

CHAPTER 10

BUSINESS LICENSING AND REGULATION

ARTICLE 7. BARBER SHOPS

SECTION

- 10-7-1: Definition
- 10-7-2: License Required
- 10-7-3: Sanitary Requirements
- 10-7-4: Location
- 10-7-5: Inspection

10-7-1: DEFINITION: Barber Shop is defined to mean any building, room, place or establishment wherein the practice of barbering is carried on for a consideration, as defined within the Illinois Revised Statutes.

10-7-2: LICENSE REQUIRED: No person shall establish, maintain or operate a barber shop without first having obtained a license therefor.

10-7-3: SANITARY REQUIREMENTS: It shall be the duty of every person licensed under this Article at all times to keep the licensed premises in a clean and properly sanitary condition. All necessary measures shall be taken to properly safeguard the life and health of patrons and all persons engaged therein against communicable and contagious diseases. No person shall be permitted to be employed who shall be afflicted with any communicable or contagious disease.

It shall be the duty of the licensee at all times to keep the licensed premises in a clean and properly sanitary condition. All persons employed or working in the licensed premises shall keep themselves and their clothing clean, and shall be required to wash their hands immediately before serving a customer. All towels and washcloths shall be washed with soap and water and boiled before using. All receptacles, finger bowls, utensils, vessels, appliances, combs, brushes, hair management and all similar items shall be kept in a clean and sanitary condition. Separate receptacles shall be provided for soiled towels and separate receptacles for receiving material and paper.

10-7-4: LOCATION: No barber shop shall be located or conducted except as an independent unit, completely equipped as such, and separated from any living, dining or sleeping apartment, restaurant or food establishment. The premises shall be adequately ventilated in accordance with the requirements of this Code.

10-7-5: INSPECTION: The health officer shall cause periodic inspections to be made of all establishments licensed hereunder to determine whether the health and sanitary regulations of this Code are being complied with.

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ARTICLE 8. BANKERS AND BROKERS, OTHER THAN INSURANCE AND REAL ESTATE

SECTION

- 10-8-1: Definitions
- 10-8-2: License Required
- 10-8-3: Regulations Pertaining to Bankers
- 10-8-4: Employees Acting as Brokers
- 10-8-5: Unlawful Acts of Brokers

10-8-1: DEFINITIONS:

a. Banker is hereby defined to mean any person who is a director or officer of a business, whether a bank, savings and loan association or other business, which has money employed in the business of dealing in coin, notes or bills of exchange, or in the business of dealing in or buying or selling any kind of bills of exchange, checks, drafts, bank notes, promissory notes, bonds, or other writing obligatory, or stocks of any kind or description whatsoever, or receiving money on deposit. Bankers subjected to the requirements of this Article shall be those persons who engage fifty percent (50%) of their normal working time in such a business located within the municipality.

b. Broker is hereby defined to mean any person other than an employee of the principal for whom the business is done, that negotiates, buys, sells, trades, leases, or handles for another, on a commission basis, or on the basis of compensation in proportion to the amount of the transaction, any stocks, bonds, mortgages, loans, investment securities, certificates or indebtedness, foreign exchange, letters of credit, transportation tickets, grain, provisions, produced, livestock, goods, wares, merchandise or any other commodity, article or property, except insurance and real property, whether similar or dissimilar to those herein mentioned, or acts through the medium of another licensed broker in the capacity and for any of the purposes aforesaid. This Article does not apply to real estate or insurance brokers.

10-8-2: LICENSE REQUIRED: It shall be unlawful for any person to engage in the business of, or to act with the capacity of a banker or broker, without first having obtained a license to do so.

10-8-3: REGULATIONS PERTAINING TO BANKERS: In the event any officer or director of a bank violates the terms of any final order of a court of competent jurisdiction, entered in a

proceeding brought by the Commissioner of Banks and Trust Companies, pursuant to Subsection 8 of Section 148 of the Illinois Banking Act (Chapter 16-1/2, 101-102), his name shall be stricken from the license of the municipality hereunder, and he may not engage in banking with the municipality. Upon receipt of notice that a person whose name has been stricken, as provided above, has complied with all provisions of this section, the Clerk shall restore his name to the license without further payment of fees.

10-8-4: EMPLOYEES ACTING AS BROKERS: Any person employed by a person licensed as a broker under the provisions of this Article who shall himself, on his own account and not as such employee, carry out the activities of a broker as defined herein, shall be amenable to all the provisions of this Article, notwithstanding the fact of such employment, and shall be required to obtain a broker's license.

10-8-5: UNLAWFUL ACTS OF BROKERS: It shall be unlawful for any licensee hereunder to practice fraud or deception of any kind or sort; to make false pretenses of any kind; or to represent both parties to a transaction without the knowledge of both parties. A violation of this section shall constitute grounds for revocation of the license granted herein, as provided in Section 10-1-14 of this Code.

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BUSINESS
BUILDING LICENSING AND REGULATION

ARTICLE 9. BUILDING CONTRACTORS

SECTION

10-9-1: DEFINITION: The term Building Contractor, when used in this Article, shall mean any person engaged in the business of or acting as a masonry contractor, demolition contractor, roofing contractor, heating contractor, heating, air-conditioning or refrigeration contractor, steam fitting contractor, house-raising or shoring contractor, or razing, shearing or moving contractor; provided that this Code shall not be construed as requiring a license for the operation of the business of plumbing contractor, the business of general contractor, or the business of electrical contractor by a person who has registered as such pursuant to the provisions or regulations relating to electrical contractors.

10-9-2: LICENSE REQUIRED: No person shall engage in the business of building contractor without first having obtained a license therefor.

An application for a building contractor's license shall be made in conformity with the general requirements of this Code relating to applications for licenses. The application shall also set forth the number of individual employees of the applicant which will be operating under such license, the type of contracting activity for which a license is requested, and a statement that the applicant agrees to comply with the Article, and all other provisions of this Code relating to or regulating the activities engaged in by said applicant.

10-9-3: DUTIES OF LICENSEE: It shall be the absolute and irrevocable responsibility of all building contractors licensed hereunder to secure the appropriate and necessary building permits required by this Code before undertaking to construct, alter, repair, add to, subtract from, improve, move, wreck or demolish the whole or any part of any building, structure or sidewalk or street pavements. It shall also be the duty of all

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building contractors licensed hereunder to comply with all the provisions of this Code relating to or regulating their activities as building contractors, and in addition thereto, to remove or cause to be removed at least once each week from the site of said building contractor's activities all trash, refuse and waste materials. Building contractors shall, at all times, keep the site of activities in an orderly condition, free from standing water, unguarded dangerous implements, and health and safety hazards. Building contractors shall not obstruct traffic, streets, or sidewalks nor permit dirt or waste materials from falling or being carried onto such public ways.

10-9-4 : INSPECTION: The provisions of this Article are declared to be of a regulatory nature, and it shall at all times be the duty of all municipal officials charged with the enforcement of this Code regularly to inspect the site of the building contractor's activities and to investigate whether persons engaged as building contractors are properly licensed, and that their activities are being conducted and operated in accordance with the provisions of this Code applicable hereto.

10-9-5: BOND REQUIRED All building contractors shall give bond to the municipality in the penal sum of Ten Thousand Dollars (\$10,000.00), with surety to be approved by the Village President, conditioned to keep and save harmless the municipality from any and all damage that may result to pavements, sidewalks, or other public property of the municipality resulting from the use of its streets in connection with such business, and further, to save and keep harmless the municipality from damages to persons or property arising from suits or claims resulting from obstructions or materials deposited or dropped upon the streets or other public places in the municipality by such building contractor.

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ARTICLE 10. CARTERS, EXPRESSMEN AND STORAGE OF CARTING AND EXPRESS VEHICLES AND TRAILERS

SECTION

- 10-10-1: Definition
- 10-10-2: License Required
- 10-10-3: Application
- 10-10-4: Emblem
- 10-10-5: Safe Vehicles

10-10-1: DEFINITION: Every express wagon, cart, truck, dray, wagon, automobile, autocar, auto truck, or other vehicle of any kind, either drawn by animals or self-propelled, which shall be operated, driven, or employed for the purpose of transporting or conveying bundles, parcels, furniture, trunks, baggage, goods, wares, merchandise, produce, or other articles within the municipality for hire or reward, shall be deemed a cart within the meaning of this Chapter, whether such vehicle is employed or hired from any public stand, public way, barn, garage, office, or other place in the municipality by the day, week, month, or year, but excluding any cart engaged in interstate commerce.

10-10-2: LICENSE REQUIRED: It shall be unlawful for any person to engage in the business of a carter without first having a license.

10-10-3: APPLICATION: An application shall be made in conformity with the general requirements of this Chapter relating to applications for licenses, and such application shall include a statement of the number of vehicles, with such details of description and on such forms as may be required by the Clerk.

