



City of Blue Island
13051 Greenwood Avenue
Blue Island, IL 60406
www.blueisland.org

AGENDA
REGULAR MEETING

City Council of the City of Blue Island, Illinois
January 14, 2014

Office of the Mayor

p (708) 597 8602
f (708) 597 1221

City Clerk

p (708) 597 8603
f (708) 396 7062

City Treasurer

p (708) 396 7074
f (708) 597 1807

Finance

p (708) 396 7068
f (708) 597 1807

Fire

p (708) 396 7071
f (708) 388 5778

Marketing

p (708) 396 7035
f (708) 597 1221

Planning & Building

p (708) 597 8606
f (708) 396 2686

Police

p (708) 396 7004
f (708) 597 8223

Senior Citizens

p (708) 396 7085
f (708) 396 7062

Water & Sewer

p (708) 597 8605
f (708) 396 7062

Public Works

p (708) 597 8604
f (708) 597 4260

**The Meadows
Golf Club**

2802 W. 123rd Street
Blue Island, IL 60406
p (708) 385 1994
f (708) 385 1996

1. **Call to Order**

2. **Pledge of Allegiance**

3. **Roll Call**

4. **Presentation of Journal of Proceedings**

Motion to approve minutes from December 10, 2013

5. **Public Comment**

THE MAYOR AND CITY COUNCIL WELCOME YOU AS OBSERVERS TO THIS PUBLIC MEETING. YOU ARE REMINDED THIS MEETING IS FOR THE DELIBERATIONS OF THE MAYOR AND COUNCIL REGARDING CITY BUSINESS AND GOVERNANCE. IF YOU INTEND TO SPEAK, PLEASE LIMIT YOUR COMMENTS TO THIS EVENING'S BUSINESS. ONCE RECOGNIZED BY THE MAYOR, PLEASE APPROACH THE PODIUM, ANNOUNCE YOUR NAME AND ADDRESS AND DIRECT YOUR COMMENTS TO THE MAYOR AND CITY COUNCIL MEMBERS. IF YOUR COMMENTS REQUIRE A RESPONSE, THEY MAY BE FORWARDED TO THE APPROPRIATE PERSON FOR FOLLOW-UP.

6. **Report of City Officials/Presentations/Resolutions**

Mayor: 1. Appointment of Larry Guntner as the City's Plumbing Inspector
2. Oath of Office of Sgt. Kevin Sisk as Police Department Commander
3. Honorable Mention Awards to Officer Tavis Kaczanowski and Officer John Chickerillo

Bids:

City Clerk:

City Treasurer:

City Attorney:

1. An Ordinance Regulating the Issuance of Business Licenses and Establishing Procedures and Terms of Issuance.
2. An Ordinance Establishing a Program to Charge Mitigation Rates for the Provision of Emergency and Non-Emergency Services by the Fire Department.

3. An Ordinance Providing for the Enforcement, Administrative Adjudication and Penalties for Violation of Certain Provisions of the Illinois Vehicle Code as Adopted by the City of Blue Island.
4. An Ordinance Authorizing Execution and Providing for Terms of an Agreement with Pace Suburban Bus for the Provision of Emergency Transportation Services.
5. A Resolution Authorizing Execution of Intergovernmental Agreements and other Agreements Necessary for the Completion of the Cal-Sag Trail Project.

7. **Committee Reports**

- a. Community Development Committee
- b. Finance Committee
- c. Public Health and Safety
- d. Municipal Services Committee
- e. Judiciary Committee

8. **Motions**

- a. Motion to Approve Consent Agenda
 1. Approval of Payroll – December 6, 2013 for \$382,330.77
December 20, 2013 for \$375,000.09
January 3, 2014 for \$379,026.35
 2. Approval of Accounts Payable – December 18, 2013 for \$74,689.70
January 8, 2014 for \$463,642.77
 3. Committee Reports and Recommendations as presented.
 4. An Ordinance Authorizing Execution and Providing for Terms of a Contract for Fire Recovery Billing Services.
 5. An Ordinance Restricting Portions of Certain Streets for Handicapped Parking Only within the City of Blue Island, County of Cook, State of Illinois, and providing Penalties for the Violation Thereof.
 6. An Ordinance Repealing Ordinances 11-152 & 2650
 7. A Resolution for Approval of Renewal of Class 6(b) Real Estate Tax Incentive Abatement for Property located at 13821 Harrison Street in the City of Blue Island, Cook County, Illinois.
 8. A Resolution for Approval of Renewal of Class 8 Real Estate Tax Incentive Abatement for Property located at 13601 Western Avenue in the City of Blue Island, Cook County, Illinois.
 9. A Resolution for Approval of Renewal of Class 8 Real Estate Tax Incentive Abatement for Property located at 2341 West 135th Place in the City of Blue Island, Cook County, Illinois.

9. **Motion to Retire to Closed Session for consideration of:**

- a. Discussion of Pending Litigation

10. **Motion to Reconvene Regular Session**

11. **Motion for Adjournment**

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

**ORDINANCE
NUMBER 2014-001**

**AN ORDINANCE REGULATING THE ISSUANCE OF BUSINESS
LICENSES AND ESTABLISHING PROCEDURES AND
TERMS OF ISSUANCE.**

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

1st Ward	CHRISTINE BUCKNER-CHEATLE	TOM HAWLEY
2nd Ward	LETICIA VIEYRA	CHARISSA BILOTTO
3rd Ward	NANCY RITA	KEVIN DONAHUE
4th Ward	MARCIA STONE	CANDACE CARR
5th Ward	JANICE OSTLING	KENNETH PITTMAN
6th Ward	DEXTER JOHNSON	JAIRO FRAUSTO
7th Ward	NANCY THOMPSON	JAMES JOHANSON

Aldermen

ORDINANCE NO. 2014-001

AN ORDINANCE REGULATING THE ISSUANCE OF BUSINESS LICENSES AND ESTABLISHING PROCEDURES AND TERMS OF ISSUANCE

Whereas, the City Council of the City of Blue Island is authorized to 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, pursuant to 65 ILCS 5/1-2-1 and desires to establish regulations, procedures and terms for issuing business licenses to operators of businesses within the City and;

Whereas, the City is a non-home rule municipality who is authorized to fix the amount, terms and manner of issuing and revoking licenses and define, prevent and abate nuisances pursuant to 65 ILCS 5/11-60 et seq.; and

Whereas, the City is vested with authority to license, tax and regulate certain businesses pursuant to 65 ILCS 5/11-42 et seq.

BE IT ORDAINED by the City Council of the City of Blue Island, Illinois, as follows:

SECTION 1: GENERAL

Section 1.1 Scope and Purpose

Because each commercial establishment located in the city is a basic part of and affects the physical and economic well-being of the city, necessitating services from the city in the form of fire, health, police and other services. Such commercial establishments shall be in all respects in full compliance with the provisions hereinafter contained in this ordinance. This ordinance is designed to promote, protect and safeguard the public safety, health and welfare of the citizens of the city, and to enable the effecting of an accurate record of commercial establishments located and carrying on commercial activities or commerce within the city.

Section 1.2 Definitions

COMMERCIAL ACTIVITY: A commercial activity, under this ordinance, is deemed to be any business activity, retail, service, manufacturing, wholesale and/or storage, which is conducted within the city, whose principal place of business may or may not be located within the city.

