
**THE CITY OF BLUE ISLAND
COOK COUNTY, ILLINOIS**

**ORDINANCE
NUMBER 2018-029**

**AN ORDINANCE AMENDING TITLE XI, BUSINESS
REGULATIONS, CHAPTER 110, GENERAL LICENSING
PROVISIONS OF THE CODE OF ORDINANCES FOR THE CITY OF
BLUE ISLAND, COOK COUNTY, ILLINOIS.**

**DOMINGO F. VARGAS, Mayor
Randy Heuser, City Clerk**

**DEXTER JOHNSON
LETICIA VIEYRA
NANCY RITA
TOM HAWLEY
BILL FAHRENWALD
CANDACE CARR
KENNETH PITTMAN**

**GEORGE POULOS
FRED BILOTTO
KEVIN DONAHUE
ALECIA SLATTERY
JANICE OSTLING
JAIRO FRAUSTO
NANCY THOMPSON**

Aldermen

ORDINANCE NO. 2018-029

**AN ORDINANCE AMENDING TITLE XI, BUSINESS REGULATIONS, CHAPTER 110,
GENERAL LICENSING PROVISIONS OF THE CODE OF ORDINANCES FOR THE
CITY OF BLUE ISLAND, COOK COUNTY, ILLINOIS**

WHEREAS, the City of Blue Island, Illinois (“City”), is a municipal corporation of the State of Illinois; and

WHEREAS, the Blue Island Code of Ordinances, Title XI, Business Regulations, Chapter 110.50, Hearing Determination; Appeal, provides that person aggrieved by a decision of the Mayor, his or her designee or City Clerk in regard to the denial or application or in connection with the suspension or revocation of a business license shall have the right to appeal to the City Council or its designated committee;

WHEREAS, the Blue Island Code of Ordinances, Title XI, Business Regulations, Chapter 110.50, Hearing Determination; Appeal, does not provide for the manner of the proceedings and the Blue Island Corporate authorities desires to establish the manner of the proceedings for appeals to the City Council based upon a suspension or revocation of the business license.

WHEREAS, the Blue Island Code of Ordinances, Title XI, Business Regulations, Chapter 110.49, Hearing Procedures on Violations, does not require that business license suspension or revocation be recorded.

WHEREAS, it is in the best interests of the City to require the recording of business license and suspension revocation hearings and limit the appeal to the City Council for suspensions or revocations of business licenses to a review of the official record of the proceedings when an official record of the proceedings has been transcribed by a court reporter or audio recorded.

WHEREAS, in order for the City Council to review the official record of the proceedings the timeline for the appeal hearing before the City Council must be adjusted to allow time for the official record of the proceedings to be prepared.

WHEREAS, for appeals of denial of business license applications, it is in the best interest of the City to adjust the timeline so that appeals could be heard at a regularly scheduled City Council meeting.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Blue Island, Cook County, Illinois, by and through its statutory powers, as follows:

Section 1. That the above recitals are incorporated herein and made a part hereof, as if fully set forth in their entirety.

Section 2. That Title XI, Business Regulations, Chapter 110.49, Hearing Procedures on Violations, of the Blue Island Municipal Code is hereby amended by deleting the stricken language and adding the underlined language:

§ 110.49 HEARING PROCEDURES ON VIOLATIONS.

(A) Upon written request by the licensee to the City Clerk, the Mayor or designee shall hold a hearing within five business days after receipt of such request for the purposes of determining whether or not the license or permit shall be revoked or remain suspended and what fines or penalties, if any, shall be imposed.

(B) Notice of the hearing for suspension or revocation of a license shall be given in writing, setting forth the grounds of the complaint and the time and place of the hearing. The method of such notice shall be either by:

(1) Mailing at least five days prior to the date set for the hearing by certified mail with return receipt to the licensee at the licensee's last known address or business address;

(2) Delivery by personal service to the business operator or authorized agent; or

(3) Posting of the notice in a conspicuous place at the business address for which the license was obtained.

(C) The hearing shall be heard and presided over by the Mayor or designee. The suspension or revocation hearing proceedings shall be transcribed by an official court reporter or audio recorded. Rules of evidence and privileges applied in civil cases in the circuit courts of the state may be followed. Evidence not admissible under those rules of evidence may be admitted, including hearsay, if it is the type commonly relied upon by reasonable prudent persons in the conduct of their affairs. Notice may be taken of matters in which the circuit courts of this state may take judicial notice. In addition, notice may be taken of generally recognized technical or scientific facts and facts within the Mayor's or designee's specialized knowledge. The Mayor or designee may enter an oral ruling at the conclusion of the hearing. However, the Mayor or designee shall issue a written order which contains findings of fact. A copy of the written order shall be provided within two business days by the methods of notice contained in this section.

