

ORIGINAL

ORDINANCE NO. CO-2014-14

**AN ORDINANCE AMENDING TITLE XI (BUSINESS REGULATIONS),
CHAPTER 110 (BUSINESS LICENSES) AND VARIOUS OTHER SECTIONS OF
THE MAYWOOD VILLAGE CODE WITHIN TITLE XI RELATIVE TO THE
ISSUANCE, SUSPENSION AND REVOCATION OF BUSINESS LICENSES**

WHEREAS, the Village of Maywood is a home rule unit pursuant to the provisions of Article VII, Section 6(a) of the Illinois Constitution of 1970; and

WHEREAS, Title XI (Business Regulations) of the Maywood Village Code currently sets forth various regulations for licensing of businesses in the Village of Maywood, including hearing procedures and standards for revocation and suspension of business licensees; and

WHEREAS, the President and Board of Trustees of the Village of Maywood have noted that different business licenses in Title XI (Business Regulations) are subject to varying suspension and revocation standards and hearing procedures; and

WHEREAS, the President and Board of Trustees, pursuant to the authority provided by its home rule powers, have determined that amending various Sections of the Village Code within Title XI (Business Regulations) to increase uniformity and add additional standards relative to the suspension and revocation standards and hearing procedures is in the best interests of the health, welfare and safety of the residents and business owners of the Village of Maywood.

BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MAYWOOD, COOK COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1: The findings set forth above are incorporated by reference into this Section 1 as if fully recited herein.

SECTION 2: Title XI (Business Regulations), Chapter 110 (Business Licenses), Sections 110.02 (Issuance), 110.04 (Investigation), 110.09 (Renewal), 110.10 (Revocation) and 110.17 (Hearing) of the Maywood Village Code are amended to read in their entirety as follows:

§ 110.02 ISSUANCE.

(A) In all cases where licenses are required to be procured, such licenses shall be granted by the Village President, or his or her designee, and attested by the Village Clerk, except where provision is expressly made for the granting of licenses by some other officer of the Village.

(B) All licenses, authorized to be issued and required to be procured by any provision of this Chapter, which are granted by the Village President, or his or her designee, shall be issued by the Village Clerk, except where otherwise

specifically provided, upon instruction or direction from the Village President, or his or her designee.

(C) All such licenses so issued shall bear the seal of the Village, the name of the licensee, address, nature or kind of business or occupation licenses, amount of fee paid, and such other material information as the Village President and Director of Finance shall prescribe. All licenses shall be subject to the provisions of this Title and Chapter which may be in force at the time of the issuance thereof or which may subsequently be passed by the Board of Trustees.

* * *

§ 110.04 INVESTIGATION.

(A) Except where otherwise specifically provided, upon receipt of an application for a license which requires an investigation or an inspection by any department or board of the Village, and the approval thereof as to the character or fitness of any applicant for a license, or as to the proper location or condition of the premises in which the business for which a license is applied is to be managed, conducted, operated or carried on, the Director of Finance shall transmit to each department or board charged with the investigation and approval of any such application such information as may be necessary in order that the required investigation or inspection may be made. Each department head or president of a board charged with such investigation or inspection shall, immediately upon receipt of such information from the Director of Finance, cause an investigation or inspection to be made and shall, within ten (10) calendar days after the receipt of the information from the Director of Finance, either approve or disapprove the issuance of such license and shall notify the Director of Finance accordingly.

(B) Upon receiving satisfactory proof from the Director of Finance that the applicant or each of the principal officers, if the applicant is a corporation, is a fit and proper person to be granted such license, and that all laws and provisions of this Chapter, Title and Code regulating the business or occupation for which such license is applied for have been complied with, the Village President, or his or her designee, may authorize the issuance of the license by the Village Clerk.

* * *

§ 110.09 RENEWAL.

