



**STREATOR SPECIAL CITY COUNCIL AND
COMMITTEE OF THE WHOLE MEETING**
TO BE HELD AT 204 SOUTH BLOOMINGTON STREET
STREATOR, ILLINOIS 61364
TUESDAY, JUNE 8, 2021 - 1:30 P.M.

CONFERENCE CALL-IN INSTRUCTIONS
PHONE NUMBER: 1-888-386-8750
PARTICIPANT PASSCODE: 25778703 FOLLOWED BY A # SIGN

- 1. YOU MUST USE A TOUCH TONE PHONE**
- 2. DIAL THE APPROPRIATE ACCESS NUMBER**

***PARTICIPANTS: ENTER YOUR NUMERIC PARTICIPANT PASSCODE
FOLLOWED BY A # SIGN.***

CALL TO ORDER

ROLL CALL

PUBLIC COMMENT

APPROVAL OF AGENDA


DISCUSSION ITEMS

1. Mobile Vending

CITY OFFICIAL COMMENTS

ADJOURNMENT

MEMORANDUM

TO Mayor Lansford and City Council
FROM David S. Plyman, City Manager 
DATE June 3, 2021
SUBJECT Mobile Food Vendor

ISSUE

Discuss current mobile vending ordinance

BACKGROUND

The City regulates mobile food vendors pursuant to City Code Sec. 5.36.010 (attached). This ordinance was adopted over a decade ago. Staff requests that City Council revisit the ordinance and discuss potential changes.

The current ordinance allows for the issuance of annual or semi-annual licenses after submitting an application and paying the appropriate fee (application attached). As part of the approval process, the Police Department conducts criminal background checks on applicants. The ordinance prohibits licenses for felons and sex offenders. The current fees are \$200 for a year and \$150 for six months.

The ordinance allows the city manager to waive the license requirements for vendors operating at city-recognized special events. However, the ordinance specifically applies to events on public property. The City's largest event (4th of July summer festival) is now conducted largely on private property. As such, the ordinance should be amended to reflect this change.

City Clerk Henderson, who processes these applications, also suggests that the City Council consider the following questions:

- Should the City charge local vendors a fee?
- Should the City charge local restaurants that own food carts a fee?
- What department should be enforcing mobile food courts operating on private property not during special events? (Vendors may operate on weekends when our building inspector or community service officers are off-duty.)

RECOMMENDATION

Discuss the mobile vending ordinance and enforcement program

ORDINANCE NO 2010/11-02

AMENDING THE MUNICIPAL CODE OF ORDINANCES OF THE CITY OF STREATOR, LA SALLE AND LIVINGSTON COUNTIES, ILLINOIS AND ADDING CHAPTER 5.36 "MOBILE VENDING"

WHEREAS, the City of Streator has found it necessary to add Chapter 5.36 "Mobile Vending" into the Streator Municipal Code.

NOW THEREFORE, be it ordained by the City Council of the City of Streator, LaSalle and Livingston Counties, Illinois, as follows:

Section 1: The Streator Municipal Code Chapter be and the same is hereby amended by adding Chapter 5.36 "Mobile Vending" as shown in the attachment to this ordinance which is considered to be part of this ordinance.

Section 2: This ordinance shall be published in pamphlet form and shall take effect immediately upon publication and shall be incorporated into the Streator Municipal Code.

Passed by the City Council of the City of Streator, LaSalle and Livingston Counties, Illinois at a regular meeting thereof held on the 23rd day of **June 2010**, and approved by me as Mayor on the same day.

APPROVED:

Jimmie D. Lansford, Mayor

ATTEST:

Pamela K. Leonard, City Clerk

RECORD OF THE VOTE	Yes	No	Abstain	Absent
Mayor Jimmie D. Lansford	√			
Councilman Edward Benner	√			
Councilman Ed Brozak	√			
Councilman Bruce Hart	√			
Councilman Robert Williamson	√			

CHAPTER 5.36
“MOBILE VENDING”

5.36.010: DEFINITIONS:

As used in this chapter:

MOBILE FOOD OR LIQUID VENDOR: A person who operates, or causes to be operated, a motorized mobile unit upon the streets or public property within the City of Streator for the purpose of selling, from said motor vehicle, to the general public, prepared food or liquid products including, but not limited to: hot dogs, hamburgers, french fries, ice cream, sherbet, soft drinks, flavored frozen water or other frozen liquid, snow cones, or other similar products.

MOBILE UNIT: Any apparatus (i.e., car, truck, trailer, cart, wagon) or structure not permanently fixed to a permanent foundation and which may be moved under its own power, pushed or pulled by hand, towed by a motor vehicle or carried upon or in a motor vehicle or trailer.

MOTORIZED MOBILE UNITS: A mobile unit which may be moved under its own power, towed by a motor vehicle or carried upon or in a motor vehicle or trailer. An example would include, but not be limited to, ice cream trucks.

