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

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**ORDINANCE  
NUMBER 2022-030**

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**AN ORDINANCE OF THE CITY OF BLUE ISLAND, COOK  
COUNTY, ILLINOIS, AMENDING TITLE XI, CHAPTER 115,  
“FOOD AND FOOD DEALERS” OF THE CODE OF  
BLUE ISLAND, ILLINOIS**

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**FRED BILOTTO, Mayor  
RAEANN CANTELO-ZYLMAN, City Clerk  
JAIRO FRAUSTO, City Treasurer**

**DEXTER JOHNSON  
LUIZ MONTOYA  
NANCY RITA  
BILL FAHRENWALD  
GABRIEL McGEE  
CANDACE CARR  
JOSH ROLL**

**Aldermen**

**ORDINANCE NUMBER**  
**2022- 030**

**AN ORDINANCE OF THE CITY OF BLUE ISLAND, COOK COUNTY,  
ILLINOIS, AMENDING TITLE XI, CHAPTER 115, “FOOD AND FOOD  
DEALERS” OF THE CODE OF BLUE ISLAND, ILLINOIS**

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**WHEREAS**, the City of Blue Island, Cook County, Illinois (the “*City*”) is a duly organized and existing City created under the provisions of the laws of the State of Illinois and operating under the provisions of the Illinois Municipal Code, and all laws amendatory thereof and supplementary thereto, with full powers to enact ordinances and adopt resolutions for the benefits of the residents of the City; and

**WHEREAS**, the Mayor and City Aldermen may from time to time amend the text of the City Code of Blue Island (the “*Code*”) when it is determined to be in the best interests of the health, safety and welfare of the City and its residents; and

**WHEREAS**, the City currently regulates food dealers operating businesses within the City; and

**WHEREAS**, the Mayor and City Aldermen desire to modify the Code and create regulations and enforcement systems for mobile food vendors and mobile food vehicles within the City; and

**WHEREAS**, the Mayor and City Aldermen find that the following amendments to the Code of Blue Island, Illinois, as set forth herein, are in the best interests of the health, safety and welfare of the City and its residents.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and City Aldermen of the City of Blue Island, Cook County, Illinois as follows:

**Section 1.** That the above recitals and legislative findings are found to be true and correct

and are hereby incorporated herein and made a part hereof, as if fully set forth in their entirety.

**Section 2.** That the Mayor and City Aldermen find and determine that the adoption of this Ordinance is in the best interests of the City as well as in the best interests of the public.

**Section 3.** That Chapter 115 (“*Food and Food Dealers*”) of Title XI (“*Business Regulations*”) of the Code of Blue Island, Illinois is hereby amended by adding the underlined language as follows:

## **CHAPTER 115 – FOOD AND FOOD DEALERS**

### **MOBILE FOOD VENDORS AND MOBILE FOOD VEHICLES**

#### **§ 115.200 Definitions**

For the purposes of this article, the following terms shall have the meanings provided:

(A) *City event* means a temporary special event sponsored by a governmental entity, church, or non-profit organization. A *City event* also includes private events in residential districts and private corporate-sponsored events in commercial, industrial, or U-TOD districts where no items are offered for sale to the general public not associated with and/or participating in the event. *City events* may last one to three days and must be approved by the City.

(B) *Mobile food vehicle* means a self-contained food service operation located in a readily moveable, motorized, wheeled or towed vehicle, with facilities for storing, preparing, displaying and/or serving food or non-alcoholic beverages for retail sale intended for individual consumption, commonly referred to as a food truck. A *mobile food vehicle* is a motorized vehicle registered as a commercial vehicle that is not used for any purposes other than a Mobile Food Vendor, Mobile Food Dispenser or Mobile Food Preparer business.

(C) *Push carts* are small handcarts or barrows from which fruit, ice cream, or other goods are sold in the street.

(D) *Mobile food vendor* means any person engaged in the business of preparing and/or serving food or non-alcoholic beverages from a mobile food vehicle or push cart while traveling from place to place upon the public ways.