(A) It shall be the duty of the Director of Finance to cause a written notice to be mailed to each licensee directing the attention of such licensee to the fact that a new license will be required on the day following the expiration of his existing license and directing his attention also to the amount of the license fee and to the penalty for failure to procure a license in accordance with the provisions of this

Chapter governing the issuance of such license; provided, however, that failure on the part of the Director of Finance to cause such notice to be mailed to each licensee shall not be deemed a defense to a suit brought by the Village to recover the penalty for a violation of the provision of this Chapter under which the licensee is required to obtain a license.

(B) Except where otherwise specifically provided, the Director of Finance may authorize the renewal of any license at the beginning of the license year. Upon request in writing by any department or board in control of any regulation affecting the licensees or the licensed premises, the Director of Finance shall furnish lists of licenses renewed in any designated class of licenses.

(C) In any case where frontage consents are required to be procured before a license shall issue, it shall not be necessary to secure the renewal of such frontage consents upon the expiration of such license if such license be renewed or a new license for the same business be procured forthwith.

* * *

§110.10 SUSPENSION AND REVOCATION.

(A) Except where otherwise specifically provided for, any license issued under this Title may be refused for renewal, suspended up to sixty (60) calendar days per incident or revoked by the Village President, or his or her designee, following notice and a hearing pursuant to Section 110.17, if it is determined that the applicant or license holder has:

- (1) Made any false, fraudulent or misleading material statement on the application for a license, or to Village officials; or
- (2) Has been found guilty of perpetrating a fraud upon any person, whether or not such fraud was perpetrated in the course of conducting any business in the Village; or
- (3) Conducted any activities directly related to his or her business in the Village in an unlawful manner or in such a manner as to constitute a breach of the peace or a menace to the health, safety or general welfare of the public; or
- (4) Suffered a revocation or refusal to issue or renew a license applicable to conduct of the business or a substantially similar business by any state, municipality or licensing authority; or
- (5) Failed to pay any taxes, fees, penalties or fines owed to the Village, including, but not limited to, bills for water or sewer or garbage service;
- (6) Created a condition or conducted or performed an act, practice or trade that constitutes a nuisance pursuant to Chapter 92 or other applicable provisions of this Code; or
- (7) Committed an act considered home repair fraud as defined in 815 ILCS 515/3 and 5 of the Illinois Compiled Statutes; or

(8) Maintained the licensed premises in a manner in violation of the license or permit, the Village's property maintenance code, or of any other state or municipal law, ordinance, rule or regulation of the Village related to maintenance or condition or use of the premises; or

(9) Interfered with any Village employee or official in the performance of his or her duties; or

(10) Been convicted of any felony as defined in Section 2-7 of the Illinois Criminal Code of 2012 (720 ILCS 5/2-7) or a misdemeanor involving moral turpitude; or

(11) Violated any state, Village or other local law, ordinance, rule or regulation relating to the license or permit, licensed or permitted activity, the subject matter of the license or permit or the premises licensed.

(B) Such nonrenewal, suspension or revocation, if ordered, shall not preclude prosecution and imposition of any other penalties provided for the violation of applicable ordinances of the Village, including monetary penalties pursuant to Section 10.99 (General Penalty) or as specified elsewhere in this Code.

(C) When the conduct or operation of any business or establishment, whether or not licensed, shall pose a clear and present danger to the public health, safety or general welfare, the Village President, or his or her designee, shall have the authority to summarily order the cessation of business and the closing of the premises, and the suspension of any valid license or permit for a period not to exceed ten (10) calendar days. Within five (5) calendar days after he or she has so acted, the Village President or his or her designee shall call a hearing for the purpose of determining whether or not the license should be further suspended or revoked.

§ 110.17 HEARING.

(A) Except where otherwise specifically provided for, business licenses issued under the ordinances of the Village, may only be refused for renewal, revoked or suspended after notice and hearing pursuant to this Section.

(B) Notice of the hearing for the nonrenewal, suspension or revocation of a license shall be given in writing, setting forth specifically the grounds of the contemplated action and the date, time and place of the hearing. Such notice shall be personally served or sent certified mail, return receipt requested, to the licensee at his or her last known address listed on the most recent application for a license at least five (5) calendar days prior to the date set for hearing. The initial date for a hearing shall be no more than twenty-one (21) calendar days after notice of hearing was sent to the licensee.