PERSON: Any individual, partnership, firm, corporation, trust, association or other entity.

5.36.020: LICENSE REQUIRED; HOURS OF OPERATION:

No mobile food or liquid vendor shall operate, or cause said motor vehicle to be operated, upon the streets or public property of the City of Streator without first obtaining from the City of Streator a mobile food or liquid vendor's license. Any such license shall only be valid between the hours of nine o'clock (9:00) A.M. to six o'clock (6:00) P.M. from Labor Day to Memorial Day (as those holiday dates are set by the United States federal government) and from nine o'clock (9:00) A.M. to eight o'clock (8:00) P.M. from Memorial Day to Labor Day (inclusive of said holiday dates). Nothing herein shall limit the power of the City to control and prohibit the use of non-street public property (e.g., public parks, parking lots) by mobile units at any time. Except as specifically allowed herein, no person shall conduct any other vending of any type or character from a mobile unit upon the street or public property within the City.

5.36.030: APPLICATION FOR LICENSE:

Any person who wishes to obtain a mobile food or liquid vendor's license shall submit a written application to the City of Streator police department for such license as hereinafter provided. (Ord. 2007-11-20, 11-20-2007).

5.36.040: CONTENTS OF APPLICATION:

Said license application shall include:

- A. Applicant's name, date of birth, residence and business addresses, and social security number;
- B. A description of the vehicle from which applicant intends to operate including the Illinois state license number thereof;

C. The number and expiration date of applicant's Illinois state driver's license (if the applicant will be driving said motor vehicle).

5.36.050: DOCUMENTS TO BE SUBMITTED WITH APPLICATION:

Copies of the following documents shall be attached to and made a part of said application:

- A. The applicant's certificate of registration under the Illinois retailers' occupation tax act;
- B. Applicant's Illinois driver's license;
- C. Applicant's LaSalle County health department food permit {if required by LaSalle County};
- D. Applicant's public liability insurance policy covering the subject vehicle;
- E. A sworn statement signed by the applicant stating that the applicant has never been convicted of the commission of a felony and is not a registered sex offender;
- F. A signed consent to a background check on forms promulgated by the City staff from time to time (the City staff may but shall not be required to process a background check in their discretion).

5.36.060: LICENSE REQUIRED FOR EACH VEHICLE:

In the event that the applicant will be operating more than one such motor vehicle upon the streets or public property of the City of Streator, the applicant must file separate applications and obtain separate mobile food or liquid vendor's licenses for each such motor vehicle.

5.36.070: APPLICANTS RESPONSIBLE FOR DRIVERS OF VEHICLES:

In the event that the applicant employs another person to drive said motor vehicle on the streets or public property of the City of Streator, then and in that event, such driver must be of legal age and must have a valid current Illinois state driver's license and the applicant shall be responsible for all actions of said drivers just as though the applicant was driving said motor vehicles. (Ord. 2007-11-20, 11-20-2007)

5.36.080: EMPLOYMENT REQUIREMENTS:

No person shall be employed to drive said vehicle unless and until the applicant has filed with the City of Streator a sworn statement signed by said employee consenting to a background check, stating that he/she has never been convicted of a felony and is not a registered sex offender, and setting forth the driver's home address, date of birth, and social security number.

5.36.090: APPLICATION FEE:

The said application shall include an annual license application fee of two hundred dollars (\$200.00); or one hundred fifty dollars (\$150.00) for six (6) months.

5.36.0100: LICENSE RENEWAL:

In all subsequent years, the applicant must file a new application covering such motor vehicle.

5.36.110: LICENSE NONTRANSFERABLE:

The mobile food or liquid vendor's license issued hereunder shall not be transferable to any other "person" (as defined herein).

5.36.120: WAIVER OF LICENSE REQUIREMENT FOR CERTAIN EVENTS ON PUBLIC PROPERTY:

The city manager may waive the requirement of a license for a mobile food or liquid vendor operating only upon public property during village recognized community events including, but not limited to, Heritage Days, Fourth of July, Cruise Night & Car Show and Light Up Streator. Said waiver shall be requested in writing not less than fourteen (14) days prior to said event by the applicant and shall be approved only in writing. The city manager may waive the advance notice of said request in their discretion. The city manager, in order to control traffic and maintain safety may limit the number of such waivers given and also may refuse to issue any waivers in the use of their discretion based upon the conditions of any such event, history of such event and history of any applicant. The city manager shall first give preference to the organization operating said event to obtain any available waivers. The city manager may prohibit other mobile food or liquid vendors on said public property during said event.

