



**City of Wilmington
Ordinance & Licensing Committee
Tuesday, January 12, 2016 at 6:00 p.m.**

Location & Time

Council Chamber
Wilmington City Hall
1165 S. Water Street
6:00 p.m. 01/12/2016

**Ordinance & Licensing
Committee Members**

Steve Evans, Co-Chair
Kirby Hall, Co-Chair
Larry Hall
Fran Tutor
Kevin Kirwin

Agenda

1. Call to Order
2. Approval of the December 8, 2015 Meeting Minutes
3. Old Business
 - a. Review/Approve *An Ordinance Adding Provision to Chapter 96 of the Wilmington Code of Ordinances Relating to Sandwich Board Signs*
4. New Business
 - a. Review/Approve *An Ordinance Amending the Raffles Ordinance*
5. Adjournment

*Posting Date
1/8/2016 9:09 AM jjz*

**CITY OF WILMINGTON
ORDINANCE & LICENSING COMMITTEE
Tuesday, December 8, 2015, 6:00 p.m.
Wilmington City Hall, Council Chambers
1165 S. Water Street**

In Attendance

Committee Members

Co-Chair, Alderman Kirby Hall
Co-Chair, Alderman Steve Evans
Alderman Larry Hall
Alderman Kevin Kirwin

Absent

Alderman Fran Tutor

City Officials

City Administrator Tony Graff
City Attorney John Urban
Executive Secretary Joie Ziller

The meeting of the Ordinance & Licensing Committee was called to order at 6:01 p.m. by Alderman Evans.

Previous Meeting Minutes – November 10, 2015

The minutes were reviewed. Alderman L. Hall made a motion and Alderman Evans seconded to accept the November 10, 2015 Committee meeting minutes as written and have them placed on file.

Upon voice vote, THE MOTION CARRIED 4-0

Old Business

1. Discuss Sandwich-Board Signs in the City Right-of-Way

The Committee discussed creating a rule to allow for sandwich board signs. After much discussion, City Administrator Graff stated that a draft ordinance will be reviewed at the December 15, 2015 Finance Committee meeting and possible passage at the December 15, 2015 City Council meeting.

2. Review Ordinance on Tobacco Free Parks

The Committee reviewed the draft ordinance as prepared by Attorney Urban. This ordinance will create tobacco free zones in the City-owned parks defined. "Tobacco-free zone" is defined as any playground, athletic field, restroom, spectator or concession area and all sidewalks leading to or from such areas and the area within fifty feet of any playground, athletic field, restroom, spectator, concession area and any sidewalk leading to or from said areas. "Tobacco-free zone" is also defined as Northcrest Park, Memorial Park, and Brookside Park. "Tobacco" is defined to include any lighted or unlighted cigarette, including but not limited to clove, bidis, or kreteks, electronic or e-cigarettes, cigars, cigarillos, pipes, hookah products, and any other smoking products; and any smokeless, spit or spit-less, dissolvable or inhaled tobacco products, including

but not limited to dip, chew, snuff, in any form; and all nicotine delivery devices that are not FDA-approved as cessation products.

Alderman L. Hall made a motion and Alderman Kirwin seconded to approved the Ordinance Creating Tobacco-Free Zones in the City-owned Parks and bring it City Council for final reading at the December 15, 2015 City Council meeting.

Upon voice vote, THE MOTION CARRIED 4-0

New Business

1. Review Ordinance Amending Provisions of Chapter 112 of the Municipal Code of Ordinances Imposing Restriction on the Sale of Alcoholic Beverages

Administrator Graff informed the Committee that the following correction to the hours during which sales are prohibited for Class A and Class C licensees needed to be amended:

Monday: between the hours of 1:00 a.m. and 6:00 a.m.

Alderman L. Hall made a motion and Alderman Evans seconded to approved the Amending Provisions of Chapter 112 of the Municipal Code of Ordinances Imposing Restriction on the Sale of Alcoholic Beverages and bring it City Council for final reading at the December 15, 2015 City Council meeting.

Upon voice vote, THE MOTION CARRIED 4-0

2. Review Ordinance for Site Plan Review (150.19)

To be discussed at a future meeting.

Citizen Request

Joseph Carroll who resides at 405 Prairie Lane requested that the Committee grant him permission to park his semi-cab in his driveway. Mr. Carroll stated that this vehicle does not go over the sidewalk and has letters of approval from surrounding residents. Administrator Graff stated that this request will be forwarded onto the Code Enforcement Officer.

Adjournment

With no further business before the Committee, Alderman L. Hall made a motion and it was seconded by Alderman Kirwin to adjourn. Upon voice vote, THE MOTION CARRIED unanimously and the meeting was adjourned at 6:54 p.m.

Respectfully submitted,

Joie Ziller
Executive Secretary

ORDINANCE NO.