10-10-4: EMBLEM: The Clerk shall deliver to each carter, upon payment of the license tax herein imposed, a license emblem which shall bear the word "Carter" and the numerals designating the year for which such license tax has been paid. It shall be the duty of the carter to affix the license emblem in a conspicuous place on the vehicle. It shall be unlawful for any person to drive a cart which does not bear such license emblem.

10-10-5: SAFE VEHICLES: Every vehicle operated by a licensee under this Article shall be maintained in a safe and sanitary condition. No such vehicle shall be loaded beyond the manufacturer's recommended maximum load.

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ARTICLE 11. CIGARETTE - TOBACCO DEALERS AND CIGARETTE VENDING MACHINES

SECTION

- 10-11-1: Definitions
- 10-11-2: Tobacco License Required
- 10-11-3: Application and Investigation
- 10-11-4: Sanitary and Health Requirements
- 10-11-5: Prohibited Acts
- 10-11-6: Purchase and Possession by Certain Persons Prohibited
- 10-11-7: Vending Machines
- 10-11-8: Penalty

10-11-1: DEFINITIONS: For the purposes of this Article, the following words and phrases shall have the meanings ascribed to them herein:

Adult-only facility means a facility or restricted area (whether open-air or enclosed) where the operator ensures or has a reasonable basis to believe (such as by checking identification as required under State law, or by checking the identification of any person to be appearing to be under the age of 30) that no person under legal age is present. A facility or restricted area need not be permanently restricted to persons under 21 years of age to constitute an adult-only facility, provided that the operator ensures or has a reasonable basis to believe that no person under 21 years of age is present during the event or time period in question.

Age restricted area means a signed designated area in a retail establishment to which persons under 21 years of age are not permitted access unless accompanied by a parent or legal guardian.

Alternative nicotine product means a product or device not consisting of or containing tobacco that provides for the ingestion into the body of nicotine, whether by chewing, smoking, absorbing, dissolving, inhaling, snorting, sniffing, or by any other means. Alternative nicotine product does not include: cigarettes as defined in Section 1 of the Cigarette Tax Act and tobacco products as defined in Section 10-5 of the Tobacco Products Tax Act of 1995; tobacco product and electronic cigarette as defined in this Section; or any product approved by the United States Food and Drug Administration for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and is being marketed and sold solely for that approved purpose.

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Electronic cigarette means: (a) any device that employs a battery or other mechanism to heat a solution or substance to produce a vapor or aerosol intended for inhalation; (b) any cartridge or container of a solution or substance intended to be used with or in the device or to refill the device; or (c) any solution or substance, whether or not it contains nicotine intended for use in the device. Electronic cigarette includes, but is not limited to, any electronic nicotine delivery system, electronic cigar, electronic cigarillo, electronic pipe, electronic hookah, vape pen, or similar product or device, and any components or parts that can be used to build the product or device. Electronic cigarette does not include: cigarettes as defined in Section 1 of the Cigarette Tax Act and tobacco products as defined in Section 10-5 of the Tobacco Products Tax Act of 1995; tobacco product and alternative nicotine product as defined in this Section; any product approved by the United States Food and Drug Administration for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and is being marketed and sold solely for that approved purpose; any asthma inhaler prescribed by a physician for that condition and is being marketed and sold solely for that approved purpose; or any therapeutic product approved for use under the Compassionate Use of Medical Cannabis Pilot Program Act.

Line of sight means visible to a cashier or other employee.

Lunch wagon means a mobile vehicle designed and constructed to transport food and from which food is sold to the general public.

Nicotine means any form of the chemical nicotine, including any salt or complex, regardless of whether the chemical is naturally or synthetically derived.

Operator means any person, firm, corporation, partnership, or association who establishes for operation by another, or leases or distributes for the purpose of operation for another, any device or machine for the vending of tobacco products, electronic cigarettes, alternative nicotine products, tobacco accessories or smoking herbs whether or not such establishment for operation, leasing or distribution be for a fixed charge or rental, or on the basis of the division of the income obtained from said machine.

Owner means an operator who acquired possession and control of a vending machine purchase, lease or otherwise.

Smokeless tobacco means any tobacco products that are suitable for dipping or chewing.

Smoking herbs means all substances of plant origin and their derivatives, including but not limited to broom, calea, California poppy, damiana, hops, ginseng, lobelia, jimson weed and other members of the Datur genus, passion flower and wild lettuce, which are processed or sold primarily for use as smoking materials.

Tobacco accessories means cigarette papers, pipes, holders of smoking materials of all types, cigarette rolling machines, and other items, designed primarily for the smoking or ingestion of tobacco products or of substances made illegal under any statute or of substances whole sale, gift, barter, or exchange is made unlawful hereunder.

Tobacco and electronic cigarette dealer means any person, at wholesale or retail, selling, offering for sale, furnishing or offering to furnish, tobacco products, electronic cigarettes, or smoking herbs. Tobacco Dealers include operators of vending machines.

Tobacco and electronic cigarette specialty dealer means any person, at wholesale or retail, selling, offering for sale, furnishing or offering to furnish, tobacco products, electronic cigarettes, or smoking herbs where such business is the main business being conducted at a specific premises. For example, a gasoline services station, convenience store, or grocery store would not be included within this definition.

Tobacco Dealer means an person, at wholesale or retail, selling, offering for sale, furnishing or offering to furnish, tobacco products, electronic cigarettes, alternative nicotine products, tobacco accessories or smoking herbs. Tobacco Dealers include operators of vending machines.

Tobacco product means any product containing or made from tobacco that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, including, but not limited to, cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, snuff, snus, and any other smokeless tobacco product which contains tobacco that is finely cut, ground, powdered, or leaf and intended to be placed in the oral cavity. Tobacco product includes any component, part, or accessory of a tobacco product, whether or not sold separately. Tobacco product does not include: an electronic cigarette and alternative nicotine product as defined in this section; or any product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and is being marketed and sold solely for that approved purpose.

10-11-2: TOBACCO LICENSE REQUIRED:

- (a) No person shall engage in the business of tobacco and electronic cigarette dealer in the Village without first having obtained a tobacco license. The annual fee for a tobacco license shall be \$200.

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- (b) No person shall engage in the business of or tobacco and electronic cigarette specialty dealer without first having obtained a license therefor. The annual fee for a tobacco and electronic cigarette specialty dealer license shall be \$250. The maximum number of tobacco and electronic cigarette specialty dealer licenses that the Village is allowed to issue for tobacco and electronic cigarette specialty dealers is five (5).
- (c) The Mayor is authorized to promulgate rules and regulations requiring mandatory education of all persons holding a license. Licenses may be revoked by the Mayor for violations of the Municipal Code of Bridgeview or such rules and regulations promulgated by the Mayor.

10-11-3: APPLICATION AND INVESTIGATION: The application for a tobacco dealer license shall be filed by the applicant with the Clerk stating the name and address of the applicant, the name and address of any member, officer, director or manager of such firm, corporation, partnership or association, or any stockholder owning or having more than five percent (5%) interest therein, the name and address of the proposed location or business or the locations in which the vending machine will be located, the name of the maker of such vending machine and factory number thereof (as applicable), and proof of legal right to possess, or place the vending machine in, the business premises. The original application shall be referred to the Police Department of investigation and verification of the facts stated therein and the business methods of the applicant. The Police Department shall return the application to the Clerk with its approval unless there are grounds for denial, in which case the application shall be returned to the clerk explaining why its approval was withheld. Reasons for withholding approval shall be: (a) applicant was convicted of a criminal offense, or excise tax; (b) applicant has employed coercive or illegal measures in past business practices; or (c) disqualification under the provisions of this article. If the owner is a firm, corporation, partnership or association, the application shall be approved unless the Police Department finds that a member, officer, director or manager of such firm, corporation, partnership or association, or any stockholder owning more than five percent (5%) interest therein would be ineligible if he were the sole owner.

10-11-4: SANITARY AND HEALTH REQUIREMENTS: It shall be the duty of all persons licensed hereunder, upon the demand of the Health Officer, to furnish for inspection samples of all tobacco products, electronic cigarettes, alternative nicotine products, tobacco accessories and smoking herbs in any form sold or offered for sale by them, and it shall be the duty of such persons to keep their premises and buildings in a clean and sanitary condition. The Health Officer shall inspect and examine, or cause to be inspected and examined, as often as is deemed necessary, all places where tobacco products, electronic cigarettes, alternative nicotine products, tobacco accessories and smoking herbs in any form are licensed to be sold at retail with the Village, and to determine whether all applicable laws of the state and provisions of the Municipal Code of Bridgeview are being complied with.