(E) *Sponsoring business* means the individual, corporation, firm, partnership, association, proprietorship, or other legal entity that owns and/or operates the business at the location where a mobile food vendor will operate its mobile food vehicle under this article.

**§ 115.201 Mobile food vendor registration.**

(A) Registration required. No person shall operate a mobile food vehicle within the City's boundaries without first registering as a mobile food vendor. For any business having a valid business registration for a permanent physical business location in the City as required by this chapter, the requirement to register as a mobile food vendor shall not apply, provided the information required for a mobile vehicle vendor registration, as set forth below, is provided with the business registration application.

(B) Required information. The building official or designee shall provide a form for application for a mobile food vendor as required under this article. The application shall require the following:

- (1) The name, address and phone number of the applicant;
- (2) Government-issued photo ID from ALL applicants, owners, and business entity controlling persons and registered agents;
- (3) Federal Employer Identification Number (EIN) and State of Illinois File Number (if a business entity); and Illinois Department of Revenue Account ID for the business;
- (4) The relationship of the applicant to the mobile food vehicle;
- (5) The name, address and phone number of an owner or other responsible person to be contacted in case of an emergency;
- (6) The name of the mobile food vehicle;
- (7) A photo and/or detailed description of the mobile food vehicle;
- (8) Vehicle identification number;
- (9) Proof of vehicle insurance and registration;
- (10) A general description of the types of items to be sold from the mobile food vehicle;
- (11) A valid copy of the operating permit issued by the Cook County Health Department for the mobile food vehicle;
- (12) A copy of the current State of Illinois sales tax registration;
- (13) A valid Retail Food Establishment or Shared Kitchen User business license, if the Mobile Food Dispenser license applicant is going to produce food for sale; and

- (14) A certificate of general liability insurance in the amount of \$1,000,000.00 and listing the City as additionally insured. No cancellation or reduction in coverage may occur during the effective period of the mobile food vendor registration.

Additional information may be required as determined by the City from time to time.

(C) Fee term. The required fee for each registration issued under this article shall be \$100.00. The fee shall be collected upon application. The effective term of the registration shall commence on January 1<sup>st</sup> and expire at midnight on December 31<sup>st</sup> of each year. The renewal of each existing registration under this article shall be \$50.00. If the mobile food vendor is only operating temporarily in the City for a City event, the fee for registration may be waived. However, an application must still be submitted to the Building and Zoning Department.

**§115.202 Mobile food vehicle and Pushcart permits.**

(A) Permit required.

(1) In addition to the mobile food vendor registration required under this article, no person shall operate a mobile food vehicle within the City without a permit. In regard to mobile food vehicles, the sponsoring business for the location at which the mobile food vendor intends to operate its mobile food vehicle must first obtaining a permit from the building official or designee.

(2) In addition to the Pushcart vendor registration required under this article, no person shall operate a pushcart within the City without a permit.

(B) Required information- Mobile Food Vehicle. The building official, city clerk, or designee shall provide a form for application for a mobile food vehicle permit as required under this article. The permit application shall require the following:

- (1) The name, address and phone number of the owner of the sponsoring business;
- (2) The name, address and phone number of the mobile food vendor;
- (3) Written permission signed by the property owner where the mobile food vehicle will be located specifying the date and hours of operation of the mobile food vehicle, with any restrictions imposed by the property owner clearly identified; and
- (4) A site plan clearly depicting the following:

- a. Property boundaries of the parcel on which the mobile food vehicle will be operating;
- b. Footprint and dimensions of all existing and proposed buildings and structures on the property;
- c. All curb cuts, drive aisles and parking spaces on the property;
- d. The proposed location of the mobile food vehicle, including the number of parking spaces that would be occupied by the mobile food vehicle and related activities; and
- e. A description of all proposed lighting, signage, trash receptacles, other equipment, and other activities associated with the mobile food vehicle.

(C) *Required information- Pushcart Vendor.* The building official, city clerk, or designee shall provide a form for application for a Pushcart permit as required under this article.