CERTIFICATE OF COMPLIANCE: A certificate issued by a city department evidencing that a proposed business or commercial establishment has been found to be in compliance with all applicable regulations, ordinances and laws.

COMMERCIAL ESTABLISHMENT: A commercial establishment, under this ordinance, is deemed to be any person, company, firm, partnership, corporation or other legal entity chartered, licensed, incorporated or declared to be in existence for the purpose of making a profit from their activities.

COMMERCIAL SOLICITING: The selling or offering for sale of property for future delivery.

COTTAGE FOOD OPERATION: A person who produces or packages non-potentially hazardous food in a kitchen of that person's primary domestic residence for direct sale by the owner or family member, stored in the residence where the food is made, or as otherwise defined under 410 ILCS 625/4 and 410 ILCS 650/11 and any amendments thereto.

FOOD SERVICE ESTABLISHMENT TEMPORARY: Any food service establishment which operates for a temporary period of time not to exceed two weeks in connection with a fair, carnival, circus, public exhibition, or similar transitory gatherings.

FOOD SERVICE ESTABLISHMENT: Any place where food that is intended for individual service and consumption is routinely provided completely prepared. The term includes any such place, regardless of whether consumption is in, on, or off the premises and regardless of whether there is a charge for the food. The term does not include a private home where food is prepared

for individual family consumption and it does not include the location of food vending machines or a retail food store that does not cook or combine ready-to-eat potentially hazardous foods for human consumption.

HOME OCCUPATION BUSINESS CERTIFICATE: The City of Blue Island is not opposed to the development of a business which starts as a small home occupation providing that the home occupation does not impinge upon the rights and privileges of the abutting and adjoining homeowners and, further, that the home occupation is conducted in such manner that it does not change in any way the neighborhood atmosphere of an R-1, R-2 or R-3 Residential District. Such home occupations must comply with the applicable provisions of Ordinance No. 2151, THE ZONING ORDINANCE OF THE CITY OF BLUE ISLAND. A home occupation business certificate is required and the fee is as set forth in the fee schedule.

JUNK DEALER, SCAVENGERS: Any person, firm, corporation, partnership or other entity who collects, procures, and/or obtains items whether by a motor vehicle or by a push cart which have been discarded, thrown away or set out for collection by the City's Public Works Department or any other trash collection service.

NUISANCE: Conduct, activity or condition that is harmful or annoying to others (e.g., indecent conduct, a rubbish heap or a smoking chimney) or the harm caused by such conduct, activity or condition (e.g., loud noises or objectionable odors); any conduct, activity or condition which constitutes a threat to public health, safety or welfare; conduct, activity or condition which devalues surrounding property or otherwise disrupts other owners' enjoyment of the same as evidenced by citizen complaints or other violations of applicable nuisance ordinances.

OFFICE: Any service performed or rendered, whether for profit, control or nonprofit; Any multiple use of the same office facilities will require an individual registration for each separate

use. Accounting records will be used to determine if separate or multiple uses are being conducted in the same office facilities.

OWNER: Any individual, firm, association, partnership, corporation, trust or any other legal entity having sufficient proprietary interest in a commercial establishment to maintain and manage its operation.

PART 406: Title 89: Social Services, Chapter III: Department of Children and Family Services, Subchapter Re: Requirements of Licensure, Part 406, Licensing Standards for Day Care Homes.

PERSON: Any individual, firm, association, partnership, corporation, trust or any other legal entity.

SERVICE BUSINESSES: Any service performed or rendered for a price or fee whether or not a commodity is worked upon or exchanged.

SECTION 2: PROCEDURES

Section 2.1 Applications

Applications for all licenses and permits required by this ordinance shall be made in writing to the city clerk. Each application shall state the name of the applicant, license desired and the location to be used. Each application shall contain such additional information as may be needed for the proper guidance of the corporate authorities for the evaluation and determination in the issuing of the permit or license. Subject to the terms and provisions of this ordinance, the city clerk or its designee shall cause to be issued the license or permit after investigations by all applicable city departments to permit the operation of the commercial establishment in the city for a period of one (1) year.

Section 2.2 Investigation

Where this ordinance authorizes or necessitates an investigation or inspection by any

department or official of the city before the issuance of a license, and requires the approval by such department or official regarding the proper location or condition of the premises in which the business, occupation or activity for which a license is applied is to be managed, conducted, operated or carried on, or regarding the condition and nature of the equipment and methods intended to be used by the applicant in such business, occupation or activity, then the city clerk shall transmit to the appropriate official or department such information necessary for the required investigation or inspection. The applicant shall be responsible for initiating contact with the appropriate city departments and arranging for the necessary inspections, inquiries or examinations.

At the request of the applicant, the designated official or department shall make all necessary investigations and inspections, and the results thereof shall be reported in writing in a certificate of compliance designating whether the applicant has met all necessary requirements for the issuance of the certificate. Such certificate shall indicate a recommendation for the approval or disapproval of the application, and in the event of disapproval, shall indicate the deficiencies.

Section 2.3 Approvals and Denials of License

If, after due consideration of the information contained within the application and related investigative and inspection reports, the city clerk, or designee, finds all steps were completed and executed certificates of compliance were submitted, the clerk shall issue the business license/permit only after payment of all necessary fees.

If, after due consideration of the information contained within the application and related investigative and inspection reports, and certificates of compliance, the city clerk or its designee determines that matters concerning the application are unsatisfactory, he shall disapprove the

application, indicating the reasons therefor. Thereupon, the city clerk shall notify the applicant that the application has not been approved, that no license or permit will be issued and that it shall be unlawful to engage in, maintain, operate, carry on or manage any business, occupation, activity or establishment.

Section 2.4 Inspections and Duty to Cooperate

Whenever inspections of the premises used for or in connection with the operation of a licensed business or occupation are provided for or required by this ordinance, or any ordinance, or are reasonably necessary to assure compliance with the provisions of any ordinance or regulation of the city, or to detect violations thereof, it shall be the duty of the licensee or the person in charge of the premises to admit thereto for the purpose of making the inspection any officer or employee of the city who is duly authorized to make such inspection at any reasonable time that such admission or entry is requested. Whenever an analysis of any commodity or material is reasonably necessary to assure compliance with the provisions of this ordinance, or of any ordinance or regulations, or to detect violations thereof, it shall be the duty of the licensee or the person in charge of the premises to give to any duly authorized officer or employee of the municipality requesting the same sufficient samples of such material or commodity for such analysis upon official request.

In addition to any other penalty which may be provided, the Mayor or his designee, may suspend or revoke under the provisions of this ordinance the license of any owner or operator of a licensed business in the municipality who refuses to permit any duly authorized officer or employee to make such inspection or to take an adequate sample of said commodity, or who interferes with such officer or employee while in the performance of his duties.

