

**Title 7 Chapter 3**  
**Regulations for Specified Businesses**

**CHAPTER 3**

**REGULATIONS FOR SPECIFIED BUSINESSES**

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**7-3-1: DRY CLEANING ESTABLISHMENTS AND SELF-SERVE DRY CLEANING ESTABLISHMENTS:**

**7-3-1-1: ADDITIONAL LICENSE APPLICATION INFORMATION:**

In addition to the information required on the business license application, the applicant shall also furnish the number and description of the dry cleaning machines to be located in said store, and in the case of an original application for a store not theretofore legally in operation, the application shall be accompanied by a set of plans and specifications showing the manner in which such machines shall be installed, showing all plumbing connections, electrical wire connections and provisions for ventilation, all of which shall be in compliance with the Building Code and other applicable ordinances of the Village. In the case of an initial application, the Village Comptroller shall submit the aforesaid plans and specifications to the Director of Code Enforcement of the Village for his examination and approval before the issuance of any license hereunder.

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### **7-3-1-2: INSTALLATION AND OPERATION:**

Every operator of a dry cleaning establishment shall maintain and operate the establishment so as to satisfy the following requirements:

(1) Installation:

Machines shall not be installed in buildings used in whole or in part as dwellings.

A satisfactory means of preventing any leaking liquid from escaping the enclosure or room in which the dry cleaning equipment is installed shall be provided. In order to accomplish this a method must be provided for drainage or otherwise removing the solvent in the event of leakage. Such drain shall be connected to an emergency solvent storage tank of sufficient capacity to hold the maximum quantity of fluid contained in all the machines.

An interlock system shall be provided on each machine to prevent the loading door from being opened during the normal cycle. This system may be either electrical and/or mechanical and so connected that in the event of a power failure the machine fails safe.

Exhaust ventilation stacks from the dry cleaning machines shall not be located in proximity to combustion air intakes on gas or oil fired equipment.

In self-service establishments, the layout of each store shall be such that only the front or customer side of the dry cleaning machines shall be readily accessible to the customer area and that the maintenance portions of the machines shall not be accessible from the customer area.

(2) Operation:

In self-service establishments, an attendant shall be present and on duty during all operational hours of each store.

Only the solvent and supplies specified by the equipment manufacturer shall be used; provided, however, that in no event shall a flammable solvent be used in the dry cleaning machines.

The solvent shall be stored in closed containers and transferred from such containers in lines free of leaks or defects. All storage facilities for solvent external from the dry cleaning machines shall meet the requirements of the Chief of the Fire Protection District.

Filter residue and other residues containing solvent shall be handled and disposed of so as not to create a nuisance. A covered metal container shall be used for temporary storage.

The design of each dry cleaning machine shall be such that in the normal course of operation no significant amount of solvent is retained in the cleaned items upon completion of the dry cleaning cycle.

In self-service establishments, customer service areas of each store shall be provided with general dilution ventilation (exhaust air flow rates) according to the following schedule:

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Minimum Air Flow Rate Number of Machines	Per Machine (C.F.M.)
1 - 3	250
4 - 8	200
9 - 16	150
17 or more	100

This exhaust ventilation shall be in continuous operation during all operational hours of each store.

Maintenance areas of each store shall be provided with general dilution ventilation (exhaust air flow rates) according to the following schedule:

Minimum Air Flow Rate Number of Machines	Per Machine (C.F.M.)
1 - 3	350
4 - 8	300
9 - 16	250
17 or more	200

All exhaust ventilation equipment shall be in operation on a continuous basis during the hours each store is open to the public. The fan wiring of the exhaust equipment shall be such that the dry cleaning machines cannot be operated unless the fan system is in operation.

Each dry cleaning machine shall be provided with an exhaust system capable of maintaining a minimum of one hundred feet (100') per minute face velocity through the loading door whenever the door is open, which exhaust system shall be in operation during all times of operation of the dry cleaning machine to which it is affixed. The dual work connections from this system shall be sealed by solder or tape and the discharge stack extended above the roof line.

A supply of make-up air equal to or greater than the total volume of air exhausted from the store shall be provided for the purpose of eliminating negative pressure conditions.

All machinery and equipment shall be kept in good working condition and installed and maintained so that the customers and employees of said store and the public generally will neither have access to the maintenance area nor to any unguarded moving parts of the machinery, except that the customers shall have access to the operating controls of the dry cleaning machines.

The premises shall be kept in good repair and maintained in a clean and sanitary condition. For self-service establishments a step by step instruction list shall be posted in a conspicuous place for customer use near the dry cleaning machines. All maintenance personnel shall be instructed as to the proper procedures for the handling of solvents.

Each store shall be well lighted during all of the hours of operation.

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#### **7-3-2: FOOD ESTABLISHMENTS:**

##### **7-3-2-1: PURPOSE, EXCEPTION, DEFINITIONS:**

The purpose of these regulations is to insure that all foods served in the Village are served in a safe and healthful manner. However, these regulations shall not be applicable to the service of food during a religious or organizational ritual or re-enactment thereof. For purposes of following regulations, words shall have the meanings assigned to them in Section 7-2-1 of this Title, with the addition of the following:

**Health Inspector:** That person employed by the Village Manager or designated by the Director of the Building Department to enforce health regulations pursuant to the Codes and Ordinances of the Village. Inspection fees shall be as provided in Subsection 5-2-7-9 of this Code, Health Inspection Fees. (Ord. 3448, 12-4-00)

**Employee:** Any person working on the premises of a food service establishment who engages in management or supervision, food preparation or service Equipment. (Ord. 3206, 12-07-98)

##### **7-3-2-2: ADDITIONAL LICENSE INFORMATION:**

In addition to the information required on the business license application, the applicant shall provide the number of employees to be engaged on the premises of such establishment and shall provide the Health Inspector with evidence of a Certificate of Food Service Sanitation issued by the Illinois Department of Public Health to at least one member of the establishment's full-time supervisory or managerial staff. At least one such certified staff member shall be responsible for compliance with the IDPH Food Sanitation Code at each food service establishment, and at least one such certified staff member shall be on the premises during all hours of operation of each food service establishment. (Ord. 3206, 12-07-98)

In case of a new establishment, the applicant or applicants shall submit preliminary design plans to the Building Department Director for approval.

When an occasional food service establishment has a regular schedule of events including events whose dates of operation may be tentative or unknown at the time application for said license is made, said schedule of events must be attached to the application. This said schedule may be modified or added to, provided written notice of said modification or addition is submitted to the Village not less than thirty (30) days prior to the event for which said modification or addition is made. When an occasional food service establishment has no regular schedule of hours, dates or locations for operation, a list of all possible hours, dates and locations must be attached to the application.

##### **7-3-2-3: ADDITIONAL INSPECTIONS:**

In addition to the initial inspection required by 7-1-4, food service establishments shall undergo additional inspections based on their relative risk for causing food-borne illnesses. Assignment of risk level (high, medium or low) shall be pursuant to Illinois Department of Public Health program standards as set out in 77 Ill. Adm. Code 615.310. High-risk establishments shall be inspected 3 or 4 times per calendar year, medium-risk establishments up to twice per calendar year and low-risk once a calendar year. Risk level shall be verified annually. A change in the type of food an establishment serves may result in a change in risk level for that establishment. The Health Inspector is authorized to adopt reasonable inspection procedures at least as stringent as those set out in the IDPH Food Service Sanitation Code, 77 Ill. Adm. Code 750 and the Retail Food Store Sanitation Code, 77 Ill. Adm. Code 760, both adopted by reference below. (Ord. 3206, 12-07-98)

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The Building Department Director shall make such additional inspections and reinspection from time to time as shall be necessary for the enforcement of this Chapter. In the case of temporary food service establishments and occasional food service establishments, the Building Department Health Inspector shall make such inspections and reinspection from time to time as shall be necessary for the enforcement of this Chapter.

