
**THE VILLAGE OF HOMER GLEN
WILL COUNTY, ILLINOIS**

**ORDINANCE
NUMBER 26-036**

**AN ORDINANCE GRANTING SEVERAL MINOR TEXT
AMENDMENTS TO CHAPTER 83: BUSINESS OPERATIONS AND
CHAPTER 220: ZONING, OF THE CODE OF THE VILLAGE OF
HOMER GLEN INCLUDING THE FOLLOWING ATTACHMENTS AND
ARTICLES: CH 83, ARTICLE I: BUSINESS LICENSE
ADMINISTRATIVE REGULATIONS; CH 83, ARTICLE VII: LIQUOR;
CH 220, ATTACHMENT 1: USE AND BULK TABLES FOR
RESIDENTIAL DISTRICTS; CH 220, ATTACHMENT 2: USE AND
BULK TABLES FOR NONRESIDENTIAL DISTRICTS; CH 220,
ARTICLE III: RULES & DEFINITIONS; CH 220, ARTICLE VII:
NONRESIDENTIAL DISTRICTS; CH 220, ARTICLE VIII: GENERAL
PROVISIONS, AND; CH 220, ARTICLE X: SITE DEVELOPMENT
REGULATIONS. [CASE NO. HG-2604-A]**

**CHRISTINA NEITZKE-TROIKE, Village President
CANDICE BIELSKI, Village Clerk**

**Village Trustees
BART HOLZHAUSER
MIKE LEPORE
CURT MASON
NICHOLAS MULLER
ROSE REYNDERS
ROBERT SCHALLER**

AN ORDINANCE GRANTING SEVERAL MINOR TEXT AMENDMENTS TO CHAPTER 83: BUSINESS OPERATIONS AND CHAPTER 220: ZONING, OF THE CODE OF THE VILLAGE OF HOMER GLEN INCLUDING THE FOLLOWING ATTACHMENTS AND ARTICLES: CH 83, ARTICLE I: BUSINESS LICENSE ADMINISTRATIVE REGULATIONS; CH 83, ARTICLE VII: LIQUOR; CH 220, ATTACHMENT 1: USE AND BULK TABLES FOR RESIDENTIAL DISTRICTS; CH 220, ATTACHMENT 2: USE AND BULK TABLES FOR NONRESIDENTIAL DISTRICTS; CH 220, ARTICLE III: RULES & DEFINITIONS; CH 220, ARTICLE VII: NONRESIDENTIAL DISTRICTS; CH 220, ARTICLE VIII: GENERAL PROVISIONS, AND; CH 220, ARTICLE X: SITE DEVELOPMENT REGULATIONS. [CASE NO. HG-2604-A]

WHEREAS, the Village of Homer Glen, Will County, Illinois (the “*Village*”) is a home rule municipality pursuant to Section 6(a), Article VII of the 1970 Constitution of the State of Illinois, and as such may exercise any power and perform any function pertaining to its government and affairs (the “*Home Rule Powers*”); and,

WHEREAS, a request for text amendments was initiated by Village staff to amend provisions of Chapter 83: Business Operations and Chapter 220: Zoning (“*Village Code*”) of the Code of the Village of Homer Glen including the following Attachments and Articles: Ch 83, Article I: Business License Administrative Regulations; Ch 83, Article VII: Liquor; Ch 220, Attachment 1: Use and Bulk Tables for Residential Districts; Ch 220, Attachment 2: Use and Bulk Tables for Nonresidential Districts; Ch 220, Article III: Rules & Definitions; Ch 220, Article VII: Nonresidential Districts; Ch 220, Article VIII: General Provisions, and; Ch 220, Article X: Site Development Regulations; and,

WHEREAS, pursuant to a public notice published in a newspaper of general circulation within the Village as required by the Village’s Zoning Ordinance, the Plan Commission of the Village held a public hearing on March 5, 2026 and March 19, 2026 in consideration of the proposed text amendments as set forth in Exhibit B, and attached hereto; and rendered its findings of fact and recommendations to the Board of Trustees of the Village; and,

WHEREAS, the Plan Commission, after due consideration of the issues, exhibits, Zoning Case File No. HG-2604-A, and testimony, made findings of fact which are incorporated into the record of its proceedings, attached as Exhibit A hereto; and recommended approval of the proposed amendments to Chapter 220 of the Village Code; and,

WHEREAS, the Village President and Board of Trustees carefully considered the record of proceedings before the Plan Commission which included the public commentary, exhibits, testimony, Zoning Case File No. HG-2604-A, the recommendations of the Plan Commission, and its findings of fact, all of which are incorporated herein; and,

WHEREAS, the provisions hereof have been published and kept available for public inspection and examination all in accordance with the provisions of the Illinois Municipal Code; and,

WHEREAS, the Village President and Village Board of Trustees believe that it is in the best interests of the Village to amend the Code of the Village of Homer Glen as set forth in Exhibit B.

NOW, THEREFORE, BE IT ORDAINED by the Village President and Village Board of

Trustees of the Village of Homer Glen, Will County, Illinois, by and through its Home Rule Powers, as follows:

Section 1. Incorporation of Recitals. The above recitals, findings of fact and recommendation of the Plan Commission, attached hereto as Exhibit A, along with the text amendments attached hereto as Exhibit B, 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; and Exhibit A is hereby adopted as the findings of the Village Board.

Section 2. Amendment. The amendments to the text of Chapter 83: Business Operations and Chapter 220: Zoning ("Village Code") of the Village Code, as set forth in Exhibit B, where additions to the text are indicated in red font, and deletions are indicated by strike throughs, are hereby adopted.

Section 3. Severability. The various portions of this Ordinance are hereby expressly declared to be severable, and the invalidity of any such portion of this Ordinance shall not affect the validity of any other portions of this Ordinance, which shall be enforced to the fullest extent possible.

Section 4. Repealer. All policies, Ordinances, resolutions, motions or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Adopted this 27th day of May, 2026 pursuant to a roll call vote as follows:

	YES	NO	ABSENT	ABSTAIN
Holzhauser	X			
Lepore	X			
Mason	X			
Muller	X			
Reynders				X
Schaller			X	
Neitzke-Troiike (Village President)				
TOTAL	4		1	1

APPROVED by the Village President on May 27, 2026



Christina Neitzke-Troiike
Village President

ATTEST: 

Candice Bielski
Village Clerk



Findings of Fact-“Exhibit A”**Standards for an Amendment**

Section 220-1208.D.1 of the Zoning Code states the required standards for making findings of fact for amendments. However, the proposed amendments are broader in scope than a typical map amendment request and do not pertain to a specific property or area and instead impact the community in general. The amendments are in concert with the goals and objectives of the Village's Comprehensive Plan, and will not have an undue or substantial adverse effect on the character of neighborhoods or commercial corridors or public health, safety and welfare of the community. The Plan Commission made recommendation of the following findings of fact:

1. *The proposed text amendments are congruent with the Zoning Code of the Village of Homer Glen, specifically §220-202 (C, E, K, and R):*
 - *C: Implement reasonable standards to which buildings and structures shall conform.*
 - *E: Protect The aesthetic appearance of the Village as well as the "quality of life" and unique identity of the Village;*
 - *K: Prohibit the intrusion of incompatible uses into residential, commercial, industrial, agricultural, recreational, and other necessary natural and man-made areas;*
 - *R: Foster compatible relationships between residential, commercial, industrial, agricultural and historical uses for the mutual benefit of all;*
2. *The proposed text amendment will clarify existing language and provide better readability of the Zoning Ordinance while addressing missing permitted and special uses.*

Plan Commission Recommendation

Motion for Consideration

Commissioner Foley made a motion to recommend approval with conditions, seconded by Commissioner Mesaf, of several minor text amendments to Chapter 220, Zoning, of the Code of the Village of Homer Glen, including Attachment 1, Attachment 2, Article III, Article VII, Article VIII, and Article X [HG-2604-A]. The motion carries 6-0.

