

ORDINANCE NO. F-1417

**AN ORDINANCE AMENDING CHAPTERS 26-5 AND 26-6 (BUSINESSES) OF THE
WHEATON CITY CODE
INSURANCE AND INDEMNIFICATION FOR FOOD VENDING
VEHICLES AND CARTS**

WHEREAS, the City of Wheaton, as an Illinois home rule municipality having the legal authority to adopt those Ordinances which are not in conflict with State law and which the corporate authorities of the City of Wheaton deem in the best interest of the public health, safety, and welfare; and

WHEREAS, the Mayor and City Council of the City of Wheaton deem it necessary and appropriate in the interest of the public health, safety, and welfare to include insurance and indemnification requirements in its regulations for food vending vehicles and carts.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Wheaton, Illinois, pursuant to home rule powers, as follows:

Section 1: That Chapter 26-5. (Sale of food and beverages-From Vehicles) of the Wheaton City Code, is hereby amended by the addition of a new Sub-Section (b) (4) and (5), which shall read as follows:

"(4) Said business shall provide a certificate of insurance, subject to the reasonable approval of the City Attorney, naming the City of Wheaton as an additional insured for the term of the license and including a liability insurance policy of not less than \$2,000,000 per occurrence.

(5) Said business shall provide a signed indemnification statement on a form provided by the City."

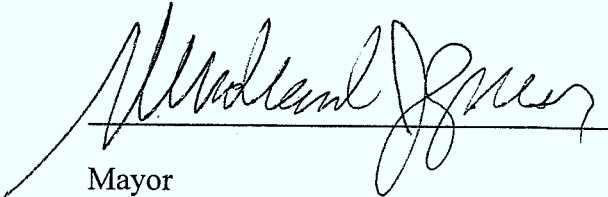
Section 2: That Chapter 26-6. (Same-From Carts along public sidewalks) of the Wheaton City Code, is hereby amended by the addition of a new Sub-Section (9) and (10), which shall read as follows:

"(9) Said business shall provide a certificate of insurance, subject to the reasonable approval of the City Attorney, naming the City of Wheaton as an additional insured for the term of the license and including a liability insurance policy of not less than \$2,000,000 per occurrence.

(10) Said business shall provide a signed indemnification statement on a form provided by the City."

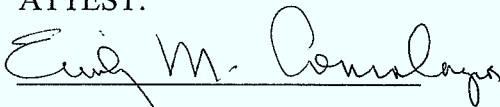
Section 3: That all Ordinances and parts of Ordinances in conflict with these provisions are repealed.

Section 4: This Ordinance shall become effective immediately after its passage, approval, and publication in pamphlet form in the manner prescribed by law.



Mayor

ATTEST:



City Clerk

Roll Call Vote

Ayes: Councilman Mouhelis
Councilman Prendiville
Councilman Suess
Councilwoman Corry
Councilman Johnson
Councilman Levine
Mayor Gresk

Nays: None

Absent: None

Motion Carried Unanimously

Passed: February 17, 2009
Published: February 18, 2009