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10-11-5: PROHIBITED ACTS:

- a. No person shall sell or offer for sale, at retail, to give away, deliver or to keep with the intention of selling at retail, giving away or delivering tobacco products, electronic cigarettes, alternative nicotine products, tobacco accessories or smoking herbs within the village without having first obtained a tobacco dealer's license.
- b. No person, including any tobacco dealer, shall sell, offer for sale, give away or deliver any tobacco product, electronic cigarette, alternative nicotine product, tobacco accessory or smoking herb to any person under the age of 21 years.
- c. No tobacco dealer or any officer, associate, member, representative, agent or employee of such licensee under 16 years of age may sell any tobacco product, electronic cigarette, alternative nicotine product, tobacco accessory or smoking herb in a licensed premises. This subsection does not apply to a sales clerk in a family-owned business which can prove that the sales clerk is in fact a son or daughter of the owner.
- d. Before selling, offering for sale, giving, or furnishing a tobacco product, electronic cigarette, alternative nicotine product, tobacco accessory or smoking herb to another person, the person selling, offering for sale, giving, or furnishing the tobacco product, electronic cigarette, alternative nicotine product, smoking accessory or smoking herb shall verify that the person is at least 21 years of age by examining from any person that appears to be under 30 years of age a government-issued photographic identification that establishes the person to be 21 years of age or older.
- e. The sale or distribution by any person of a tobacco product, including but not limited to a single or loose cigarette, that is not contained within a sealed container, pack, or package as provided by the manufacturer, which container, pack, or package bears the health warning required by federal law, is prohibited.
- f. All single packs of tobacco products, electronic cigarettes, alternative nicotine products, tobacco accessories and smoking herbs must be sold from behind the counter or in an age restricted area or in a sealed display case. Any other tobacco products must be sold in line of sight. The restrictions described in this subsection do not apply to a retail tobacco store that (1) derives at least ninety percent (90%) of its revenue from tobacco and tobacco related products; (2) does not permit persons under the age of 21 to enter the premises unless accompanied by a parent or legal guardian; and (3) posts a sign on the main entrance way stating that persons under the legal age of 21 are prohibited from entering unless accompanied by a parent or legal guardian. This subsection does not prohibit the sale of tobacco products, electronic cigarettes, alternative nicotine products, tobacco accessories and smoking herbs from vending machines if the location of the vending machines are otherwise in compliance with the provision of this article.

g. No person shall sell, offer for sale, give away or deliver any tobacco product or alternative nicotine product within 100 feet of any school, child care facility or other building used for education or recreational programs for persons under 18 years of age.

h. No person shall distribute without charge samples of any tobacco product, electronic cigarette, alternative nicotine product, tobacco accessory or smoking herbs to any other person, regardless of age. This subsection does not apply to the distribution of a tobacco product, electronic cigarette, alternative nicotine product, tobacco accessory or smoking herb sample in any adult-only facility.

i. No person, including shall sell, offer for sale, give away or deliver any tobacco product, electronic cigarette, alternative nicotine product, tobacco accessory or smoking herb without posting at or near every display of such products, or upon every vending machine which offers those products for sale, a sign stating the following:

THE SALE OF TOBACCO PRODUCTS, ELECTRONIC CIGARETTES, ALTERNATIVE NICOTINE PRODUCTS, TOBACCO ACCESSORIES, AND SMOKING HERBS TO PERSONS UNDER 21 YEARS OF AGE OR THE MISREPRESENTATION OF AGE TO PROCURE SUCH A SALE IS PROHIBITED BY LAW.

The text of such signs shall be in red letters on a white background; the letters to be at least one inch high. Such signs shall be posted in a conspicuous place upon the premises or vending machine as the case may be.

10-11-6: PURCHASE AND POSSESSION BY CERTAIN PERSONS PROHIBITED:

Unless otherwise expressly permitted by State law, no person under 21 years of age shall buy, purchase, or possess any tobacco product, electronic cigarette, alternative nicotine product, tobacco accessory or smoking herb.

10-11-7: VENDING MACHINES:

No tobacco product, electronic cigarette, alternative nicotine product, tobacco accessory or smoking herb may be sold through a vending machine except if such tobacco product, electronic cigarette, alternative nicotine product, tobacco accessory or smoking herb is not place together with any non-tobacco product, other than matches, and only if the vending machine is in any of the following locations: (a) places to which persons under 21 years of age are not permitted access to at any time; or (b) places where alcoholic beverages are sold and consumed on the premises and vending machine operation is under the direct supervision of the owner or manager

10-11-8: PENALTY:

Any person found to be in violation of this article shall be fined not less than \$750.00 nor more than \$2,500.00 for each offense. Each violation of this article, or day said violation is permitted to continue, shall constitute a separate offense.

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ARTICLE 12. COLD STORAGE ESTABLISHMENTS

SECTION

- 10-12-1: Definitions
- 10-12-2: License Required
- 10-12-3: Inspection
- 10-12-4: Marking Dates of Receipt and Delivery
- 10-12-5: Storage Time Limit
- 10-12-6: Extension of Time Limit
- 10-12-7: Transfers to Another Warehouse
- 10-12-8: Return of Food to Cold Storage

10-12-1: DEFINITIONS

a. The term food is hereby defined to mean any article used for food by man or animal, and every ingredient of such article, except nuts, fruits, cheese and vegetables, cured meats, meats in process of curing, and cooked animal fats which have been placed in storage under the supervision of the federal government.

b. The term cold storage is hereby defined to mean the storage of such articles of food in cold storage or refrigeration warehouses or cold storage houses or rooms of any kind or nature, whether the same are public warehouses or not.

c. The terms cold storage or refrigerating warehouse or cold storage house are hereby defined to mean a house or room used for the storage or preservation of food for a period of thirty (30) days or more in which ice, refrigerating machinery or other artificial means of cooling are used.

10-12-2: LICENSE REQUIRED: No person, firm or corporation shall operate, conduct or manage a cold storage establishment without first having obtained a license therefor.

10-12-3: INSPECTION: The Health Officer is hereby vested with full power and authority to inspect and supervise all places in the municipality now used or hereafter to be used for cold storage or refrigeration purposes. It shall be the duty of the Health Officer to make such inspection not less frequently than once in every three (3) months. The Health Officer and all duly authorized inspectors and agents of the Health Officer shall be permitted access to such place or places, and all parts thereof, at all times for the purpose of seeing that said place or places are kept and maintained in a clean and sanitary manner, and for the

purpose of determining whether or not the provisions of this Code relating to food stuffs are being complied with.

10-12-4: MARKING DATES OF RECEIPT AND DELIVERY: It shall be unlawful for any person engaged in the business of cold storage warehousing or in the business of refrigeration, or in any business in which articles of food as defined herein are kept in cold storage for any purpose whatsoever, to receive any kind of food for cold storage unless the said food is in a pure and wholesome condition, and the food or package containing same is branded, stamped, or marked in some conspicuous place with the day, month, and year when the same is received in storage or refrigeration, or to permit any such article of food in his possession to be taken from his possession without first having plainly printed, branded, stamped, marked or written in a conspicuous place upon each and every such article, parcel or package containing the same, the day, month and year when said foodstuff, article, or package was removed from cold storage or refrigeration, as well as the day, month and year when same was received in cold storage or refrigeration.

10-12-5: STORAGE TIME LIMIT: It shall be unlawful for any person engaged in the business of cold storage warehousing or refrigeration, or in any business in which articles of food are kept in cold storage for any purpose whatsoever, to keep in storage, for preservation or otherwise, any kind of food or any article or articles used for food a period longer than twelve (12) calendar months.

10-12-6: EXTENSION OF TIME LIMIT: It shall be unlawful for any person to sell, offer for sale, or give away within the municipality any food which has been kept in cold storage for a period of time longer than that provided for herein, except with the consent of the Health Officer as hereinafter provided.

The Health Officer may, upon application or upon making the inspection herein provided for, extend the period of storage beyond the time herein prescribed, for any particular lot of goods, if the said goods in question are found, upon inspection and examination by the department, to be in proper condition for human food, such extension to be until such time not exceeding ninety (90) days, as the Health Officer shall consider proper, considering the condition of the food at the time such extension is made. The length of time that such further storage may be allowed shall be specified in the order granting such extension.

A report on each case in which such extension of time is granted, including all information relating to the reasons for the action of the Health Officer, the kind and amount of goods for which the storage period was extended, the length of time for which the extension was granted, shall be included in a monthly report by the Health Officer to the Village President.

10-12-7: TRANSFERS TO ANOTHER WAREHOUSE: The transfer of any food from one cold storage refrigeration warehouse or cold storage house to another for the purpose of evading any provision of this Article is hereby prohibited.

10-12-8: RETURN OF FCOD TO COLD STORAGE: When food has been in cold storage or refrigeration and is released therefrom for the purpose of placing the same on the market for sale, or for any other purpose, it shall be unlawful to again place such food in cold storage refrigeration unless said food remains in its original package and is not removed from the premises.