Conditions of approval:

- 1. Fencing is required for all ancillary electrical equipment, and any fencing between 6' to 8' requires Plan Commission review and approval.*
- 2. No stencils on pavement.*
- 3. No landscaping required for ancillary electrical equipment.*

Commissioner Foley made a motion to recommend approval of staff's findings of facts, seconded by Commissioner Mesaf, for Case No. HG-2604-A. The motion carries 6-0.

Revisions, supplements and amendments, "Exhibit B"

Proposed Text Amendments -“Exhibit B”

May 27, 2026

NEW AMENDMENT:

Address Electric Vehicle (EV) charging stations in the Zoning Ordinance.

03.19.26 Plan Commission:

After further discussion, the Plan Commission recommended approval of these text amendments with conditions for the EV charger requirements, which have been incorporated in the proposed text below:

1. *Fencing is required for all ancillary electrical equipment, and any fencing between 6' to 8' requires Plan Commission review and approval.*
2. *No stencils on pavement*
3. *No landscaping required for ancillary electrical equipment*

03.05.26 Plan Commission:

At the public hearing on 03.05.26, the Plan Commission requested a few changes to the proposed regulations for EV chargers which have been reflected as redline below.

- Allow a maximum of 6 EV charging parking stalls
- Amend landscape/screening requirements to specify that all associated equipment and infrastructure (electric meters or transformers) require screening.

Other codes to consider for screening:

- § 220-808: Vision clearance.
- § 220-812: Fences, walls and swimming pools.
 - For commercial and industrial: no fencing permitted in required front or corner side yards; open or solid fencing up to 6ft permitted in side and rear yards.
- § 220-VIII-828J: All storage areas for waste collection and solid waste dumpsters shall be confined in an enclosed area that is screened on all sides with opaque screening of at least six feet in height. All storage areas for waste collection and solid waste dumpsters for new construction shall be constructed of a masonry-type material.

Background:

- Staff has identified that Electric Vehicle Charging Stations are not specifically referenced within the Zoning Ordinance. As such, they fall into the broad category of accessory structures. Accessory structure placement and location can be tricky for commercial properties, since the regulations seem to have been drafted with small storage buildings in mind. Staff has received several inquiries (including a building permit application) regarding EV chargers and incorporating regulations specific to them would make their approval much simpler and avoid review by the Plan Commission and/or Board that requires more staff time and the applicant's time.
- The Building Department currently issues residential permits for EV charging stations within electrical permits, but the Zoning Ordinance lacks regulations for EV stations.
- Staff recommends adding specific language to the Zoning Ordinance to address EV Charging Stations.

Proposed Code Change:

- **§ 220-303. Definitions.**

CHARGING: When the connector from an electric vehicle supply equipment (or standard outlet) is inserted into the electric vehicle inlet, and electrical power is being transferred for the purpose of recharging the batteries on board the electric vehicle.

Proposed Text Amendments -"Exhibit B"

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CHARGING STATION: Equipment that has as its primary purpose, the transfer of electric energy by conductive or inductive means to a battery or other energy storage device located onboard an electric vehicle. Various types of charging stations include:

- (A) Accessible Charging Station: A charging station incorporated into or immediately adjacent to a handicapped parking space as "handicapped parking space" is defined by the Illinois Vehicle Code.
- (B) Private Charging Station: A charging station that is: (i) privately owned and has restricted access (e.g., single-family home, executive parking, designated employee parking, etc.); or (ii) publicly owned and has restricted access (e.g., fleet parking with no access to the general public).
- (C) Public Charging Station: A charging station that is: (i) publicly owned and publicly available (e.g., park and ride, public parking lots, on street parking, etc.); or (ii) privately owned and publicly available (e.g., shopping center parking, non-reserved parking in multi-family parking lots, etc.).

ELECTRIC VEHICLE (EV): A vehicle that stores electric energy to be used for propulsion. An electric vehicle shall be defined as a "motor vehicle," as defined in the Illinois Vehicle Code; and (i) which displays the State of Illinois EV license tag; or (ii) any vehicle defined by the air resources board as "off-vehicle charge capable" meaning having the capability to charge a battery from an off-vehicle electric energy source that cannot be connected or coupled to the vehicle in any manner while the vehicle is being driven.

ELECTRIC VEHICLE CHARGING INFRASTRUCTURE: "Make ready" electrical equipment including panels with circuit breakers, switchboards, transformers, conduit, wiring, junction boxes, conduit hangers, and other interconnections necessary and integral to delivering electrical power from a facility for charging electric vehicles.

ELECTRIC VEHICLE CHARGING STATION: Equipment designed to safely supply power from a facility or structure to electric vehicles. Electric vehicle charging stations include hard-wired electric vehicle charging stations and electric vehicle charging stations that plug in to standard wall outlets and may also integrate communication, metering, GPS, and other features that assist electric vehicle drivers and the host facility.

ELECTRIC VEHICLE SUPPLY EQUIPMENT: Equipment designed to safely supply power from a facility or structure to electric vehicles. Electric vehicle supply equipment includes hard-wired electric vehicle charging stations, electric vehicle charging stations that plug in to standard wall outlets and portable electric vehicle chargers. Electric vehicle supply equipment may also integrate communication, metering, GPS, two-way electricity flow management, and other features that assist electric vehicle drivers and the host facility.

NON-ELECTRIC VEHICLE: Vehicle that does not meet the definition of Electric Vehicle (EV).

Proposed Text Amendments -“Exhibit B”

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➤ § 220-810. Accessory buildings, structures and uses.

§ 220-810. Accessory buildings, structures and uses. [Amended 9-9-2008 by Ord. No. 08-048; 3-24-2009 by Ord. No. 09-007; 6-10-2009 by Ord. No. 09-036; 2-8-2023 by Ord. No. 23-003; 4-9-2025 by Ord. No. 25-014]

- A. Time of construction. Accessory buildings and structures shall be compatible with and subordinate to the principal building and use and shall not be established prior to the completion of the construction of a principal building.
- B. Location.
- (1) Accessory structures located within residential districts shall meet all setback requirements as outlined in Table 1B, except as otherwise provided in Chapter 220.¹ Accessory structures in all other zoning districts shall maintain the same required rear and side yard setback as is required for the principal structure, except as otherwise provided in Chapter 220. No accessory structure or use shall be permitted in any front yard, must be located behind the front wall of the principal building, except as otherwise provided in Chapter 220. Each accessory structure shall comply with the bulk regulations applicable in the zoning district.
 - (2) Accessory structures must conform to all applicable fire and building codes, including, but not limited to, the setback distance between the accessory structure and any principal structure.
 - (3) Notwithstanding the above provisions, no accessory building or structure shall encroach on a utility easement without waivers from the local public or quasi-public entities or utility companies to which such easement was dedicated. No accessory building or structure shall be located in a drainage easement so as to impede or obstruct the flow of surface water.
- C. Height. No accessory building or portion thereof located on any residential zoning lot shall exceed the maximum height for accessory structures identified on the site and structure bulk requirements for residential districts, except for flagpoles and electric vehicle charging stations, which shall comply with the height requirements established in § 220-1005C(9) and § 220-849, respectively.
- D. Permitted accessory structures and uses. Accessory uses must exist or be proposed to exist in connection with a principal use which is permitted within such district. Each accessory use shall comply with the use limitations applicable in the zoning district in which it is located. See Table 1B for site and structure bulk requirements.² Accessory structures and uses include, but are not limited to, the following list of examples, provided that in each case, such structure or use must meet the general definitions of "accessory use" and is subject to the regulation of the zoning district in which such accessory structure or use is located:
- (1) One private, detached garage per zoning lot.
 - (2) One storage shed.
 - (3) One child's playhouse.
 - (4) One private swimming pool.
 - (5) Statuary, arbors, gazebos, trellises, barbecue stoves, flagpoles, fences, walls and hedges, gas lights and lanterns.
 - (6) Off-street parking and loading spaces, and electric vehicle charging stations.
 - (7) Solar energy systems, small ground arrays (SES), per § 220-848.
 - (8) Outdoor parking of recreational equipment/vehicle and/or construction/commercial related vehicles, provided that:

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➤ Chapter 220, Article VIII General Provisions

§ 220-849. Electric Vehicle (EV) Charging Stations.