It is intended that all food be prepared on the premises of the food service establishments, temporary food service establishments or occasional food service establishments immediately before, serving or in an approved establishment and delivered to the place of service in an approved manner. If food is prepared elsewhere, the name and address of the preparer or preparers must be available on request of the Building Department Director, at the place of service, on the day of service and for ninety (90) days thereafter. (Ord. 1491, 12-16-85)

#### **7-3-2-4: STANDARDS OF OPERATION:**

Adopted and applicable to the operation of a food service establishment, retail food store, and temporary and occasional food service establishments in Village, are those rules and regulations set forth with particularity in those two (2) Illinois Department of Health booklets entitled, "Food Service Sanitation Rules and Regulations, July 1996" (77 Ill. Adm. Code 750), as may be amended from time to time, and "Sanitation of Retail Food Stores, October 1992." Three (3) copies of each booklet are on file for public use, inspection and examination, and have been for more than thirty (30) days prior to the passage of this section. These foregoing rules and regulations are hereby adopted by reference and made a part hereof as if fully set forth herein; modified, however, in these respects: 1) Section 750.520 of the Food Service Sanitation Code is amended so that part 750.520 (b) reads as follows: Employees shall use effective hair restraints to prevent the contamination of food or food contact surfaces. Acceptable restraints shall consist of caps, visors or hairnets. All hair shoulder length or longer shall be restrained by tying it back and enclosing it with a hair net. 2) Section 750.1160 of the Food Service Sanitation Code is amended to add the following at the end of the section "All food service establishments in the Village of Orland Park must have a licensed Pest Control Service monthly. The Health Inspector, after displaying proper identification, shall be permitted to review the written report from the pest control operator. 3) Where said rules and regulations make any reference to plumbing facilities, the provisions of the Plumbing Code of the Village, as amended, shall be applicable. 4) Section 750.1200(a) of "Food Service Sanitation" shall provide that floors and floor coverings shall be constructed of smooth, non-slip, non-porous quarry tile, terrazzo, sealed concrete or other similar material approved by the Health Official. 5) To the extent that when any ordinance of the Village sets forth a more stringent requirement than said rules and regulations, the more stringent requirement shall be applicable. (Ord. 3206, 12-07-98, amd. Ord. 3610, 3-4-02, amd. Ord 3743, 4-7-03)

#### **7-3-2-5: REFUSE ENCLOSURES:**

All exterior areas of food service establishments, wherein garbage and refuse are stored shall be enclosed by a solid fence or walls, including solid doors or gates thereto. Such fence or walls shall be not less than five feet (5') nor more than six feet (6') in height. The provisions set forth in the Village's Land Development Code shall apply relative to all newly constructed facilities.

#### **7-3-2-6: INSPECTION OF RECORDS:**

The Health Inspector, after displaying proper identification, shall be permitted by an applicant or licensee to inspect health records of persons who are currently employees or were employees within the last six (6) months. (Ord. 3206, 12-07-98)

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### 7-3-2-7: SUSPENSION OR REVOCATION OF LICENSE:

When the conduct or operation of any food service establishment, retail food store, temporary food service establishment 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 aforesaid license shall have refused to allow inspection of his premises or has refused to furnish a sample of his food for testing, the Health Inspector and/or Village Manager, shall be authorized to summarily order the cessation of operation of such establishment, the suspension of any license, and where appropriate the closing of the premises for a period not to exceed ten (10) days.

In case of a temporary food service establishment, the suspension as outlined above shall constitute an automatic revocation. However, such revocation shall not prejudice an applicant in applying for another temporary food service establishment license.

In case of food service establishments, retail food store or an occasional food service establishment which has had its license suspended as outlined above, within eight (8) days after such action, the licensee may request or the Village President may call a hearing for the purpose of determining whether or not the license should be revoked, following the general procedures in Section 7-1-16 of this Title. (Ord. 3206, 12-07-98)

### 7-3-3: PUBLIC GARAGES AND FILLING STATIONS:

#### 7-3-3-1: ADDITIONAL APPLICATION INFORMATION:

In addition to the information required by the business license application the applicant shall, with the application, also include the dimensions of any buildings operated in connection with said public garage or filling station and the type of construction thereof and the capacity and location of all tanks and other storage facilities wherein flammable liquids are stored.

#### 7-3-3-2: SAFETY REQUIREMENTS:

1. **Smoking Prohibited - Signs:** Smoking or carrying lighted cigars, pipes or cigarettes and the lighting of matches or any open flame are hereby prohibited at any public garage and filling station as herein defined. No smoking signs with letters at least four inches (4") high shall be prominently displayed therein.
2. **Use for Cleaning Prohibited;** Gasoline, benzene, naphtha and similar flammable liquids shall not be used for washing or cleaning purposes within any filling station or public garage nor in the open air within a distance of fifty feet (50') of any repair pit or any opening from any basement space.
3. **Waste Disposal:** Waste oil or other flammable liquids shall be stored in metal containers pending removal from the premises. No such waste shall be permitted to drain into any sanitary sewer or storm water drainage system. Rags and soiled waste shall be kept in metal containers.
4. **Building and Fire Regulations:** The construction and equipment of public garages and filling stations, including tanks, and the requirements for safety clearances around same, shall be made and maintained in accordance with the provisions of the Building Code and other applicable ordinances, and the rules and regulations for the storage, sale, transportation and use of gasoline and volatile oils.

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5. **Alcohol:** Alcohol and other flammable anti-freeze liquids may be dispensed from safety cans of not more than five (5) gallons capacity. Dispensing of such liquids from drums shall be done outside the building, using pump or gravity discharge; air pressure discharge shall not be used.

#### **7-3-4: LAUNDRIES:**

##### **7-3-4-1: EXCEPTION:**

These regulations shall not apply to any person engaged in doing custom laundry work at home for a regular family trade, nor to any room, rooms or portion thereof, located in an apartment house or other dwelling, in which domestic laundry work is done by or for the occupants of such building exclusively, and the provisions of these regulations shall not apply to dry cleaning establishments.

##### **7-3-4-2: SLEEPING IN LAUNDRIES:**

No person shall be permitted to sleep in any laundry, nor shall any sleeping room or living room be in direct communication with any laundry. No laundered or unlaundered fabric belonging to the customers of any laundry shall be stored or kept in any room which is used for living purposes.

##### **7-3-4-3: SANITARY CONDITIONS:**

Every room or place used as a laundry or for the storage of unlaundered or laundered fabrics in connection therewith shall at all times be kept in good repair and maintained in a clean and sanitary condition as to floors, walls, ceilings, windows, woodwork, machinery, utensils and fixtures, and every such room or place shall be kept free from rats, mice and vermin and all matters of an infectious or contagious nature.

No person who has tuberculosis, any acute or active venereal disease, any communicable or loathsome skin disease or any other communicable disease shall work in any laundry, and no owner, proprietor, manager or person in charge of any laundry shall knowingly require or permit any such person to be employed therein.

No wallpaper shall be applied upon the walls or ceilings of any room used for laundry purposes.

**7-3-4-4: CEILING HEIGHT - AIR SPACE - VENTILATION:** No laundry shall be maintained, conducted, or operated in any room or place in which the clear height between the ceiling and the finished floor is less than ten feet (10'), or which is not ventilated by means of windows, skylights, air shafts, air ducts or mechanical apparatus so that a complete change of air in all parts of such room or place shall be made at least six (6) times per hour.

Every room in any laundry, (except the room or rooms used for drying purposes) in which the temperature and humidity are such as, in the judgment of the Building Department Director, might endanger the health of the person washing therein shall be provided with a mechanical ventilating system approved by said Building Department Director.

