



COMMITTEE OF THE WHOLE MEETING
Monday, July 20, 2020
(Immediately following the Village Board Meeting)

AGENDA

CALL TO ORDER

ROLL CALL

AUDIENCE COMMENTS

TRUSTEE COMMENTS

DISCUSSION

- Gerald Ford Incentive Request
- Mobile Food Vendor Text Amendments

ADJOURN

Initials 

**VILLAGE OF NORTH AURORA
BOARD REPORT**

TO: VILLAGE PRESIDENT & BOARD OF TRUSTEES
CC: STEVE BOSCO, VILLAGE ADMINISTRATOR
FROM: MIKE TOTH, COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR
SUBJECT: GERALD FORD INCENTIVE REQUEST
AGENDA: JULY 20, 2020 COMMITTEE OF THE WHOLE MEETING

DISCUSSION

Over the past few years, the Gerald Auto Group has been making significant investment in their facilities located in the North Aurora Auto Mall. The Gerald Group owns and operates the KIA, Subaru, Hyundai and Nissan dealerships located on Hansen Blvd. In 2018, Gerald purchased the former Fox Valley Ford property at 208 Hansen Blvd. and opened Gerald Ford. With the exception of Riverfront Chrysler, the Gerald Group now owns and operates all of the auto dealerships in the North Aurora Auto Mall.

According to the Gerald Group, Gerald Ford has produced increased sales over the previous owners, but they have not been able to achieve the potential sales volume it could generate at the site based on other area Ford dealerships. They attribute the lesser sales to the outdated facility that cannot provide the proper customer experience. The Gerald Group is wanting to undergo a \$1,800,000 remodeling project to modernize the facility to enhance the customer experience while increasing sales both with additional volume and vehicle repair counts. In order to make the improvements financially possible, the Gerald Auto Group is requesting assistance through a portion of the future sales tax dollars that would be generated because of the improvements over a 10-year period.

Similar to the tax increment financing (TIF) concept, this request would include the capturing of funds, not from current sales tax revenues, but from future sales tax revenues, not otherwise expected to occur without the facility upgrades. These new revenues are generated by the increased sales deriving solely from the Gerald Ford dealership. A similar incentive concept was discussed before the Village Board at the May 15, 2017 Committee of the Whole meeting, where the Gerald Group discussed the idea of using incremental sales tax for the expansion of their Hyundai dealership. As that project did not move forward, neither did the incentive request.

The specific request is for \$900,000 over a 10-year period, whichever comes first. Gerald established a sales tax base (with staff's concurrence) of \$219,500 annually, which represents sales at the Village's 1% share of sales tax, equating to \$21,950,000 in actual sales. As such, any annual sales over the \$219,500 sales tax base threshold would be rebated at 85% back to Gerald. Payout would commence after project completion and issuance of a Certificate of Occupancy from the Village. Gerald has provided staff with detailed sales projections that estimates a cumulative increase in overall sales by as much as \$100,000,000 over the 10-year period following completion of the project.

Staff is soliciting feedback from the Village Board on the proposed incentive request.



July 6, 2020

Mr. Dale Berman
Village President
Village of North Aurora
25 East State Street
North Aurora, IL 60542

Dear Mr. Berman:

I hope this letter finds you safe and well during these strange times of Covid-19 concerns.

Gerald purchased the Ford store in the Auto Mall in September 2018. We have been able to generate healthy sales growth over that produced by the former owners, but have not been able to achieve new vehicle sales volume comparable to the other Gerald dealerships in the Auto Mall or that comparable to other nearby Ford dealerships. This store has struggled to achieve profitability, and although we invested in cleaning up the appearance of the property with painting the entire facility and installing new, bright LED lighting, the dealership cannot offer the same customer experience as competing modern dealerships. We believe remodeling this building is necessary to facilitate creating the best customer experience, to better compete with other Ford dealerships, and drive additional vehicle sales. Such a remodeling would include reconfiguring the interior space, expanding the showroom, eliminating extra office space, creating new customer interaction areas, improving the service drive, and completely updating the exterior of the building to create the most inviting "curb appeal" to prospective customers.