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ARTICLE 14. CLEANING AND DYEING ESTABLISHMENTS AND AUTOMATIC COIN OPERATED DRY CLEANING ESTABLISHMENTS

SECTION

- 10-14-1: Definitions
- 10-14-2: License Required
- 10-14-3: Application
- 10-14-4: Building and Equipment Requirements
- 10-14-5: Location of Establishment
- 10-14-6: Other Use of Premises
- 10-14-7: Separation of Cleaned and Uncleaned Articles
- 10-14-8: Self-Service Coin Operated Dry Cleaning Establishments

10-14-1: DEFINITIONS:

a. Dry Cleaner or Dyer or person engaged in the business of dry cleaning or dyeing is hereby defined to mean any person keeping or using more than two (2) quarts of any solvent other than water, including, but not by way of limitation, solvents of the petroleum distillate type, coal tar distillate type or chlorinated hydrocarbon type, for the purpose of cleaning, dyeing or renovating wearing apparel, fabrics, textiles, drapes, curtains, rugs, blankets, furs, leather, or other material, for profit or reward, including such establishments operating on a self-service, coin-operated basis.

b. Spotter or person engaged in the business of spotting is hereby defined to mean any person keeping or using two (2) quarts or less of any solvent other than water, including, but not by way of limitation, solvents of the petroleum distillate type, coal tar distillate type or chlorinated hydrocarbon type, for the purpose of cleaning or renovating wearing apparel, fabrics, textiles, drapes, curtains, rugs, blankets, furs, leather or other material, for profit or reward.

10-14-2: LICENSE REQUIRED: It shall be unlawful for any person to engage in the business of dry cleaning, dyeing or spotting without first obtaining a license for each dry cleaning, dyeing or spotting establishment to be conducted by such person.

10-14-3: APPLICATION: An application for said license shall be made in conformance with the general requirements of this Code relating to applications for licenses. A separate application shall be made for each dry cleaning or spotting establishment engaged in by the applicant wherever located within the municipality.

At the time of filing such application, the applicant shall also file an affidavit specifying the type of cleaning solvent to be used, and stating that no cleaning solvent other than that specified in the affidavit will be employed. If, at any time subsequent to the filing of the application and affidavit, the applicant desires to change the type of solvent specified in the affidavit, he may do so only upon the filing of an amendment to his application and affidavit describing the proposed change; provided, however, that compliance is made with all ordinances relating to the use of such solvent.

Every such applicant shall be approved by the Building Commissioner and the Fire Department as to compliance of the premises named therein with the building provisions and fire regulations of this Code, respectively, before a license shall be issued.

10-14-4: BUILDING AND EQUIPMENT REQUIREMENTS: Every new building constructed for the purpose of dry cleaning shall be built and equipped as required by the building provisions of this Code.

Every dry cleaning establishment shall be equipped with an asbestos blanket of a size not less than six (6) feet by nine (9) feet. Said blanket shall be placed inside the dry cleaning rooms near the door thereof and in such position that it shall be accessible for use in case of fire.

10-14-5: LOCATION OF ESTABLISHMENT: No such dry cleaning or dyeing establishment in which a flammable solvent having a flash point below one hundred forty degrees (140°) Fahrenheit (sixty degrees (60°) Celsius (closed cup tester) is used, and shall be located on any lot or plot of ground within one hundred (100) feet of the nearest boundary of any lot or plot of ground used for a school, church, hospital or theater.

10-14-6: OTHER USE OF PREMISES: It shall be unlawful for any person to conduct or operate the business of dry cleaning in which a flammable solvent having a flash point below one hundred forty degrees (140°) Fahrenheit (sixty degrees (60°) Celsius) (closed cup tester) is used in any building, any portion of which is used or intended to be used for other than dry cleaning or dyeing purposes unless, such premises are divided by a fire wall.

10-14-7: SEPARATION OF CLEANED AND UNCLEARED ARTICLES: Every person engaged in the business of dry cleaning or spotting shall provide proper facilities and equipment for the separate handling of cleaned and soiled articles, and no clean article shall be allowed to come in contact with any uncleaned or soiled article of any kind at any time.

10-14-8: SELF-SERVICE COIN-OPERATED DRY CLEANING ESTABLISHMENTS:

a. There shall be present in every self-service coin-operated establishment of this type an attendant during all operational hours of the establishment. The attendant shall not permit any person under the age of fifteen (15) years to operate any such machine.

b. Any person operating a dry-cleaning establishment of the coin-operated, self-service type shall be required to submit to the Building Commissioner for his approval a complete set of plans and specifications of the building in which any such dry-cleaning establishment is to be located, and also a complete diagram of the floor plan of each room to be occupied by such dry-cleaning establishment to be installed therein. Each such plan shall be explicit and complete.

CHAPTER 10

BUSINESS LICENSING AND REGULATION

ARTICLE 15. ELECTRICAL CONTRACTORS.

SECTION

- 10-15-1: Electrical Contractor Defined
- 10-15-2: Registration Required
- 10-15-3: Application and Issuance of Certificate
- 10-15-4: Expiration of Certificate

10-15-1: ELECTRICAL CONTRACTOR DEFINED: The term electrical contractor as used in this Article shall mean any person engaged in the business of installing or altering by contract electrical equipment for the utilization of electricity supplied for light, heat, or power, not including radio apparatus or equipment for wireless reception of sounds and signals, conductors, and other equipment installed for or by public utilities, including common carriers which are under the jurisdiction of the Illinois Commerce Commission, for use in their operation as public utilities; but the term electrical contractor does not include employees employed by such contractor to do or supervise such work.

10-15-2: REGISTRATION REQUIRED: It shall be unlawful for any person to engage in the business of electrical contractor, as herein defined, without being registered as an electrical contractor in the manner hereinafter set forth; provided, however, that if such person is already registered for the current year in another city or village within the State of Illinois, in conformity with the state statutes, such electrical contractor shall not be required to pay a registration fee in this municipality.

10-15-3: APPLICATION AND ISSUANCE OF CERTIFICATE: Any person desiring to engage in the business of electrical contractor shall apply for registration to the Clerk. Upon the filing of such application in proper form, and payment of the registration fee, the Clerk shall register the applicant as an electrical contractor, and shall issue to the applicant a certificate of registration which will authorize the applicant to engage in such business for the year in which it is issued.

10-15-4: EXPIRATION OF CERTIFICATE. The certificate of registration shall expire on the 31st day of December of the year in which it is issued. A certificate of registration shall not be transferable.

CHAPTER 10

BUSINESS LICENSING AND REGULATION

ARTICLE 16. EXPLOSIVE STORAGE AND HANDLING

SECTION

- 10-16-1: License Required
- 10-16-2: Application
- 10-16-3: Bond Required
- 10-16-4: Certificate of Fitness
- 10-16-5: Inspection
- 10-16-6: Sales to Other Than Licensees
- 10-16-7: Weekly Report of Sales
- 10-16-8: Transportation of Explosives on Public Ways
- 10-16-9: Explosives in Public Conveyances
- 10-16-10: Transportation to or from Railroad Cars
- 10-16-11: Labeling of Packages
- 10-16-12: Explosive Cartridges
- 10-16-13: Magazines
- 10-16-14: Thawing of Explosives
- 10-16-15: Supervision of Magazines
- 10-16-16: Permit for Blasting
- 10-16-17: Blasting Operations
- 10-16-18: Storage of Explosives
- 10-16-19: Prohibited Explosives
- 10-16-20: Restrictions on Explosives
- 10-16-21: Manufacture of Explosives in Municipality
- 10-16-22: Sales to Minors
- 10-16-23: Seizure of Explosives Kept Unlawfully

10-16-1: LICENSE REQUIRED: No person shall engage in blasting operations or in any other activity using explosives, or shall have, keep, sell, use, or give away any black powder in excess of five (5) pounds, guncotton, blasting powder, giant powder, dynamite, nitroglycerine, fulminate of mercury, or any other explosives, or any substances, compound, mixture, or article having properties of such a character that alone, or in combination or contiguity with other substances or compounds, may decompose suddenly and generate sufficient heat, gas, or pressure, or all of them, to produce rapid flaming combustion or administer a destructive blow to persons or property; nor shall any person keep, sell, give away, offer for sale, or transport, any loaded paper shells, metallic shot, loaded cartridges, blank cartridges, percussion caps, primers, or detonators, nor keep or store flashlight powder in excess of five (5) pounds within the municipality except in the manner and upon the conditions hereinafter provided and without first obtaining a license therefor.