##### **7-3-4-5: FLOORS - CONSTRUCTION:**

The floor of every laundry and every room or place in connection therewith shall be constructed of concrete, cement, tile or stone laid in cement, or other impervious material, and shall be watertight and properly drained. The angles where the floor and wall join shall likewise be water-tight.

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#### **7-3-4-6: PLUMBING AND DRAINAGE FACILITIES:**

Every laundry shall be provided with adequate sanitary plumbing and drainage facilities, and the installation of all drains and plumbing fixtures shall be in accordance with the requirements of the ordinances of the Village

at the time they are installed. Every toilet, sink, or other plumbing fixture installed therein shall be of an approved type, of impermeable material, and thoroughly sanitary.

#### **7-3-4-7: SPRINKLING:**

No owner, proprietor or manager of any laundry, or any person employed therein shall sprinkle any fabric with water or other liquid substance ejected from the mouth or blown out by any other device communicating or coming in contact with the mouth of such person.

#### **7-3-4-8: MECHANICAL DEVICES - HEAT:**

Every machine or mechanical device in any laundry which emits or sends off excessive heat, shall be equipped with a proper heat deflector, hood and exhaust, or other apparatus that will carry the heat from the room or place in which it is located.

#### **7-3-4-9: VAPORS, SMOKE OR ODORS:**

No vapors, smoke or odors emanating from any laundry shall at any time be permitted to become a nuisance to any portion of the premises in which such laundry is located, nor to any adjoining or nearby premises.

#### **7-3-4-10: INSPECTION:**

The Building Department Director or designee shall inspect or cause to be inspected, from time to time, all premises wherein laundries are conducted, for the purpose of ascertaining whether the provisions of this Chapter and the laws of the State relative to the keeping and operating of laundries are being complied with, and shall cause the same to be strictly enforced.

#### **7-3-5: MOBILE FOOD UNITS:**

##### **7-3-5-1: GENERAL OPERATION:**

It shall be unlawful to sell or otherwise distribute food from a mobile unit on the public streets and ways of the Village. The distribution of food by mobile food units shall be limited to off-street premises, such as construction sites, industrial or other commercial areas. Permission from the owner or person in charge of such premises shall be obtained prior to the distribution of food from a mobile food unit.

##### **7-3-5-2: ESTABLISHED ROUTE:**

Prior to doing any business within the Village, a licensed mobile food unit shall give notice in writing to the Orland Park Building Department of its established route, listing each location within the limitations set forth in subsection A of these regulations, wherein a mobile food unit will sell or otherwise distribute food. A mobile food unit shall be required to give notice in writing to the Building Department prior to any changes in its established route.



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#### **7-3-5-3: INSPECTIONS:**

It shall be the duty of the Building Department Director or designee to regularly inspect all mobile food units. The method and frequency of such inspections shall be as deemed necessary by the Director.

#### **7-3-6: SCAVENGER BUSINESS:**

##### **7-3-6-1: BOND:**

No business license for a scavenger service shall be issued unless the applicant maintains and agrees to maintain a five thousand dollar (\$5,000.00) surety-business license bond.

##### **7-3-6-2: VEHICLES:**

The vehicle or vehicles used by the scavenger in his business shall be water-tight and shall be equipped with reasonably airtight covers for such portions as are used for the transportation of garbage or refuse.

##### **7-3-6-3: SERVICING PROBLEMS:**

In the event a scavenger service is unable, for any reason, to make scheduled pickup of refuse or garbage, the scavenger service shall notify the Village's Department of Public Works of said inability not later than the end of the day on which pickup was scheduled. (Ord. 1491, 12-16-85)

#### **7-3-7: FIREARMS AND FIREARM AMMUNITION:**

##### **7-3-7-1: DEALER LICENSE REQUIRED:**

It shall be unlawful for any person to engage in the business of selling, or to sell or give away any firearm or firearm ammunition, as defined in the Firearm Owners Identification Card Act, 430 ILCS 65/1.1, without securing a firearm/firearm ammunition dealer license. The license required by this chapter shall be in addition to any other licensing required by law or ordinance.

##### **7-3-7-2: NUMBER AND TERM OF LICENSES TO BE ISSUED:**

No more than one (1) firearm/firearm ammunition dealer license shall be issued and in force at any one time and such license shall be valid for a period of one (1) year from the date of its issuance.

##### **7-3-7-3: LICENSE APPLICATION:**

An application for a firearm/firearm ammunition dealer license shall be made in conformity with the general requirements of this Code relating to applications for licenses. The Village Manager, or his/her designee, shall approve said application before a license shall be issued, and the Chief of Police, or his/her designee(s), shall be authorized by the license applicant to conduct a background investigation of any employee of a prospective licensee who will participate in the sale or other disposition of firearms and/or firearm ammunition. A fee of ONE HUNDRED (\$100.00) DOLLARS, or such other amount as may be prescribed by the Board of Trustees, shall be paid to the Village for each background investigation of an employee or prospective licensee.

##### **7-3-7-4: LICENSE FEE:**

The annual fee for a firearm/firearm ammunition dealer license shall be as set forth in Section 7-2-3 of this Title.

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#### **7-3-7-5: REPORT OF SALES OR GIFTS:**

Every licensed firearm/firearm ammunition dealer shall make out and deliver to the Chief of Police every calendar month, a legible and correct report of every sale or gift made under the authority of his/her license during the preceding calendar month, which report shall contain the date of such sale or gift, the name of the purchaser or donee with his or her address and age, the number, kind, description and price of such firearm, the number of the purchaser's permit (Illinois Firearm Owner's Identification Card) and the purpose given by such purchaser for the purchase of such firearm.

#### **7-3-7-6: REGISTER REQUIRED:**

Every licensed firearm/firearm ammunition dealer shall keep a register of all such firearms and/or firearm ammunition sold, loaned, rented or given away by such dealer. Such register shall contain the date of the sale, loaning, renting or gift, the number of the purchaser's/recipient's Illinois Firearm Owners Identification Card, the serial number of the firearm, the name and age of the person to whom the firearm or firearm ammunition is sold, loaned, rented or given, the quantity of ammunition, the price of each item and the purpose for which it is purchased or obtained. The register shall be kept open for inspection by the Orland Park Police Officer(s) at all reasonable times during business hours.

#### **7-3-7-7: ADDITIONAL REQUIREMENTS FOR FIREARM/FIREARM AMMUNITION DEALER LICENSE:**

(a) Definitions. In this Section:

- (1) A "handgun" means a firearm designed to be held and fired by a single hand and includes a combination of parts from which such a firearm can be assembled;
- (2) "Semiautomatic assault weapon" means:
  - (A) any of the firearms or types, replicas, or duplicates in any caliber of the firearms, known as:
    - (i) Norinco, Mitchell, and Poly Technologies Avtomat Kalashnikovs (all models);
    - (ii) Action Arms Israeli Military Industries UZI and Galil;
    - (iii) Beretta AR-70 (SC-70);
    - (iv) Colt AR-15;
    - (v) Fabrique Nationale FN/FAL, FN/LAR, and FNC;
    - (vi) SWD -10, -11, -11/9, and -12;
    - (vii) Steyr AUG;
    - (viii) INTRATEC TEC-9, TEC-DC9 and TEC-22; and
    - (ix) any shotgun which contains its ammunition in a revolving cylinder, such as (but not limited to) the Street Sweeper and Striker 12;
    - (x) any rifle having a caliber of 50 or greater;