(C) The Village Manager, or his or her designee, shall present the Village's case. The applicant or license holder shall have the right to appear in person and be represented by legal counsel at such hearing. The licensee shall be afforded an opportunity to present evidence and cross-examine witnesses.

(D) The Village President, or his or her designee, shall not be bound by common law or statutory rules of evidence or by technical or formal rules of procedure, but

shall conduct hearings in such manner as seems best calculated to result in substantial justice.

(E) Following the conclusion of the hearing, the Village President, or his or her designee, shall issue a written decision and findings of fact and shall mail the same to the applicant or license holder. The written decision shall state that the applicant or license holder may seek judicial review of the decision pursuant to a writ of certiorari. The decision and findings of fact shall be mailed within seven (7) business days following the conclusion of the hearing.

(F) A court reporter or other method of creating a record of proceedings will be provided by the Village for all hearings held pursuant to this Chapter. The cost associated with the court reporter and/or the preparation of a transcript of the hearing shall be the responsibility of the licensee.

(G) Twenty-four (24) hours before the commencement of any suspension or revocation, the Village of Maywood Police Department shall post on all entrances to the licensed premises a placard entitled, "Notice of Closure." The Title shall be in letters not less than one inch (1") high. In the case of a suspension, the notice of closure shall give the times of the suspension and in the case of a revocation state the exact time when the revocation goes into effect. The notice of closure shall also state the section number and title of the Village Code or state law, which has been violated along with the telephone number of appropriate Village department that may be called for additional information. The notice of closure shall not be removed before the suspension period or less than seven (7) calendar days after the posting of a revocation notice.

(H) Any person aggrieved by the action of any Village official in denying an initial application for a license or refusing to issue a certificate of registration shall have the right to a hearing before the Village President, or his or her designee, provided a written request is filed with the Village Clerk within ten (10) calendar days after he or she is notified that the license has been denied or the certificate of registration will not be issued. The hearing provided shall follow the procedures set forth in subsections (B) – (F) above.

(I) Appeals of any final determination of the Village President or his or her designee following a hearing held pursuant to this Section may be sought by seeking a writ of certiorari from the Chancery Division of the Circuit Court of Cook County according to applicable law.

SECTION 3: Title XI (Business Regulations), Chapter 111 (General Business Regulations), Subsection (B) of Section 111.05 (Public Dances) of the Maywood Village Code is amended to read in its entirety as follows:

(B) *Application.*

(1) Applications for licenses shall specify the location of the proposed dance and the person or organization sponsoring the same.

(2) No license shall be issued by the Village President, or his or her designee, to a person who is not a person of good moral character, nor to a corporation or organization which is not represented in the Village by a person of good moral character.

(3) It shall be the duty of the Chief of Police to make or cause to be made an investigation into the character of each applicant and report the results of such investigation to the Village President.

(4) The Fire Chief or his representative shall inspect the premises to be used for a public dance to determine if they conform to the fire prevention and other safety regulations of this Code.

SECTION 4: Title XI (Business Regulations), Chapter 111 (General Business Regulations), Subsection (Q) of Section 111.08 (Flea Markets) of the Maywood Village Code is amended to read in its entirety as follows:

(Q) *Revocation.* The Board of Trustees of the Village, following notice and a hearing before the Board of Trustees held pursuant to the procedures set forth in Section 110.17 of this Code, shall have the authority to deny renewal of, revoke or suspend a permit issued hereunder when it finds that:

(1) The flea market operation is being conducted in violation of this section or of this Code or of the laws of the state; and/or

(2) The flea market operation is operating so as to constitute a nuisance to the community.

SECTION 5: Title XI (Business Regulations), Chapter 111 (General Business Regulations), Subsection (B) of Section 111.10 (Food Establishment Operators) of the Maywood Village Code is amended to read in its entirety as follows:

(B) Certification and licensing.