The following departments and/or persons are hereby authorized to perform any and all inspections necessary or required under this ordinance or other applicable ordinances pertaining to the issuance and maintenance of a business license or permit:

- a) **BUILDING DEPARTMENT.** The members of the building department shall make all investigations reasonably necessary to the enforcement of this ordinance and any other applicable ordinances, laws, rules or regulations.
- b) **HEALTH INSPECTOR.** The members of the health department, or designated inspector, shall make all investigations reasonably necessary to the enforcement of any applicable ordinances, standards, laws or regulations governing health, safety and sanitation applicable to any business operation sought under this ordinance.
- c) **POLICE DEPARTMENT.** The Blue Island Police Department shall inspect and examine businesses located within their respective jurisdictions to enforce compliance with this ordinance and any other applicable ordinances, laws, rules or regulations and assess any threats to health and public safety or nuisance.
- d) **FIRE DEPARTMENT.** The Blue Island Fire Department shall inspect and examine businesses located within their respective jurisdictions to enforce compliance with this ordinance and any other applicable ordinances, laws, rules or regulations.

All persons authorized in this section to inspect licensees and businesses shall have the authority to enter, with or without search warrant, at all reasonable times, the following premises:

- a) Those for which a license is required;

- b) Those for which a license was issued and which, at the time of inspection, are operating under such license; and
- c) Those for which the license has been revoked or suspended.

Section 2.5 Reserved.

SECTION 3: GENERAL RULES

Section 3.1 Limitations

No license for the operation of a commercial establishment in the City of Blue Island shall be issued if one or more of the following conditions are determined by the Mayor, or such other officer as may be designated by the Mayor to exist:

- a) The building or premises of the commercial establishment does not comply with the provisions and terms of the building code, zoning ordinance, fire regulations, health regulations or with all ordinances and regulations of the City of Blue Island;
- b) The building or premises of the commercial establishment are in a condition of being unsanitary or unsafe so as to endanger the public health, safety or welfare of the people; or
- c) The owner of the commercial establishment or such legal entity comprising the commercial establishment is indebted to the city.

Section 3.2 Nuisances, Unsafe or Unhealthful Business

No business or establishment, whether or not licensed, shall be so conducted or operated as to constitute a nuisance as defined herein; and no building, vehicle, structure, yard, lot, premises, or part thereof, shall be used, kept, maintained, or operated in connection with any business or establishment so as to occasion any nuisance, or so as to be dangerous to life or

detrimental to health. Any charge of conducting or operating a nuisance may be made under this ordinance or any other ordinance prohibiting nuisances generally.

No building or structure, utilized, constructed, or maintained in connection with any business or occupation, shall evidence an unsanitary, unsafe, or dangerous condition. No substance, matter or thing of any kind whatsoever, which is dangerous or detrimental to health, shall be allowed to exist in connection with any business or occupation, or be used in any work or labor performed in the municipality.

Section 3.3 Refuse Disposal

The standard refuse container required by this ordinance shall be a receptacle of not less than 20 gallons capacity, or constructed of impervious and sturdy material, with a tight-fitting cover, and equipped with handles properly placed to facilitate handling. All refuse which is placed for collection service outside any building or structure must be kept in standard refuse containers unless another type of container is approved by the environmental and health commissioner due to the unusual nature of the refuse produced by the business.

It shall be the duty of the occupant of every building, structure, or premises used or maintained in connection with any business or occupation to cause to be removed at his own cost and expense at least once each week all refuse produced therein.

Every person owning or controlling any hotel, restaurant, cafe, retail food establishment or other business or occupation, shall cause all substances deposited in such containers to be removed as often as shall be necessary, including daily removal from his premises, to ensure the healthful environment surrounding such establishment. Such removal shall be at the owner's expense.

Section 3.4 Activities Excluded

The terms and provisions of this ordinance shall not be made applicable to any activity carried on or operated by a governmental institution or jurisdiction, or by any business or commercial establishment, the regulation or licensing of which is pre-empted by a law or statute of the State of Illinois. The provisions of this Ordinance may be waived or suspended for eleemosynary institutions or organizations upon approval by City Council or its designated committee.

Section 3.5 License Requirements, Restrictions, Terms, and Penalties

Whenever a license is required for the operation or conduct of any business or establishment, or for doing business or engaging in any activity or occupation, any person, firm or corporation shall be subject to the requirement, if: by him/herself or itself, or through an agent, employee or partner, he/she or it is held forth as being engaged in the business, activity or occupation; or if he/she or it solicits patronage therefor, actively or passively; or if he/she or it performs or attempts to perform any part of such business, activity or occupation in the municipality. It shall be unlawful for any person, firm or corporation, except manufacturing, to conduct, engage in, maintain, operate, carry on or manage any business, occupation, activity or establishment, either by himself/herself or itself, or through an agent, employee or partner without first having obtained a license/permit for such business, occupation, activity or establishment from the city clerk. Any person, firm or corporation violating any provision of this ordinance shall be fined an amount not less than One Hundred (\$100.00) Dollars and no more than Seven Hundred Fifty (\$750.00) Dollars, for each offense; and a separate offense shall be deemed committed on each day during which a violation occurs or continues.

All licenses shall be operative and the license year for the municipality shall commence on the first day of May of each year. No license shall be granted for a period longer than one year. Except where otherwise provided herein, every license shall expire on the thirtieth day of April following the date of issuance. The city clerk shall endeavor to notify each annual licensee of the expiration of time of the license held by the licensee at least 30 days prior to such expiration date; provided, however, that a failure to make such notification or the licensee's failure to receive it, shall not exclude the licensee from the obligation to obtain a new license or a renewal. Except as otherwise provided herein, each license may be renewed upon proper application and payment of the required fee. The requirements and procedures for granting and issuing a license renewal shall be the same as the requirements and procedures for granting a new license.

A grace period of thirty (30) days begins on May 1 of each year for the renewal of business licenses. If a commercial establishment fails to renew its business license by June 1 of each year, an additional fee equal to twenty-five percent (25%) of the base fee shall be charged for each month after June 1. Delinquency may also result in suspension and/or revocation of the right to conduct commercial activities within the city.

Licenses shall be posted in a prominent place on the premises used for such business. The location of any licensed or permitted business or occupation may be changed provided ten days' notice thereof is given to the city clerk. Compliance with all applicable ordinances and regulations of the municipality at its new location is required.

In the event a commercial establishment moves its place of operation from one location in the city to another location in the city, charge for a new regulatory certificate shall be for the established prevailing rate for the new location, with due credit given for the charge for the

original effective document.

Section 3.6 Compliance with Governing Law

Each business operation permitted under this ordinance shall ascertain and at all times comply with all laws and regulations applicable to such licensed business. Violators of any of the provisions of this ordinance or any other law and regulation shall be subject to fines and penalties including suspension and revocation of licenses or permits.

Section 3.7 Transfer of License

In the event a business is sold or transferred to another ownership, an unexpired business license may be transferred to the new ownership; however, a new application must be executed and properly processed. The various inspections may be waived by City Council or its designated committee provided that no significant change has occurred since the last business license was issued.

Section 3.8 Communications with Authorized Agents

Any and all communications related to or regarding the business operations or license will be directly solely to the authorized agent of the business and/or business owner as identified in the application for business license or permit.

Section 3.9 Combined Business Operations in Single Location

The business owner or licensee of the business located at the physical address as indicated on the business license or permit application shall be responsible for compliance with all applicable laws, rules and regulations of the City of Blue Island, Cook County, State of Illinois and federal laws regardless of the operations of multiple businesses or accessory businesses at the same location. Any uses and operations which are accessory to the primary business shall be identified in the application and shall be limited to such. Uses or operations

which are unrelated to the primary business for which the license or permit was approved are prohibited and shall require prior-approval by the City.