A. All EV Charging Stations shall be subject to the following requirements:

(1) General:

- (a) EV charging stations and infrastructure shall be permitted as accessory uses to lawfully established or proposed principal uses in all zoning districts.
- (b) EV charging stations as a primary use shall be categorized as an Automobile Service Station (Gas Station) for zoning purposes.
- (c) All EV charging stations are required to obtain building permits.

(2) Residential districts or existing properties used solely for residential uses:

- (a) EV charging stations shall be enclosed within or mounted on a wall of a primary or accessory structure used for vehicle parking.
- (b) Freestanding EV charging stations serving multifamily or attached single-family residential uses may only be permitted through a Special Use Permit.

(3) Parking Requirements:

- (a) EV charging stations may be counted toward satisfying minimum off-street parking space requirements.
- (b) Parcels containing non-residential uses are permitted a maximum of six (6) designated parking stalls served by charging stations. No minimum number of EV parking spaces is required.

(4) Location Requirements:

- (a) EV charging stations shall be set back at least 5' from any property line and shall not be located within any required front or corner side yard.
- (b) EV charging stations and ancillary equipment shall maintain vision clearance at street/driveway intersections.
- (c) Charging stations and ancillary equipment shall not impede pedestrian, bicycle, or vehicular traffic, or be located within the required area of the legal parking space, vehicle overhang, or associated circulation aisles as required by this chapter.

(5) Design Criteria:

- (a) Charging stations and ancillary equipment shall not exceed eight (8) feet in height from the ground or pavement surface where mounted. Charging stations shall contain a retraction device and/or a place to hang permanent cords and connectors a sufficient and safe distance above the ground or pavement surface.
- (b) Lighting: Where charging stations or ancillary equipment is installed, lighting shall comply with the Village's Outdoor Lighting requirements.
- (c) Charging stations shall have muted or earth-tone colors compatible with the primary structure exterior building materials, as deemed appropriate by the Zoning Officer.
- (d) Pavement Marking: Pavement stall markings (striping) are required and shall be colored white or yellow to match the color used for all other parking stalls. One solid green color may be used to paint designated EV charging stall pavement. No additional stencil is permitted.
- (e) Accessible Charging Stations: Any location where EV charging stations are installed shall be required to have at least one (1) parking space equipped with an accessible charging station. Accessible charging stations shall be located in close proximity to the building or facility entrance and shall have a

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barrier-free accessible route of travel to and from the building or facility. Accessible charging stations shall be maintained in compliance with the Americans with Disability Act.

- (f) Adequate protection of charging station equipment from vehicles must be provided, such as curbing, bollards, or wheel stops. All equipment shall be maintained by the property owner where it is located.

(6) Screening:

- (a) All electric vehicle charging equipment and ancillary infrastructure shall be screened from view as described below. The screening shall be illustrated on a landscape plan, which may be administratively approved by the Zoning Officer. In no case shall the required or previously approved landscape quantity be reduced on a site as a result of installing EV charging stations or ancillary equipment. Landscaping shall be restored or replaced on the site to meet all other landscaping requirements within one (1) year of charging stations or equipment installation.
- i) EV charging stations shall require one (1) evergreen tree per individual charging station. Trees shall at least be the height of the equipment upon planting. Landscaping shall maintain enough distance to allow access to equipment and shall be chosen from the Village's list of Approved Evergreen Trees. This quantity requirement may be waived by the Zoning Officer when landscaping is provided in conjunction with other screening or upon accepted evidence of hardship.
- ii) Ancillary electrical infrastructure, other than transformers under 3' tall, shall be screened from view using an opaque fence or masonry wall that is at least the height of the equipment to be screened. Fence material shall consist of wood, vinyl, or composite. Fencing taller than 6' but not taller 8' shall require review and approval by the Plan Commission without need of a public hearing. Fencing taller than 8' is not permitted.

(7) Signage:

- (a) Public electric vehicle charging stations must be posted with signage indicating that the space is reserved for electric vehicle "charging" purposes only. The signage or charger must display a phone number or other contact information to report when the equipment is not functioning properly, and any time limits on use, tow away, or fine provisions. Information identifying voltage, amperage levels, usage fees, or safety information must be posted.
- (b) EV chargers may be equipped with a digital display for user instructions only. The screen shall not exceed one-half (1/2) square foot in size and shall conform to the requirements of § 75-55B(2) to adjust luminance. On-site advertising is not allowed on any electric vehicle charging station, other than the brand, make or model and any other signage legally required by state or federal law. Charging stations shall not play or emit any sound.

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CLARIFICATION AMENDMENT:

Add “Thrift Stores” as a permitted use in C-1, C-2, and C-3 Districts within Attachment 2 Nonresidential Use and Bulk Table and define in the Zoning Ordinance.

03.05.26 & 03.19.26 Plan Commission: All commissioners agreed with this amendment at the first public hearing. There was no discussion at the continued hearing.

Background:

- Staff has identified that Thrift Stores are not specifically included in the Use and Bulk Table. The Village currently has a resale shop, being Marbella Resale Shop within the Golden Oak Plaza in the C-1 Neighborhood Commercial District.
- This use by default currently falls into the existing “Indoor business sales, service, and retail sales of goods” which is currently permitted in C-1 through C-4 or Special Use in C-5 and C-6.
- Staff recommends that Thrift Stores be permitted by-right in the C-1, C-2, and C-3 Zoning Districts.

Proposed Code Change:

- **§220-III-303 DEFINITIONS**

THRIFT OR RESALE STORE

A business or organization engaged in the sale of second-hand products such as apparel, household goods, furniture, or appliances. All merchandise shall be displayed and stored in an enclosed building.

INDOOR RETAIL SALES OF GOODS

The indoor retail sales of goods use classification applies to retail uses which display or conduct the sale or rental of merchandise entirely within an enclosed building. Examples may include: ~~antique shops~~; furniture stores, hardware stores, grocery or food stores, department stores, clothing/wearing apparel stores, bookstores, sporting good stores, drugstores, pharmacies, florist shops and similar land uses, but not including thrift stores.

