

Ordinance #23-08
AN ORDINANCE OF THE VILLAGE OF LYNWOOD, ILLINOIS
AMENDING THE VILLAGE FEE SCHEDULE

WHEREAS, the Village of Lynwood determines and assesses local license and permit fees as authorized by State law and the Code of Ordinances of the Village of Lynwood (the "Code").

WHEREAS, Code Section 10-62 authorizes the Board of Trustees to establish the amount of fees associated with licensure for the sale of alcoholic beverages in the Village, including an application processing fee and an annual license fee.

WHEREAS, Code Section 22-23 authorizes the Board of Trustees to establish the amount of fees associated with licensure or permits for the conducting, engaging in, maintenance, operation, carrying on, or management of any business, occupation, activity, or establishment, including fees and charges for initial licenses or permits, fees and charges for license or permit renewals, costs for annual building, fire and special use conformance inspections, and re-inspection fees.

WHEREAS, Code Section 78-23 authorizes the Board of Trustees to establish an annual license fee to be paid by itinerant merchants, peddlers or hawkers of any merchandise, article or thing in the Village.

WHEREAS, Code Section 78-62 authorizes the Board of Trustees to establish the license fee to be paid by a canvasser or solicitor for profit to call at residences in the Village without the previous consent of the occupant for the purpose of soliciting orders, sales, subscriptions or business of any kind or seeking information.

WHEREAS, Code Section 78-63 authorizes the Board of Trustees to establish the license fee to be paid by charitable or communal solicitors or canvassers to conduct a tag day or otherwise solicit contributions within the Village to any charity or community project (excluding any church or organization conducting a solicitation solely among its own membership).

WHEREAS, the Board of Trustees periodically reviews and makes changes to said fees.

WHEREAS, fees established by the Board of Trustees from time to time are set forth in the Village fee schedule at Chapter 38 of the Code.

WHEREAS, the Board of Trustees has received the Village Clerk's recommendation that the background check fees associated with applications for the following local licenses be increased: liquor licenses, business licenses, licenses to act as a canvasser or solicitor for profit, and licenses to conduct charitable or communal solicitations.

WHEREAS, the President and Board of Trustees find that the recommended changes are in accordance with State law and are otherwise in the best interest of the Village.

NOW, THEREFORE, BE IT ORDAINED by the President and the Board of Trustees of the Village of Lynwood, Illinois, as follows:

Section 1. Recitals. The foregoing recitals are hereby incorporated into this Ordinance as findings of the Village President and Board of Trustees.

Section 2. Amendment of Fee Schedule. The following portions of the fee schedule set forth in Chapter 38, Section 38-1 of the Code are hereby amended to reflect the following fees:

- Liquor licenses (Code Section 10-62)– A \$50.00 nonrefundable background check fee, applicable to all classes of liquor licenses
- Licenses to act as a canvasser or solicitor for profit (Code Section 78-62(c)) – A \$50.00 nonrefundable background check fee
- Licenses to conduct charitable or communal solicitations (Code Section 78-63(d)) – A \$50.00 nonrefundable background check fee

The amended portions of Code Section 38-1 are set forth in Exhibit A, attached to and made a part of this Ordinance, and are hereby approved.

Section 3. Amendment of Section 74-22 of the Code of Ordinances of the Village of Lynwood. Section 74-22 of the Code of Ordinances of the Village of Lynwood is amended as follows:

Sec. 74-22. - Permits.

(a) Issuance; display. All parties required to have permits shall make application for permits at the village clerk's office. Any group or person issued a permit shall retain the permit in their possession during the permitted event and shall display the same to any employees of the parks and recreation department or any member of the police department.

(b) Age limitations. Permits shall be issued to a person 21 years of age or more.

(c) Rental Fee. A rental fee shall be payable by the person making application for the permit, in an amount that shall be established by the board of trustees. No permit shall be issued pursuant to this article until the rental fee is paid.

(d) Responsibility for damage. The person making application for the permit shall be financially responsible for any damage caused during the use of the park's facilities.

- (e) Limited number of participants. No permits will be issued to any group in excess of 100 persons unless it is proven to the satisfaction of the parks and recreation department that 50 percent of the group is comprised of residents of the village.
- (f) Denial of permit. The superintendent of the parks and recreation department or his designee or the village president reserve the right to revoke any permit for a violation of any park regulation and shall, further, have the right to refuse to issue a permit.
- (g) Appeal. If any person desires to appeal the refusal to issue a permit, he may appeal directly to the president of the board of trustees or, in case the refusal has been issued by the president, the appeal may be made to the entire president and board of trustees. The appeal shall be in writing, filed not less than 48 hours after the date of the refusal or revocation and further, a hearing shall be held on the refusal or revocation within seven days from the date the appeal is filed. The date, the time and the location of the hearing shall be set by the president of the board of trustees.

Section 4. The provisions and sections of this Ordinance shall be deemed severable and the invalidity of any portion of this Ordinance shall not affect the validity of the remainder.

Section 5. This Ordinance shall be in full force and effect from and after May 1, 2023, or its adoption, approval and publication as provided by law, whichever is later. Publication in pamphlet form is authorized.

(Record of vote on the Ordinance and signatures of the Village President and Village Clerk appear on the following page)

ADOPTED by the President and Board of Trustees of the Village of Lynwood, Cook County, Illinois, at a meeting legally assembled on the 25th day of April, 2023, on motion of

Trustee Hilly, seconded by Trustee Clark, carried on the "aye" votes of

Trustees Eaves, Hilly, Dudap, Blakey, Clark, Marshall

Voting "nay": None

Abstain: None

Present: None

Absent: None


Village Clerk

APPROVED BY ME THIS
25th day of April, 2023.


VILLAGE PRESIDENT

Passed: 4/25, 2023

Approved: 4/25, 2023

Published in pamphlet form: 4/25, 2023

EXHIBIT A
THE CODE OF ORDINANCES OF THE VILLAGE OF LYNWOOD
Chapter 38 – FEES, SECTION 38-1 (FEES) (CHANGES HIGHLIGHTED)

	CHAPTER 10 - ALCOHOLIC BEVERAGES	
Section of Code	Description	Fee (in dollars)
10-62	Nonrefundable license application fee	200.00
	<u>Nonrefundable background check fee</u>	<u>50.00</u>

	CHAPTER 22 - BUSINESSES AND BUSINESS REGULATIONS	
Section of Code	Description	Fee (in dollars)
22-23	Business license or permit fees:	
	<u>Nonrefundable background check fee</u>	<u>50.00</u>
	CHAPTER 74 - PARKS AND RECREATION	
<u>74-22</u>	<u>Rental fee</u>	<u>\$200.00 Deposit (\$50.00 return 3 days after the event as long as there are no damages and park clean up is complete)</u>
	CHAPTER 78 - PEDDLERS AND SOLICITORS	
Section of Code	Description	Fee (in dollars)
78-23	License	25.00
	<u>Nonrefundable background check fee</u>	<u>50.00</u>
78-62(c)	License	25.00
	<u>Nonrefundable background check fee</u>	<u>50.00</u>
78-63(d)	License	25.00
	<u>Nonrefundable background check fee</u>	<u>50.00</u>