

ORDINANCE NO. F-0900

AN ORDINANCE AMENDING CHAPTER 26 (BUSINESSES), ARTICLE II (LICENSING), SECTION 26-36 (FEE SCHEDULE); ARTICLE III (BURGLAR AND HOLDUP ALARM BUSINESSES*); ARTICLE V. (TOBACCO); AND CHAPTER 42 (OFFENSES AND MISCELLANEOUS PROVISIONS), ARTICLE III (WEAPONS) OF THE WHEATON CITY CODE

BE IT ORDAINED by the Mayor and City Council of the City of Wheaton, Illinois, pursuant to its home rule powers, that the Wheaton City Code, 1996 as amended, is hereby further amended as follows:

Section 1: That Chapter 26 (Businesses), Article II. Licensing, Section 26-36. Fee schedule hereby further amended by deleting Section 26-36 in its entirety and replacing it as follows:

“Sec. 26-36. Fee schedule.

License fees for the businesses, occupations, activities and uses set forth in this section shall be as follows:

- (1) Automatic amusement devices:
 - a. Jukeboxes or other musical devices, per machine . . . \$ 25.00
 - b. Coin-operated games, per machine . . . 75.00
- (2) Public places of amusement:
 - a. Fireworks permit. . . 50.00
 - b. Animal show, per day . . . 25.00
 - c. Rodeo, per day . . . 50.00
 - d. Carnival or fair enterprise which includes any type of amusement attractions and/or amusement rides . . . 500.00
 - e. Amusement attractions and/or amusement rides which are not part of any carnival or fair enterprise, per attraction or ride . . . 50.00
- (3) Bakeries . . . 25.00
- (4) Catering services & establishments . . . 25.00
- (5) Confectionery stores . . . 25.00
- (6) Delicatessens . . . 25.00
- (7) Electrical contractors 50.00
- (8) Food dealers (miscellaneous) . . . 25.00

(9) Food dealers (operating from carts or nonmotorized trailers):	
a. With commissary licensed in the city . . .	25.00
b. With commissary licensed outside the city . . .	50.00
(10) Food vending machines, coin-operated, per machine . . .	10.00
(11) Grocery stores . . .	50.00
(12) Hotel, motel, inn . . .	100.00
(13) Ice cream stores or parlors . . .	25.00
(14) Laundries, self-service, coin-operated . . .	25.00
(15) Meat dealers & meat markets . . .	25.00
(16) Milk and milk products:	
(a) Dealer . . .	10.00
(b) For each vehicle used in delivery or sale . . .	5.00
(17) Public passenger vehicles (company, vehicle and chauffeur, see chapter 82)	
(18) Refuse haulers	
(a) Commercial . . .	400.00
(b) Commercial & residential . . .	500.00
(19) Restaurants:	
(a) Seating capacity of not more than 50 persons . . .	25.00
(b) Seating capacity in excess of 50 persons . . .	50.00"

Section 2: That Chapter 26 (Businesses), Article III. Burglar and Holdup Alarm Businesses*, Section 26-84 Penalties; hearing, is hereby further amended by deleting subparagraph (a) in its entirety and replacing it as follows:

“(a) *Fine for false alarm penalty.* Any alarm user permittee who has more than four false alarms within a calendar year at a single protected location will be assessed fines according to the following fine schedule:

	Fine per false alarm
5 th to 8 th false alarm . . .	\$ 150.00
9 th to 10 th false alarm . . .	250.00
More than 10 false alarms . . .	350.00 ”

Section 3: That Chapter 26 (Businesses), Article V. Tobacco. is hereby further amended by deleting Section 26-134. Same—Fee and term. in its entirety and replacing it as follows:

“Sec. 26-134. Same—Fee and term.

The licensee fee, including each vending machine, shall be \$125.00. A license shall be effective for one year, commencing on January 1 and ending on December 31, annually. ”

Section 4: That Chapter 10 (Amusements and Entertainments), Article I. In General, is hereby further amended by deleting Sections 10-6 Athletic contests—License required; exceptions.; 10-7. Same—Gross receipts tax and statement.; and 10-8. Same—Admission of police; examination of books by city clerk. in their entirety.

Section 5: That Chapter 10 (Amusements and Entertainment), Article II. Bowling Alleys*, Division 2. License, is hereby further amended by deleting Section 10-43. Fees in its entirety and replacing it as follows:

“Sec. 10-43. Fees.

The annual operator’s license fee for a license under this division shall be \$15.00 per year for each bowling lane in a bowling alley.”

Section 6: That Chapter 10 (Amusements and Entertainments), Article V. Amusement Rides, Carnivals and Fairs*, is hereby further amended by deleting Section 10-141. Fee. in its entirety and replacing it as follows:

“Sec. 10-141. Fees.

The license fee for a carnival, fair or other amusement attraction as defined in this article shall be paid as set forth in Chapter 26, Section 26-36 Fee Schedule, of the Wheaton City Code.”

Section 7: That Chapter 42 (Offenses and Miscellaneous Provisions), Article III. Weapons*, Division 2. Dealers, is hereby further amended by deleting Sections 42-83. Same—Fee; issuance. and 42-84. Same—Duration; renewal, fee. in their entirety and replacing both as follows:

“Section 42-83. Same—Fee; issuance.

Upon receipt of the completed application required by this division and payment of a license fee of \$25.00, it shall be the duty of the city clerk to issue a license to the applicant.

Section 42-84. Same—Duration; renewal, fee.

The license provided for in this division shall be issued for a period from February 1 through January 31, and shall be renewable annually during the month of January for a fee of \$15.00. ”

Section 8: That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 9: That this ordinance shall become effective from and after its passage, approval and publication in the manner provided by law.



Mayor

ATTEST:



City Clerk

Ayes:

Roll Call Vote:

Councilwoman Corry
Councilman Johnson
Mayor Carr
Councilwoman Johnson
Councilman Mork
Councilman Mouhelis

Nays:

None

Absent:

Councilman Bolds

Motion Carried Unanimously

Passed: April 19, 2004

Published: April 20, 2004