- **Attachment 2 - Use and Bulk Tables for Non-Residential Districts**

Table 2A
Permitted and Special Uses

KEY:
“S” = Special Use
“P” = Permitted Use
Blank = Not Permitted

	C-1	C-2	C-3	C-4	C-5	C-6	I-1	P-1	Standards (Section)
Bakery store where the manufacture of bakery goods is limited to quantity goods sold at retail on the premises only	P	P	P	P	—	—	P	—	
Bakery production	—	—	—	—	—	—	P	—	
Bank or other financial institution (not including drive-through facility)	P	P	P	P	P	—	—	—	
Banquet facility	—	S	P	P	P	P	—	—	
Catering establishment	P	P	P	P	—	—	P	—	
Preschool and day-care center (adults/children)	S	S	S	S	S	—	S	—	§ 220-820
Donation drop-off facility	P	P	P	P	P	P	P	P	§ 220-845
Thrift or resale store	P	P	P	—	—	—	—	—	
Dry-cleaning and laundry establishments	P	P	P	—	—	—	P	—	
Laundromat, laundrette, or any self-service laundry facility	—	—	S	—	—	—	S	—	

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Add a missing use, Battery Energy Storage Systems (BESS's), to Attachment 2 Nonresidential Use and Bulk Table and add a definition in the Zoning Ordinance for BESS's

Background:

- Proposed Code Change:**

- ## BATTERY ENERGY STORAGE SYSTEMS (BESS's)

➤ **Attachment 1 - Use and Bulk Tables for Residential Districts**

KEY:

"S" = Special Use

"P" = Permitted Use

Blank = Not Permitted

[illegible]

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Table 2A Permitted and Special Uses

"S" = Special Use
 "P" = Permitted Use
 Blank = Not Permitted

[illegible]

Proposed Text Amendments -"Exhibit B"

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CLARIFICATION AMENDMENT:

Consolidating and clarifying uses for motor vehicles

03.19.26 Plan Commission: The commissioner's recommendation and a minor clarification for Automobile Sale was presented at the 03.19.26 public hearing and there were no further concerns for these amendments.

03.05.26 Plan Commission: The Commission's consensus was to not permit the sale of vehicles over 10,000lbs in the C-3 Zoning District, and only allow this use in the I-1 zone district with a special use permit.

Background:

- The Zoning Ordinance contains many motor vehicle-related uses in definitions and the Nonresidential Use and Bulk Table.
- Staff is proposing to separate and reconsolidate all these uses. Largely these amendments clarify a use with no changes to if a use is permitted or a special use.

Proposed Code Changes:

➤ § 220-303. Definitions.

...

AUTOMOBILE — A self-propelled, free-moving vehicle, with four wheels, usually used to transport not more than eight passengers and licensed by the governmental licensing authority as a passenger vehicle of the First Division.

~~**AUTOMOBILE—BOAT, CAMPER, EQUIPMENT, MANUFACTURED HOME, OR MOTORCYCLE SALES AND SERVICE** — The sale of new and used automobiles, trucks, tractors, construction equipment, agricultural equipment, and similar industrial equipment, and other vehicles in operating condition; the storage of such vehicles in operating condition, but not including storage of trucks of more than five tons in weight or buses; and the repair and servicing of such vehicles, including body work, painting and motor rebuilding, when conducted within a completely enclosed building.~~

AUTOMOBILE RENTAL AGENCY — Rental of automobiles, light trucks and vans, including incidental parking and servicing of vehicles for rent or lease.

AUTOMOBILE REPAIR, SERVICE AND BODY SHOP — An establishment which is primarily engaged in the business of providing repair and maintenance of automobiles and light trucks including but not limited to collision repair, painting, muffler, upholstery work, oil change and lubrication, tire service, installation of stereo equipment, and maintenance.

~~**AUTOMOBILE SALES (INDOOR)** — A car dealership displaying new or used cars at the retail level, for sale or lease, completely within an indoor showroom. Employee and customer parking may be located outside the showroom. At least 2/3 of the dealership's inventory must consist of brand-new vehicles, while less than 1/3 of the inventory may be used or previously owned vehicles. Automobile sales for used vehicles includes any dealership in which more than 1/3 of their inventory are used or previously owned vehicles.~~

AUTOMOBILE SALVAGE YARD — Any place where two or more motor vehicles not in running condition, or parts thereof, are stored in the open and are not being restored to operation, or any land, building, or structure used for wrecking or storing of such motor vehicles or farm machinery, or parts thereof, stored in the open and not any other goods, articles, or merchandise.

AUTOMOBILE SERVICE STATION (GAS STATION) — Any building or premises used for dispensing or offering for sale of automotive fluids or oils having pumps and underground storage tanks; also, where battery, tire and other similar services are rendered, but only if rendered wholly within a building. Automobile service stations shall not include the sales or storage of automobiles (new or used), trailers, or other vehicles. Automobile service stations may include mini-marts as a special use.

....

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Table 2A Permitted and Special Uses

Blank = Not Permitted

[illegible]

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	C-1	C-2	C-3	C-4	C-5	C-6	I-1	P-1	Standards (Section)
Cartage moving company/trucking terminal	—	—	—	—	—	—	S	—	
Bus passenger station transit, transportation facility	—	—	—	S	S	S	S	—	
Warehousing and storage	—	—	—	S	S	—	P	—	§ 220-§44
Container storage	—	—	—	—	—	—	—	—	
Self-service storage facility	—	—	—	S	—	—	S	—	
Information services including data centers	—	—	—	—	S	—	S	—	
Commercial testing laboratory	—	—	—	S	S	—	P	—	
Research facility	—	—	—	P	P	—	P	—	
Mining extraction	—	—	—	—	—	—	S	—	§ 220-§38
Printing and publishing establishment	—	P	P	P	P	—	P	—	
Rifle range, pistol range, trap and skeet range	—	—	—	—	—	S	S	—	§ 220-§34
Vehicle towing service <u>with storage of vehicles on a paved open lot</u>	—	—	—	—	—	—	S	—	§ 220-§41
Other									
Adult uses	—	—	—	—	—	—	S	—	§ 220-§27

May 27, 2026

Separate permitted "Contractor or building trade office" from storage yards and require them to obtain a special use permit.

Background:

- The Village's Use and Bulk Tables for Non-Residential Districts designate Contractor or building trade offices as a Permitted Use in the I-1 Industrial District.
- The requirements for this use, as outlined in § 220-843, do not clearly specify that outdoor storage shall be secondary to a primary office use. They also do not have very clear requirements for the Outdoor storage area, like setbacks or yards.
- Staff recommends that our Use table includes a new "Contractor or building trade storage yard" as a Special use in the I-1 District.
- New definitions and standards for § 220-843 have been updated to regulate this trade yard.

➤ § 220-843. Contractor or building trade offices. [Amended 9-9-2008 by Ord. No. 08-048]

Except as otherwise provided in these regulations or as may be otherwise regulated pursuant to the terms and conditions of a special use permit, the following regulations shall apply to contractor or building trade offices: Vehicles or equipment, such as tractors, which are stored outdoors must be completely screened from the public right-of-way and adjacent residential districts or uses by a solid landscape screen or fence at least six feet in height but not exceeding eight feet in height.

➤ **Attachment 2 - Use and Bulk Tables for Non-Residential Districts**

[illegible]

Proposed Text Amendments -"Exhibit B"

May 27, 2026

Proposed Code Change:

➤ § 220-843:

§ 220-843. Contractor or building trade ~~offices~~ storage yard. ~~[Amended 9-9-2008 by Ord. No. 08-048]~~

Except as otherwise provided in these regulations or as may be otherwise regulated pursuant to the terms and conditions of a special use permit, the following regulations shall apply to contractor or building trade ~~offices~~storage yard: ~~Vehicles or equipment, such as tractors, which are stored outdoors must be completely screened from the public right of way and adjacent residential districts or uses by a solid landscape screen or fence at least six feet in height but not exceeding eight feet in height.~~

A. For the purposes of this section, the outdoor parking of associated employee or company vehicles under 10,000lbs for less than 48 hours on a lot with a principal Contractor or building trade office shall not require a special use permit.