10-16-2: APPLICATION: A written application for a license under this Chapter shall be made to the Fire Chief and otherwise in conformity with the general requirements of this Code relating to applications for licenses. In addition, the applicant shall set forth the location at which it is desired or intended to keep such explosives, or any other substance mentioned in the preceding section, the maximum amount of such explosives, or any of them intended to be kept on hand at any one time at such place, and shall state whether such explosives are to be kept in bulk or in barrels, canisters, or other containers, and the number of loaded shells, loaded cartridges, blank cartridges, percussion caps, primers, or detonators, or the number of pounds of flashlight powder, intended to be kept on hand at any one time in such place. Any applicant engaging in blasting operations or in any other activity using explosives shall further state in his application the nature of the work to be performed, the site of the proposed work, the location of the magazine in which it is intended to keep such explosives, and the quantity and kind of explosives to be kept therein.

Upon receipt of such application, the Fire Chief shall make, or cause to be made, an investigation for the purpose of ascertaining whether the place at which it is desired or intended to keep, sell, offer for sale, use, or give away such explosives or other aforementioned substances is so situated that a license to keep such loaded paper shells, metallic shot, loaded cartridges, blank cartridges, percussion caps, primers, detonators, or flashlight powder in the quantity desired would not be so dangerous as to constitute a nuisance or be a menace to the safety of the public or of adjoining property, and also whether the conditions under which such explosives, cartridges, percussion caps, flashlight powder, or any of them, are to be kept or handled shall be such as to provide the maximum of safety.

10-16-3: BOND REQUIRED: Each applicant for a license under this Article shall furnish and file with the Fire Chief a bond with good and sufficient surety, conditioned for the payment of any loss, damage or injury resulting to persons or property by reason of the use, sale, or keeping of such explosives, and for the strict observance of the provisions of this Code relating to the explosives and substances referred to in Section 10-16-1. Said bond shall be subject to the approval of the Municipal Attorney, and shall be filed in the office of the Municipal Clerk. Said bonds shall be in amounts as follows:

For manufacturers, agents and all others who desire to bring to, or sell within, the corporate limits of the municipality such explosives as are designated in Section 10-16-1, a bond in the penal sum of Ten Thousand Dollars (\$10,000.00), and in case of delivery being made by vehicles, an additional sum of Ten Thousand Dollars (\$10,000.00), for each and every vehicle in excess of one (1) vehicle engaged within the municipality in the delivery of such

explosives; provided, however, no bond shall be required from any person receiving a license for the sole purpose of keeping, selling, or giving away, within the municipality, loaded paper shells, metallic shot, loaded cartridges, or blank cartridges designed or intended to be used in shotguns, pistols, rifles, or firearms, where the total amount of such loaded paper shells, metallic shot, loaded cartridges, or blank cartridges does not exceed twenty five thousand (25,000).

For all contractors or others now engaged in, or purporting hereafter to engage in, any activity involving explosives or blasting operations, a bond in one of the following classes shall be required:

a. For the right to use or have on hand in any one (1) day explosives not exceeding fifty (50) pounds, a bond in the sum of Ten Thousand Dollars (\$10,000.00).

b. For the right to use or have on hand in any one (1) day explosives in excess of fifty (50) pounds but not exceeding one hundred (100) pounds, a bond in the sum of Fifteen Thousand Dollars (\$15,000.00).

c. For the right to use or have on hand in any one (1) day explosives in excess of one hundred (100) pounds but not exceeding two hundred (200) pounds, a bond in the sum of Twenty Thousand Dollars (\$20,000.00).

d. For the right to use or have on hand in any one (1) day explosives in excess of two hundred (200) pounds but not exceeding four hundred (400) pounds, a bond in the sum of Twenty Five Thousand Dollars (\$25,000.00).

e. For the right to use or have on hand in any one (1) day explosives in excess of four hundred (400) pounds a bond in the sum of Fifty Thousand Dollars (\$50,000.00); provided, however, that where the material used or kept on hand in any one (1) day shall consist only of nitrocellulose wet down with alcohol and scrap film used in the manufacture of imitation leather, the amount of the bond shall be Twenty Five thousand Dollars (\$25,000.00).

Provided, however, that in lieu of any such bond or bonds, the licensee may furnish the municipality, subject to the approval of the Municipal Attorney, public liability and property damage insurance coverage in like amount, by a policy of insurance issued therefor running to the municipality, or by a rider attached to any existing policy running to the municipality, conditioned upon the payment of any loss, damage or injury resulting to persons or property by reason of the use, keeping, sale or transporting of such explosives, a certified copy of such policy of insurance or such rider to be furnished to the Municipal Clerk.

10-16-4: CERTIFICATE OF FITNESS: Before any operation shall begin under a license for the transportation of any explosives, or for the use of explosives in any manner, or for blasting, the licensee shall file with the Fire Chief, in writing, the name of the person or persons designated by him to handle said explosives or to load holes or discharge explosives, to prepare charges and load the holes, to transport by vehicle or otherwise, or to have the care of magazines.

Any such person, before being permitted to exercise any of such functions, shall file a written application with the Fire Chief for a Certificate of Fitness, and before the issuance of any such certificate, the said Fire Chief shall examine such applicant as to his qualifications to file such position or positions, under the conditions herein prescribed. No person shall be permitted to have the actual care and handling of such explosives without first having obtained a Certificate of Fitness as herein provided. Such Certificate of Fitness shall be subject to inspection by any member of the Fire or Police Department at all times. The annual fee for such Certificate of Fitness shall be Fifteen Dollars (\$15.00), to be paid to the Municipal Clerk.

To receive a Certificate of Fitness, the person must:

- a. be at least twenty-one (21) years of age;
- b. be able to understand and speak the English language;
- c. be of temperate habits;
- d. have letters of recommendation from his last two (2) employers (if any), and, if he has not been in the service of his last employer for at least three (3) years, a letter testifying to his good character and capacity from his last employer;
- e. be familiar with the laws and provisions of this Code governing the transportation, storage, and use of explosives, particularly that part relating to the service to be performed by the applicant; and
- f. be familiar with the risks incident to the service to be performed by him, and capable of taking all necessary precautions.

Nothing herein contained shall prevent a licensee from applying for and obtaining a Certificate of Fitness if entitled to the same under the provisions of this section. The actual work done must at all times be conducted by a person holding a Certificate of Fitness.

10-16-5: INSPECTION: The Fire Chief shall appoint an inspector whose duty it shall be to make frequent inspection of all premises and work of all licensees. Said inspection shall include detailed and exact examination of the manner in which licensees are complying with the provisions of this Article, and whether all due and reasonable precautions to avoid accidents are being taken, and shall include a verification that all employees who are performing work for which a Certificate of Fitness is required are in possession of such certificate. The inspector shall make a report in writing to the Fire Chief at the close of each day's inspection, stating conditions observed, and such reports shall be kept on file by said Fire Chief.

10-16-6: SALES TO OTHER THAN LICENSEES. It shall be unlawful for any person, or his agent or employee, to sell, offer for sale, or give to any person for purposes of sale any of the substances or explosives mentioned in Section 10-16-1, unless such person receiving such substances shall have procured and be in possession of a license as required by this Article; provided, however, that the provisions of this section shall not apply to flashlight powder or black powder where the amount involved is less than five (5) pounds.

10-16-7: WEEKLY REPORT OF SALES: Any person selling, offering for sale or giving away any of the aforementioned substances or explosives to any person within the municipality shall file a weekly statement of such sales or deliveries to the Fire Chief. Such statement shall be verified as to its correctness by an affidavit and shall specify the deliveries for the preceding week for use within the municipality and in detail as follows:

- a. date of delivery;
- b. name of buyer;
- c. point of delivery; and
- d. number of pounds, and name, character, kind and strength of explosives.

Such statements shall be on forms provided by the Fire Chief or the Bureau of Fire Prevention, and must be delivered by mail or messenger not later than the second business day in each week.

