Village Code is hereby amended to delete subsection 7-3-7-7(b)(16) and add the following text to subsection 7-3-7-7(b)(16):

(16) To a person who has an intellectual disability (intellectual developmental disorder);

SECTION 24

Section 7-3-9-3, “Manifest Required,” of the Orland Park Village Code is hereby amended to replace the reference to “Section 7-3-9.6” with “Section 7-3-9-6” and the reference to “Section 7-3-9.4” with “Section 7-3-9-4”. All other portions of Section 7-3-9-3 shall remain unchanged.

SECTION 25

Section 7-3-9-5, “License Application,” of the Orland Park Village Code is hereby amended to replace the reference to “Section 7-3-9.4” as set forth in subsection 7-3-9-5(A) with “Section 7-3-9-4” and to replace the reference to “subsection 9.8” as set forth in subsection 7-3-9-5(D)(5) with “Section 7-3-9-8”. All other portions of Section 7-3-9-5 shall remain unchanged.

SECTION 26

Section 7-3-10-6, “Special Conditions of License,” of the Orland Park Village Code is hereby amended to delete subsection 7-3-10-6(F) and add the following text to subsection 7-3-10-6(F):

F. No smoking or rough-dancing shall be permitted. No matches, lighters, cigarettes or tobacco products of any kind shall be allowed to be brought onto the premises. A sign shall be conspicuously posted informing the patrons what items cannot be brought into said teenage cabaret/juice bar.

SECTION 27

Section 7-3-11-2, “Application,” of the Orland Park Village Code is hereby amended to replace the term “Building Department” with the term “Development Services Department.” All other portions of Section 7-3-11-2 shall remain unchanged.

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SECTION 28

Section 7-3-12-3, “License Application,” of the Orland Park Village Code is hereby amended to replace the term “Department of Development Services” with the term “Development Services Department.” All other portions of Section 7-3-12-3 shall remain unchanged.

SECTION 29

Section 7-6-1, “Definition,” of the Orland Park Village Code is hereby amended to read in its entirety as follows:

7-6-1: DEFINITION:

The term "automatic amusement device" shall mean any machine or device which, upon the insertion of a coin, slug, token, plate or disc, or via payment of any form may be operated by the public generally for use primarily as a game, entertainment or amusement, whether or not registering a score. It shall include, but not be limited to, such devices as marble machines, pinball machines, billiard, bagatelle, pigeon-hole or pool tables, video games, games played with any number of balls, spheres or electronically operated devices that are actuated by said balls or spheres or electrical contacts, electrical impulse and/or cathode tube games, and all games, operations or transactions similar thereto under whatever name by which they may be indicated or identified. Each payment location shall indicate a separate device. However, said term shall not include juke boxes and other music box devices where the sole purpose of the device is to produce or reproduce any vocal or instrumental sounds which are controlled by the deposit of a coin or token. "Automatic Amusement Device" does not include a video gaming terminal as defined in the Illinois Video Gaming Act (230 ILCS 40/5) and Chapter 18, Title 7 of this Code.

Nothing in this Chapter shall in any way be construed to authorize, license or permit movie and video booths or stands or any gambling machine or device whatsoever, including, but not limited to, a bingo device, a card game device, or any class of mechanism that has been judicially determined to be a gambling device, or in any way prohibited by law, provided, however, that devices or mechanisms used for games licensed by the State of Illinois and in compliance with the Village Codes and Ordinances shall not be considered gambling.

Notwithstanding contrary provisions of this paragraph, video gaming devices licensed by the State of Illinois shall be considered gambling and are prohibited as provided in Chapter 18 of this Title 7.

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SECTION 30

Section 7-6-2, “License; Fees; Emblem,” of the Orland Park Village Code is hereby amended to read in its entirety as follows:

7-6-2: LICENSE; FEES; EMBLEM:

(A) No person, firm, corporation, association or entity shall, within the Village of Orland Park, display for public patronage or keep for operation by patrons any automatic amusement device(s), as defined herein without first having obtained an automatic amusement device operators license and the appropriate individual automatic amusement device current year’s emblem or emblems as set forth in subsections 2(B) and 2(C) below.

(B) For the issuance of no more than twenty (20) automatic amusement device operators licenses at the fee of $100.00 for persons, firms, corporations or associations displaying for public patronage or keeping for operation by patrons any automatic amusement devices. As part of the $100.00 operator’s license fee required under this subsection, each licensee shall also receive two (2) of the current year’s emblems required under subsection 2(C) below.