AN ORDINANCE ADDING A PROVISION TO CHAPTER 96 OF THE WILMINGTON CODE OF ORDINANCES RELATING TO SANDWICH BOARD SIGNS

WHEREAS, state law authorizes the City of Wilmington to adopt such laws and ordinances as are necessary to protect and conserve the taxable value of land and buildings throughout the municipality, to ensure that congestion in the public streets may be lessened or avoided, and that the public health, safety, comfort, morals, and welfare may otherwise be promoted, and to ensure and facilitate the preservation of sites, areas, and structures of historical, architectural and aesthetic importance; and

WHEREAS, for the ends so cited above the City of Wilmington has enacted an ordinance addressing signage within the City; and

WHEREAS, the current City of Wilmington sign ordinance does not address sandwich board type signs; and

WHEREAS, the City of Wilmington Ordinance and Licensing Committee has considered a proposal to amend the City of Wilmington's Code of Ordinances to add provisions related to sandwich board type signs; and

WHEREAS, the City Council of the City of Wilmington believes that it is in the best interests of the City of Wilmington and its residents that the following provisions be added to the sign ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WILMINGTON, WILL COUNTY, AS FOLLOWS:

SECTION 1: That Section 96.09 of Chapter 96 of the Wilmington Code of Ordinances be amended to read as follows:

96.09 - Permits for temporary signs.

- (A) No temporary sign shall be placed or erected until a permit has been issued by the building department. A temporary sign permit shall entitle the holder thereof to display such a sign for the time period specified within that zoning district as further stated therein.
- (B) An application for a permit for a temporary sign shall be made on a form provided by the city and be accompanied by written consent of the property owner. Permits for temporary signs must be kept on the premises where signs are displayed.
- (C) Duration of Temporary Signs:
 - (1) Residential marketing signs, on- and off-site: 12 months, renewable on a six-month basis thereafter.
 - (2) Commercial or industrial marketing real estate signs: 12 months, renewable on a six-month basis thereafter.
 - (3) Temporary commercial or mobile signs including banner flags: advertising a special sale or event, not to exceed 30 days and not more than four times per calendar year with at least 30 days in between such advertising periods. No more than two temporary signs shall be allowed per multi-tenant building.

(D) Every applicant for a temporary sign shall pay a fee of \$50 per sign (to include both sides of double faced signs). No fee shall be charged for temporary sign permits for not-for-profit activities or organizations. Penalty, see Section 96.99.

(E) Notwithstanding the above, one sandwich board sign not exceeding 2 feet wide by 4 feet high advertising goods and services that are offered by the business whose frontage the sign occupies and is only displayed during the hours that that business is open for business shall not require a permit provided that the sign, whether on a public or private way, does not block, nor pose a hazard to, pedestrian or vehicular traffic nor hinder exit from or entry to any building. A variance to the size limitations hereof may be granted upon the written approval of the City Administrator, City Engineer, and Building Department.

SECTION 2: SEVERABILITY

If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

SECTION 3: EFFECTIVE DATE

This Ordinance shall be in full force and effect upon its passage and approval in the manner required by law.

PASSED this ?? day of ??, 2016 with _____ members voting aye, _____ members voting nay, the Mayor _____ voting, with _____ members abstaining or passing and said vote being:

John Persic, Jr.	_____	Kevin Kirwin	_____
Larry Hall	_____	Kirby Hall	_____
Fran Tutor	_____	Joe VanDuynes	_____
Steve Evans	_____	Frank Studer	_____

Approved this ?? day of ??, 2016

J. Marty Orr, Mayor

Attest:

Judith Radosevich, City Clerk

Ordinance No. _____

AN ORDINANCE AMENDING THE RAFFLES ORDINANCE

WHEREAS, Chapter 230, Section 15/0.01 et seq. of the Illinois Compiled Statutes authorizes municipalities, such as the City of Wilmington, to enact ordinances to provide for licensing of Raffles within their municipal corporate limits; and

WHEREAS, in the absence of a City ordinance licensing and regulating raffles, the conducting of a raffle is a form of gambling prohibited by law; and

WHEREAS, State law limits the licensing of Raffles to certain not-for-profit organizations; and

WHEREAS, the corporate authorities recognize the value of the services provided by the City's not-for-profit organizations; and

WHEREAS, providing additional sources of income to these not-for-profit organizations would allow these entities to better serve and advance the interests of the City's residents; and

WHEREAS, the current Raffle Ordinance is in need of amendment to better serve the interests of public safety.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WILMINGTON, WILL COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1:

That Section 110.104 "Licensing" of the City of Wilmington Code of Ordinances be amended to read as follows:

- (A) The aggregate retail value of all prizes or merchandise awarded by a licensee in a single raffle shall not exceed ~~\$1,000,000.00~~ \$100,000.00 unless specially approved in advance by the majority vote of the city's corporate authorities.
- (B) The maximum retail value of each prize awarded by a licensee in a single raffle shall be ~~\$1,000,000.00~~ \$100,000.00.
- (C) The maximum price which may be charged for each raffle chance issued or sold shall be \$250.00.
- (D) The maximum number of days during which chances may be issued or sold shall be one year.

SECTION 2: SEVERABILITY

If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

SECTION 3. EFFECTIVE DATE

This Ordinance shall be in full force and effect upon its passage and approval in the manner required by law.

PASSED this ____ day of _____, 2016 with ____ members voting aye, ____ members voting nay, and the Mayor ____ voting, with ____ members abstaining or passing and said vote being:

Larry Hall _____
Helen Hoppe _____
Kevin Kirwin _____
Joe VanDuyne _____

Kirby Hall _____
John Persic, Jr. _____
Frank Studer _____
Fran Tutor _____

Approved this _____ day of _____, 2016

J. Marty Orr, Mayor

Attest:

Judy Radosevich, City Clerk