B. A contractor or building trade storage yard shall be accessory to a principal office on the same zoning lot.

C. All storage areas are required to meet all Site and Structure Bulk Requirements of the I-1 zone district per Chapter 220, Attachment 2, Table 2B, including but not limited to setbacks and lot coverage.

A-D. The storage yard shall not be located within any required front or corner side yard or between any public or private road and the primary structure.

B-E. The area containing vehicles, equipment, or materials shall be screened from view from a public road, private road or residentially-zoned property, using evergreen plantings within a ten-foot-wide landscape buffer located on the subject property between the required fence and the property line. The amount of landscape material shall be determined by the Plan Commission during the special use permit review process.

➤ § 220-303. Definitions.

CONTRACTOR OR BUILDING TRADE STORAGE YARD

An unenclosed portion of the lot or parcel upon which a contractor maintains its principal office or a permanent business office used to store and maintain construction vehicles, equipment, or materials customarily used in the trade.

Proposed Text Amendments -“Exhibit B”

May 27, 2026

➤ Attachment 2 - Use and Bulk Tables for Non-Residential Districts

Table 2A Permitted and
Special Uses

KEY:

“S” = Special Use

“P” = Permitted Use

Blank = Not Permitted

	C-1	C-2	C-3	C-4	C-5	C-6	I-1	P-1	Standards (Section)
Industrial									
Agricultural implement sales and service	—	—	—	S	—	—	P	—	
Industry and manufacturing									
Heavy industry including chemicals and plastics	—	—	—	—	—	—	S	—	§ 220-837
Light industry including food	—	—	—	—	—	—	P	—	§ 220-837
Manufacture, storage, and sale of mobile homes and/or trailers, farm implements and other similar equipment on a paved open lot	—	—	—	—	—	—	S	—	
Wholesale trade									
Durable and nondurable	—	—	—	—	—	—	P	—	
Greenhouse and nursery, including retail and wholesale	—	P	P	P	—	—	P	—	
Limited retail sales with less than 20% GFA	—	—	—	—	—	—	P	—	
Construction									
Contractors or building trade office	—	—	—	—	—	—	P	—	§ 220-843
Contractors or building trade storage yard, with an associated office building	—	—	—	—	—	—	S	—	§ 220-843
Automotive and scrap salvage yard, completely enclosed	—	—	—	—	—	—	S	—	
Construction or demolition landfill	—	—	—	—	—	—	S	—	
Transportation									
Freight terminal and support activities	—	—	—	—	—	—	S	—	
Couriers and messengers	—	—	—	S	—	—	S	—	
Public garage/municipal garage	S	P	P	P	P	S	P	P	

Proposed Text Amendments -“Exhibit B”

May 27, 2026

CLARIFICATION AMENDMENT:

Change Crematoriums from by-right in the C-2 and C-3 Zoning Districts to I-1 in Attachment 2 Nonresidential Use and Bulk Table.

03.05.26 & 03.19.26 Plan Commission: All commissioners agreed with this amendment at the first public hearing. There was no discussion at the continued hearing.

Background:

- Crematoriums are currently permitted by-right in the C-2 and C-3 commercial zone districts, which is interesting because they are often considered a more industrial use in other communities. While air scrubbing technology has advanced somewhat, they still do emit some pollution.
- Staff recommends only permitting crematoriums in the I-1 Zoning District with a Special Use Permit.

Proposed Code Change:

- Attachment 2 - Use and Bulk Tables for Non-Residential Districts

**Table 2A Permitted and
Special Uses**

KEY:

“S” = Special Use

“P” = Permitted Use

Blank = Not Permitted

	C-1	C-2	C-3	C-4	C-5	C-6	I-1	P-1	Standards (Section)
Laundromat, launderette, or any self-service laundry facility	—	—	S	—	—	—	S	—	
Equipment (large) rental/leasing service	—	—	—	—	—	—	S	—	§ 220-842
Equipment (small) rental/leasing service	—	P	P	P	—	—	P	—	
Funeral home	S	P	P	—	—	—	—	—	
Crematorium	—	— P	— P	—	—	—	— S	—	
Health clubs and sports clubs (excludes rifle ranges)	P (less than 3,000 square feet only)	P	P	—	—	P	P	—	

Proposed Text Amendments -“Exhibit B”

May 27, 2026

CLARIFICATION AMENDMENT:

Change “Bank or financial institution (not including drive-through facility)” from by-right in C-1, C-2, C-3, C-4, and C-5 Zoning Districts to allowed in C-2 and C-3 with a Special Use Permit in Attachment 2 Nonresidential Use and Bulk Table.

03.05.26 & 03.19.26 Plan Commission: All commissioners agreed with this amendment at the first public hearing, noting that they liked Option 1 of these proposed amendments, with Banks Permitted by-right in the C-1 district and requiring a Special Use in the C-2 and C-3 districts. There were no further comments at the second meeting.

Background:

- Currently, banks are permitted by-right in all commercial zone districts except C-6 (Commercial Recreational). This may be overly permissive and invite banks to the Village’s main commercial corridors, especially on Bell Road. Banks are quieter, less intense uses that also do not generate sales tax revenue, and they may not always be appropriate for the C-2 (Local Business) and C-3 (General Business) zone districts.
- Staff recommends that banks be changed to only be permitted in the C-1 zone by-right, and the C-2 and C-3 zones with a special use permit .

Other Communities:

- **New Lenox:** “Financial Institutions” require a Special Use Permit in ALL commercial districts where they also regulate associated drive-throughs. “Banks, not including drive-in facilities.” is a permitted commercial use in I-1 limited industrial district but “Drive-in banking facilities.” is a special use in this district.
- **Lockport:** Permitted use in: C-1, C-2, C-2T, C-3, C-4, O-1, and O-2.
- **Lemont:** permitted in B-1 Office/Retail Transitional District, B-3 Arterial Commercial District, and DD Downtown District

Current Code:

**Table 2A Permitted and
Special Uses**

KEY:

“S” = Special Use

“P” = Permitted Use

Blank = Not Permitted

	C-1	C-2	C-3	C-4	C-5	C-6	I-1	P-1	Standards (Section)
	C-1	C-2	C-3	C-4	C-5	C-6	I-1	P-1	Standards (Section)
Bakery store where the manufacture of bakery goods is limited to quantity goods sold at retail on the premises only	P	P	P	P	—	—	P	—	
Bakery production	—	—	—	—	—	—	P	—	
Bank or other financial institution (not including drive-through facility)	P	P	P	P	P	—	—	—	

Proposed Text Amendments -"Exhibit B"

May 27, 2026

Proposed Code Change:

➤ Attachment 2 - Use and Bulk Tables for Non-Residential Districts

Table 2A Permitted and
Special Uses

KEY:

"S" = Special Use

"P" = Permitted Use

Blank = Not Permitted

	C-1	C-2	C-3	C-4	C-5	C-6	I-1	P-1	Standards (Section)
	C-1	C-2	C-3	C-4	C-5	C-6	I-1	P-1	Standards (Section)
Bakery store where the manufacture of bakery goods is limited to quantity goods sold at retail on the premises only	P	P	P	P	—	—	P	—	
Bakery production	—	—	—	—	—	—	P	—	
Bank or other financial institution (not including drive-through facility)	P	PS	PS	==P	==P	—	—	—	

Proposed Text Amendments -“Exhibit B”

May 27, 2026

CLARIFICATION AMENDMENT:

Permit “Body piercing establishments” as an accessory use (it’s currently only permitted as a primary use).

