

..T

AN ORDINANCE AMENDING TITLE 5, CHAPTER 1 AND TITLE 7, CHAPTERS 1 AND 2
AND OF THE ORLAND PARK VILLAGE CODE RELATING TO BUSINESS LICENSE
REGISTRATION AND FEES

..B

WHEREAS, the Village President and Board of Trustees of the Village of Orland Park (the “Village”) have the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs and protect the public health, safety, and welfare of its citizens; and

WHEREAS, pursuant to 65 ILCS 5/1-2-1, the Village may pass all ordinances and make all rules and regulations proper or necessary, to carry into effect the powers granted to municipalities, with such fines or penalties as may deemed proper; and

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:

Title 5, “Building,” Chapter 1, “Building Code,” Section 5-1-4, “Certificate of Occupancy,” of the Orland Park Village Code is hereby amended to read in its entirety as follows:

5-1-4: CERTIFICATE OF OCCUPANCY:

No building or structure or any part thereof shall be used or occupied until a Certificate of Occupancy or Conditional Certificate of Occupancy has been issued by the building code official. No permit holder shall allow any person or entity to use or occupy a building or structure or any part thereof which is the subject of his or its building permit until a Certificate of Occupancy or Conditional Certificate of Occupancy has been issued by the building code official.

The code official shall issue such certificate only if, after inspection, he finds that such building or structure complies with the provisions of this title and all other laws of the Village of Orland Park and the State of Illinois, and that said building or structure has been completed in accordance with the approved plans and documents filed in support of the Application for Building Permit relating to said building or structure. Such certificate shall show the permitted use for the building or structure. A conditional certificate may be issued for the temporary use of a building or structure or portion thereof under the conditions set forth above, or the conditions set forth in Section 5-1-13, Paragraph 111.2 of this Code.

It shall be unlawful for any person (which refers to, for purposes of this Chapter, any individual, partnership, corporation, entity which conducts, engages in, maintains, operates, carries on or

manages a business or occupation within the Village of Orland Park, and also includes any business, corporation or entity which rents out or leases any building or portion of a building to another person) to conduct, engage in, maintain, operate, carry on, or manage a business or occupation without a Certificate of Occupancy first having been procured for such business or occupation. Any person violating this section shall be charged additional fees no less than \$200.00 nor more than \$750.00 for each offense, and every day such violation continues shall constitute a separate and distinct offense.

See Village Code 5-2-14 for work without permit violations.

See Village Code 5-1-13 Section 114.4 for Violations of this adopted Code.

SECTION 2:

Title 7, "Business and License," Chapter 1, "Business License Administration," 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.

It shall be unlawful for any person (which refers to, for purposes of this Chapter, any individual, partnership, corporation, entity which conducts, engages in, maintains, operates, carries on or

manages a business or occupation within the Village of Orland Park, and also includes any business, corporation or entity which rents out or leases any building or portion of a building to another person) to conduct, engage in, maintain, operate, carry on, or manage a business or occupation for which a license is required by any provision of this Code, without a license first having been procured for such business or occupation. Any person violating this section shall be charged additional fees no less than \$200.00 nor more than \$750.00 for each offense, and every day such violation continues shall constitute a separate and distinct offense.

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 3:

Title 7, "Business and License," Chapter 1, "Business License Administration," Section 7-1-10, "Change in Business," of the Orland Park Village Code is hereby amended to read in its entirety as follows:

7-1-10: CHANGE IN BUSINESS:

Moving: 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 risk assessment of 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.

Change of Ownership: when any active business has a change of ownership, the new owner must apply for new occupancy and business license.

Name Change: when any active business changes only the name of the business and all other attributes, including ownership, remain the same, the owner shall submit a \$30 processing fee along with a new business license application.

SECTION 4:

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

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
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

SECTION 5:

This Ordinance shall be in full force and effect from and after its passage, approval and publication as required by law.