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- (B) a semiautomatic rifle that has an ability to accept a detachable magazine and has any of the following:
  - (i) a folding or telescoping stock;
  - (ii) a pistol grip that protrudes conspicuously beneath the action of the weapon;
  - (iii) a bayonet mount;
  - (iv) a flash suppressor or barrel having a threaded muzzle; or
  - (v) a grenade launcher; or
- (C) a semiautomatic pistol that has an ability to accept a detachable magazine and has any of the following:
  - (i) an ammunition magazine that attaches to the pistol outside of the pistol grip;
  - (ii) a barrel having a threaded muzzle;
  - (iii) a shroud that is attached to, or partially or completely encircles the barrel, and that permits the shooter to hold the firearm with the non-trigger hand without being burned;
  - (iv) a manufactured weight of 50 ounces or more when the pistol is unloaded; or
  - (v) a semiautomatic version of an automatic firearm; or
- (D) a semiautomatic shotgun that has any of the following:
  - (i) a folding or telescoping stock;
  - (ii) a pistol grip that protrudes conspicuously beneath the action of the weapon;
  - (iii) a fixed magazine capacity in excess of 5 rounds; or
  - (iv) an ability to accept a detachable magazine;

"Semiautomatic assault weapon" does not include:

- (A) any firearm that:
  - (i) is manually operated by bolt, pump, lever or slide action;
  - (ii) is an "unserviceable firearm" or has been made permanently inoperable; or
  - (iii) is an antique or muzzle-loading firearm; or
- (B) any semiautomatic rifle that cannot accept a detachable magazine that holds more than 5 rounds of ammunition; or

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- (C) any semiautomatic shotgun that cannot hold more than 5 rounds of ammunition in a fixed or detachable magazine.
- (3) (A) "Large capacity ammunition feeding device" means:
- (i) a magazine, belt, drum, feed strip, or similar device that has a capacity of, or that can be readily restored or converted to accept, more than 10 rounds of ammunition; or
  - (ii) any combination of parts from which a device described in subparagraph (i) can be assembled;
- (B) "Large capacity ammunition feeding device" does not include an attached tubular device designed to accept, and capable of operating only with, .22 caliber rimfire ammunition or any device that has been made permanently inoperable.
- (4) "Assault weapon attachment" means any device capable of being attached to a firearm that is specifically designed for making or converting a firearm into any of the firearms listed in paragraph (2) of subsection (a) of this Section.
- (5) "Antique firearm" means:
- (A) any firearm, including any firearm with a matchlock, flintlock, percussion cap, or similar type of ignition system, manufactured in or before 1898, or
  - (B) any replica of any firearm described in subparagraph (A) if the replica:
    - (i) is not designed or redesigned for using rimfire or conventional centerfire fixed ammunition; or
    - (ii) uses rimfire or conventional centerfire ammunition that is no longer manufactured in the United States and that is not readily available in the ordinary channels of commercial trade; or
  - (C) any firearm (other than a machine gun), which, although designed as a weapon, the Chief of Police finds by reason of the date of its manufacture, value, design, and other characteristics is primarily a collector's item and is not likely to be used as a weapon.
- (b) No firearm/firearm ammunition dealer license shall be issued:
- (1) To a person selling, giving away or otherwise dealing in, or intending to sell, give away or otherwise deal in, handguns, handgun ammunition, semiautomatic assault weapons, large capacity ammunition feeding devices or assault weapon attachments.
  - (2) Except to a person who sells or otherwise deals in firearms and/or firearm ammunition as ancillary to a retail business devoted to products or services other than firearms or firearm ammunition and where the floor area devoted to the sale or other disposition of firearms and/or firearm ammunition does not exceed five percent (5%) of the total floor area of such retail business accessible to the public;
  - (3) For the operation of a firearm range, such operation being hereby strictly prohibited, unless operated solely for training of law enforcement officers;

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- (4) To a person who has been convicted of a felony;
- (5) To a person who has been convicted of a misdemeanor involving the use of a firearm within five (5) years of the date of application;
- (6) To a person who does not possess a current Federal license to sell firearms;
- (7) To a person who does not hold a valid State of Illinois Firearm Owners Identification Card;
- (8) To a person who does not own or lease the premises where the firearm/firearm ammunition dealership is to be located for at least the term of the license.
- (9) To a person who does not identify a specific premises which has been inspected and approved by the Village or who does not identify specific premises for which a special use permit has been issued pursuant to the Land Development Code of the Village;
- (10) To a person whose firearm/firearm ammunition dealer license has been revoked for cause within the twelve (12) months preceding the date of application;
- (11) To a person who at the time of license renewal would not be eligible for such a license;
- (12) To a person whose business is conducted by a manager or agent unless said manager or agent possesses the same qualifications required of an employee;
- (13) To a person who has been convicted of a violation of any Federal or State law concerning the manufacture, possession or sale of firearms;
- (14) To a person who has been a patient in a mental institution within the past five (5) years;
- (15) To a person who is addicted to a narcotic or any other controlled substance as defined in the Illinois Criminal Code;
- (16) To a person who is mentally retarded;
- (17) To a firm, association, partnership, corporation, trust or any legal entity when any person holding more than a five percent (5%) interest therein as a stockholder, general or limited partner or beneficiary or otherwise, would not qualify for a license because of any of the foregoing requirements.

#### **7-3-7-8: FIREARM SECURITY MEASURES:**

- (1) Every hour of every day, the portion of the premises owned or leased by a licensed firearm/firearm ammunition dealer devoted to the sale or other disposition of firearms and/or firearm ammunition must be fully monitored by a high-quality video taping system with the video tapes resulting therefrom retained by the licensed dealer for not less than thirty (30) consecutive days from the date of taping and made available for inspection by any Orland Park Police Officer(s).
- (2) All firearms on display on the premises owned or leased by a licensed dealer must, except when being exhibited by the dealer's employee to a potential purchaser, be kept inside a locked

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storage case or locked display rack with the keys therefor available only to the licensed dealer's authorized employees and, in addition, every firearm located on such premises shall be equipped with a safety mechanism to hinder the use of the firearm by unauthorized users. Such devices shall include, but shall not be limited to, trigger locks, combination handle locks, and solenoid use-limitation devices.

Safety mechanism means a design adaption or nondetachable accessory that lessens the likelihood of unanticipated use of the firearm by other than the owner of the firearm and those specifically authorized by the owner to use the firearm.

The trigger lock means a device that when locked in place by means of a key, prevents a potential user from pulling the trigger of the firearm without first removing the trigger lock by use of the trigger lock's key.

A combination handle lock means a device that is part of the firearm which precludes the use of the firearm unless the combination tumblers are properly aligned.

A solenoid use-limitation device means a device which precludes, by use of a solenoid, the firing of the firearm unless a magnet of the appropriate strength is placed in proximity to the handle of the weapon.

- (3) Every firearm sold or otherwise disposed of by a licensed dealer shall be equipped with at least one of the safety mechanisms defined in 7-3-7-8(2)(a), above, when delivered by the dealer to the purchaser or recipient of such firearm;
- (4) Possession of every firearm sold or otherwise disposed of by a licensed dealer shall only be transferred by such dealer, or his or her authorized employee, to the purchaser or recipient thereof when such purchaser or recipient has left the dealer's business premises and has arrived at the purchaser's or recipient's motor vehicle or other means of transportation;
- (5) No firearm/firearm ammunition dealer license shall be issued to a person if the business premises to be used by the licensee for the sale or other disposition of firearms or firearm ammunition is located within one-quarter (1/4) mile of a public or private school building (including a nursery, preschool, elementary or high school) or within one-quarter (1/4) mile of a public park.
- (6) All ammunition must be kept in locked cabinets that can only be opened by the licensed dealer's employee(s).

#### **7-3-7-9: ADVERTISING OF FIREARM SAFETY INSTRUCTION:**

Every licensed firearm/firearm ammunition dealer shall advertise on his/her business premises, and make available written information regarding, firearm operation and hunting safety courses of instruction which may be available for prospective firearm/firearm ammunition purchasers and recipients.