5.36.130: REVOCATION AND VIOLATIONS OF VENDOR'S LICENSE:

- A. The conviction of the applicant for a felony shall result in the revocation of any and all mobile food or liquid vendor's licenses issued hereunder.
- B. The City of Streator shall revoke any mobile food or liquid vendor's license if the driver of said vehicle is convicted of a moving traffic law violation occurring while operating under a license issued hereunder in the City of Streator.
- C. The failure of the applicant to renew the mobile food or liquid vendor's license and pay the required annual fee shall result in the revocation of said license by the City of Streator.
- D. If the applicant or any driver of a subject vehicle is or shall become a registered sex offender under the Illinois sex offender registration act, the City of Streator shall refuse to issue a license hereunder or shall revoke any license already issued hereunder. A violation of any of the terms of this chapter or of the remainder of this code shall result in the revocation of any mobile food or liquid vendor's license issued hereunder.
- E. A revocation shall be processed by village staff and approved by the action of the city manager. The city staff shall mail, via regular mail, a notice of revocation to the address listed on the licensee's application. The failure of the licensee to receive said notice of revocation shall not affect or invalidate the revocation hereunder or the time frames for appealing said revocation. Any licensee may appeal a decision of the City Manager to the City Council within fourteen (14) days of the mailing date of any revocation notice. The decision of the City Council on any such appeal shall be final. Any person who has had a license revoked hereunder shall not be eligible for a new license for a period of one year from the date of revocation.

G. A violation of any of the terms of this chapter shall also be subject to the general penalties contained in sections

**MOBILE VENDERS
AS OF 6/3/2021**

Company Name	Issue Date	Company Phone	NAICS Code	Address 1	City	State	Zip	Primary Contact Name
AUSTIN'S ALL AMERICAN GRILL	4/1/2021	(815) 674-3819	722330	810 N EVERETT ST	STREATOR	IL	61364	BRADLEY AUSTIN
CHADDY G'S HOTDOGS	4/12/2021	(815) 674-6736	722330	609 E BRIDGE ST	STREATOR	IL	61364	CHAD M GRAY
FLO'S ON PULASKI	5/19/2021	(815) 315-3518	722330	303 E GROVE ST	UTICA	IL	61373	SHARON GLYNN
SMOKN' JOES GRILL-N-GO	4/30/2021	(815) 510-0505	722330	301 W STANTON ST	STREATOR	IL	61364	JOSEPH PHILLIP AUGUSTINE
STAN'S ICE CREAM	5/20/2021	(309) 787-3809	722330	370 21ST ST	EAST MOLINE	IL	61244	DONALD A BIRD, JR

MOBILE VENDOR APPLICATION - QUESTIONS

QUESTIONS TO CONSIDER

Question #1: Should we charge local vendors a fee? (Schmitt)

Notes: _____

Question #2: Should we charge local restaurants that own food carts a fee?

Notes: _____

Question #3: Who should check vendors to make sure they are on private property and not on City property for non-City events?

Notes: _____

Question #4: What information s/b on a checklist given to mobile vendors when getting their permit?

Notes: Enter notes

Code Enforcement Activity Summary

Streator

04/01/2021 - 05/31/2021

Violation Type	Open	Closed
Accessory Structure	0	3
Appliances	0	6
Exterior property areas	3	7
Exterior structure	12	5
Heating facilities	0	1
Multiple Violations	12	20
Occupancy limitations	0	2
Outdoor Use of Indoor Furniture	0	42
Required facilities	0	1
Rodents	0	2
Rubbish or Garbage	8	103
Swimming Pools, Hot Tubs, and	0	1
Tall Weeds and Grass	37	200
Toilet rooms	0	1
Trash & Garbage Containers	0	19
Unsafe structures and Equipment	2	1
Vacant Building Registration	19	5
Vacant Structure	3	1
Vehicles	13	19
Work w/out permit	3	16
Total	112	455

Code Enforcement Activity Summary

Streator

04/01/2020 - 05/31/2020

Violation Type	Open	Closed
Accessory Structure	0	4
Appliances	0	2
Exterior property areas	0	1
Exterior structure	1	5
Illegal Parking	0	1
Multiple Violations	0	8
Outdoor Use of Indoor Furniture	0	35
Required facilities	0	1
Rodents	0	1
Rubbish or Garbage	0	40
Sanitation	0	1
Tall Weeds and Grass	0	225
Trash & Garbage Containers	0	4
Unsafe structures and Equipment	0	2
Vacant Building Registration	0	8
Vacant Structure	0	8
Vehicles	2	1
Work w/out permit	0	6
Total	3	353

Code Enforcement Activity Summary

Streator

04/01/2019 - 05/31/2019

Violation Type	Open	Closed
Accessory Structure	0	5
Appliances	0	4
Electrical equipment	0	5
Exterior property areas	0	4
Exterior structure	0	17
Illegal Parking	0	1
Interior structure	0	1
Outdoor Use of Indoor Furniture	0	20
Plumbing systems and fixtures	0	1
Rodents	0	1
Rubbish or Garbage	0	53
Tall Weeds and Grass	0	184
Trash & Garbage Containers	0	4
Vacant Building Registration	0	9
Vacant Structure	0	8
Vehicles	2	8
Water system	0	1
Work w/out permit	0	2
Total	2	328