03.05.26 & 03.19.26 Plan Commission: All commissioners agreed with this amendment at the first public hearing. There was no discussion at the continued hearing.

Background:

- For body piercing, staff amended the code in late 2024 to permit them in the C-2 and C-3 zone district with a Special Use Permit when it was formerly only permitted in the C-5 (Office and Research Park) zone with a Special Use Permit. However, at that time, body piercing was only listed as a primary use.
- Staff recommends allowing body piercing as an accessory use in the C-2 and C-3 zones with a Special Use Permit.

Current Code:

- **§ 220-303. Definitions.**

BODY PIERCING ESTABLISHMENT

An establishment whose principal business activity, either in terms of operation or as held out to the public, is the practice of piercing patrons' bodies with sharp instruments in order to allow the insertion of rings, pieces of jewelry, or other ornamental devices through the orifices thus created.

Proposed Code Change:

- **§ 220-303. Definitions.**

BODY PIERCING ESTABLISHMENT

An establishment whose principal or accessory business activity, either in terms of operation or as held out to the public, is the practice of piercing patrons' bodies with sharp instruments in order to allow the insertion of rings, pieces of jewelry, or other ornamental devices through the orifices thus created.

Proposed Text Amendments -“Exhibit B”

May 27, 2026

CLARIFICATION AMENDMENT:

Allow gas pump stations and EV charging stations to count as parking spaces (as long as the spaces are 9' x 19') under §220-X-1002 Off-street parking.

03.05.26 & 03.19.26 Plan Commission: All commissioners agreed with this amendment at the first public hearing. There was no further discussion at the continued hearing.

Background:

- Currently, the Zoning Ordinance is silent regarding whether spaces at a gas pump may be counted toward available parking on the site. The Ordinance notes that all parking spaces shall measure 9'x19', are typically striped with paint and have drive aisle width requirements. As such, parking spaces at gas pumps have not counted toward the total number of spaces provided. Staff's opinion is that spaces at gas pumps do function as a parking space, since most people fill their gas tank and then walk into the gas station convenience store.
- The Zoning Ordinance also does not include EV charging stations within off-street parking requirements.
- Staff recommends allowing gas station pump stations and EV charging stations to count as parking spaces (as long as the spaces are 9' x 19') for parking analyses and adjustments.

Proposed Code Change:

➤ § 220-X-1002B Off-street parking

B. General requirements.

- (1) No structure shall hereafter be built or moved, and no structure or land shall hereafter be used, occupied or designed for use or occupancy, unless the minimum off-street parking and off-street loading spaces required by this chapter are provided. No structure or use already established on the effective date of this chapter shall be enlarged unless the minimum off-street parking and loading spaces which would be required for such enlargement are provided.
- (2) The duty to provide and maintain off-street parking space shall be the joint and shared responsibility of the operator and/or owner of the use and/or land for which off-street parking space is required to be provided and maintained.
- (3) For land, structures, or uses actually used, occupied, or operated on the effective date of this chapter, there shall be provided such off-street parking space as was required for such land, structures, or uses by any previous ordinance. If such land, structures, or uses are enlarged, expanded, or changed, there shall be provided, for that increment of expansion only, at least the amount of off-street parking space that would be required hereunder if the increment were a separate land, structure, or use established or placed into operation after the effective date of this chapter.
- (4) For all uses established or placed into operation after the effective date of this chapter, there shall be constructed, provided, preserved, and maintained not less than the amount of off-street parking space hereinafter set forth.
- (5) Parking and loading spaces for all types of uses may be provided either in garages or parking areas conforming with the provisions of this chapter.
- (6) All vehicles shall be parked on an approved hard surface.

Proposed Text Amendments -"Exhibit B"

May 27, 2026

- (7) Change in occupancy or use. When the use of a building, structure or land is changed to another use or occupancy that requires more parking spaces than required for the use existing prior to such change additional parking spaces shall be constructed for the new use or occupancy in the amount necessary to conform to this chapter.
 - (8) Changes in intensity of use. When the intensity of use of a building, structure, or land is increased by an addition of employees, gross floor area, seating capacity, or other unit of measurement, additional parking spaces shall be constructed for the new use or occupant in the amount necessary to conform to this chapter.
 - (9) Spaces meeting all provisions of this chapter that are designated solely for gas pumps or electric vehicle (EV) charging stations shall be counted toward the minimum parking requirements.
-

Proposed Text Amendments -"Exhibit B"

May 27, 2026

CLARIFICATION AMENDMENT:

Clarify requirements for hours of operations.

03.05.26 & 03.19.26 Plan Commission: All commissioners agreed with this amendment at the first public hearing. There was no further discussion at the continued hearing.

Background:

- § 220-711 establishes that nonresidential uses may be open between 6:00 a.m. and 11:00 p.m. This same section then states that 24-hour operations require a special use permit but is silent on operations that are less than 24 hours but operating outside of the permitted hours.
- Staff believes that the intent of this code section is that any business that desires to be open earlier than 6 am or later than 11 pm needs to obtain a special use permit for extended hours of operation.
- Staff recommends classifying this special use permit as an "Extended hours of operation."
- The Zoning ordinance conflicts with [Article VII Liquor](#). It is the opinion of the clerk that the issuance of a Liquor License and the permitted operations associated with the sale of liquor would supersede Zoning requirements for a special use permit for hours of operation.
- Staff is recommending clarification amendments to Article I Business License Administrative Regulations and Article VII Liquor of Chapter 83 Business Operations. These are not located in the Zoning Ordinance and only require approval from the Village Board.

Current Code:

➤ § 220-711 Other nonresidential standards.

- (11) Hours of operation. Nonresidential uses may be open for business between the hours of 6:00 a.m. and 11:00 p.m. Establishments seeking twenty-four-hour operation must be approved as a special use in accordance with § 220-1209.

➤ § 83-71 Conditions of license.

A. Hours of operation.

- (1) It shall be unlawful to remain open for business or to admit the public to any licensed premises, or to sell or offer for sale at retail or offer to give away on any licensed premises any alcoholic liquor in the Village, except during the following hours:
 - (a) Sundays, 7:00 a.m. until 1:00 a.m. the following day.
 - (b) Mondays through Thursdays, 6:00 a.m. until 1:00 a.m. the following day.
 - (c) Fridays and Saturdays, 6:00 a.m. until 2:00 a.m. the following day.
 - (d) On New Year's Eve, closing time shall be 2:00 a.m. on January 1.
 - (e) All establishments may remain open until 2:00 a.m. the day before a national holiday.
 - (f) The Commissioner may extend the hours of operation of any licensee for one additional hour.
 - (g) The current liquor license holders do not need to apply for a special use permit for operating outside the hours of 6:00 a.m. and 11:00 p.m.

Proposed Text Amendments -“Exhibit B”

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- (2) Service of alcoholic liquor must conclude 30 minutes prior to the establishment's closing hour. An announcement regarding the conclusion of the sale of alcoholic beverages of the establishment must be made 30 minutes prior to the establishment's closing hour.
- (3) In the case of restaurants, hotels, sports/recreational facilities, and licensees selling packaged liquors, where the sale of alcoholic liquor is conducted on the premises which are utilized primarily for other retail sales activities, such establishments may be kept open for business after the closing hours set forth herein, but no alcoholic liquor may be sold, offered for sale, or given away after the specified closing hours, and no person other than the licensee and employees of the licensee in the pursuit of their employment shall be permitted to remain in or upon that portion of the premises used for the dispensation of alcoholic liquors.
- (4) In the case of other nonresidential uses open for business outside the hours of 6:00 a.m. and 11:00 p.m., such uses may apply for an extended hours of operation license with the Village Clerk. Establishments seeking twenty-four-hour operation must be approved as a special use as set forth in § 220-711A(11), Hours of operation.