#### **7-3-7-10: LICENSE SUSPENSION OR REVOCATION:**

A firearm/firearm ammunition dealer's license may be suspended or revoked in accordance with the procedures set forth in Section 7-1-16 of this Title 7. (Ord. 3758 – 5-19-03)

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#### **7-3-8: RECORD KEEPING REQUIREMENTS FOR SECONDHAND DEALERS IN GOLD, SILVER, PRECIOUS METALS OR GEMS:**

Every secondhand dealer shall keep a record relating to transactions involving the said items, which record system guidelines shall be established in conjunction with the Chief of Police for the purpose of promoting uniformity and accessibility to the Police Department with minimum inconvenience to both the dealer and the Department. However, under no circumstances will a loose-leaf system be considered to be a proper medium for record keeping.

The record of all transactions shall be written in the English language and in a clear legible manner.

The record maintained by the secondhand dealer shall be made at the time of the transaction and shall set forth the following information:

- (1) Name, age, sex, distinguishing marks or characteristics, as well as the individual's residence and his signature on the receipt and permanent record kept by the dealer;
- (2) Confirmation of identification, by also securing a driver's license number along with the state of issuance of such license, military identification card number and the account number of a major credit card account, if used for purchases. This number shall be recorded along with the information herein above designated;
- (3) The price or consideration paid or received at the time of the transaction;
- (4) A description of every article of gold, silver, precious metals and gems received, purchased, sold, or exchanged by the dealer giving the manufacturer's name and other marks of identification appearing on the article including, but not limited to, the serial number, if any, on the article;
- (5) All entries in the record shall be signed by the person making the entry; and
- (6) Such records shall be retained for a period of one year from the date of the transaction.

#### **7-3-8-1: REPORT TO THE CHIEF OF POLICE OR HIS DISPATCHED AGENT:**

It shall be the duty of every secondhand dealer to make out and make available for the Chief of Police or his designated agent before the hour of twelve o'clock (12:00) noon, each Monday, a copy of the record required to be kept under the terms of this Section, reflecting the completed transactions of the previous seven (7) calendar day period.

#### **7-3-8-2: RECORD INSPECTION:**

The record book, the goods, articles or things purchased, received or kept for sale or exchange, by every secondhand dealer, shall be open to inspection of any member of the Police Department at all reasonable business times upon notice, or any person duly authorized in writing for such purpose by the Chief of Police.

#### **7-3-8-3: GOODS TO BE KEPT WITHOUT CONCEALMENT FOR SEVEN BUSINESS/WORKING DAYS:**

Every dealer in secondhand goods must keep without concealment for a period of seven (7) working/business days, subject to the reasonable inspection by any police officer, all said goods, wares and merchandise, purchased or received from any person, before selling, shipping or otherwise disposing of the same.

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**Proviso:** Any goods, wares, or merchandise purchased or received from any person may be sold, shipped, or otherwise disposed of prior to the expiration of the seven (7) working/business days holding period if the goods, wares, or merchandise have been sooner inspected by the Chief of Police or his designated agent and received written clearance for such further disposition.

#### **7-3-8-4: MELTING, WRECKING AND REMODELING:**

No secondhand dealer shall melt any watch, watchcase, jewelry or other identifiable article composed or manufactured in whole or in part of gold, silver, platinum, or other precious metals until such dealer shall have made a record of his intention to do so along with all other data required to be recorded by the specific recordation provisions of this Section and shall have reported the same to the Chief of Police or his designated agents within the burglary and theft division and unless and until he shall have kept such article intact in his licensed place of business, for inspection for seven (7) working/business days after the report provided for in subsection A of this Section has been made available to the Chief of Police or his designated agent: Unless the identifiable article proposed to be melted down, wrecked or remodeled has been sooner inspected by the Chief of Police or his/her designated agent and received written clearance for such melting, wrecking or remodeling from same.

#### **7-3-8-5: PURCHASING FROM MINORS:**

No secondhand dealer shall purchase, trade, or deal in secondhand articles with a minor (an individual under the age of 18 years of age), or receive any goods or articles from any minors. (Ord. 1981-A, 5-21-90)

#### **7-3-9: GREASE TRAP SLUDGE COLLECTORS AND TRANSPORTERS:**

##### **7-3-9.1: DEFINITION:**

The term "grease trap sludge" shall mean the solid, lighter than water fraction of wastewaters from the handling, processing, preparation, cooking or consumption of food that are discharged to a pretreatment unit or device commonly referred to as a grease trap. The principal components of grease trap sludge are fats, oils and greases.

##### **7-3-9-2: REGULATIONS:**

- (A) Each person, firm, corporation, association, institution, commercial establishment or business entity who owns or operates a grease trap in accordance with the Orland Park Plumbing Code shall cause collected or trapped fats, oils and grease to be cleaned and removed from such device on a periodic basis, and delivered to a facility authorized to use, treat or dispose of such material. Such cleanout and removal shall be accomplished on a monthly basis unless the Village of Orland Park, upon receipt of proof from the owner or operator or on the basis of its own inspection of the grease trap, determines that a less or more frequent maintenance schedule is required to achieve the purposes of this Chapter and to prevent the discharge of fats, oils and grease into the Village of Orland Park's sewer system.
- (B) No person, firm, corporation, association, institution, commercial establishment or business entity shall introduce, nor allow the introduction of physical, chemical or biological agents into grease traps for the purpose of resuspending, dissolving, emulsifying or rendering soluble any fats, oils, or grease removed from wastewater by such grease traps and reintroducing them into the Village of Orland Park's sewer system.



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- (C) No person, firm, corporation, association, institution, commercial establishment or business entity may cause or allow the discharge, deposit or disposal of any grease trap sludge into a treatment works or into any sewer owned by the Village of Orland Park.

### **7-3-9-3: MANIFEST REQUIRED:**

No person, firm, corporation, association, institution, commercial establishment or business entity shall within the Village of Orland Park, cause or allow the transportation or acceptance of grease trap sludge for rendering, storage, treatment, or disposal away from the site where the sludge was generated, unless the sludge is accompanied by a manifest as prescribed in Section 7-3-9.6 below, and the transporter of the grease trap sludge has the appropriate licenses as required by Section 7-3-9.4 below.

### **7-3-9-4: LICENSE REQUIRED:**

- (A) No person, firm, corporation, association, institution, commercial establishment or business entity shall, within the Village of Orland Park, remove, transfer, or dispose of grease trap sludge without first having obtained a grease trap sludge removal and transportation license and the appropriate individual license for each vehicle transporting the grease trap sludge as set forth in subsections (B) and (C) below.
- (B) Each annual grease trap sludge removal and transportation license shall be issued at a fee of \$150.00 for persons, firms, corporations, associations, institutions, commercial establishments or business entities removing and/or transporting grease trap sludge away from the site where the grease trap sludge was generated within the Village of Orland Park.
- (C) In addition to the license fee required by subsection (B), each vehicle used to transport grease trap sludge shall be separately licensed at an annual fee of \$75.00, provided, however, that as part of the \$150.00 annual fee required under subsection (B), each licensee shall also receive one (1) of the licenses required under this subsection without the payment of an additional \$75.00. Not more than one vehicle shall be operated under one license, and the applicant or licensee shall be required to secure a license for each and every vehicle used to transport grease trap sludge. When any license required under this subsection (C) is issued after the first day of January in any year, the license fee so provided for in this subsection shall be prorated over the remainder of the year by dividing the annual license fee required hereunder by twelve, which gives the amount of the license fee per month, and deducting for the months already passed; provided, however, that any license issued for a portion of a month shall be considered a full month and included in the months remaining of the then calendar year; and provided further that the applicant or licensee shall pay in full and in advance the prorated amount for each month or parts of a month remaining in the calendar year. (Ord. 3892, 6-21-04)
- (D) When issued, all licenses provided for in subsection (C) above shall be evidenced by a fee emblem which shall be affixed prominently and conspicuously to each vehicle for which it is issued. Each such emblem shall be issued only for a particular vehicle and may not be transferred or used in any way whatsoever as the required emblem of any other vehicle whether or not such other vehicle is a new or replacement vehicle for the original vehicle. If, however, the licensee wishes to transfer a license which is required under subsection (C) above to a replacement vehicle for the original vehicle, the licensee may transfer the license to a replacement vehicle if all of the following conditions are met:

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- (a) The original vehicle is permanently removed from the operation of transporting grease trap sludge within the Village of Orland Park;
- (b) The fee emblem is taken off the original vehicle and returned to the village of Orland Park;
- (c) The licensee is the record owner of the replacement vehicle;
- (d) The information and documentation issued under subsection (B) as it applies to the replacement vehicle has been provided to the Village of Orland Park;
- (e) The replacement vehicle and licensee complies with and meets all of the provisions and requirements of this Section;

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 and a citizen of the United States.
- (F) No refund shall be paid at any time to any licensee for fees paid for any license required under this Section.