(1) (a) It shall be unlawful for any person who does not possess a valid license to operate a food service establishment or an ambulatory food establishment within the Village. Only persons who comply with the requirements of this section and all other provisions of the laws of the state, and the Village regarding the operation of food service establishments and ambulatory food establishments shall be entitled to receive and retain such a license. The license fee for ambulatory food establishments shall be as set forth in Section 110.13 for itinerant vendors. The license fee for food service establishment shall be as set forth in § 110.13 for restaurants.

(b) Any person desiring a license to maintain or operate a food service establishment or an ambulatory food establishment shall make written application for a license to do so in the manner hereinafter prescribed. Upon the completion of all inspections, tests, and examinations required by this Code, and any other applicable laws, rules

and regulations, the Director of Community Development shall transmit the application to the Village President, or his or her designee, together with his or her recommendation for a grant or denial of the license. If the applicant is of good character and reputation, and, in the case of food service establishments, the premises for which such license is sought is proper and suitable for the operation of a sanitary and healthful food service establishment, and, in the case of ambulatory food establishments, if the vehicle for which such license is sought is suitable for the operation of a sanitary and healthful ambulatory food establishment, the Village President, or his or her designee, shall, upon payment of the license fee by the applicant, upon verification of compliance with all other applicable licensing requirements, direct that a license be issued by the Village Clerk in accordance with such application.

SECTION 6: Title XI (Business Regulations), Chapter 111 (General Business Regulations), Subsection (N) of Section 111.27 (Secondhand Dealers) of the Maywood Village Code is amended to read in its entirety as follows, and Subsection (O) of Section 111.27 is deleted in its entirety:

(N) *Penalties.* If at any time after receiving a secondhand dealer's license a licensee shall violate any of the provisions of this Section, any Section of the Village Code, or any state or federal statute, the Village President may suspend or revoke the license pursuant to Section 110.10 following notice and a hearing pursuant to Section 110.17 of this Code. This remedy shall not preclude the Village from taking any other action against the licensee which may be deemed appropriate, including the imposition of penalties as set forth in Section 10.99 of this Code.

SECTION 7: Title XI (Business Regulations), Chapter 111 (General Business Regulations), Subsection (H) of Section 111.34 (Firearms and Weapons Sale) of the Maywood Village Code is amended to read in its entirety as follows:

(H) *Revocation.* In case the Village President, or his or her designee, shall determine after notice and a hearing pursuant to Section 110.17 of this Code that such applicant has violated any provision of this section or Code, he or she may suspend or revoke the license to such person for the selling of such weapons, and the money paid for such license shall be forfeited to the Village. In the case of revocation, no other such license shall be issued to such licensee for a period of three (3) years thereafter.

SECTION 8: Title XI (Business Regulations), Chapter 111 (General Business Regulations), Section 111.99 (Penalty) of the Maywood Village Code is amended to read in its entirety as follows:

§ 111.99 PENALTY.

Any person who violates any of the provisions of Section 110.10 shall be subject to the penalties set forth in Section 10.99 in addition to such other penalties as may be specified in this Title. Additionally, the Village President may, following notice and a hearing pursuant to Section 110.17, suspend or revoke any such license as provided in Chapter 110 for violations of the provisions of this Code.

SECTION 9: Title XI (Business Regulations), Chapter 112 (Rooming Houses), Section 112.98 (Violation) is amended to read in its entirety as follows:

§ 112.98 VIOLATION.

The maintenance or use of any rooming house in violation of the provisions of this Chapter is unlawful and the owner and/or operator of an unlawful rooming house may be cited and fined up to \$1,000 per day that such unlawful maintenance or use continues, with each day of unlawful maintenance or use constituting a separate offense. Additionally, the Village President may, following notice and a hearing pursuant to Section 110.17, suspend or revoke any rooming house license as provided in Chapter 110 for violations of the provisions of this Chapter or Code. Additionally, unlawful maintenance or use of any rooming house in violation of the provisions of this Chapter or Code is a nuisance and may be abated by the Director of Code Enforcement as provided by Section 92.20 *et seq.* or by such other legal action as is deemed necessary by the Village.