(D) *Fee; duration.* The required fee for each mobile food vehicle permit issued under this article shall be \$25.00. The permit shall be valid only for the date and times listed on the permit. The required fee for a Pushcart permit is \$100.00. The fee shall be collected upon application. The effective term of the permit shall commence on January 1<sup>st</sup> and expire at midnight on December 31<sup>st</sup> of each year. The renewal of each existing permit under this article shall be \$50.00.

(E) *Multiple dates under a single permit- Mobile Food Vehicle.* A sponsoring business may submit one permit for the same mobile food vehicle to operate at the same location for more than one date. The permit application shall list every date and the hours of operation of the mobile food vehicle on each date. The requirements of Section 115.201 and this Section 115.202 must be complied with for each individual date the mobile food vehicle operates at the location.

(F) *Approval standards.* No mobile food vehicle permit or pushcart permit shall be issued unless the applicant demonstrates compliance with all of the following:

- (1) The mobile food vehicle or pushcart shall not be located on a property that is less than 250 feet from a property containing a restaurant unless written consent by the proprietor of such restaurant is provided with the mobile food vehicle permit application;
- (2) The mobile food vehicle shall not be parked within 100 feet of a residential district or a property recommended for residential use in the City's comprehensive plan, unless the mobile food vehicle is operating on private property in such residential district for a private event and is not offering items for sale to the general public not associated with and/or participating in the event;

- (3) The mobile food vehicle shall be parked on an improved surface;
- (4) The mobile food vehicle shall not be located within any required setback of the underlying zoning district;
- (5) The mobile food vehicle or pushcart shall not be located within a handicap accessible parking space or any parking space required for the permanent/primary use(s) on the property;
- (6) The mobile food vehicle or pushcart shall not be located or operated in such a manner that it interferes with vehicle or pedestrian visibility, traffic flow, emergency vehicle access or pedestrian circulation; and
- (7) The mobile food vehicle and pushcart shall be located a minimum of 15 feet from all fire hydrants and fire department connections.
- (8) A permanent divide must exist between the front driving area and the back cook/prep area of the mobile food vehicle, and a grease trap must be installed under a three-compartment sink.
- (9) The mobile food vehicle and pushcart must pass an initial health inspection by the City Health Inspector, meeting all health code requirements. The mobile food vehicle and pushcart must maintain sanitary conditions, including frequent hand washing and proper food temperature controls, and pass every subsequent health inspection.
- (10) The mobile food vehicle and pushcart must pass an initial fire inspection by the City Fire Inspector, meeting all fire code and fire department requirements. The mobile food vehicle and pushcart must maintain fire safety protocols, including installation of an appropriate fire suppression system and carrying a combustible gas detector, and pass every subsequent fire inspection.

(E) Permit displayed. A copy of the approved mobile food vehicle or pushcart permit shall be clearly displayed on the mobile food vehicle or pushcart at all times while operating in the City.

(F) Exceptions. Notwithstanding the provisions of this section, any mobile food vehicle operating at a City event shall be exempt from the requirement to obtain a mobile food vehicle permit, provided the sponsoring entity or organization provides the City with a list of valid Cook County Health Department permits, State of Illinois sales tax registrations, and certificates of insurance, with copies thereof, for all mobile food vehicles participating in the event.

**§115.203 Mobile food vehicle operational restrictions.**

(A) No fixed location. Mobile food vehicles that have not obtained a permit as provided above must move from place to place upon the public ways and shall not be operated at a fixed location except as otherwise provided herein. Mobile food vehicle stops shall be made only to service customers and shall not exceed (i) a total of two hours or (ii) the maximum permitted period for parking, whichever is less, in any one block.

(B) Sound amplification. No mobile food vehicle or pushcart shall be equipped with any electronic sound-amplifying device. Mobile food vehicles or pushcarts employing musical or noise-making devices shall only sound said devices while traversing the public way, not while standing or parked.

(C) Hours of operation. Mobile food vehicle shall not service customers between the hours of 12:00 am. and 6:00 a.m. Pushcarts shall not service customers between the hours of 9:00 pm to 6:00 am.