#### **7-3-9-5: LICENSE APPLICATION:**

- (A) Applications for a grease trap sludge removal and transportation license shall be in a form supplied or approved by the Village of Orland Park and shall be accompanied by the license fees as required pursuant to Section 7-3-9.4. Applications for licenses shall be accepted only from the record owner of the vehicle(s) used to transport the grease trap sludge.
- (B) An application for a grease trap sludge removal and transportation license hereunder shall be filed in writing with the Village Clerk on a form to be provided by the Village, accompanied by the proper license fee(s) and the other documentation required in the subsections below, and shall be subscribed to and sworn to under oath, and shall specify:
  - (1) The name, address and telephone number of the applicant, and if a firm, corporation, association or partnership, the principal officers thereof and their addresses; and if a corporation, all shareholders of more than five (5%) percent, the corporate purpose, the corporate recording numbers and registered agent.
  - (2) A list of each vehicle to be used in the grease trap sludge removal and transportation operation. Such list shall contain for each vehicle the name of the vehicle owner, the address of the vehicle owner, the telephone number of the vehicle owner, the make of the vehicle, the model of the vehicle, the VIN number for the vehicle, the year of the vehicle, a description of any tanks or other equipment which will hold the grease trap sludge and the location of the facility at which each such vehicle will be garaged.

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- (3) Sufficient proof of insurance and a copy of the registration for each vehicle to be used in the grease trap sludge removal and transportation operation.
  - (4) A copy of the driver's license for each person who will be driving a vehicle in the grease trap sludge removal and transportation operation.
  - (5) A statement as to whether or not any of the above parties has ever been convicted of a felony.
  - (6) A declaration of the facilities to which such grease trap sludge is to be delivered for use, treatment or disposal.
  - (7) Such other and further information as the Village may require.
- (C) The Chief of Police shall investigate the truthfulness of the statements made in the application and report to the Village Manager of his/her results or findings.
- (D) The Village Manager shall neither issue nor record a grease trap sludge removal and transportation license with the Village Clerk if:
- (1) Any of the parties requesting the grease trap sludge removal and transportation license has been convicted of a felony.
  - (2) A false statement has been made on the application for a license.
  - (3) The applicant is not the record owner of each of the vehicles to be used in the grease trap sludge removal and transportation operation.
  - (4) No other grease trap sludge removal and transportation licenses are available.
  - (5) There are any items listed on the inspection report that need to be remediated pursuant to subsection 9.8 below.
  - (6) No license shall be issued to any person, firm, corporation, association, institution, commercial establishment or business entity if such person, firm, corporation, association, institution, commercial establishment or business entity does not have all the valid waste hauling permits that may be required by the Illinois Environmental Protection Agency and the Illinois Department of Agriculture.

Such denial shall be in writing, and the Village Manager shall promptly notify the applicant as to the basis of the denial. No denial shall be made on the basis of the applicant's race, creed, color, sex or national origin.

#### **7-3-9-6: MANIFEST INFORMATION:**

No licensee shall remove, transport or dispose of grease trap sludge in the Village of Orland Park without the grease trap sludge being accompanied by a manifest form which shall be completed as set forth below. The Village of Orland Park shall develop and make available the grease trap sludge manifest. The manifest shall contain at a minimum the following information:

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- (a) The name of the generator of the sludge;
- (b) The address of the generator of the sludge;
- (c) The telephone number of the generator of the sludge;
- (d) The printed name and legible signature of an authorized representative of the generator of the sludge;
- (e) The street address of the grease trap;
- (f) The volume of grease trap sludge removed;
- (g) The date of the sludge removal;
- (h) The name of the transporter of the sludge;
- (i) The street address of the transporter of the sludge;
- (j) The telephone number of the transporter of the sludge;
- (k) Acknowledgment of the receipt of the sludge by the transporter;
- (l) The printed name and legible signature of an authorized representative of the transporter;
- (m) The date of the collection of the grease trap sludge;
- (n) The transporter's U.S. EPA I.D. number;
- (o) The transporter's annual grease trap sludge removal and transportation license number;
- (p) The license number for the individual license issued by the Village of Orland Park for the vehicle being used to transport the grease trap sludge.
- (q) The name of the facility receiving the sludge;
- (r) The street address of the facility receiving the sludge;
- (s) The telephone number of the facility receiving the sludge;
- (t) An acknowledgment of the receipt of the sludge by the facility receiving the sludge;
- (u) The printed name and legible signature of an authorized representative of the receiving facility;
- (v) The date of the grease trap sludge receipt by the facility receiving the sludge; and
- (w) The disposal or receiving facility's U.S. EPA I.D. number. The manifest shall be completed by the generator of the grease trap sludge. The generator must retain one copy of the manifest and deliver or mail by certified mail one copy to the Department of Public Works for the Village of Orland Park within 48 hours of shipment. The other copies of the manifest shall be given to the transporter. Each

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transporter shall complete applicable sections of the manifest, maintain one copy and provide the facility receiving the sludge with the remainder of the manifest copies. The receiving and management facility shall maintain one copy of the manifest, send one copy to the generator and mail one copy to the Director of the Department of Public Works for the Village of Orland Park.

#### **7-3-9-7: MANIFEST COPY TO BE RETAINED:**

The grease trap sludge generator, transporter and management facility operator shall each retain a copy of the manifest for no less than two (2) years, and shall produce such documents to the Village of Orland Park upon request by the Village of Orland Park.

#### **7-3-9-8: INSPECTION PERMITTED:**

Any person, firm, corporation, association, institution, commercial establishment or business entity that places an application for a grease trap sludge removal and transportation license or renewal thereof, agrees to allow the Village of Orland Park to inspect the condition of the facility or equipment of any generator, transporter or receiving facility applying for such license to determine if it is unsuitable for the intended grease trap sludge operation or in need of repair. If the inspector finds the condition of the facility or equipment to be unsuitable for the intended grease trap sludge removal and transportation operation or in need of repair, the inspector shall issue a written report of his/her findings and shall send a copy of the report to the applicant. No grease trap sludge removal or operator's licenses shall be issued to any applicant until all such items listed on the inspection report are remediated.

#### **7-3-9-9: LICENSE TERM, RENEWAL; VILLAGE RIGHT TO REVOKE; NATURE OF LICENSE:**

Each grease trap sludge removal and transportation license required by this Section shall be terminated on January 1 next following its issuance. No part of a license fee will be refunded if the license is revoked by the Village Manager.

Any licensee may retain his, her or its grease trap sludge removal and transportation license at the expiration thereof, provided he, she or it is then qualified to receive a license and the premises and the equipment for which such renewal license is sought are suitable for such purpose, and provided further, that the renewal privilege herein provided 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.