SECTION 10: Title XI (Business Regulations), Chapter 113 (Nursing Homes), Sections 113.18 (Grounds for Denial), 113.19 (Revocation; Denial of Renewal), 113.20 (Petition for Review of Denial), 113.21 (Hearing Board; Composition), and 113.22 (Hearing Procedure on Denials, Revocations and Denial of Renewal) are amended to read in their entirety as follows:

§ 113.18 GROUNDS FOR DENIAL.

An application for a license required by this Chapter shall be denied for any of the following reasons:

- (A) Failure to meet the minimum standards prescribed in this Chapter;
- (B) Conviction of the applicant, or if the applicant is a firm, partnership or association, of any of its members, or if a corporation, of any of its officers or directors, or of the person designated to manage or supervise the home, of a felony or of two (2) or more misdemeanors involving moral turpitude as shown by

a certified copy of the record of conviction, or in the case of a conviction of a misdemeanor by a court not of record, as shown by evidence, or other satisfactory evidence that the moral character of the applicant, manager or supervisor of the home is not reputable;

(C) Personnel insufficient in number or unqualified by training or experience to provide proper and adequate care for the number and type of residents;

(D) Insufficient financial or other resources to operate and conduct the home in accordance with the requirements of this Chapter and the minimum standards, rules and regulations promulgated thereunder; and

(E) Any grounds upon which an application for a license may be denied as prescribed in this Title.

§ 113.19 REVOCATION; DENIAL OF RENEWAL.

A license may be suspended or revoked, or a renewal thereof denied, for any of the following reasons:

(A) Cruelty or indifference to the welfare of a resident;

(B) Misappropriation of the property of a resident;

(C) Conversion of the property of a resident;

(D) Violation of any Section of the Nursing Home Care Act, 210 ILCS 45/1 *et seq.* including but not limited to Section 3-119 of the Nursing Home Care Act, 210 ILCS 45/3-119;

(E) Violation of any provision of this Chapter or of the minimum standards, rules and regulations promulgated thereunder; and

(F) Any grounds upon which an application for a license may be suspended, revoked or denied as prescribed by Section 110.10.

§ 113.20 PETITION FOR REVIEW OF DENIAL.

In the event the application for a license required by this Chapter is denied, within be filed with the Village Clerk as provided in Subsection 110.17(I) ten (10) calendar days thereafter, the applicant may file a petition for review of the action denying said application, which petition shall be under oath and shall be filed with the Village Clerk as provided in Subsection 110.17(I).

§ 113.21 HEARINGS.

Hearings on application denials, or in actions to revoke or suspend a license issued pursuant to this Chapter due to violations of this Chapter or any other Section of this Title or Code, shall be heard by the Village President and held in conformance with Section 110.17.

§ 113.22 RESERVED.

SECTION 11: Title XI (Business Regulations), Chapter 116 (Tobacco), Section 116.99 (Penalty) is amended to read in its entirety as follows:

§ 116.99 PENALTY.

(A) Any person who violates Section 116.10 shall be fined not less than \$50 nor more than \$750 for each such offense.

(B) The Village President, or his or her designee, may suspend or revoke any license issued under the provisions of this Chapter, if he or she determines that the licensee has violated any of the provisions of this Chapter or other related provisions of the Maywood Code. In lieu of suspension or revocation of a license or in addition to such penalties, the Village President, or his or her designee, may levy a fine on the licensee. The fines imposed shall be in accordance with the fine schedule set forth below for each violation. Each day on which a violation continues shall constitute a separate violation. Penalties and fines imposed shall include, but do not have to be limited to, the following:

- (1) For a first violation, an administrative penalty/fine of \$1,000;
- (2) For a second violation, occurring after a final determination of liability for a first violation, and within a twelve (12) month period of the first violation, an administrative penalty/fine of \$2,000 and a suspension of the license of the retail tobacco dealer for thirty (30) days; and
- (3) For a third violation, occurring after a final determination of liability for a second violation and within a twelve (12) month period of the second violation, an administrative penalty/fine of \$3,000 and a revocation of the license of the retail tobacco dealer for one (1) year.