(C) In addition to the license fee required by subsection 2(B), each automatic amusement device shall be charged a separate annual fee of $50. The current year’s emblem shall be affixed prominently and conspicuously to each device for which it is issued. Each such emblem shall be issued only for a particular device and may not be transferred or used in any way whatsoever as the required emblem of any other device whether or not such other device is a new or replacement device for the original device. Each and every device must have such an emblem issued for its particular use after the payment of the required fee. In the event any employee of the Village locates an amusement device that does not have the current year’s emblem affixed, the Village retains the right to unplug said device and deem it unusable until the current year’s emblem is prominently affixed

(D) No refund shall be paid at any time to any licensee for fees paid for any emblem provided for in subsection 2(C) above. If, however, the licensee wishes to transfer an emblem which is required under subsection 2(C) above to a replacement device for the original device, the licensee may transfer the emblem to a replacement device if all of the following conditions are met:

(a) The original device is permanently removed from display for public patronage and is made unavailable for operation by patrons; and

(b) The fee emblem is taken off the original device and returned to the Village of Orland Park; and

(c) A transfer fee of $50.00 is paid to the Village of Orland Park.

Once all of the above requirements have been met, the Village of Orland Park will provide the licensee with a new replacement fee emblem which shall be immediately affixed prominently and conspicuously to the replacement device.

(E) No license shall be issued to any applicant unless he or she is over twenty-one (21) years of age.

(F) All new automatic amusement device operators licenses must be approved by the Village Board of Trustees.

SECTION 31

Section 7-6-4, “Restrictions,” of the Orland Park Village Code is hereby amended to read in its entirety as follows:

7-6-4: RESTRICTIONS:

(A) No person, firm, corporation or association shall permit the playing of an automatic amusement device within 100 feet of any parcel of real estate or tract of land on which there is located a church, school, or park.
(B) No license issued hereunder shall permit the operation of any automatic amusement device at any place or in any manner which will disturb the peace or quiet of persons outside the licensed premises. It shall be unlawful for a licensee to allow a degree of noise to develop which would cause a disturbance to the adjacent or surrounding uses such that normal use of said adjacent or surrounding uses would be damaged or unreasonably disturbed.
(C) No licensee shall operate an establishment wherein automatic amusement devices are located in a manner which will encourage truancy. Each licensee shall monitor its devices to discourage truancy, and shall prohibit operation of the devices by persons under eighteen (18) years of age, unless that person is accompanied by an adult at least twenty-one (21) years of age who is responsible for not more than six (6) such minors.
(D) The Village of Orland Park has adopted the American Amusement Machine Association Parental Advisory System rating system. All games rated "green" shall be permitted in the Village when properly licensed. All games rated "yellow" shall be permitted in the Village when properly licensed but the Village Board shall maintain the right to revoke. No games rated "red" shall be permitted. Games which are not rated shall be permitted only after specific Village Board approval and licensing.
(E) No automatic amusement device shall be placed in any required exit path of travel.
(F) All licensees shall:
(a) Keep their premises clean and sanitary;
(b) Provide waste receptacles;
(c) Insure that all sidewalks and/or walkways outside the premises are clean and open to pedestrian traffic; and
(d) Maintain and keep all automatic amusement devices in good repair and operating condition.
(G) No license issued hereunder shall permit the operation of any automatic amusement device unless the premises where the automatic amusement devices are located has a distinct and primary business use other than the offering of automatic amusement devices.

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SECTION 32

Section 7-6-6, “Term and Renewal of Automatic Amusement Operators License,” of the Orland Park Village Code is hereby amended to read in its entirety as follows:

7-6-6: TERM AND RENEWAL OF AUTOMATIC AMUSEMENT DEVICE OPERATORS LICENSE:

Each automatic amusement device emblem required by this Chapter shall be deemed expired on January 1 next following its issuance. No part of a license or emblem fee will be refunded if the license is revoked by the Village Manager.

Any licensee may renew his, her or its emblem at the expiration thereof, provided he, she or it is then qualified to receive such an emblem and the premises for which such renewal emblem is sought are suitable for such purpose; and provided, further, that the renewal privilege herein provided for shall not be construed as a vested right which shall in any case prevent the President and Board of Trustees from decreasing the number of licenses to be issued within its jurisdiction.