Every grease trap sludge removal and operator's license issued under this Section is subject to the Village's right, which is hereby expressly reserved, to revocation of same, should the licensee directly or indirectly permit the removal, transportation, disposal or placement of any grease trap sludge contrary to the provisions of this ordinance, any other Village code or Section or the laws of the State of Illinois. Said license may be revoked by the Village Manager after written notice to the licensee, which notice shall specify the ordinance or law violations with which the licensee is charged, if after a hearing the licensee is found to be guilty of such violations. Ten (10) days' notice of the hearing shall be given to the licensee. At such hearing, the licensee and his, her or its attorney may present and submit evidence and witnesses in his, her or its defense.

Any grease trap sludge removal and transportation license shall be purely a personal privilege, good for not to exceed one year after issuance or until January 1st next following its issuance, whichever is first, unless sooner revoked as in this Section provided, 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 it shall cease upon the death of the licensee.

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Nothing contained in this Ordinance shall create any vested or property right in any grease trap sludge removal and transportation license whatsoever, nor shall it limit or restrict the right of the Village of Orland Park to at anytime amend or repeal this Section. (Ord. 2834, 2-5-96)

#### **7-3-9-10: PENALTY:**

Any person, firm, corporation, association, institution, commercial establishment or business entity violating any of the provisions of this ordinance shall be fined not less than FIFTY (\$50.00) DOLLARS nor more than SEVEN HUNDRED FIFTY (\$750.00) DOLLARS for each offense; and each day such violation shall continue shall be regarded as a separate offense. In addition, any violation hereof may result in having the violator's business license subject to suspension or revocation.

Any person, firm, corporation, association, institution, commercial establishment or business entity who knowingly makes a false statement or representation in any writing required to be prepared under the Section shall be fined not less than FIFTY (\$50.00) DOLLARS nor more than SEVEN HUNDRED FIFTY (\$750.00) DOLLARS for each submission.

#### **7-3-10: TEENAGE CABARETS/JUICE BARS:**

##### **7-3-10-1: DEFINITION:**

For purposes of the Section, a "teenage cabaret/juice bar" is defined as a private commercial, recreational and entertainment facility, designed or intended to be used primarily by, but not limited to patrons under the age of twenty-one (21) years old, where patrons enjoy dancing, live and recorded music and entertainment or where videotape presentations are shown.

##### **7-3-10-2: LICENSE REQUIRED:**

It shall be unlawful to operate a teenage cabaret/juice bar within the Village without first having obtained a license therefor as is herein provided.

##### **7-3-10-3: APPLICATION FOR LICENSE:**

Application for such license shall be made to the Village Clerk and shall include the following information:

- A. Name and address of the owner/operator. If a corporation, the state of incorporation, as well as the names and addresses of all officers of the corporation;
- B. Name and addresses and positions of all employees and nonemployee crowd control and supervision personnel. Said information shall be updated as new employees and nonemployee crowd control and supervision personnel are hired;
- C. The intended hours of operation; and
- D. The maximum occupancy load of the building or premises to be used, as determined by the Village and/or the Orland Fire Protection District in accordance with the provisions of the latest edition of the BOCA Basic National Building Code and Fire Prevention Code adopted by the Village.

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- E. Such other information as may be required by the Village from time to time.

#### **7-3-10-4: LICENSE FEE:**

The fee for a teenage cabaret/juice bar license shall be as follows:

- A. Initial license fee for issuance of a new license, ONE THOUSAND TWO HUNDRED (\$1,200.00) DOLLARS.
- B. Subsequent renewal license annual fee, THIRTY-FIVE (\$35.00) DOLLARS per one thousand (1,000) square feet.

#### **7-3-10-5: GENERAL CONDITIONS OF LICENSE:**

All teenage cabaret/juice bar licenses shall be subject to the following conditions:

- A. The building and premises used must be in full compliance with all applicable provisions of Village Codes and ordinances.
- B. The licensee shall be required to supply at least one qualified crowd control and supervision person for every one hundred (100) persons, or portion thereof, permitted to be within the building or premises licensed. Persons qualified for crowd control shall be limited to off-duty police officers. Said qualified crowd control and supervision personnel shall be responsible for crowd control both within the building used by the licensee and the premises upon which said building is located. In the event that the licensee uses Village off-duty police officers for crowd control and supervision, the licensee shall include the police officers in the worker's compensation insurance policy for their employees only while employed privately in connection with the teenage cabaret/juice bar and the Village shall be named as an additional insured in the general liability insurance policy covering the operation of said teenage cabaret/juice bar in an amount of not less than ONE MILLION (\$1,000,000.00) DOLLARS aggregate coverage.
- C. All patrons shall enter at only one entrance and be properly identified, and a count of those entering be kept; all persons and clothing shall be checked to make sure that no dangerous implements are brought into said licensed premises. Once a person has been admitted such person shall not leave and re-enter without again paying the admission charge and being identified and checked.
- D. No alcoholic beverages will be served or permitted on the licensed premises.
- E. The Manager of said teenage cabaret/juice bar shall be an adult, preferably with experience in the administration of such facilities. All employees and nonemployee crowd control and supervision personnel of said teenage cabaret/juice bar shall be checked by the Police Department for previous criminal records. Within three (3) days of the hiring of a new employee or nonemployee crowd control and supervision person, the owner/operator shall notify the Village Clerk in writing of the name of the new employee or nonemployee crowd control and supervision person so that the Police Department can perform the required criminal record check.
- F. No license required by this Section shall be issued to an establishment which has an employee, or has a nonemployee crowd control and supervision person, who is a convicted felon, or has been placed on supervision for, or been convicted of, a violation of Illinois Compiled Statutes,

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Chapter 720, Act 5, Sections 11-6, 11-9, 11-9.1, 11-11, 11-14, 11-14.1, 11-15, 11-15.1, 11-16, 11-17, 11-18.1, 11-19, 11-19.1, 11-19.2, 11-20, 11-20.1, 11-21, 12-13, 12-14, 12-15 or 12-16.

- G. The coat check area will be supervised and patrolled.
- H. Building and Fire Code and other regulations shall at all times be enforced.

#### **7-3-10-6: SPECIAL CONDITIONS OF LICENSE:**

All teenage cabaret/juice bar licenses shall be subject to the following special conditions during any period of time when individuals under the age of eighteen (18) years old are permitted on the licensed premises.

- A. The hours of operation shall be limited to:
  - 1. Fridays: Eleven o'clock (11:00) A.M. to Twelve o'clock (12:00) midnight.
  - 2. Saturdays: Eleven o'clock (11:00) A.M. to Two o'clock (2:00) A.M.
  - 3. Evening preceding holidays: Eleven o'clock (11:00 A.M. to Two o'clock (2:00) A.M.
  - 4. Sunday through Thursday: Three o'clock (3:00) P.M. to Ten o'clock (10:00) P.M.
- B. Notwithstanding the aforesaid hours of operation, no provisions of law establishing a curfew for persons of the ages affected are hereby modified or repealed and the licensee of said teenage cabaret/juice bar shall cause to be audibly announced the curfew hours at least one-half (1/2) hour before said curfew shall become effective.
- C. Each patron of the teenage cabaret/juice bar shall be at least fourteen (14) years of age, and under the age of twenty-one (21) years of age, and be the holder of a valid high school identification card or other means of lawful identification, unless entry is limited on a particular day or during particular hours to only individuals under the age of fourteen (14) years of age.
- D. The licensee shall make responsible efforts not to permit persons under seventeen (17) years of age to enter or remain upon the premises after Eleven Thirty o'clock (11:30) P.M. on Friday, Saturday and evenings preceding holidays.
- E. The parents of patrons shall be admitted to observe and as part of the operating schedule, open houses for parents shall be arranged.
- 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.

The aforementioned special conditions shall be in addition to the general conditions set forth in subsection 7-3-10-5 above. Where the special conditions of this Section are more restrictive than the general conditions of subsection 7-3-10-5 above, the special conditions shall prevail.