10-16-8: TRANSPORTATION OF EXPLOSIVES ON PUBLIC WAYS:

a. No explosives shall be transported in any vehicles through the public ways of the municipality unless such vehicle is in charge of two competent persons, each holding a Certificate of Fitness for such purpose. Said Certificate of Fitness shall be issued only to employees of a person duly licensed to transport or sell explosives in the municipality.

b. Any mechanically propelled vehicle used for the transportation of explosives shall be in good condition for service, and shall have an enclosed wooden body, completely fire protected on the outside. The motor, fuel tank, carburetor, electric wiring and exhaust shall be separate from the body of the vehicle. Internal combustion engines shall be separated not less than two (2) feet from the outer wall of the body in which explosives are to be carried. All such vehicles must be constructed and maintained in accordance with the specifications of and subject to the approval of the Fire Chief, who shall inspect or cause to be inspected all such vehicles at least once every six (6) months. Mechanically driven vehicles must be equipped with such a device or devices as will not permit a speed in excess of fifteen (15) miles per hour.

c. No metal tools or other pieces of metal shall be carried within a vehicle carrying explosives, except in a separate tool box.

d. No blasting caps or electric blasting caps or other combustible material shall be transported in the same vehicles with other explosives.

e. A vehicle carrying explosives shall be drawn by motive power amply able to draw the load, and it shall avoid stoppages other than to load and unload, and no unnecessary stops or stands shall be made.

f. Vehicles carrying explosives must not be left standing unless absolutely necessary, and then only when, in the case of mechanically drive vehicles, brakes are set and motors stopped.

g. No explosives shall be left in a vehicle unless such vehicle is in charge of an employee with a Certificate of Fitness, and no vehicle loaded with explosives shall be left unattended.

h. Every vehicle carrying more than five (5) pounds of explosive substances referred to in Section 10-16-1 shall display upon an erect pole at the front end of such vehicle, and at such height that it shall be visible from all directions, a red flag with the word "DANGER" printed, stamped or sewn thereon in which letters at least six (6) inches in height, or in lieu of such flag, the word "EXPLOSIVES" must be painted on or attached to the rear end and each side of such vehicle in letters at least four (4) inches in height.

i. A vehicle carrying explosives shall avoid, whenever possible, those public ways on which there are large numbers of persons.

j. No intoxicated person shall be permitted on a vehicle carrying explosives.

k. No smoking with ten (10) feet of a vehicle loaded with explosives shall be permitted.

l. No person shall carry or transport in or upon such vehicle any explosives in excess of two thousand (2,000) pounds.

m. No person in charge of a vehicle carrying explosives shall deliver them except in original and unbroken packages, nor at any place other than a duly authorized magazine and to the person in charge thereof.

n. Each vehicle shall carry an approved liquid chemical fire extinguisher thereon of not less than two and one-half (2-1/2) gallons capacity.

10-16-9: EXPLOSIVES IN PUBLIC CONVEYANCES: No person shall carry or transport on any public conveyance or on any railroad car running from point to point in the municipality, any black powder, guncotton, giant powder, dynamite, nitroglycerine, fulminate of mercury, or any other explosive.

10-16-10: TRANSPORTATION TO OR FROM RAILROAD CARS: No explosives shall be transported to a vessel lying at a pier, unless the explosives contained in the vessel making delivery are in charge of a duly certified employee of a person licensed to transport or sell explosives within the municipality. No explosives shall be landed at any pier in the municipality unless for immediate loading into wagons for distribution of consumers for use within forty eight (48) hours, and for which orders have been previously received, or for immediate transportation by railway to points beyond the municipality. Explosives received at railway stations within the municipality shall be promptly discharged and removed to such storage as the provisions of this Article prescribe. Explosives received at any railway or freight stations within the municipality for reshipment to points beyond the municipality shall be promptly transferred; provided, however, that no explosives received for shipment shall remain at any railway or freight station for a period exceeding forty eight (48) hours. Every railroad car containing explosives within the municipality must be placarded on sides and ends with standard explosive placards as prescribed by the Interstate Commerce Commission regulations for explosives and other dangerous articles.

10-16-11: LABELING OF PACKAGES: Each package containing an explosive must have the name and brand of the manufacturer marked thereon, and must be marked conspicuously as prescribed by the Interstate Commerce Commission for explosives and other dangerous articles.

10-16-12: EXPLOSIVE CARTRIDGES: All boxes in which explosive cartridges containing nitroglycerine are packed must be lined with a suitable material that is impervious to liquid nitroglycerine. Cardboard cartons closed at the bottom and made of strong and flexible material that is impervious to nitroglycerine may be used as a lining. At least one-quarter (1/4) inch of dry sawdust or wood pulp or similar material must be spread over the bottom of the box before inserting the cartridges, and all the vacant space in the top must be filled with this material. The cartridges must be so arranged in the boxes that when they are transported with the boxes top side up, all cartridges will be on their sides and never on their ends.

No explosive cartridge sold shall be larger than four (4) inches in diameter and eight (8) inches long. Packages of explosives shall not contain more than fifty (50) pounds.

10-16-13: MAGAZINES: No explosives shall be stored in any building other than a magazine.

Magazines for the storage of explosives shall be constructed as required under the building provisions of this Code for magazines of the first or second class as defined therein.

10-16-14: THAWING OF EXPLOSIVES: All thawing of frozen dynamite or other explosives by means of artificial heat from any source is prohibited within the municipality.

10-16-15: SUPERVISION OF MAGAZINES: All magazines shall at all times be in the care of a competent employee whose duty it shall be to see that no unauthorized person has access to them. Said employee shall have no other duty that will interfere with his careful supervision of such magazine or thaw house, and shall have a Certificate of Fitness as a magazine keeper.

All magazines shall be painted bright red, with the words "MAGAZINE - DANGER" painted thereon in white letters on a black background. Such letters shall be at least six (6) inches high.

Only persons who hold Certificates of Fitness, or other authorized persons, shall be permitted to have access to magazines, which shall be kept securely locked when not open for the introduction or removal of explosives or for inspection by duly authorized officers of the municipality.

10-16-16: PERMIT FOR BLASTING: Every person engaged in as principal, or connected with, any activity involving explosives or blasting operations, shall make an application to the Fire Chief for a permit to keep and use explosives, giving at the time, in writing, the name of the licensee, location of the office or place of business, occupation, proposed location of the magazine, together with plans and descriptions of the construction

of such magazine, the quantity and kind of explosives proposed to be kept therein, and the names of the employees required to have Certificates of Fitness.

If the proposed location of the magazine shall be satisfactory to the Fire Chief, he shall approve such application and transmit the same with his approval thereon to the Municipal Clerk, who shall, upon payment by such applicant of a permit fee as required by Section 10-1-20, issue to such applicant a permit to locate the magazine at the location given in such application.

It shall be unlawful for any licensee to move or cause to be moved any magazine, after having received a permit for the use of the same, until such licensee shall make a new application to the said Fire Chief for permission to so do, and shall have secured a permit for such purpose, and every application for such permit shall specify the place at which it is desired to locate the magazine proposed to be moved.

The Fire Chief shall recommend the revocation of any permit issued to blast rock or any other substance for non-compliance with any of the provisions of this section.

10-16-17: BLASTING OPERATIONS:

a. In blasting, it shall be unlawful to use a quantity of explosive exceeding in disruptive force the equivalent of pound in weight of forty percent (40%) dynamite for each two (2) feet depth of hold that is above or less than ten (10) feet below the curb; and the equivalent of one (1) pound in weight of sixty percent (60%) dynamite, for each two (2) feet depth of hold that is more than ten (10) feet below the curb.

b. Frozen or partly frozen explosives shall not be placed in drill holes. Frozen cartridges, if not capped, must be returned to the thawing apparatus to be thawed. The removal of a primer from a frozen cartridge is hereby prohibited.

c. In tamping drill holes, wooden rammers only shall be employed. Tamping by strokes is forbidden, and only directed application of pressure permitted.

d. Blasts, except as hereinafter provided, shall be fired in the application of some form of electrical current only. In blasting in stone quarries, it shall be permissible to fire blasts by the application of time fuses.

e. In case of an explosion not carrying away the entire drill hole, but leaving the lower part intact, it is prohibited to begin drilling from the bottom of the old drill hole.

f. In order to ensure the safety of surrounding property and persons, no larger charge shall be used than is necessary to properly start the object it is intended to wreck or blast, and excavating contiguous to any structure shall be so carried on as not to cause damage to such structure. Weak walls or other supports of such structure must be shored up. The blasting of decomposed or soft rock is hereby prohibited.

g. Before any blast shall be fired, except in tunnels, the rock to be blasted shall be covered on the top and sides with timber and covered with stout metal matting or some other equally serviceable material to prevent the debris from flying.

h. When necessary, competent men carrying red flags shall be placed at a reasonable distance from the blasts on all sides to give warning at least three (3) minutes in advance.

10-16-18: STORAGE OF EXPLOSIVES: Fixed ammunition stored above the ground floor in a building used for any other purpose shall be enclosed by wire netting, having no larger than one-quarter (1/4) inch mesh, supported by iron or heavy wooden uprights.

10-16-19: PROHIBITED EXPLOSIVES: The sale, transportation, or use of the following explosives are hereby prohibited:

a. liquid nitroglycerine, except for medicinal purposes;

b. explosives containing chlorate of potash, perchlorate of potash, and pyric acid, except as used in blasting caps; provided, however, that any explosive containing chlorate of potash may be sold if it first conforms to the following test: such mixture must be able to withstand a glancing blow inflicted with a rawhide mallet on soft wood without in any manner exploding, and also such mixture must be made so as not to reduce the chlorate;

c. nitroglycerine dynamite containing over sixty percent (60%) of nitroglycerine, or gelatine dynamite equal in strength to over seventy five percent (75%) of nitroglycerine dynamite;

d. blasting caps containing less than nine and one-half (9-1/2) grains of explosive mixture, at least eighty percent (80%) fulminate of mercury and twenty percent (20%) chlorate of potash, or its equivalent detonating strength;

e. any fulminate of mercury in a dry condition;

f. any fulminate of other metals in any condition except as a component of articles not otherwise prohibited;

g. any fireworks which combine an explosive and a detonator.