(C) No such license shall be suspended or revoked and no licensee shall be fined except after notice and a hearing by the Village President, or his or her designee, conducted in conformance with Section 110.17.

(D) The Village President, or his or her designee, shall, within seven (7) business days after such hearing, if he or she determines after such hearing that the license should be revoked or suspended, or that the licensee should be fined, state the reason for such determination in a written order and further state the amount of the fine, the period of suspension or that the license has been revoked. An executed copy of such order shall be served by the Village within seven (7) calendar days upon the licensee.

(E) Any licensee determined by the Village President, or his or her designee, to have violated any of the provisions of this Chapter shall pay to the Village the costs of the hearing on such violation. The Village President or his or her designee shall determine the costs incurred by the Village for said hearing, including, but not limited to: court reporters, fees, the costs of the transcripts or records, attorneys' fees, the cost of preparing and mailing notices and orders, any and all additional fines imposed and all other miscellaneous expenses incurred by the Village or such lesser sum as the Village President or his or her designee may allow.

(F) The licensee shall pay the costs to the Village within thirty (30) days of notification of the costs by the Village President, or his or her designee. Failure to pay the costs within thirty (30) days of notification is a violation of this Chapter and may be cause of license suspension or revocation, or the levy of a fine.

(G) Any retailer, or owner(s) of the retailer, whose license is revoked for violating any of the provisions of this Chapter shall be prohibited from applying for a tobacco retailer's license for a one (1) year period from the date of the revocation order.

(H) In addition to imposing the fines and other penalties provided by this Chapter, the Community Development Department or Village Manager may file legal or administrative action against any licensee for an injunction requiring compliance with the provisions of this Chapter or for such order as the court may deem necessary or appropriate to secure such compliance.

(I) A person may seek a writ of certiorari from the Chancery Division of the Circuit Court of Cook County according to applicable law, appealing any final determination of liability or decision of the Village President or his or her designee under this Chapter.

SECTION 12: Title XI (Business Regulations), Chapter 118 (Taxicabs), Section 118.12 (Revocation and Suspension of Licenses and Permits) is amended to read in its entirety as follows:

§ 118.12 REVOCATION AND SUSPENSION OF LICENSES AND PERMITS.

(A) The Village President, or his or her designee, following notice and a hearing conducted in conformance with Section 110.17, may suspend or revoke a taxicab company license, a taxicab vehicle license or a taxicab driver permit for any of the following reasons:

- (1) Any fraud, misrepresentation or false statement contained in the application for a license or permit;
- (2) Any violation by the licensee or permittee of a provision of this Chapter, for any of the reasons set forth in Section 110.10, or for violations of any other section of this Title or Code;
- (3) Conviction of the licensee or permittee of any felony or a misdemeanor if such conviction indicates an inability to operate or participate in a safe, honest and legitimate business operation within the Village;
- (4) Failure of the licensee or permittee to pay any fine, penalty or other charge owing to the Village, including but not limited to bills for water service;
- (5) Refusal to permit or to have a taxicab or taximeter inspected or interfering with a duly authorized Village officer or employee while in the performance of his duty in making such inspection or seeking any other information pertinent to the issuance or renewal of either a taxicab company license, a taxicab vehicle license or a taxicab driver permit;

- (6) Employing a person as a taxicab driver who has not been issued a taxicab driver permit, leasing a taxicab to a person who has not been issued a taxicab driver permit or otherwise authorizing a person who has not been issued a Village taxicab driver permit to drive a taxicab;
- (7) Abandonment of taxicab service; and
- (8) Violation of any applicable state or municipal law, ordinance, rule or regulation.

SECTION 13: Title XI (Business Regulations), Chapter 119 (Livery Services), Section 119.08 (Revocation of Licenses) is amended to read in its entirety as follows:

§ 119.08 SUSPENSION OR REVOCATION OF LICENSES.