Proposed Code Change:

➤ § 220-VII-711A(11):

REDLINE:

§220-711(A)(11):

Hours of operation. Nonresidential uses may be open for business between the hours of 6:00 a.m. And 11:00 p.m. Establishments seeking ~~twenty-four-hour operation~~extended hours of operation (anytime between 11:00 p.m. and 6:00 a.m.) must be approved as a special use in accordance with §220-1209. Current or future liquor license holders do not need to apply for a special use permit for operating within the permitted hours outlined in §83-71 Conditions of license.

CLEAN:

§220-711(A)(11):

Hours of operation. Nonresidential uses may be open for business between the hours of 6:00 a.m. And 11:00 p.m. Establishments seeking extended hours of operation (anytime between 11:00 p.m. and 6:00 a.m.) must be approved as a special use in accordance with §220-1209. Current or future liquor license holders do not need to apply for a special use permit for operating within the permitted hours outlined in §83-71 Conditions of license.

Proposed Text Amendments -“Exhibit B”

May 27, 2026

➤ **TABLE 2 USE AND BULK TABLES FOR NONRESIDENTIAL DISTRICTS**

**Table 2A Permitted and
Special Uses**

KEY:

“S” = Special Use

“P” = Permitted Use

Blank = Not Permitted

	C-1	C-2	C-3	C-4	C-5	C-6	I-1	P-1	Standards (Section)
Drive-through establishment associated with a permitted or special use	—	S	S	S	S	S	—	—	
Extended Hours of operation (24-hour operation)	S	S	S	S	S	S	S	S	§ 220-711
Outdoor sales and storage	S	S	S	S	—	—	S	—	§§ 220-828 and 220-829

The following sections are not located in the Zoning Ordinance but require the following changes to sync with the proposed changes to the Zoning Ordinance. Text amendments to the code, outside of the Zoning Ordinance, only require review and approval by the Board.

➤ **§ 83-71. Conditions of license.**

REDLINE VERSION

Proposed Text Amendments -“Exhibit B”

May 27, 2026

A. Hours of operation.

(1) It shall be unlawful to remain open for business or to admit the public to any licensed premises, or to sell or offer for sale at retail or offer to give away on any licensed premises any alcoholic liquor in the Village, except during the following hours:

(a) Sundays, 10:00 a.m. until 1:00 a.m. the following day.

(b) Mondays through Thursdays, 6:00 a.m. until 1:00 a.m. the following day.

(c) Fridays and Saturdays, 6:00 a.m. until 2:00 a.m. the following day.

(d) On New Year's Eve, closing time shall be 2:00 a.m. on January 1.

(e) All establishments may remain open until 2:00 a.m. the day before a national holiday.

(f) The Commissioner may extend the hours of operation of any licensee for one additional hour.

(g) ~~The c~~Current liquor license holders do not need to apply for a special use permit for operating outside the hours of 6:00 a.m. and 11:00 p.m. [Added 10-28-2020 by Ord. No. 20-053]

(2) Service of alcoholic liquor must conclude 30 minutes prior to the establishment's closing hour. An announcement regarding the conclusion of the sale of alcoholic beverages of the establishment must be made 30 minutes prior to the establishment's closing hour.

(3) In the case of restaurants, hotels, sports/recreational facilities, and licensees selling packaged liquors, where the sale of alcoholic liquor is conducted on the premises which are utilized primarily for other retail sales activities, such establishments may be kept open for business after the closing hours set forth herein, but no alcoholic liquor may be sold, offered for sale, or given away after the specified closing hours, and no person other than the licensee and employees of the licensee in the pursuit of their employment shall be permitted to remain in or upon that portion of the premises used for the dispensation of alcoholic liquors.

~~(4) In the case of other nonresidential uses open for business outside the hours of 6:00 a.m. and 11:00 p.m., such uses may apply for an extended hours of operation license with the Village Clerk. Establishments seeking twenty-four-hour operation must be approved as a special use as set forth in § 220-711A(11), Hours of operation. [Added 10-28-2020 by Ord. No. 20-053]~~

CLEAN VERSION:

Proposed Text Amendments -“Exhibit B”

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§83-71(A)(1)(g):

B. Hours of operation.

(2) It shall be unlawful to remain open for business or to admit the public to any licensed premises, or to sell or offer for sale at retail or offer to give away on any licensed premises any alcoholic liquor in the Village, except during the following hours:

(b) Sundays, 10:00 a.m. until 1:00 a.m. the following day.

(b) Mondays through Thursdays, 6:00 a.m. until 1:00 a.m. the following day.

(c) Fridays and Saturdays, 6:00 a.m. until 2:00 a.m. the following day.

(d) On New Year's Eve, closing time shall be 2:00 a.m. on January 1.

(e) All establishments may remain open until 2:00 a.m. the day before a national holiday.

(f) The Commissioner may extend the hours of operation of any licensee for one additional hour.

(g) Current liquor license holders do not need to apply for a special use permit for operating outside the hours of 6:00 a.m. and 11:00 p.m. [Added 10-28-2020 by Ord. No. 20-053]

(2) Service of alcoholic liquor must conclude 30 minutes prior to the establishment's closing hour. An announcement regarding the conclusion of the sale of alcoholic beverages of the establishment must be made 30 minutes prior to the establishment's closing hour.

(3) In the case of restaurants, hotels, sports/recreational facilities, and licensees selling packaged liquors, where the sale of alcoholic liquor is conducted on the premises which are utilized primarily for other retail sales activities, such establishments may be kept open for business after the closing hours set forth herein, but no alcoholic liquor may be sold, offered for sale, or given away after the specified closing hours, and no person other than the licensee and employees of the licensee in the pursuit of their employment shall be permitted to remain in or upon that portion of the premises used for the dispensation of alcoholic liquors.

➤ **ARTICLE I Business License Administrative Regulations**

....

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§ 83-6.7. Sanitation.

All such places of employment shall be kept in a clean condition, free from the effluvia of a sewer, drain, privy, stable, or other nuisances, also, so far as practicable, such premises shall be free from all gases, vapors, dust or otherwise which are injurious to health. Sufficient washroom facilities for all employees shall be provided and such facilities shall be properly ventilated.

§ 83-6.8. Heat required.

It shall be the duty of every person owning or controlling the heating mechanism which furnishes heat to any factory, workshop, retail business, or other commercial establishments, to maintain a temperature when workers are present within such establishment of not less than 65° F. without such undue restriction of ventilation so as to interfere with proper sanitary conditions therein; provided, however, that this requirement shall not apply to any factory, garage, or workshop where the business conducted therein is of such nature that a lower temperature than 65° F. is necessary or expedient for work or manufacturing process of such business.

§ 83-6.9. Hours of Operation.

Nonresidential uses may be open for business between the hours of 6:00 a.m. and 11:00 p.m. per § 220-711A(11), Hours of operation.

§ 83-6.~~9~~10. Inspection authority.