Section 3.10 Separate Locations

No license for the operation of a licensed establishment in the city shall be construed by any person to permit the operation of a licensed establishment in more than one location in the city. A separate license shall be required for each location. For the purposes of this ordinance, the determination of one location shall be construed that all buildings containing the principal or accessory uses shall be connected or on the same lot or parcel, be operated and managed by the same person or owner, and be an establishment with the same classification; provided, however, that two or more buildings separated by one or more dedicated public rights-of-way or by one or more buildings or vacant lots or parcels shall not be considered as one location.

Section 3.11 Reserved.

SECTION 4: ADDITIONAL STANDARDS, REQUIREMENTS AND RESTRICTIONS **RELATED TO SPECIFIC BUSINESSES AND PROFESSIONS**

Section 4.1 Home Occupations

Home occupations shall be permitted only within a single-dwelling unit or accessory building and only by the person or persons maintaining a dwelling therein. Not more than one (1) non-resident person shall be employed in the home occupation. One (1) sign having an area of not more than two (2) square feet shall be permitted. Home occupation shall not utilize more than twenty-five (25) percent of the gross floor area of the dwelling unit.

The following are examples of uses that can be conducted as home occupations. This list is intended to be illustrative rather than finite and at all times such occupations shall comply with the applicable zoning ordinances, requirements and restrictions. Residents may apply for a

special use permit to seek approval of a home occupation not listed here and not expressly prohibited. Such permitted home occupations include:

- a) Services provided by clergy, professionals (e.g., lawyer, accountant, graphic designer), consultant or other service provider with regard to a common personal or business issue, topic, project, problem, objective or need;
- b) Sewing and tailoring;
- c) Hairstyling, barbering and manicurists, artist, sculptor, or writer, provided only one client is present;
- d) Instructors providing one-on-one or small group instruction, including but not limited to academic tutoring, musical instrument or vocal performance lessons, provided that a single session is limited to no more than two pupils at one time;
- e) Day-care home for no more than eight children registered and duly licensed by all applicable government agencies; and
- f) Cottage food operations as defined under applicable Illinois law including the Illinois Food Handling Regulation Enforcement Act (410 ILCS 625) and Illinois Sanitary Food Preparation Act (410 ILCS 650).

The following uses and activities are expressly prohibited as home occupations, in addition to those uses not allowable under the applicable zoning ordinances, regulations and restrictions:

- a) Any type of repair or assembly of vehicles or equipment with internal combustion engines (such as autos, motorcycles, scooters, snowmobiles, outboard marine engines, lawn mowers, chain saws, and other small engines) or of large appliances (such as washing machines, dryers, and refrigerators) or any other work related to

- automobiles and their parts;
- b) Dispatch centers or other businesses where employees come to the site and are dispatched to other locations;
- c) Rental businesses other than real property;
- d) Tow truck services;
- e) Material or equipment storage businesses;
- f) Restaurants and bars;
- g) Funeral or interment services; and
- h) Animal boarding businesses.

Section 4.2 JUNK DEALERS, SCAVENGERS

Application for a Scavenger's License shall be made upon a form provided by the City Clerk's Office. Every person, firm, corporation, partnership or other entity shall truthfully state in full the information requested on the Application. The Application shall be investigated by the Police Department to verify the requested information. Upon verification of the requested information and upon payment of the yearly license fee of One Hundred Dollars (\$100.00), a non-transferrable license shall issue within fourteen days (14) of the Application. A placard or sticker will be issued to the Licensee showing the expiration date of the license which must be displayed in the vehicle's front window or attached to the cart when the Licensee is engaged in scavenging or junk dealing activities.

The following restrictions shall apply when a Licensee is engaged in scavenging or junk dealing activities:

- a) No Licensee shall collect, obtain, possess or pick-up any item or items placed in a recyclable bin.

- b) No Licensee shall trespass on private property.
- c) No Licensee shall operate a vehicle where the load protrudes more than eighteen inches (18") over the bed of the vehicle.
- d) No Licensee shall operate a motor vehicle without covering and securing the load.
- e) No Licensee shall park a vehicle with scavenged goods on any city street or city parking lots.
- f) No Licensee shall engage in scavenging or junk dealing activities between the hours of 7:00 P.M. and 7:00 A.M.

Any person violating or failing to comply with any provision of this ordinance shall upon conviction thereof be fined not less than Fifty Dollars (\$50.00) nor more than Two hundred Fifty Dollars (\$250.00) for each offense.

Section 4.3 Cottage Food Operations

Cottage food operations shall be governed by the Illinois Food Handling Regulation Enforcement Act (410 ILCS 625) and Illinois Sanitary Food Preparation Act (410 ILCS 650), including any amendments, and any other Illinois or federal law governing said operations.

Section 4.4 Signage and Awnings

Signage and awnings for buildings must comply with the applicable codes and ordinances as established by the City of Blue Island. Any deviation or violation of these codes and ordinances may result in the levying of fines as established.

Section 4.5-4.7 Reserved

SECTION 5: PENALTIES AND REMEDIES FOR VIOLATIONS

Section 5.1 General

Any license issued to any person or entity according to this Ordinance may be suspended

or revoked because of any violation of this Ordinance, or of any other Ordinance of the City, or of any State or Federal law, or whenever the registrant shall cease to meet the standards and requirements as set forth in this Ordinance. Additional penalties or remedies which may be imposed include modification of the license terms or permitted business operations, fines, and other remedies appropriate and tailored to addressing or correcting the violations.

Section 5.2 Suspension of Business License

1. A license or permit may be suspended by the Mayor or designee, where any of the conditions listed in this subsection exist. A commercial establishment whose license or permits has been suspended for any of the enumerated reasons herein shall not be allowed to continue business operations or commercial activities and shall cease all business operations until the following dangers or conditions no longer exist:

- a) Where the conduct or operation of any business, occupation, activity or establishment, whether licensed or unlicensed, shall constitute a nuisance or a clear and present danger to the public health, safety or general welfare, or
- b) Where the holder of any license or permit shall have refused to allow an inspection of the license or permit holder's premises, or
- c) Where the holder of any license or permit has refused a sample of the license or permit holder's goods for testing, or
- d) Where there has been a violation of the licensing provisions, or
- e) Where there has been a violation of the zoning regulations or management and safety plan pertaining to the premises.

2. Notice of the suspension, with the reasons therefor, shall be delivered to the business owner or operator at the business address via personal service. In the event an agent is

unavailable to accept service, posting of the same in a conspicuous place shall be deemed sufficient notice to the business owner or operator.

3. The hearing and appeal procedures set forth in Section 5.5 and 5.6 shall apply to suspensions pursuant to this section.

Section 5.3 Revocation of Business License

1. Licenses issued by the city may be revoked by the Mayor or his designee upon the recommendation of city officials after notice and hearing as provided in this ordinance, for any of the following causes:
 - i. Any fraud, misrepresentation, or false statement contained in the application or renewal application for the license;
 - ii. Any violation by the licensee of the provisions relating to the license, the subject matter of the license, or to the premises occupied;
 - iii. Conviction of the licensee of any felony or of a misdemeanor when such conviction indicates an inability to operate a safe, honest or legitimate business operation;
 - iv. Failure of the licensee to pay any fine or penalty owing to the city.
 - v. Failure of the licensee to pay any amount owing to the city, other than a fine or a penalty, within one hundred twenty days of its due date.
 - vi. Refusal to permit inspection or investigation or, take sample or interference with an authorized city officer or employee while in making inspection or investigations;
 - vii. When the conduct of the business constitutes a nuisance or a clear and present danger to the public health, safety or general welfare;

- viii. More than three (3) violations of the zoning regulations or management and safety plan pertaining to the premises; or
 - ix. For other good and sufficient cause shown including but not limited to repeated failures to comply with this or other applicable ordinances or multiple violations of the same.
2. Any revocation shall not preclude prosecution and imposition of any other penalties for the violation of other city ordinances.