SECTION 33

Section 7-6-9, “Transfer of License,” of the Orland Park Village Code is hereby amended to read in its entirety as follows:

7-6-9: TRANSFER OF LICENSE:

An automatic amusement device operators license shall be purely a personal privilege, and shall not constitute property, nor shall it be subject to attachment, garnishment, or execution, nor shall it be alienable or transferable, voluntarily or involuntarily, or subject to being encumbered or hypothecated. Such license shall not descend by the laws of testate or intestate devolution but shall cease upon the death of the licensee.

Nothing contained in this Chapter shall create any vested or property right in any automatic amusement device operators license whatsoever, nor shall it limit or restrict the right of the Village of Orland Park to at any time amend or repeal this Chapter.

SECTION 34

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

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SECTION 35

This Ordinance shall be in full force and effect from and after its adoption, approval and publication in pamphlet form as provided by law.

PASSED this 6th day of September, 2016

/s/ John C. Mehalek

John C. Mehalek, Village Clerk

Aye:	7	Trustee Fenton, Trustee Dodge, Trustee Gira, Trustee Griffin Ruzich, Trustee Calandriello, Trustee Carroll, and President McLaughlin
Nay:	0	

DEPOSITED in my office this 6th day of September, 2016

/s/ John C. Mehalek

John C. Mehalek, Village Clerk

APPROVED this 6th day of September, 2016

/s/ Daniel J. McLaughlin

Daniel J. McLaughlin, Village President

PUBLISHED this 7th day of September, 2016

/s/ John C. Mehalek

John C. Mehalek, Village Clerk

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EXHIBIT A

7-2-3: SCHEDULE A, ANNUAL LICENSE FEES NOT DETERMINABLE ON A SQUARE FOOTAGE BASIS:

Advertising Distribution	$150.00
Advertising Sales	150.00
Ambulance Service	75.00
Amusement Park	375.00 plus $75.00 per ride
Amusements, per event	75.00
Auctioneers, per day	75.00
Automobile Filling Stations	300.00
Automatic Vending Machines (in addition to any licenses in which machine is located)	50.00
Bowling Alley, per alley	30.00
Carnivals, Circus per day	150.00
Catch basin, Sewer and Septic Tank Cleaners	75.00
Christmas Tree Sales, fresh	75.00
Coin Operated, Music Box, Juke Box (in addition to any licenses for the business in which machines are located)	50.00
Contractor, except those contractors required to pay a license fee on a square footage basis under Schedule B	
General:	300.00
Other:	75.00
Brick mason	
Carpentry	
Cement	
Demolition	
Drywall, acoustical	
Electrical	
Elevator	
Excavating	
Fence	
Fire Sprinkler/Suppression	
Flooring and tile	
Glazing	
Heating, ventilation, air conditioning	
Insulation	
Landscaping	
Low Voltage	
Miscellaneous - including but not limited to: antenna, cable, overhead door installation, equipment installation, escalator, foundation repair, general maintenance, metal fabricating, mud jacking (cement raising), mover, satellite dish installation, underground pump and tank work, and well drilling.	

Painting and decorating	
Paving	
Plastering and Lathing	
Roofing and insulation	
Security System	
Sewer and water, drain layer	
Sheet metal	
Siding, Windows, Doors	
Sign installation	
Signs-electrical	
Steel	
Structural iron, wood and cement	
Swimming pool installation	
Tree trimming	
Tuck pointing and cleaning	
Waterproofing	
Wrecking	
Country Club/Food/Pool	$1,125.00
Country Club/Golf/Food/Pool	1,350.00
Exhibitions	75.00
Firearms Range	900.00
Firearm and/or Firearm Ammunition Sales Store	150.00
Golf Practice Range	75.00
Mobile Food Unit	300.00
Multi-Merchant Expositions	100.00
Pet Shop Operator's License	150.00
Scavengers	750.00
Secondhand Dealer	75.00
Snack Tray Box (Honor Box)	30.00
Theater - Outdoor	225.00

ORDINANCE 5119
EXHIBIT B

7-2-5 SCHEDULE B, ANNUAL LICENSE FEES DETERMINED ON A SQUARE FOOTAGE BASIS:

Floor Area In Square Feet	Yearly License Fee
0 to 3,000	$ 75.00
3,001 to 6,000	105.00
6,001 to 9,000	135.00
9,001 to 12,000	165.00
12,001 to 15,000	195.00
15,001 to 20,000	240.00
20,001 to 30,000	295.00
30,001 to 40,000	360.00
40,001 to 60,000	450.00
60,001 to 80,000	555.00
80,001 to 100,000	675.00
100,001 to 140,000	825.00
140,001 to 180,000	975.00
180,001 to HIGHER	1,125.00