#### **7-3-10-7: PENALTY; REVOCATION:**



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- A. Any person, firm or corporation violating any of the provisions of this Section shall be fined not less than TWENTY-FIVE (\$25.00) DOLLARS nor more than SEVEN HUNDRED FIFTY (\$750.00) DOLLARS.
- B. In addition to the fine provisions of subsection A above, the general business license revocation provisions of the Village shall be applicable to teenage cabaret/juice bar licensees.  
(Ords. 2893, 5-20-96 and 2924, 8-5-96)

#### **7-3-11: POOL AND BILLIARD TABLES:**

##### **7-3-11-1: PROHIBITION OF UNLICENSED POOL AND BILLIARD TABLES:**

- (A) No person, firm, corporation, association, establishment or entity shall, within the Village of Orland Park, display for public patronage or keep for use by patrons any pool and billiard tables, without first having obtained a Billiard Parlor Operator's license as set forth in subsection (B) below.
- (B) There shall be issued no more than one (1) Billiard Parlor Operator's License at the fee of \$375.00 for persons, firms, corporations or associations displaying for public patronage or keeping for use by patrons any pool and billiard tables. (Ord. 3892, 6-21-04)
- (C) No license shall be issued to any person unless he or she is over twenty-one (21) years of age and a citizen of the United States.

##### **7-3-11-2: APPLICATION:**

- (A) Application for a Billiard Parlor Operator's license hereunder shall be filed in writing with the Village Manager on a form to be provided by the Village, accompanied by the proper license fee, and shall be subscribed to and sworn to under oath, and shall specify:
  - (1) The name and address of the applicant, and if a firm, corporation, association or partnership, the principal officers thereof and their addresses; and if a corporation, all shareholders of more than 5%, the corporate purpose, corporation recording numbers, and registered agent.
  - (2) The address(es) of the premises where the pool and billiard tables are to be operated together with the character of the business as carried on at such place.
  - (3) The number of pool and billiard tables to be used.
  - (4) A statement as to whether or not any of the above parties have ever been convicted of gambling, tax evasion, any felony, or have ever been denied a liquor license.
  - (5) A statement as to whether or not a liquor license has been or will be issued.
  - (6) Such other and further information as the Village may require.

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- (B) The Chief of Police shall investigate the truthfulness of the statements made in the application and report to the Village Manager his results or findings.
- (C) The Village Building Department shall review the location where the pool or billiard tables are intended to be used, determine if the same complies with the Zoning Ordinance and Land Development Code of the Village and make recommendations to the Village Manager.
- (D) The Village Manager shall neither issue nor record a Billiard Parlor Operator's license with the Village Clerk if:
  - (1) The zoning is improper;
  - (2) Any of the parties requesting the Billiard Parlor Operator's license have been convicted of gambling, tax evasion, or other felony;
  - (3) A false statement has been made on the application for a license; or
  - (4) No Billiard Parlor Operator's license is available.

Such denial shall be in writing and the Village Manager shall promptly notify the applicant as to the basis of the denial. No denial shall be made on the basis of the applicant's race, creed, color, sex or national origin.

### 7-3-11-3: RESTRICTIONS:

- (A) No license issued hereunder shall permit the use of any pool and billiard tables at any place or in any manner which will disturb the peace or quiet of persons outside the licensed premises.
- (B) No licensee shall operate an establishment wherein pool and billiard tables are located in a manner which will encourage truancy. Each licensee shall monitor its pool and billiard tables so as to discourage truancy, and shall prohibit the use of table(s) by persons under fifteen (15) years of age unless that person is accompanied by a parent or legal guardian. In addition, during school hours, each licensee shall prohibit the use of the table(s) by persons under sixteen (16) years of age and/or by student(s) enrolled in grades 12 or under.
- (C) No license shall be issued hereunder to an establishment holding other than a Class "C" liquor license. No Billiard Parlor Operator's licensee holding a Class "C" liquor license shall admit upon the licensed premises a person under the age of twenty-one (21) years unless that person is accompanied by a parent or legal guardian, except that a person of the age of eighteen (18) years or older may be admitted without being accompanied by a parent or legal guardian upon that part of the licensed premises separated from the bar area by a floor to ceiling wall or other appropriate barrier. (Ord. 4242, 5-7-07)
- (D) No licensee shall permit or allow any patron or person to be located on the premises wherein table(s) are located if said patron or person is thereby violating any laws or Village ordinances or Village Code provisions, including but not limited to those relating to a curfew for minors.

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(E) No licensee shall display for public patronage or keep for use by patrons any pool or billiard table which requires the insertion of a coin, slug, token, plate or disc.

(F) It shall be unlawful to keep open for business or to admit the public to any such establishment wherein pool and/or billiard tables are located between the hours of 1:00 a.m. and 11:00 a.m. on Saturday and Sunday or between the hours of 12:00 a.m. and 11:00 a.m. on any other day of the week.

(Ord. 3939, 10-4-04)

#### **7-3-11-4: TERM AND RENEWAL OF BILLIARD PARLOR OPERATOR'S LICENSE:**

Each Billiard Parlor Operator's license required by this Section 7-3-11 shall terminate on December 31 next following its issuance. No part of a license fee will be refunded if the license is revoked by the Village Manager.

Any licensee may renew his, her or its Billiard Parlor Operator's license at the expiration thereof, provided he, she or it is then qualified to receive such a license and the premises for which such renewal license 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.

#### **7-3-11-5: SEIZURE AND DESTRUCTION OF DEVICES USED FOR GAMBLING:**

Nothing in this Section 7-3-11 shall in any way be construed to authorize, license or permit any gambling whatsoever, and if the Chief of Police shall have probable cause to believe any pool or billiard table is being used as a gambling device, such table may be seized by the Police and impounded until a hearing is held as herein provided. A finding of guilty shall result in the destruction of such table by the Police Department. A finding of innocent shall result in the return of said table to the licensee.

#### **7-3-11-6: REVOCATION OF LICENSE:**

Every Billiard Parlor Operator's License issued under this Section 7-3-11 is subject to the Village's right, which is hereby expressly reserved, to revocation of same should the licensee directly or indirectly permit the use of any pool or billiard table contrary to the provisions of this Section 7-3-11, other provisions of the Village Code, Village ordinances or the laws of the State of Illinois. Said license may be revoked by the Village Manager after written notice to the licensee, which notice shall specify the ordinance, code section, or law violations with which the licensee is charged, if after a hearing the licensee is found to be guilty of such violations. Ten (10) days' notice of the hearing shall be given to the licensee. At such hearing, the licensee and his, her or its attorney may present and submit evidence and witnesses in his, her or its defense.

#### **7-3-11-7: TRANSFER OF LICENSE:**

A Billiard Parlor Operator's license shall be purely a personal privilege, good for not to exceed one year after issuance or on June 30 next following its issuance, whichever is first, unless sooner revoked as provided in this Section 7-3-11, 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 it shall cease upon the death of the licensee if the licensee is a person, or upon the dissolution or cessation of business if the licensee is a firm, corporation or association.

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Nothing contained in this subsection shall create any vested or property right in any Billiard Parlor Operator's license whatsoever, nor shall it limit or restrict the right of the Village of Orland Park to, at any time, amend or repeal this Section 7-3-11 or any subsection hereof.

#### **7-3-11-8: PENALTIES:**

Any person, firm, corporation, association, establishment, or entity violating any of the provisions of this Section 7-3-11 shall be fined not less than twenty-five (\$25.00) dollars or more than Seven Hundred and Fifty (\$750.00) dollars for each offense; and each day such violation shall continue shall be regarded as a separate offense. In addition, any violation hereof may result in having the violator's business and/or liquor license subject to suspension or revocation. (Ord. 3101, 2-2-98)

(2/98)