Section 5.4 Multiple or Continuous Violations

If the commercial establishment is in violation of the standards of this ordinance three (3) or more times within the fiscal year or fails to procure a required renewed license within three (3) months after the renewal date, the license shall be subject to suspension or revocation upon a finding by the Mayor or designee that such violation has occurred.

Section 5.5 Procedures for Hearings on Violations

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.

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:

- a) 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;

- b) Delivery by personal service to the business operator or authorized agent; or
- c) Posting of the notice in a conspicuous place at the business address for which the license was obtained.

The hearing shall be heard and presided over by the Mayor or designee. Rules of evidence and privileges applied in civil cases in the circuit courts of this 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 2 business days by the methods of notice contained in this section.

Section 5.6 Appeal of Hearing Determination

Any person aggrieved by the decision of the Mayor, 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. 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.

The City Council or its designated committee shall thereupon set the time and place for a hearing on such appeal. The hearing shall be held within five 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. Notice of such hearing shall be given to the applicant or licensee as provided in section 5.5.

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.

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 6: RESERVED

SECTION 7: SEVERABILITY

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision; and such holding shall not affect the validity of the remaining portion thereof.

SECTION 8: REPEAL OF CONFLICTING ORDINANCES

Any ordinance, or portion thereof, which is in conflict with this ordinance is hereby repealed. The following ordinances are expressly repealed to the extent that they conflict with the provisions herein: Title XI, Chapter 110, 86-58, 91-294, 99-253, and 93-230.

SECTION 9: FULL FORCE AND EFFECT

This ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

ADOPTED this 14th day of January, 2014, pursuant to a roll call as follows:

	YES	NO	ABSENT	PRESENT	ABSTAIN
Alderman BUCKNER-CHEATLE					
Alderman HAWLEY					
Alderman VIEYRA					
Alderman BILOTTO					
Alderman RITA					
Alderman DONAHUE					
Alderman STONE					
Alderman CARR					
Alderman OSTLING					
Alderman JANKO					
Alderman JOHNSON					
Alderman FRAUSTO					
Alderman THOMPSON					
Alderman JOHANSON					
Mayor DOMINGO VARGAS					
TOTAL					

APPROVED: this 14th day of January, 2014.

**MAYOR OF THE CITY OF BLUE ISLAND,
 COUNTY OF COOK AND STATE OF ILLINOIS**

ATTESTED and Filed in my office this
 14th day of January, 2014.

CITY CLERK

PUBLISHED in pamphlet form this
 14th day of January, 2014.

CITY CLERK

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

**ORDINANCE
NUMBER 2014-002**

**AN ORDINANCE ESTABLISHING A PROGRAM TO CHARGE
MITIGATION RATES FOR THE PROVISION OF EMERGENCY
AND NON-EMERGENCY SERVICES BY THE FIRE DEPARTMENT.**

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

1st Ward	CHRISTINE BUCKNER-CHEATLE	TOM HAWLEY
2nd Ward	LETICIA VIEYRA	CHARISSA BILOTTO
3rd Ward	NANCY RITA	KEVIN DONAHUE
4th Ward	MARCIA STONE	CANDACE CARR
5th Ward	JANICE OSTLING	KENNETH PITTMAN
6th Ward	DEXTER JOHNSON	JAIRO FRAUSTO
7th Ward	NANCY THOMPSON	JAMES JOHANSON

Aldermen

ORDINANCE NO: 2014-002

**AN ORDINANCE ESTABLISHING A PROGRAM TO CHARGE MITIGATION RATES
FOR THE PROVISION OF EMERGENCY AND NON-EMERGENCY SERVICES BY
THE FIRE DEPARTMENT**

WHEREAS, the City of Blue Island has established a fire department pursuant to the Illinois Municipal Code, 65 ILCS 5/11-6-1 et seq.;

WHEREAS, Section 11-5-7 authorizes the operation of ambulances and reasonable charges therefor;

WHEREAS, Section 11-5-7.2 authorizes the provision of and reasonable charges for emergency medical services provided on property outside of the city limits, for an amount not to exceed the actual cost of the service rendered to non-residents and inclusive of extraordinary expenses of materials used in rendering the services;

WHEREAS, Section 11-6-1.1 authorizes the provision of and reasonable charges for firefighting services outside of the city limits, for an amount not to exceed the actual cost of the service for all firefighting services rendered to non-residents and inclusive of extraordinary expenses of materials used in rendering the services;

WHEREAS, Section 11-6-5 authorizes the reimbursement of reasonable fees for specialized rescue services provided by the fire department for an amount not to exceed the reasonable cost of providing those specialized rescue services and, in any event, not to exceed \$125 per hour per vehicle and \$35 per hour per firefighter, and only after a finding of fault against certain identified parties by the Occupational Safety and Health Administration or the Illinois Department of Labor;

WHEREAS, Section 11-6-5 provides that specialized rescue services include, but are not limited to, structural collapse, tactical rescue, high angle rescue, underwater rescue and recovery, confined space rescue, below grade rescue, and trench rescue;

WHEREAS, Section 11-6-6 authorizes the charging and collection of reasonable fees for technical rescue services inclusive of charges for personnel and equipment costs;

WHEREAS, the City renders technical rescue services to its residents, to non-residents visiting or transiting the City, and by mutual aid to the residents of other communities;

WHEREAS, in performing rescue and recovery services the City and its emergency responders are required to observe and implement increased safety requirements mandated for emergency roadway operations, including the use of additional personnel and specialized equipment for personnel safety as well as scene and traffic control;

WHEREAS, the City finds that it is in the best interest of the City and the residents of the City to require that those persons or the owner or persons responsible for an object or person that was involved in or caused an incident that necessitated the use of the City's services pay fees to compensate the City for costs accruing that result from services provided, including the costs of training and maintaining the technical rescue services response teams;

WHEREAS, the fire department has investigated different methods to maintain a high level of quality of emergency and non-emergency service capability throughout times of constantly increasing service demands, where maintaining an effective response by the fire department decreases the costs of incidents to insurance carriers, businesses, and individuals through timely and effective management of emergency situations, saving lives and reducing property and environmental damage;

WHEREAS, the City Council of the City of Blue Island desires to implement a fair and equitable procedure by which to collect mitigation rates and wishes to establish a billing system in accordance with applicable laws, regulations and guidelines;

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BLUE ISLAND:

SECTION 1: EMERGENCY MEDICAL AND AMBULANCE SERVICES

The following fees are hereby established as charges to any recipients of emergency medical transportation and related services provided by the City of Blue Island Fire Department, unless otherwise indicated in the city's comprehensive fee schedule:

Transport \$1,000

Mileage (per mile) \$10.00

SECTION 2: RESPONSE, RESCUE AND RECOVERY SERVICES

Section 2.1 Motor Vehicle Incidents

The following hourly rates shall apply for the provision of technical services to residents and non-residents at the levels indicated for responses to motor vehicle incidents:

Level 1 - \$435.00

Includes hazardous materials assessment and scene stabilization.