10-16-20: RESTRICTIONS ON EXPLOSIVES:

a. No person shall have more than one thousand (1,000) electrical detonators in stock at any time.

b. Chlorides calculated as potassium chloride must not exceed one-quarter ($1/4$) of one percent (1%).

c. Any explosive mixture containing chlorate of potash offered for sale must contain no free acid or substance liable to produce free acid.

d. All explosives containing chlorate of potash or nitro compounds shall be subject to the British heat test.

e. It shall be unlawful to sell, transport, or use leaky dynamite (leaking nitroglycerine).

f. The keeping or storing of nitro-cellulose in a dry condition in quantities greater than ten (10) pounds in one place is hereby prohibited.

g. The use of frozen or partly frozen cartridges, and the breaking or cutting of them or drilling them for caps, is hereby prohibited.

h. Blasting powder, black powder, sporting powder, rifle powder, all military smokeless powder, and low blasting explosives shall be packed in metal cases containing not more than twenty five (25) pounds.

10-16-21: MANUFACTURE OF EXPLOSIVES IN MUNICIPALITY. No person shall manufacture, assemble, or mix anywhere within the municipality any black powder, guncotton, giant powder, dynamite, nitroglycerine, fulminate of mercury, or other explosives of similar nature.

10-16-22: SALES TO MINORS: It is hereby declared to be unlawful for any person to sell, deliver, or give to any person under eighteen (18) years of age any black powder, dynamite, nitroglycerine, guncotton, or other explosive.

10-16-23: SEIZURE OF EXPLOSIVES KEPT UNLAWFULLY: If it shall be found that any of the explosives mentioned in Section 10-16-1 are being kept in any building, structure, or premises, or in any vehicle within the municipality in violation of any of the provisions of this Article, any such explosives so kept shall be immediately seized and removed to such place as the Fire Chief may direct.

It is hereby made the duty of the members of the Police Department to assist in making such seizures when requested to do so by said Fire Chief, and to assist in the removal of such explosives to such place as may be designated by him.

10-16-12

CHAPTER 10.

BUSINESS LICENSING AND REGULATION

ARTICLE 17. FIRE EXTINGUISHER SERVICE AND REPAIR.

SECTION

- 10-17-1: Definitions.
- 10-17-2: License Required.
- 10-17-3: Application.
- 10-17-4: Insurance Required.
- 10-17-5: Installation.
- 10-17-6: Rules and Regulations.

10-17-1: DEFINITIONS:

a. "Standard fire extinguisher" is hereby defined to mean a portable fire extinguisher which bears the label of approval of a national testing laboratory acceptable to the Fire Chief of the municipality.

b. "Service," where used in reference to fire extinguishers, is hereby defined to mean the inspection, repair, recharging or testing of fire extinguishers.

10-17-2: LICENSE REQUIRED: No person, firm or corporation shall engage in the business of fire extinguisher service and repair without first having obtained a license therefor.

10-17-3: APPLICATION: An application for a license under this Article shall be made in conformity with the general requirements of this Chapter relating to applications for licenses. In addition, effective April 1, 1990, all applicants must also provide proof that they have a valid license from the Illinois State Fire Marshall authorizing them to engage in the business of fire extinguisher servicing and repair.

10-17-4: INSURANCE REQUIRED: Each applicant for a license under this Article shall furnish and file with the Fire Chief satisfactory evidence of the existence of a public liability insurance policy issued by an insurance company of national standing, insuring the public in an amount of not less than Ten Thousand Dollars (\$10,000.00) against property damage and in a like amount against personal injury caused by the negligence of such applicant in servicing fire extinguishers. The insurance coverage shall include both manufacturers and contractors liability and products liability types.

10-17-5: INSTALLATION: All standard fire extinguishers shall be installed and maintained in accordance with the Fire Prevention Code of the municipality. Every required or non-required fire extinguisher, when installed, shall be fully charged and ready for immediate use.

Where an extinguisher is likely to be obscured by piles of stock, lumber or otherwise, a sign shall be installed and maintained which will mark the location of such extinguisher in a manner legible at a distance of at least fifty (50) feet.

10-17-6: RULES AND REGULATIONS: The Fire Chief, in his discretion, may make or cause to be made an inspection of the contents and working condition of any fire extinguisher, and may promulgate such reasonable rules and regulations as he deems necessary to carry out the provisions of this Article.

CHAPTER 10

BUSINESS LICENSING AND REGULATION

ARTICLE 18. FLAMMABLE AND HAZARDOUS CHEMICALS

SECTION

- 10-18-1: Definitions
- 10-18-2: Licenses Required; Applications
- 10-18-3: Marking of Generators
- 10-18-4: Warning Cards
- 10-18-5: Repairs
- 10-18-6: Appliances
- 10-18-7: Housing of Generators
- 10-18-8: Oxygen Containers
- 10-18-9: Storage of Calcium Carbide
- 10-18-10: Nitrocellulose Regulations
- 10-18-11: Liquid Acetylene
- 10-18-12: Storage of Chlorine Gas
- 10-18-13: Corrosive Acid Storage
- 10-18-14: Portable Generators of Acetylene Gas

10-18-1: DEFINITIONS:

a. The term portable generator is hereby defined to mean an acetylene generator, of not more than thirty (30) pounds carbide capacity, which has been approved for portable use by the Underwriters Laboratories.

b. The term nitrocellulose products is hereby defined to mean any substance, material or compound having soluble cotton, or similar nitrocellulose, as a basis, including pyraline, celluloid, fibroid, X-ray film, and similar materials and compounds, by whatever name known, whether the raw or finished product, excepting motion picture films.

10-18-2: LICENSES REQUIRED; APPLICATIONS: Licenses shall be required for all persons who shall do any of the following:

a. Generate acetylene gas in any form of generator holder, container or associated apparatus at a pressure exceeding fifteen (15) pounds per square inch. This shall not include portable generators used for lighting or to plants devoted to the manufacture and compression of dissolved acetylene for sale.

b. Engage in business of collecting or compressing acetylene gas at any pressure in excess of fifteen (15) pounds per square inch, or of selling or distributing acetylene gas under pressure in excess of fifteen (15) pounds per square inch.

c. Generate or compress oxygen or hydrogen in any form of generator, holder, contained or associated apparatus.

d. Keep or store calcium carbide in excess of six hundred (600) pounds.

e. Manufacture, store or keep any nitrocellulose products in excess of twenty-five (25) pounds.

10-18-3: MARKING OF GENERATORS: Generators shall be plainly marked with the maximum rate in cubic feet per hour for which they are designed, the amount of carbide necessary for a single charge, the manufacturer's name and address, and the name and number of the type of machine.

10-18-4: WARNING CARDS: Printed warning and instruction cards provided by the maker shall be posted in a conspicuous position near the generator so that the operator may consult them conveniently from time to time.

10-18-5: REPAIRS: Any necessary repairs to generator or system shall be made during daylight hours by natural light, or by the fixed lights in the generator room. The use of portable lights is strictly prohibited.

10-18-6: APPLIANCES: All blow torches, regulators and other appliances shall be maintained in good condition at all times. No appliances shall be installed in any line which causes or allows the mixture of air or other oxygen carrier with acetylene, except directly at the torch or burner. The use of an expansion tank or tanks in any part of the system is prohibited.

10-18-7: HOUSING OF GENERATORS: Stationary acetylene gas generators shall be installed in a suitable building which shall be constructed and maintained in accordance with the building provisions of this Code applicable to buildings housing such apparatus.

10-18-8: OXYGEN CONTAINERS: Cylinders of oxygen shall never be stored in the same room or compartment used for the storage of calcium carbide or cylinders containing fuel gases, or in an acetylene generator compartment. Cylinders of oxygen, except those in actual use, shall be stored away from highly flammable material, especially oil, grease, or any substance likely to cause or accelerate fire. Cylinders of oxygen shall be stored in locations where they are not likely to be struck by passing or falling objects. Oxygen cylinders shall be protected against excessive rise of temperature. Cylinders may be stored in the open, but in such cases shall be protected against excessive rise of temperature. Cylinders may be stored in the open, but in such cases shall be protected against extremes of weather. During

winter, cylinders stored in the open shall be protected against accumulations of ice or snow.

