

ORIGINAL

ORDINANCE NO. CO-2014-11

**AN ORDINANCE APPROVING AMENDMENTS TO
TITLE XI (BUSINESS REGULATIONS), CHAPTER 110 (BUSINESS LICENSES) OF
THE MAYWOOD VILLAGE CODE TO ADD A NEW SECTION 110.19 (PREVENTION OF
LOITERING) RELATIVE TO THE DUTY OF OWNERS AND OPERATORS OF
COMMERCIAL ESTABLISHMENTS TO REGULATE
LOITERING ON OR OUTSIDE OF THEIR COMMERCIAL PREMISES**

WHEREAS, the Village of Maywood (the "Village") is a home rule municipality, having all of the powers and authority granted to such municipalities pursuant to Article VII, Section 6 of the Illinois Constitution of 1970, including the right to exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, Title XI (Business Regulations) of the Maywood Village Code currently sets forth various regulations for owners and operators of commercial establishments to follow in order to be allowed to operate within the Village of Maywood; and

WHEREAS, the Village has experienced an increase in loitering problems within the Village, particularly outside certain commercial establishments, as demonstrated by increases in the number of complaints made to the Village Police Department by the public and by Village residents, and increases in the number of police responses to calls for service related to those loitering problems; and

WHEREAS, the President and Board of Trustees of the Village of Maywood, based on these increases in the number of complaints filed with the Maywood Police Department by Village residents and the public, have determined that loitering, both outside and inside various commercial establishments and loitering near and around the entrances to such establishments, has been and continues to be a detriment to the health, welfare and safety of Village residents, owners and operators of commercial establishments, other patrons of such establishments and to the economic viability of the Village business districts where these establishments are located; and

WHEREAS, such loitering activities are contrary to the public peace and negatively impact the quality of life of all persons residing in the Village of Maywood, the owners and operators of commercial establishments operating in the Village, the employees and customers of such establishments, and the general public; and

WHEREAS, the President and Board of Trustees of the Village of Maywood have determined that it is imperative that the owners and operators of commercial establishments within the Village take measures to actively combat and prevent loitering both inside and outside of their commercial establishments within the Village; and

WHEREAS, the President and Board of Trustees of the Village of Maywood have determined that it is in the best interests of, and essential to the maintenance of the health, welfare and safety of, the Village, its residents, the owners and operators of commercial establishments, other patrons of such establishments, and the general public, and essential to the economic viability of the business districts where these commercial establishments are located, to impose a duty to prevent loitering, as set forth in Section 2 below, on the owners and operators of commercial establishments within the Village, so as to establish, clarify and reinforce the fact that the above-mentioned loitering activities negatively impacting the quality of life in the Village will not be tolerated.

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

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

SECTION 2: Title XI (Business Regulations), Chapter 110 (Business Licenses) of the Maywood Village Code is amended to add a new Section 110.19 (Prevention of Loitering), which shall read in its entirety as follows:

§ 110.19 PREVENTION OF LOITERING

It shall be unlawful for the owner or operator of any business operating within the Village to allow any person or persons to stand, sit or lie in or upon any private parking lot, private sidewalk, private walkway area or private property utilized for public use, so as to hinder or obstruct unreasonably the free passage of business patrons or pedestrians thereon or so as to prevent the free access into or out of the entrance(s) of any business premises which is open to the public. Any owner or operator who violates this Section shall be subject to the penalties set forth in Section 10.99 of this Code. In addition, the holder of a business license for premises where violations of this Section are found to have occurred shall be subject to citation and to all penalties provided in Section 110.10, including but not limited to monetary fines and suspension or revocation of the business license following notice and a hearing pursuant to Section 110.17.

SECTION 3: All ordinances, or parts of ordinances, in conflict with the provisions of this Ordinance, to the extent of such conflict, are repealed.

SECTION 4: Each section, paragraph, clause and provision of this Ordinance is separable, and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance, nor any part thereof, other than that part affected by such decision.

SECTION 5: Except as to the Code amendments set forth above in this Ordinance, all Chapters and Sections of the Maywood Village Code, as amended, shall remain in full force and effect.

SECTION 6: This Ordinance shall be in full force and effect from and after its adoption, approval and publication in pamphlet form in the manner provided by law.

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

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

NAYS: None

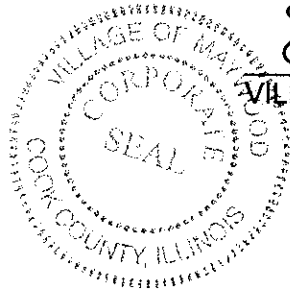
ABSENT: None


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

ATTEST:



VILLAGE CLERK





VILLAGE PRESIDENT

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



VILLAGE CLERK