Level 2 - \$495.00

Includes Level 1 services, clean up and material used (sorbents) for hazardous fluid clean up and disposal including gasoline or other automotive fluids.

Level 3 - \$605.00

Includes scene safety, fire suppression, breathing air, rescue tools, hand tools, hose, tip use, foam, structure protection, and clean up gasoline or other automotive fluids that are spilled as a result of the accident/incident involving a car fire.

Level 4 - \$1,800.00

Includes Level 1 & 2 services, extrication of conscious occupant (heavy rescue tools, ropes, airbags, cribbing etc.) from a vehicle using specialized equipment.

Section 2.2 Hazardous materials

The following hourly rates shall apply for the provision of technical services to residents and non-residents at the levels indicated for responses involving hazardous materials:

Level 1 - \$700.00

Basic Response includes engine response, first responder assignment, perimeter establishment, evacuations, set-up and command.

Level 2 - \$2,500.00

Intermediate Response includes Level 1 services, hazmat certified team and appropriate equipment, Level A or B suit donning, breathing air and detection equipment, and set-up and removal of decon center.

Level 3 - \$5,900.00

Advanced Response includes Level 2 services, robot deployment, set-up and removal of decon center, detection equipment, recovery and identification of material, disposal and environment clean up, and disposal of material and contaminated equipment and material used at scene.

Includes 3 hours of on scene time and each additional hour shall be billed at \$300 each per Hazmat team.

Section 2.3 False Alarm

It shall be unlawful for any person to maliciously turn on or cause to be turned on a false alarm and shall constitute a violation of this Ordinance and the offender shall be subject to the fees set forth in this Section, unless provided otherwise in the city's comprehensive fee schedule.

First three (3) false alarms within twelve (12) months in a calendar year \$0.00

Subsequent false alarms in the same twelve (12) month calendar year \$250.00

Section 2.4 Water Incidents or Rescues

Level 1- \$400 plus \$50 per hour per rescue person

Basic Response includes engine response, first responder assignment, perimeter establishment, evacuations, first responder set-up and command, scene safety and investigation (including possible patient contact and hazard control).

Level 2- \$800 fee plus \$50 per hour, per rescue person

Intermediate Response includes Level 1 services, clean up and material used (sorbents), minor hazardous clean up and disposal.

Level 3 - \$2,000 fee plus \$50 per hour per rescue person; and \$100 per hour per Hazmat team member

Advanced Response includes Level 2 services, D.A.R.T. activation, donning breathing apparatus and detection equipment, set up and removal of decon center, detection equipment, recovery and identification of material, and disposal and environment clean up.

Section 2.5 Equipment charges

Charges for equipment used for the services identified in this Ordinance, including specialized rescue services and technical rescue services to the extent the same is not limited by law, may include the following hourly rates:

Engine	\$400
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Truck	\$500
Boat rescue	\$400
Other/Miscellaneous	\$300

SECTION 3: FEES AND COLLECTION OF FEES

Section 3.1 Rates generally

The City of Blue Island shall initiate mitigation rates for the delivery of emergency and non-emergency services by the fire department for personnel, supplies and equipment to the scene of emergency and non-emergency incidents as listed herein. The mitigation rates shall be based on actual costs of the services and that which is usual, customary and reasonable (UCR), which may include any services, personnel, supplies, and equipment and with baselines established by Ordinance.

No fee shall be charged for emergency medical transportation services to any person employed by the City when the illness or injury giving rise to emergency medical transportation services is covered by the City's worker's compensation insurance.

The fees imposed by this Ordinance may be reduced or waived upon recommendation by the Fire Chief and approval by the Mayor in cases where it is deemed to be in the best interests of the City or when payment of the fee would be an undue hardship or the person receiving emergency medical transportation services is found to be incapable of paying the fee/s.

Section 3.2 Billing of responsible party

A claim shall be filed to the responsible party through their insurance carrier, or may be billed directly to the responsible party. Responsible party may include the person receiving the rendered services or the person responsible for creating the event or condition necessitating the provision of emergency or non-emergency services by the fire department.

Section 3.3 Rules governing rates and billing

City Council may make rules or regulations and from time to time may amend, revoke, or add rules and regulations as they may deem necessary or expedient in respect to billing for services under this Ordinance and the collection of rates as established herein or as established in the City's comprehensive fee schedule.

Section 3.4 Refusal or failure to pay

Any person or entity that refuses to pay or fails to pay charges billed will be deemed to have violated this Ordinance. The City may pursue all remedies at law and equity to recover service charges due and owing, including the use of the services of a collection agency.

Section 3.5 Fee schedule

The fees as set forth herein shall be charged unless provided otherwise by the City's comprehensive fee schedule.

SECTION 4: REPEAL OF CONFLICTING ORDINANCES

All other ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 5: SEVERABILITY

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 6: EFFECTIVE DATE

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

ADOPTED this 14th day of January, 2014, pursuant to a roll call as follows:

	YES	NO	ABSENT	PRESENT	ABSTAIN
Alderman BUCKNER-CHEATLE					
Alderman HAWLEY					
Alderman VIEYRA					
Alderman BILOTTO					
Alderman RITA					
Alderman DONAHUE					
Alderman STONE					
Alderman CARR					
Alderman OSTLING					
Alderman JANKO					
Alderman JOHNSON					
Alderman FRAUSTO					
Alderman THOMPSON					
Alderman JOHANSON					
Mayor DOMINGO VARGAS					
TOTAL					

APPROVED: this 14th day of January, 2014.

**MAYOR OF THE CITY OF BLUE ISLAND,
 COUNTY OF COOK AND STATE OF ILLINOIS**

ATTESTED and Filed in my office this
 14th day of January, 2014.

CITY CLERK

PUBLISHED in pamphlet form this
 14th day of January, 2014.

CITY CLERK

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

**ORDINANCE
NUMBER 2014-003**

**AN ORDINANCE PROVIDING FOR THE ENFORCEMENT,
ADMINISTRATIVE ADJUDICATION AND PENALTIES FOR
VIOLATION OF CERTAIN PROVISIONS OF THE ILLINOIS
VEHICLE CODE AS ADOPTED BY THE CITY OF BLUE ISLAND.**

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

1st Ward	CHRISTINE BUCKNER-CHEATLE	TOM HAWLEY
2nd Ward	LETICIA VIEYRA	CHARISSA BILOTTO
3rd Ward	NANCY RITA	KEVIN DONAHUE
4th Ward	MARCIA STONE	CANDACE CARR
5th Ward	JANICE OSTLING	KENNETH PITTMAN
6th Ward	DEXTER JOHNSON	JAIRO FRAUSTO
7th Ward	NANCY THOMPSON	JAMES JOHANSON

Aldermen

ORDINANCE NO. 2014-003

AN ORDINANCE PROVIDING FOR THE ENFORCEMENT, ADMINISTRATIVE ADJUDICATION AND PENALTIES FOR VIOLATION OF CERTAIN PROVISIONS OF THE ILLINOIS VEHICLE CODE AS ADOPTED BY THE CITY OF BLUE ISLAND

