

VILLAGE OF STREAMWOOD

ORDINANCE NO. 2024 - 13

AN ORDINANCE AMENDING THE VILLAGE CODE OF ORDINANCES OF
THE VILLAGE OF STREAMWOOD

ADOPTED BY THE BOARD OF TRUSTEES
OF THE VILLAGE OF STREAMWOOD
THIS 5th DAY OF SEPTEMBER, 2024.

Published in pamphlet form by authority of the Board of Trustees
of the Village of Streamwood, Cook County, Illinois this 5th day
of September, 2024

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WHEREAS, the Village of Streamwood (the "Village") is a home-rule municipality pursuant to Section 6, Article VII of the Illinois Constitution of 1970; and

WHEREAS, the corporate authorities of the Village have determined that it is in the best interest of the Village to amend the Village Code of Ordinances of the Village of Streamwood, as amended, as hereinafter provided.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Streamwood, Cook County, Illinois as follows:

SECTION ONE: Effective at the end of the normal business hours of the Village on April 30, 2025, Chapter 9 entitled "VILLAGE COLLECTOR" of Title 1 entitled "ADMINISTRATION" of the Village Code of Ordinances of the Village of Streamwood, as amended, is hereby repealed and shall no longer have any force and effect and such Chapter 9 shall be left reserved.

SECTION TWO: Section 1-10-2-1 entitled "POWERS AND DUTIES:" of Chapter 10 entitled "OTHER VILLAGE OFFICERS AND EMPLOYEES" of Title 1 entitled "ADMINISTRATION" of the Village Code of Ordinances of the Village of Streamwood, as amended, is hereby further amended as follows:

1-10-2-1: POWERS AND DUTIES:

The Finance Director shall have those powers and shall perform those duties as are prescribed by statute for Municipal Treasurers, Comptrollers, Budget Directors and Budget Officers, and as may be prescribed by Village ordinance, resolution or motion, and as may reasonably be required by the Village Manager. The Finance Director shall pay out money in accordance with the Village of Streamwood Purchasing Policy.

In addition, whenever there is a vacancy in the position of Purchasing Agent, the Finance Director shall assume the duties and responsibilities of the Purchasing Agent as pertains to public works contracts as contained in Section 1-12-3 of this title.

SECTION THREE: Section 1-10-2-2 entitled "BOND:" of Chapter 10 entitled "OTHER VILLAGE OFFICERS AND EMPLOYEES" of Title 1 entitled "ADMINISTRATION" of the Village Code of Ordinances of the Village of Streamwood, as amended, is hereby further amended as follows:

1-10-2-2: BOND:

The Finance Director shall give a bond, before entering upon the duties of the position, in an amount of money equal to one million dollars (\$1,000,000). This bond shall be conditioned upon the faithful performance of the Finance Director's duties and shall be conditioned to indemnify the Village for any loss sustained by reason of any neglect of duty or any act or omission of the Finance Director.

SECTION FOUR: Section 3-2-2 entitled "LICENSES FEES ENUMERATED:" of Chapter 2 entitled "BUSINESS LICENSES AND REGISTRATION" of Title 3 entitled "BUSINESS AND LICENSE REGULATIONS" of the Village Code of Ordinances of the Village of Streamwood, as amended, is hereby further amended to provide a

license fee in the amount of \$200 for the business, occupation or trade of a "body art establishment."

SECTION FIVE: Chapter 7 entitled "MERCHANTS" of Title 3 entitled "BUSINESS AND LICENSE REGULATIONS" of the Village Code of Ordinances of the Village of Streamwood, as amended, is hereby further amended by adding Article 10 entitled "BODY ART ESTABLISHMENTS" in its entirety as follows:

ARTICLE 10. BODY ART ESTABLISHMENTS.

3-7.10-1: DEFINITIONS:

For the purpose of this Article, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

EMPLOYEE: Any person, eighteen (18) years of age or older, including a body artist, who renders any service in connection with the operation of a body art establishment and receives compensation from the operator of the business or patrons.

BODY ART: The practice of physical body adornment, including, but not limited to, the following techniques: body piercing, tattooing, cosmetic tattooing, branding, and scarification. This definition excludes any practices that are considered medical procedures by the Illinois State Medical Board, such as implants under the skin, which shall not be performed in a body art establishment. This definition also excludes piercing of the non-cartilaginous portion or lobe of the ear with pre-sterilized single-use stud-and-clasp ear-piercing systems.

BODY ART ESTABLISHMENT: A piercing operation, a tattooing operation, body modification establishment or a combination of all operations in a multiple-type establishment, whether public or private, temporary or permanent in nature or location, profit or not for profit.

BODY ARTIST: A person who conducts or practices body art activities and/or procedures.

CERTIFICATE OF REGISTRATION: Written permission by the Illinois Department of Public Health or its designated agent to operate a body art establishment.

COMMUNITY DEVELOPMENT: The Village of Streamwood Community Development Department.

INDEPENDENT CONTRACTOR: Any person contracting to perform services of a body artist on behalf of a licensee as a non-employee of a body art establishment.