- A. It shall be the duty of the Village Manager, or their designee, to determine whether or not all licenses are in compliance with all applicable ordinances and regulatory requirements during the period of the license. Whenever inspections of the premises used for or in connection with the operation of a licensed business or occupation are provided for or required by this article, or any ordinance, or are reasonably necessary to ensure compliance with the provisions of any ordinance or regulation of the Village, or to detect violations thereof, it shall be the duty of the licensee or the person in charge of the premises to admit thereto for the purpose of making the inspection any officer or employee of the Village who is duly authorized by the Manager to make such inspection at any reasonable time that such admission or entry is requested.
- B. Whenever an analysis of any commodity or material is reasonably necessary to assure compliance with the provisions of this article or any other adopted ordinances or regulations, to detect violations thereof, it shall be the duty of the licensee or the person in charge of the premises to give to any duly authorized officer or employee of the Village requesting the same sufficient samples of such material or commodity for such analysis upon official Village request.
- C. In addition to any other penalty which may be provided, the Village Manager may revoke under the provisions of this Chapter the license of any owner or operator of a licensed business in the Village who refuses to permit any duly authorized officer or employee to make such inspection or to take an adequate sample of said commodity, or who interferes with such officer or employee while in the performance of their duties.

Proposed Text Amendments -“Exhibit B”

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§ 83-6.1011. Suspension, revocation and appeal.

- A. When the conduct or operation of any business, occupation, activity or establishment, whether licensed or unlicensed, shall constitute a nuisance or a clear and present danger to the public health, safety or general welfare, or where the holder of any license has refused to allow an inspection of his premises or has refused to furnish a sample of their goods for testing, the Village shall be authorized to summarily order the cessation of business and the closing of the premises until the danger no longer exists.
- (1) Within 10 days after a license is suspended pursuant to this Subsection A, the Village shall call a hearing in accordance with Subsection C for the purpose of determining whether or not the license should be revoked.
- B. Causes.
- (1) Unless otherwise provided, any license issued under this article may be suspended or revoked by the Village Manager after notice and hearing as provided in Subsection C for any of the following causes:
- (a) Any fraud, misrepresentation or false statement contained in the application for the license.
 - (b) Any violation by the licensee of a provision of this article, any applicable federal or state law, or any other Village Code or ordinance provisions relating to the license, the subject matter of the license, or to the licensed premises occupied.
 - (c) Conviction of the licensee of any felony or of a misdemeanor where such conviction indicates their inability to operate a safe, honest and legitimate business operation within the Village.
 - (d) Failure of the licensee to pay the license fee or any other indebtedness, charge, fine or penalty owing to the Village.
 - (e) Refusal to permit inspections or interference with an authorized Village officer or employee while in the performance of his duties in making such inspections as provided in this article.
 - (f) When the conduct of any licensee, agent or employee is so inimical to the public health, safety or general welfare and/or the continued operation of the business constitutes a nuisance and thus gives rise to an emergency.
- (2) Said suspension or revocation, if ordered, shall be in addition to any other provision imposing a penalty for the violation of any section of the codes or ordinances of the Village.
- C. The Village shall conduct a hearing for the purpose of determining whether or not the license should be suspended or revoked in accordance with the following:
- (1) Notice of the hearing for suspension or revocation of a license shall be given in writing

Proposed Text Amendments -"Exhibit B"

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setting forth specifically the grounds of the complaint and the time and place of the hearing. Such notice may be hand delivered or mailed by certified mail, return receipt requested, to the licensee to their last known address at least five days prior to the date set for the hearing.

- (2) An attorney designated by the corporate authorities shall represent the Village at the hearing. The licensee shall be permitted counsel and have the right to submit evidence and cross examine witnesses. The Village Hearing Officer shall serve as the hearing officer and shall render the decision, which may include suspension for up to 10 days, or revocation, and/or the payment of fines and performance of other actions.
 - (3) At or prior to the hearing, the parties may enter into an agreement which establishes a series of actions to be taken and/or fines to be paid which will avoid suspension or revocation at that time.
- D. Any person aggrieved by the decision of the Village Manager in connection with the suspension or revocation of a license as provided in this section shall have the right of appeal to the Village Board of Trustees. Such appeal shall be taken by filing with the Village Board of Trustees, within 10 days after notice of suspension or revocation, a written statement under oath setting forth specifically the grounds for appeal. The Village Board of Trustees shall thereupon set the time and place for a hearing on such appeal and notice of such hearing shall be given to the applicant or licensee in the same manner as provided in this section. The decision of a majority of the Village Board of Trustees present at the hearing of such appeal shall be required to reverse the decision of the Village Manager.

§ 83-6.~~12~~12. License to be posted; destruction, removal of license.

- A. It shall be the duty of any person conducting a licensed business in the Village to keep the license displayed at all times in a prominent place on the premises, machine or vehicle used for such business.
- B. No person shall destroy, obliterate, take, remove or carry away without the consent of the owner any license, certificate, plate, or sticker which has been issued by the Village except when such license, certificate, plate or sticker has been discontinued or the licensed premises has been abandoned. Nothing herein shall prevent the Village Manager, or her or his duly authorized representative, from removing any license, certificate, plate or sticker from the possession of a former licensee, their premises, any vehicle or plate or any machine when said license has been revoked under the provisions of this article.

§ 83-6.~~12~~13. License not to preclude other licenses.

The license required in this article shall be in addition to any vehicle license, liquor license, gaming license, building permit, inspection fees or any other fees or charges that may be required by other Village ordinances, whether now existing or hereafter adopted.

§ 83-6.~~13~~14. Prohibited activities; definitions.

Peddlers, itinerant vendors and transient merchants are prohibited within the corporate limits of the Village of Homer Glen. The following definitions apply to this Section:

Proposed Text Amendments -“Exhibit B”

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ITINERANT VENDOR — Any person who transports tangible personal property for retail sale who does not maintain an established office, distribution house, warehouse, service center or residence from which such business is conducted.

PEDDLER — A person who travels about selling, bartering or exchanging small wares which they carry with them on their person or on a wagon, truck, push cart or moveable receptacle of any kind.

TRANSIENT MERCHANT — Any person who is engaged temporarily in the retail sale of goods, wares or merchandise, and in pursuance of such sales occupies any building, room, vehicle, structure, or unoccupied or unimproved lot for the purpose of conducting such sale.

§ 83-6.~~14~~15. Activities excepted.

The prohibited activities set forth in § 83-6.13 shall not apply to:

- A. Any person selling vegetables, fruit or perishable farm products at an established Village market or other location on the private property of a consenting owner;
- B. Any person delivering tangible personal property who is fulfilling an order for such property which was selected or placed by mail or other means;
- C. Any person carrying samples of goods and taking orders for delivering at a later date; or
- D. Any person selling food or merchandise as part of a Village-approved special event.

§ 83-6.~~15~~16. Prohibited conduct.

It shall be unlawful for any person to conduct, engage in, maintain, operate, carry on or manage any business, occupation, activity or establishment, either by himself or through an agent, employee or partner, contrary to the standards and regulations set forth in this article.

§ 83-6.~~16~~17. Posted parking restrictions on business property. [Added 4-9-2025 by Ord. No. 25-016]

- A. It shall be deemed to be unlawful and an offense under this Code, for the operator of any truck or motor vehicle, to violate the parking restrictions posted at any licensed business premises, where such restrictions have been authorized by the Village as either a condition of the business license to which the premises relates, or as a condition of the premises owner's site plan, zoning, variance, special use, or planned unit development approval(s).
- B. The penalty provisions set forth in § 83-6 do not apply to this provision. Rather, whoever violates § 83-6.16 shall, upon a finding of liability, be fined not less than \$250 and not more than \$1,000; and, in addition thereto, shall be liable to reimburse the Village for any and all costs incurred by the Village in connection with any and all injunctive or other equitable relief undertaken by the Village related to the offense at issue.