WHEREAS, the City of Blue Island has adopted Ordinance 06-019 providing for the administrative adjudication of municipal code violations and creating a code hearing department pursuant to 65 ILCS 5/1-2.2-1 et seq., and

WHEREAS, the City of Blue Island is authorized to conduct administrative adjudication hearings for certain non-moving violations and non-reportable offenses of the Illinois Vehicle Code; and

WHEREAS, it is in the best interests of the residents of the City of Blue Island for the health, safety and welfare of the same that the city police officers be authorized to enforce non-moving and non-reportable violations of the Illinois Vehicle Code by issuing violation notices requiring the appearance of the person to whom such notice is issued at a hearing conducted pursuant to Ordinance 06-019 and other applicable ordinances and laws governing administrative adjudication of municipal code violations.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BLUE ISLAND:

SECTION ONE: VIOLATIONS AND FORM OF NOTICE OF VIOLATION

1.1 Adoption by Reference

The provisions of the Illinois Vehicle Code (625 ILCS 5/1-100 et seq.) governing non-moving violations and non-reportable offenses, as now existing or hereafter amended, are hereby adopted by reference and made a part of this Ordinance with the same force and effect as if set forth at length herein, including but not limited to the following:

3-112(b) Failure to transfer title within five days

- 3-401(a) No valid registration; no verified application for registration
- 3-404 No bill of lading or manifest/dispatch record
- 3-411(a) Failure to carry registration card or reciprocity permit-second division vehicle
- 3-413(a) Improper display of license or registration plates: affixed to front and back
- 3-413(b) Improper display of license or registration plates: securely fastened with registration sticker attached
- 3-413(f) Operation of vehicle with expired registration plate or sticker
- 3-416 Failure to notify the Secretary of State of name/address change
- 3-417(a) Failure to immediately apply for replacement registration card, plate or sticker
- 11-1419.01 Failure to display Illinois Motor Fuel Tax Identification Card
- 11-1419.02 Failure to display external Illinois Motor Fuel Tax Identification device
- 11-1507(a) Operation of bicycle without lamp and reflector
- 11-1507.1 Operation of moped without lamp and red rear reflector
- 12-101(a) Operation of vehicle with unsafe equipment or missing parts
- 12-201(a) Operation of motorcycle without lighted headlamp
- 12-201(b) Driving vehicles other than motorcycles without two lighted headlamps and tail lamps when required
- 12-201(c) No white rear registration light
- 12-202(a, b) Insufficient clearance, identification or side marker lamps and reflectors-second division vehicle
- 12-203(a) Failure to use parking lights while vehicle is standing on highway
- 12-204 Improper lamp or flat on projecting load
- 12-205 Improper use of lamps on towing and towed vehicles
- 12-207(a) Improper use of more than one spot lamp
- 12-207(b) Improper use of more than three auxiliary driving lamps
- 12-208(a) No stop signal lamp or device
- 12-209(c) Defective backup lights

12-210(a) Failure to dim headlights/auxiliary driving lamps within 500 feet on approach of vehicle from opposite direction

12-210(b) Failure to dim headlights/auxiliary driving lamps within 300 feet of vehicle in same direction

12-211(a) Improper lighting on vehicles other than motorcycles: only one headlamp

12-211(b) Improper use of more than four lighted headlights/auxiliary driving lamps

12-212(a) Improper use of red light visible from front of vehicle

12-212(b) Unlawful use of flashing lights

12-215 Unlawful use of oscillating, rotating or flashing lights

12-301 Use of defective brakes

12-401 Unlawful use of metal studded tire

12-405(d) Use of unsafe tire

12-501(a) Operation of vehicle without windshield

12-502 Operation of vehicle without rear view mirror

12-503(a) Obstructed view of windshield or side windows adjacent to driver

12-503(b) Unlawful application of tinted film to windshield or window(s) adjacent to driver on any vehicles manufactured after December 31, 1981

12-503(c) Obstructed view of any window by stationary or suspended object(s)

12-503(d) Operation of vehicle without windshield cleaning device; operation of vehicle with view obstructed by snow, ice or moisture

12-503(e) Obstructed view due to defective condition or repair of any window

12-601(a) Operation of vehicle with defective horn

12-601(b) Unlawful possession or use of siren, whistle or bell

12-602 Operation of vehicle with defective or modified exhaust or muffler system; excessive or unusual noises prohibited

12-603(b) Operation of vehicle without two front seat safety belts on vehicles of 1961 or later model years

12-603.1 Failure of driver or passenger to wear properly adjusted and fastened seat belt

12-604.1 Operation of vehicle with television receiver, monitor, or video device positioned in any location or manner other than behind the driver or otherwise not visible to driver

12-606 Operation of tow truck without:

- (a) Identifying sign attached on each side;
- (b) Required equipment-one broom, shovel, trash can and fire extinguisher;
- (c) Removing roadway debris and spreading dirt or sand on oil grease deposits;
- (d) Insurance policy in cab.

12-607(a) Operation of vehicle with unlawfully altered vehicle suspension system: body lifted in excess of three inches from chassis

12-607.1(a) Operation of first division vehicle with frame in excess of 22 inches above ground

12-607.1(b) Operation of second division vehicle with frame in excess of specified limits above ground

12-608(a) Operation of vehicle with a gross vehicle weight rating (GVWR) of 9000 pounds or less or a recreational vehicle without two bumpers

12-608(a) Operation of vehicle with unlawful bumper height

12-610(a) Operation of vehicle while wearing headset receiver except intercom helmet or cellular telephone earpiece or headset

12-702(a) Operation of second division vehicle without carrying flares/warning devices

12-702(c, d, e, f, g) Failure to use flares/warning devices when second division vehicle is disabled

12-707 Overloaded school bus, commuter van or motor vehicle used for hire

12-711 Operation of garbage truck, roll-off hoist or roll-on container without audible backing warning system

12-806 Failure to cover school bus sign when not being used by school or religious organization who owns bus

12-808 Operating school bus without fire extinguisher

12-809 Operating school bus without first aid kit

12-810 Transporting handicapped passenger(s) without restraining device

11-1427 Illegal operation of all-terrain vehicle or off-highway motorcycle

13-111 Operation without certificate of valid safety test attached to windshield on second division vehicle

15-105 Projecting loads on passenger vehicle in any excess beyond left fenders or six inches beyond right fenders of first division vehicle

15-106 Failure to fasten protruding component of vehicle

15-108 Failure to plank edge of pavement for any vehicle in excess of 8,000 pounds

15-109(a) Spilling load on highway

15-109(b) Operating loading vehicle without securely fastened covering

15-109.1 Operating second division vehicle with load falling, blowing or dropping to highway

15-114 Unlawful pushing or disabled vehicle other than to remove from roadway or remove from immediate hazard

18c-4104 Operation of intrastate or interstate motor carrier without license or registration

18c-4604 Operation without current cab card and Illinois identifier

18c-4701(1) Operating without trade name, license and registration number of carrier painted or affixed to both doors of power unit

1.2 Issuance and Form of Notice

Citations for violations of any of the provisions of the Illinois Vehicle Code adopted by reference herein may be issued by authorized personnel of the city using the appropriate Illinois Vehicle Code section which shall, by the effect of this section, represent identically and specially numbered sections of this Ordinance. Reference to Section 1.1 of this Ordinance shall substantially comply with the following format: City of Blue Island Ordinance 2014- 003 Section 1.1 followed by the applicable Illinois Vehicle Code section number, e.g. “No. 2014 ____ Section 1.1/IVC 11-501(a)”

SECTION TWO: FINES OR PENALTIES

Section 2.1 Fines and Penalties Generally

The operator of any vehicle violating or failing to comply with the provisions of the Illinois Vehicle Code and this Ordinance shall upon a finding of the occurrence of said violation

be fined no less than \$50 and no more than \$250 for each offense, except for those violations and fine amounts enumerated in Section 2.2 as set forth herein and unless otherwise provided by the City's comprehensive fee schedule.