Livery service licenses and livery vehicle licenses issued under this Chapter may be suspended or revoked by the Village President, or his or her designee, following notice and a hearing held in conformance with Section 110.17 for any of the following reasons:

- (1) Any fraud, misrepresentation, or false statement contained in the application for license;
- (2) Any violation by the licensee of the provisions of this Chapter, for any of the reasons set forth in Section 110.10, or for violations of any other Section of this Title or Code;
- (3) Conviction of the licensee of any felony or a misdemeanor if such conviction indicates an inability to operate or participate in a safe, honest and legitimate business operation within the Village;
- (4) Failure of the licensee to pay any fine, penalty, or other charge owing to the Village;
- (5) Refusal to permit or to have a livery vehicle inspected or any interference with a duly authorized Village officer or employee while in the performance of his duty in making such inspections or seeking any other information pertinent to the issuance or renewal of either the livery service license or a livery vehicle license;
- (6) Failure to maintain a livery vehicle in good, safe and proper working order;
- (7) Failure to employ properly licensed drivers;
- (8) Abandonment of the livery service for a period of ten (10) or more consecutive days;

- (9) Violation of any applicable state or municipal law, ordinance, rule or regulation.

SECTION 14: Title XI (Business Regulations), Chapter 125 (Video Gaming), Section 125.99 (Penalties) is amended to read in its entirety as follows:

§ 125.99 PENALTY.

(A) Any person violating any of the provisions of this Chapter shall, upon conviction, be punished by a fine of not less than \$100 and not more than \$750 for each violation, with each day such violation continues constituting a separate fineable offense. Fines may be assessed in administrative adjudication, through a local ordinance violation brought in circuit court, or by the Village President following a hearing as set forth below.

(B) Licenses issued under this Chapter may be revoked or suspended for a period not to exceed sixty (60) days by the Village President, after notice and hearing as provided in Section 110.17 of this Title for any of the following causes:

(1) Any fraud, misrepresentation or false statement contained in the application for the license.

(2) Any violation by the licensee of ordinance provisions relating to the license, the subject matter of the license, or the premises occupied.

(3) Failure of the licensee to pay any amount, fine, fee or penalty owing to the Village or other state or federal agency with regulatory jurisdiction.

(4) The occurrence of two (2) or more disturbances at the premises occupied within a 90-day period, or two (2) or more incidents involving injury or bodily harm to patrons, bystanders or police officers within a 90-day period, provided that the Village President finds, upon the recommendation of the Police Chief, that as a result of the disturbances or incidents involving injury or bodily harm a public nuisance exists therein or thereat endangering the health, safety and welfare of the citizens of the Village.

(5) Any grounds upon which a license may be suspended, revoked or denied pursuant to Section 110.10 of this Title.

(C) Revocation, if ordered, shall not preclude prosecution and imposition of any other penalties provided for the violation of other applicable ordinances.

SECTION 15: All ordinances, or parts of ordinances, in conflict with the provisions of this Ordinance, to the extent of such conflict, are repealed.

SECTION 16: Each section, paragraph, clause and provision of this Ordinance is separable, and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance, nor any part thereof, other than that part affected by such decision.

SECTION 17: Except as to the Code amendments set forth above in this Ordinance, all Chapters and Sections of the Maywood Village Code, as amended, shall remain in full force and effect.

SECTION 18: This Ordinance shall be in full force and effect from and after its adoption, approval and publication in pamphlet form as provided by law.

ADOPTED this 1st day of April, 2014, pursuant to a roll call vote as follows:

AYES: Mayor E. Perkins, Trustee(s) C. Ealey-Cross, A. Jaycox, A. Dorris, M. Rogers,
M. Lightford and R. Rivers

NAYS: None

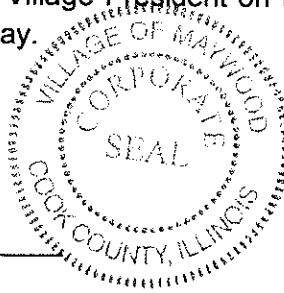
ABSENT: None

APPROVED by the Village President on the 1st day of April, 2014, and attested by the Village Clerk on the same day.

ATTEST:



VILLAGE CLERK





VILLAGE PRESIDENT

Published by me in pamphlet form this 2nd day of April, 2014.



VILLAGE CLERK