Section 3. That Title XI, Business Regulations, Chapter 110.50, Hearing Determination; Appeal, of the Blue Island Municipal Code is hereby amended by deleting the stricken language and adding the underlined language:

§ 110.50 HEARING DETERMINATION; APPEAL.

(A) (1) Any person aggrieved by the decision of the Mayor, his or her designee or City Clerk in regard to the denial of the application or in connection with the suspension or revocation of a license or permit shall have the right to appeal to the City Council or its designated committee.

(2) Such appeal shall be taken by filing with the City Clerk a written statement under oath specifically setting forth the grounds for appeal within ten days after notice of a denial of an application or an order providing for fines and penalties or suspension or revocation of license or permit.

(B) The City Council or its designated committee shall thereupon set the time and place for a hearing on such appeal. The appeal hearing shall be held within ~~five-ten~~ business days after receipt of an appeal for the purposes of determining whether the decision of the Mayor or designee shall be upheld or overturned. Appeals to the City Council concerning business license suspension or revocations shall be limited to a review of the official record of proceedings before the Mayor or designee. Notice of such hearing shall be given to the applicant or licensee as provided in § 110.49 of this chapter.

(C) The decision of the City Council or designated committee on such appeal shall be final. During the appeal, the business shall remain closed. The City Council or its designated committee shall not overturn the suspension or revocation of the business license except by a favorable vote of the majority of all members of the City Council or its designated committee present at the hearing.

(D) The order of the Mayor or designee shall not be reversed unless it is demonstrated by clear and convincing evidence that the previous ruling was invalid because it was made on unreasonable grounds or was unsupported by the evidence.

Section 4. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance.

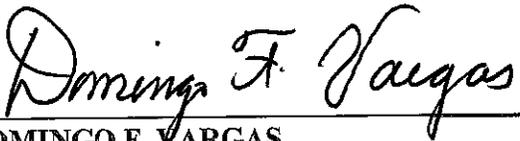
Section 5. All ordinances, resolutions, motions or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 6. This Ordinance shall be in full force and effect upon its passage, approval and publication as provided by law.

ADOPTED this 8th day of May, 2018, pursuant to a roll call vote as follows:

	YES	NO	ABSENT	PRESENT	ABSTAIN
Alderman Hawley	X				
Alderman Poulos	X				
Alderman Vieyra	X				
Alderman Bilotto	X				
Alderman Rita			X		
Alderman Donahue			X		
Alderman Carr	X				
Alderman Slattery	X				
Alderman Ostling	X				
Alderman Pittman	X				
Alderman Johnson	X				
Alderman Frausto	X				
Alderman Thompson	X				
Alderman Fahrenwald	X				
Mayor Vargas					
TOTAL	12		2		

APPROVED by the Mayor on May 8, 2018.

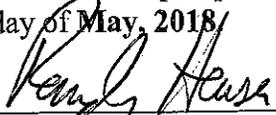

DOMINGO F. VARGAS
 MAYOR OF THE CITY OF BLUE ISLAND,
 COUNTY OF COOK AND STATE OF ILLINOIS

ATTESTED and Filed in my office this
 8th day of May, 2018.



RANDY HEUSER
 CITY CLERK

PUBLISHED in pamphlet form this
 8th day of May, 2018.



RANDY HEUSER
 CITY CLERK

STATE OF ILLINOIS)
)
COUNTY OF COOK) ss.

CERTIFICATE

I, Randy Heuser, certify that I am the duly elected and acting Municipal Clerk of the City of Blue Island of Cook County, Illinois.

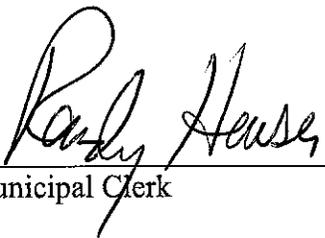
I further certify that on **May 8, 2018** the Corporate Authorities of such municipality passed and approved Ordinance No. **2018 - 029** entitled: **AN ORDINANCE AMENDING TITLE XI, BUSINESS REGULATIONS, CHAPTER 110, GENERAL LICENSING PROVISIONS OF THE CODE OF ORDINANCES FOR THE CITY OF BLUE ISLAND, COOK COUNTY, ILLINOIS.**

Which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. **2018 - 029** including the Ordinance and a cover sheet thereof, was as prepared, and a copy of such Ordinance posted in the municipal building commencing **May 8, 2018** and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

DATED at Blue Island, Illinois, this **8th** day of **May, 2018**.

(SEAL)



Municipal Clerk