Section 2.2 Certain Violations and Fines

The Illinois Vehicle Code sets minimum and maximum fines for certain violations and the following fines for the same are incorporated herein:

12-503 (b) Subject to fine no less than \$50 and no more than \$500

12-603.1 Subject to fine of no more than \$25

13-111 Subject to fine no less than \$95 and no more than \$250

SECTION THREE: ADMINISTRATIVE ADJUDICATION OF VIOLATIONS

It shall be unlawful for the owner or operator of any vehicle to violate any section of this Ordinance, and by reference any section of the Illinois Vehicle Code and any such violator shall be subject to administrative adjudication.

SECTION FOUR: REPEAL OF CONFLICTING ORDINANCES

All ordinances or parts of ordinances in conflict herewith are hereby repealed, specifically Ordinance 06-050.

SECTION FIVE: EFFECTIVE DATE

This Ordinance shall be in full force and effect from and after its passage, approval and publication as required by law. A full, true and complete copy of this ordinance shall be published in pamphlet form, by authority of the City Council, as corporate authorities.

ADOPTED this 14th day of January, 2014, pursuant to a roll call as follows:

	YES	NO	ABSENT	PRESENT	ABSTAIN
Alderman BUCKNER-CHEATLE					
Alderman HAWLEY					
Alderman VIEYRA					
Alderman BILOTTO					
Alderman RITA					
Alderman DONAHUE					
Alderman STONE					
Alderman CARR					
Alderman OSTLING					
Alderman JANKO					
Alderman JOHNSON					
Alderman FRAUSTO					
Alderman THOMPSON					
Alderman JOHANSON					
Mayor DOMINGO VARGAS					
TOTAL					

APPROVED: this 14th day of January, 2014.

**MAYOR OF THE CITY OF BLUE ISLAND,
COUNTY OF COOK AND STATE OF ILLINOIS**

ATTESTED and Filed in my office this
14th day of January, 2014.

CITY CLERK

PUBLISHED in pamphlet form this
14th day of January, 2014.

CITY CLERK

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

**ORDINANCE
NUMBER 2014-004**

**AN ORDINANCE AUTHORIZING EXECUTION AND PROVIDING
FOR TERMS OF AN AGREEMENT WITH PACE SUBURBAN BUS
FOR THE PROVISION OF EMERGENCY
TRANSPORTATION SERVICES.**

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

1st Ward	CHRISTINE BUCKNER-CHEATLE	TOM HAWLEY
2nd Ward	LETICIA VIEYRA	CHARISSA BILOTTO
3rd Ward	NANCY RITA	KEVIN DONAHUE
4th Ward	MARCIA STONE	CANDACE CARR
5th Ward	JANICE OSTLING	KENNETH PITTMAN
6th Ward	DEXTER JOHNSON	JAIRO FRAUSTO
7th Ward	NANCY THOMPSON	JAMES JOHANSON

Aldermen

ORDINANCE NO. 2014-004

AN ORDINANCE AUTHORIZING EXECUTION AND PROVIDING FOR TERMS OF AN AGREEMENT WITH PACE SUBURBAN BUS FOR THE PROVISION OF EMERGENCY TRANSPORTATION SERVICES

Whereas, the City of Blue Island has the authority to contract and be contracted with pursuant to 65 ILCS 5/2-2-12;

Whereas, it is in the best interests of the City to enter into an agreement with Pace Suburban Bus Company for the provision of transportation and other services in the event of a city emergency;

NOW AND THEREFORE, BE IT ORDAINED by the City Council of the City of Blue Island, Cook County, Illinois, as follows:

SECTION 1: AGREEMENT FORMS AND TERMS AUTHORIZED

The Agreement shall substantially and materially conform to the form and terms contained in Exhibit A, attached hereto and incorporated herein.

SECTION 2: AUTHORIZATION OF AGENT TO EXECUTE AND ACT IN ACCORDANCE WITH AGREEMENT

The City Council further authorizes the Mayor or his designee to execute any and all documentation that may be necessary to carry out the intent of this Ordinance. The officers, employees, and/or agents of the City shall take all action necessary or reasonably required by the City to carry out, give effect to, and consummate the intent of this Ordinance.

SECTION 3: EFFECTIVE DATE

This ordinance shall be in full force and effect upon its passage and approval as required by law.

ADOPTED this 14th day of January, 2014, pursuant to a roll call as follows:

	YES	NO	ABSENT	PRESENT	ABSTAIN
Alderman BUCKNER-CHEATLE					
Alderman HAWLEY					
Alderman VIEYRA					
Alderman BILOTTO					
Alderman RITA					
Alderman DONAHUE					
Alderman STONE					
Alderman CARR					
Alderman OSTLING					
Alderman JANKO					
Alderman JOHNSON					
Alderman FRAUSTO					
Alderman THOMPSON					
Alderman JOHANSON					
Mayor DOMINGO VARGAS					
TOTAL					

APPROVED: this 14th day of January, 2014.

**MAYOR OF THE CITY OF BLUE ISLAND,
COUNTY OF COOK AND STATE OF ILLINOIS**

ATTESTED and Filed in my office this
14th day of January, 2014.

CITY CLERK

PUBLISHED in pamphlet form this
14th day of January, 2014.

CITY CLERK

RELEASE AND HOLD HARMLESS AGREEMENT

This agreement made on _____ by and between Pace, the Suburban Bus Division of the Regional Transportation Authority ("Pace") and _____

WHEREAS, the Village/City has requested Pace to provide transportation services to the Village/City if there is available manpower and equipment at the time of the emergency, and on the conditions that Pace is indemnified for the services rendered;

NOW THEREFORE, Pace and the Village/City agrees as follows:

1. Pace shall provide emergency transportation services to the Village/City for the purpose of evacuation of its residents, to the extent that equipment and manpower are available at the time of the emergency.

In most cases, Pace will waive its cost to provide emergency services. However, if the event is of a long duration, the Village/City should discuss the actual costs of providing emergency transportation services and the Village/City shall reimburse Pace for such costs within thirty (30) days of receipt of the invoice.

The Village/City agrees to waive, release and hold harmless Pace, its directors, officers, employees and agents from and against any claims, injuries, losses, or any causes of action whatsoever, arising out of or in any way relating to the provision of transportation services.

2. The Village/City agrees to indemnify Pace, its directors, officers, employees and agents from and against any claims, liabilities, losses, suits, judgments or settlements of any party arising out of or in any way relating to the provision of transportation services under this Agreement, including but not limited to any claims by the Village/City.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed the date above written.

Village/City Name

Authorized Signature

Print Name

Print Title

Pace Suburban Bus

Authorized Signature

Print Name

Print Title