(D) Location. Mobile food vehicles shall not park or stand:

- (1) within 20 feet of a crosswalk;
- (2) within 30 feet of a stop light or stop sign;
- (3) adjacent to a protected bike lane; or
- (4) within 200 feet of any principal customer entrance to a restaurant.

(C) Sales. No sale shall be made from a mobile food vehicle except from the curb side thereof, and then only when such vehicle is standing or parked in a legal parking spot.

(D) Food Preparation. No food that is sold or served from a mobile food vehicle or a push cart may be stored or prepared in a residential home.

**Section 4.** If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any other provision 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 from and after its passage, approval and publication in pamphlet form as provided by law.

*(Intentionally left blank)*



**ADOPTED** this **26th** day of **April, 2022**, pursuant to roll call as follows:

	YES	NO	ABSENT	PRESENT	ABSTAIN
Alderman JOHNSON	X				
Alderman FAHRENWALD	X				
Alderman RITA	X				
Alderman MONTOYA	X				
Alderman MCGEE			X		
Alderman CARR	X				
Alderman ROLL	X				
Mayor BILOTTO					
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**APPROVED** by the Mayor on **April 26, 2022**.

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

**ATTESTED** and Filed in my office this  
**26th** day of **April, 2022**.

**RAEANN CANTELO-ZYLMAN, CITY CLERK**

**PUBLISHED** in pamphlet form this  
**26th** day of **April, 2022**.

**RAEANN CANTELO-ZYLMAN, CITY CLERK**

STATE OF ILLINOIS     )  
  ) SS  
COUNTY OF COOK     )

**CERTIFICATE**

I, RAEANN CANTELO-ZYLMAN, 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 **April 26, 2022** the Corporate Authorities of such municipality passed and approved Ordinance No. **2022 - 030** Entitled: **ORDINANCE: AN ORDINANCE OF THE CITY OF BLUE ISLAND, COOK COUNTY, ILLINOIS, AMENDING TITLE XI, CHAPTER 115, "FOOD AND FOOD DEALERS" OF THE CODE OF BLUE ISLAND, ILLINOIS.**

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

The pamphlet form of Ordinance No. **2022 - 030** including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance posted in the municipal building commencing on **April 26, 2022** 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 **26th** day of **April, 2022**.

CORPORATE SEAL

  
CITY CLERK

STATE OF ILLINOIS        )  
  )  
COUNTY OF COOK        )

  ss.

**CERTIFICATION**

**I, RAEANN CANTELO-ZYLMAN, DO HEREBY CERTIFY THAT** I am the duly elected City Clerk of the City of Blue Island, Illinois, as such City Clerk, I am the keeper of the minutes and records of the Proceedings of the City Council of the said City and have in my custody the RESOLUTIONS and BOOKS of the records of said City.

**I DO FURTHER CERTIFY** that the attached and foregoing is a true and correct copy of the certain **ORDINANCE: AN ORDINANCE OF THE CITY OF BLUE ISLAND, COOK COUNTY, ILLINOIS, AMENDING TITLE XI, CHAPTER 115, "FOOD AND FOOD DEALERS" OF THE CODE OF BLUE ISLAND, ILLINOIS.**

**ORDINANCE NO. 2022-030** which was adopted at a regular meeting of the City Council of the City of Blue Island, Illinois held on the **26th day of April, 2022**; that at said meeting **6** Alderman were present; that at said meeting, on motion duly made and seconded that the Resolution did pass and on the roll being called the vote of each Aldermen present on the question of the passage of said Resolution was duly and separately taken by Ayes and Nays and their names and votes recorded in the minutes of **6** Alderman voted Aye and **1** Alderman voted Nay and **0** Alderman voted Abstain and **1** Alderman Absent.

**I DO FURTHER CERTIFY** that the original Ordinance which the foregoing is a true copy, is entrusted to my care for safe keeping, and that I am the lawful keeper of the same.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the Corporate Seal of the City of Blue Island aforesaid, at the said City in the County and State aforesaid, this **26th** day of **April, 2022**.

CORPORATE SEAL

  
\_\_\_\_\_  
City Clerk