LICENSEE: The operator of a body art establishment.

PERSON: Any individual, partnership, firm association, limited liability corporation, corporation or combination of individuals of whatever form or character.

3-7.10-2: RELATED REGULATIONS:

All body art establishments shall comply with all appropriate federal and state laws, rules and regulations, and local ordinances, including but not limited to the Tattoo and Body Piercing Establishment Registration Act (410 ILCS 54/1 et seq.) and Title 77, Chapter 1, subchapter m, Part 797 of the Illinois Administrative Code (33 Ill. Reg. 246), hereby adopted into this Article by reference.

3-7.10-3: CERTIFICATE OF REGISTRATION AND LICENSE REQUIRED:

It shall be unlawful for any person to engage in, conduct, carry on, or permit to be engaged in, conducted, or carried on, in or upon any premises in the Village, the operating of a "Body Art Establishment" as herein defined, without a current certificate of registration issued by the Illinois Department of Public Health, and a business license for a body art establishment from the Village.

3-7.10-4: BODY ART ESTABLISHMENTS LICENSE APPLICATION:

A. The application for a license to operate a body art establishment shall be made to the Village Clerk on a form as required by the Village Clerk, and applicant's payment of the fee as set forth in Title 3, Chapter 2, Section 3-2-2 of this Code shall be submitted with the application. The application shall include a complete description of all body art procedures performed.

B. The applicant shall undergo a fingerprint background investigation completed by the Village of Streamwood Police Department or an approved outside agency showing the applicant meets the requirements of a license.

C. The application for a license to operate a body art establishment shall state the name(s) of the individual(s) who shall be employed as body artists, managers, assistant managers or any other persons principally in charge of the operation of the business, whether employees or independent contractors. Said application shall be accompanied by a copy of a current certificate of registration issued by the Illinois Department of Public Health. The application shall be updated by the licensee each time additional body artists, managers, assistant managers or other persons principally in charge of the operation of the business are employed or allowed to work on the premises, including independent contractors. The licensee shall provide the name of any new body artist to the Village Clerk's office at least five (5) business days prior to said person engaging in body art. The business license shall provide the name of any new manager, assistant manager or other person principally in charge of the operation of the business at least five (5) business days prior to said person beginning work for said premises.

D. The applicant for a license shall also sign an affidavit acknowledging and accepting responsibility for any acts of any employee or independent contractor who is a body artist. Any violation of Village ordinance, state law or federal law, by a body artist or any other person authorized to work on the licensed premises of the body art establishment shall be grounds to revoke, suspend and/or fine the licensee. Lack of knowledge of the activities of the body artist or any other person authorized to work on the licensed premises by the licensee shall not be a defense.

E. The Village Clerk shall refer copies of such application to the Community Development Department, Fire Department and Police Department, and those departments shall inspect the premises proposed to be operated as a body art establishment, make an investigation of the application and make written recommendations to the Village Clerk concerning compliance with all Village codes or federal or state law.

F. A renewal of the license requires an annual fingerprint investigation pursuant to subsection (B) of this section, unless waived by the Chief of Police for good cause.

G. Upon the sale, transfer or relocation of a body art establishment, the license therefore shall be null and void and a new license shall be required. No license issued under this Article shall be transferrable to another person or location. Upon the death or incapacity of the licensee or any co-licensee of the body art establishment, any heir or beneficiary of a deceased licensee, may continue the business of the body art establishment for a period of time not to exceed sixty (60) days to allow for an orderly transfer, sale or dissolution of the licensed establishment.

H. The application for a license to operate a body art establishment shall state the type of ownership of the business, (e.g., individual, partnership, corporation, or otherwise). The application shall also state the corporate name, and the d/b/a, if any, under which the business is to be conducted, if applicable.

I. The application for a license to operate a body art establishment shall also include the location and description of the premises or place of business which is to be operated under such license.

1. If the premises is leased, a copy of the lease shall be provided. In the event the term of such lease ends prior to the expiration date of the license for which application is being made, the licensee must provide a new lease for the licensed premises no less than thirty (30) days prior to the expiration of the lease, or the body art establishment license shall become void.

2. The name and address of the owner, shareholders owning more than five (5) percent of stock in the body art establishment, if any, or managing agent of the premises, and, if the premises are held in trust, the names and addresses of all the owners of the beneficial interest of the trust, shall also be included in the application.

J. The license for a body art establishment shall be denied if the applicant or owner of the premises has had a body art establishment or similar license, or certificate of registration voluntarily surrendered to avoid a revocation hearing, denied or revoked by the Village, by the state or by any unit of local government within five (5) years of the date of the application, or if the premises being licensed has been the location of a voluntarily surrendered license to avoid a revocation hearing, denied or revoked license within five (5) years of the date of the application.

3-7.10-5: ISSUANCE OF BODY ART ESTABLISHMENT LICENSE:

Upon receipt of the recommendations of the investigating departments referred to in this Article, the Village Clerk shall issue a license to operate a body art establishment. Licenses may be renewed for successive calendar years upon continuing satisfaction of all requirements in this Article.