10-18-9: STORAGE OF CALCIUM CARBIDE: Calcium carbide in quantities not to exceed six hundred (600) pounds may be stored, when contained in approved metal packages, inside of buildings used for other purposes; provided that the place of storage be dry, waterproof and well ventilated; and provided, also, that all but one of the packages of each size of carbide shall be sealed, and the seals shall not be broken so long as there is carbide in excess of one (1) pound in any other unsealed package in the building.

Calcium carbide in excess of six hundred (600) pounds shall be stored in accordance with the building provisions of this Code or such other provisions as shall be necessary for public safety as directed by the Fire Chief.

10-18-10: NITROCELLULOSE REGULATIONS: It shall be unlawful for any person to store or manufacture nitrocellulose products in any building which is situated within one hundred (100) feet of any building occupied as a school building, hospital, or any other place of public assembly or amusement.

Softening or heating nitrocellulose products, when not done by hot water, shall be done on steam or electric heaters, dies, and so forth, with at least six (6) inches clearance to all combustible material.

Stamping, perforating and similar machines shall be equipped with a metal receptacle containing water for receiving waste material. Metal receptacles with automatic or self-closing covers shall be provided for nitrocellulose scraps and clippings, and said scraps and clippings shall be removed from the premises each evening and disposed of in a manner approved by the Health Officer.

10-18-11: LIQUID ACETYLENE: The manufacture, transportation, storage, sale or use of liquified acetylene is hereby prohibited within the corporate limits of the municipality.

10-18-12: STORAGE OF CHLORINE GAS: The sale, storage, use or handling of chlorine gas is hereby prohibited within the limits of the municipality, unless chlorine gas is stored in buildings constructed and maintained in accordance with the building provisions of this Code in containers constructed in compliance with the Interstate Commerce Commission rules and regulations.

No combustible material of any kind shall be placed or kept in any room, or building, used for the storage of chlorine gas.

10-18-13: CORROSIVE ACID STORAGE: No corrosive liquids shall be stored in any building other than a corrosive liquids storage building constructed as required by this Code, except as otherwise provided by this section.

10-18-14: PORTABLE GENERATORS OF ACETYLENE GAS:

a. Portable generators shall not be installed or used inside of buildings unless a permit for such use in said location shall first be secured. It shall be the duty of the Fire Chief to inspect the premises wherein such generator is to be used before issuing such permit. Should the inspection show that the provisions of this section are complied with, said Chief shall issue a permit for such installation and use.

b. Portable generators shall not be used in rooms of total volume less than thirty five (35) times the nominal gas-generating capacity per hour of all such generators in the room. Portable generators shall not be used in any room containing flammable liquids or gases, or in which any dust-producing process is carried on, or in which any highly combustible or explosive materials are contained. Portable generators shall not be used in any poorly ventilated room.

c. Before any cutting or welding process, the floor shall be swept clean and, if of wood, shall be sprinkled with water. The scene of such work shall be inspected thirty (30) minutes after ever such cutting or welding operation, and all smoldering sparks shall be extinguished.

d. Extra gas cylinders shall not be stored in the same room in which a portable generator is used.

e. Generators shall be cleaned and recharged, and the air mixture shall be blown off outside of the building. Generators, when charged, shall not be moved by crane or derrick. When not in use, they shall not be stored in any room in which open lights or fires are used unless free of carbide and thoroughly purged of gas.

f. Storage rooms for portable generators shall be thoroughly ventilated.

g. Cutting or welding operations shall not be carried on within ten (10) feet of any combustible material other than the floor.

h. Generators shall not be placed where water will freeze. Salt or other corrosive chemicals shall not be used as a protection against freezing.

i. Not more than one (1) cutting or welding flame shall be used with any portable generator unless permanently attached and wiped.

CHAPTER 10

BUSINESS LICENSING AND REGULATION

ARTICLE 19. FLAMMABLE LIQUIDS - STORAGE AND HANDLING

SECTION

- 10-19-1: License Required
- 10-19-2: Application
- 10-19-3: Regulations

10-19-1: LICENSE REQUIRED: No person shall keep on hand or store for use in any business any flammable liquid having a flash point below one hundred eighty seven degrees (187°) Fahrenheit or eighty six degrees (86°) Celsius (closed cup tester) without first procuring a license to do so for each location, place or premises where such person keeps on hand or stores for use any such flammable liquid; provided, however, that nothing herein contained shall require any gasoline filling station, dry cleaner and spotter, drug, chemical or paint factory, drug, chemical or paint store, fuel oil dealer, fuel oil storer, wholesale gasoline dealer, retail hardware store, or retail paint store, duly licensed under any other provision of this Code, to obtain a license hereunder.

10-19-2: APPLICATION: An application for license shall be made in conformance with the general requirements of this Code relating to applications for licenses, and in addition, the applicant shall state the location of the place at which it is desired or intended to store flammable liquids for use in applicant's business, the maximum aggregate quantity to be so stored for use, and shall give a description of the business engaged in, the location and capacity of all containers or tanks having a capacity of fifty (50) gallons or more for the storage of any flammable liquid, and such other information as may be required by the Fire Chief. The Chief, upon receipt of such application, shall investigate or cause to be investigated the place of business described in such application and the methods and equipment intended to be used by such applicant.

10-19-3: REGULATIONS: All containers, tanks and other equipment used for the storage or use of flammable liquids, and all buildings and premises wherein the same are stored or used, shall be constructed and maintained in accordance with the provisions of this Code.

Every container or tank for flammable liquids of a capacity of fifty (50) gallons or more, either above ground or within a building, and the premises and equipment used for the storage or handling of flammable liquids by any person subject to a license

under this Article, shall be inspected by the Fire Chief, or his duly authorized representative, at least once each year.

Rags and soiled waste shall be kept in metal containers pending removal from the premises.

No person shall smoke in that part of any premises where flammable liquids having a flash point below one hundred eighty seven degrees (187°) Fahrenheit or eighty six degrees (86°) Celsius (closed cup tester are stored or handled.

CHAPTER 10

BUSINESS LICENSING AND REGULATION

ARTICLE 20. FLORISTS AND PLANT SHOPS

SECTION

- 10-20-1: Definition
- 10-20-2: License Required
- 10-20-3: Application
- 10-20-4: Sanitary Regulations
- 10-20-5: Hazardous Materials
- 10-20-6: Inspection
- 10-20-7: Off Premises Sales Prohibited

10-20-1: DEFINITION: The term florist means any person, firm or corporation regularly engaged in the conduct of an established business for selling, offering for sale, or keeping with the intention of selling, cut flowers, bridal bouquets, funeral designs, growing plants, or garden supplies, from a fixed and permanent business location. This term, for purposes of this Article, shall include establishments commonly referred to as florists, plant shops and nurseries.

10-20-2: LICENSE REQUIRED: No person shall engage in the business of retail florist or the business of wholesale florist without first having procured a license therefor.

Every person who shall engage in both a retail florist business and a wholesale florist business shall procure a separate license for each. A separate license shall be required for each location, place or premise where the person is located to engage in business, and in the case of an itinerant florist, a separate license shall be required for each vehicle from which flowers, bouquets, funeral floral designs and growing plants are sold.

10-20-3: APPLICATION: An application for any license under this Article shall be made in conformity with the general requirements of this Code relating to applications for licenses. Every application for license as an itinerant florist shall also contain the address of the applicant. The application shall indicate the nature of the business in which the applicant desires to engage.

Every application for a license to engage in business at a fixed location shall be investigated by the Building Commissioner to determine whether the applicable provisions of this Code are being complied with, and the approval of such officer shall be noted thereon before the license is issued.

10-20-4: SANITARY REGULATIONS: Every location, place or establishment where the business of a florist is conducted, managed or carried on shall be kept in a clean and sanitary condition and free from vermin. No decayed, decaying, unwholesome, contaminated or diseased flowers or plants shall be allowed to remain in or about said establishment. Adequate and convenient washing and toilet facilities shall be provided.

No licensee shall sell or offer for sale any flowers or plants the sale of which is restricted by any federal or state law. Every itinerant florist shall thoroughly clean each vehicle operated by him in his business once daily and dispose of all decaying flowers or plants in a suitable sanitary manner, subject to the approval of the Health Officer.

10-20-5: HAZARDOUS MATERIALS: All pesticides and any other material which may be hazardous to employees or to the public shall be stored in florist establishment in a safe manner and shall be plainly identified.

10-20-6: INSPECTION: The Commissioner of Buildings may inspect, at any reasonable time, all florist establishments to determine whether the requirements of this Code relating to health, sanitation, and safety applicable thereto are being complied with.

10-20-7: OFF PREMISES SALES PROHIBITED: Except in the case of an itinerant florist, no license shall be issued except for a fixed location. The sale of flowers, plants or floral bouquets or designs on the public was or at places other than those at which the licensee is licensed is hereby prohibited, unless said licensee also obtains a license as a peddler under this Chapter.