3-7.10-6: OPERATING REQUIREMENTS OF BODY ART ESTABLISHMENTS:

A. It shall be unlawful to engage in, conduct, operate, carry on or permit to be engaged in, conducted, operated or carried on, in or upon any premises in the Village, the business of a body art establishment without having at least one (1) body artist on the premises who is employed or acting as an independent contractor of the licensee.

B. It shall be unlawful for any licensee to contract with any person to provide body art services or to employ any person who is not at least eighteen (18) years of age.

C. It shall be unlawful for any licensee to permit a person under eighteen (18) years of age to enter or remain on the premises where body art is being performed unless the person under eighteen (18) years of age is accompanied by a parent or legal guardian.

D. The licensee may allow independent contractors to use or work on the premises as body artists provided the licensee accepts full responsibility for acts of the body artist for any violation of federal, state or local ordinance laws regarding the activities of the body artist. It shall be the obligation of the licensee to promptly inform the Village of any change of status of licensee or of any violation of law by licensee or body artist within five (5) business days of any status change or violation of law.

E. Age verification of patrons for body art services shall be obtained by the body art establishment by government issued identification containing a birth date and photograph. The body art establishment shall maintain all consent forms executed by a parent or legal guardian.

F. The hours of operation for body art establishments shall be limited to between eight o'clock (8:00) a.m. and ten o'clock (10:00) p.m.

G. Community Development, Police Department, and Fire Department shall from time to time, and at least once a year, make an inspection of each licensee for the purposes of determining compliance with the provisions of this Article. Such inspections shall be made at reasonable times and in a reasonable manner. It shall be unlawful for any licensee to fail to grant any such inspection officer access to the premises or to hinder such officer in any manner.

3-7.10-7: NOTICE TO OWNER:

In the event any criminal arrests, quasi criminal arrests, or administrative adjudication charges are filed in regards to any body art establishment or person working on the premises of a body art establishment, the Police Chief or his/her designee shall inform the owner, managing agent of the premises or person receiving the tax bill of the arrests or violations.

3-7.10-8: PUBLIC NUISANCE:

Any building or portion of a building licensed as a body art establishment in violation of this Code or in violation of other state or federal law is hereby declared to be a nuisance. Whenever any nuisance shall be found on any premises within the Village, the Village Manager or Police Chief is hereby authorized in his/her discretion to cause the same to be summarily abated.

3-7.10-9: VIOLATIONS; PENALTY:

Any person found to have violated any provision of this Article shall be fined in an amount not less than one hundred dollars (\$100.00) and nor more than seven hundred fifty dollars (\$750.00) for each offense. Each day that a violation continues shall constitute a separate offense. In addition to the imposition of fine(s), any license issued pursuant to this Article may be suspended or revoked in accord with the provisions of Title 3, Chapter 1, Section 3-1-15 of this Code.

SECTION SIX: Subsection (B) of Section 4-1-8 entitled "CERTAIN CODE VIOLATIONS, PENALTIES:" of Chapter 1 entitled "POLICE DEPARTMENT AND POLICE PROTECTION" of Title 4 entitled "POLICE REGULATIONS" of the Village Code of Ordinances of the

Village of Streamwood, as amended, is hereby further amended, in part, to remove reference to the Village Collector, as follows:

B. Penalties Which May Be Mailed To Village: The following penalties may be mailed to the Village at the Streamwood Village Hall, with checks made payable to the Village of Streamwood:

. . . .

SECTION SEVEN: Chapter 3 entitled "VEHICLE PARKING REGULATIONS" of Title 5 entitled "MOTOR VEHICLES AND TRAFFIC" of the Village Code of Ordinances of the Village of Streamwood, as amended, is hereby further amended by adding Section 5-3-15 entitled "PROHIBITED ON STREET PARKING OF TRAILERS:" of as follows:

5-3-15: PROHIBITED ON STREET PARKING OF TRAILERS:

The parking of any non-motorized recreational vehicle, trailer, or camper not mounted on a vehicle on any public right of way is prohibited.

SECTION EIGHT: Section 5-7-2 entitled "VIOLATIONS OR OFFENSES SUBJECT TO IMPOUNDMENT:" of Chapter 7 entitled "IMPOUNDMENT OF MOTOR VEHICLES USED IN THE COMMISSION OF CERTAIN OFFENSES" of Title 5 entitled "MOTOR VEHICLES AND TRAFFIC" of the Village Code of Ordinances of the Village of Streamwood, as amended, is hereby further amended by adding subsection K, as follows: Fleeing or attempting to elude a peace officer. State Reference: 625 ILCS 11-204; 625 ILCS 11-204.1.

SECTION NINE: All ordinances and resolutions or parties thereof in conflict with the provisions of this ordinance are, to the extent of such conflict, expressly repealed.

SECTION TEN: This ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

ROLL CALL VOTE:	AYES	5
	NAYS	0
	ABSTENTIONS	0
	ABSENT	1

PASSED AND APPROVED this 5th day of September, 2024

APPROVED:

/s/ Billie D. Roth
Village President

ATTEST:

/s/ Kittie L. Kopitke
Village Clerk