Over the past several years, we have carefully invested in various improvements to our other Auto Mall dealerships which have helped produce increased taxable sales and increased employment, and we expect this growth to continue. We now see an opportunity to stabilize the Ford dealership and drive more revenue and employment growth in the Auto Mall. However, substantial capital resources have been spent and the Covid-19 stay-at-home order environment has reduced revenues and cash flow which make financing such improvements more difficult.

We have explored the most economical way to remodel the Ford dealership and estimate that such an expansion will cost approximately \$1,800,000. We anticipate that this project will generate approximately \$100,000 of incremental annual sales tax revenue to the Village within the following eight year period. The increased business will also increase employment at Gerald Ford by 30 percent. Please see the enclosed summary of investment and employment metrics and the enclosed preliminary renderings presenting the potential look of the interior and exterior remodeled building.

Mr. Dale Berman

July 6, 2020

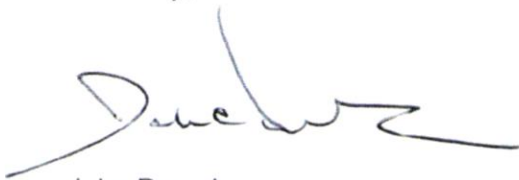
Page 2

We request an Economic Incentive Agreement to rebate 85% of the incremental retailers' occupation tax generated by Gerald Ford over an annual base of \$219,500 to be retained by the Village, up to \$900,000, to be paid over ten years subsequent to completion of the project. The \$900,000 represents half of the estimated remodeling project investment. We understand that a realistic trigger date to begin to measure the incremental tax is the date of the Certificate of Occupancy to be received upon project completion, and we understand that the rebate would be funded some months after each year-end. Please see the enclosed ten year projection of the retailers' occupation tax with proposed annual rebate and annual amount retained by the Village.

Such an Economic Incentive Agreement would enable Gerald Ford to better compete with modern Ford dealerships in the area and drive incremental sales and community growth. We believe our request fulfills all legal requirements for such an Agreement as we have outlined in the enclosed narration comments associated with each section of Illinois Municipal Code 65 ILCS 5/8-11-20.

We would like to meet with you and the Village Board to present our plans and address any questions. Please contact me at your earliest convenience, and I would be happy to address any immediate questions or suggestions to move forward to an agreement.

Sincerely,

A handwritten signature in black ink, appearing to read "John Dvorak", with a long horizontal flourish extending to the right.

John Dvorak
CFO
Gerald Auto Group

cc: Doug Gerald ✓
Mike Toth
Bill Hannah

Enclosures

Gerald Ford
Ford Facility Investment Proposal
2020

We are exploring a substantial remodeling of the Ford dealership located at 208 Hansen Boulevard, including reconfiguring the showroom space, incorporating existing office space into additional showroom space and customer areas, modification of the service lane and a portion of the service area, and modernizing the exterior of the building. This investment will facilitate the dealership's ability to compete with more modern nearby Ford dealers and drive sales and employment growth in the North Aurora Auto Mall. The data below summarizes the approximate possible investment and employment metrics for the Ford franchise facilities.

Investment

		Facility Sq. Ft.	
<u>Existing Facility Investment</u>			
	per appraisal	8,567	Showroom/Sales/General Office & Customer Waiting Areas
	per appraisal	25,022	Service/Body Shop & Parts Area
Purchase cost and improvements to 208 Hansen at 12/31/18	<u>\$ 4,520,624</u>	<u>33,589</u>	
<u>New Facility Investment</u>			
Estimated building remodeling costs *	1,782,000		
Holding costs during construction	<u>16,038</u>		
Total investment in expansion	<u>\$ 1,798,038</u>	40% increase	
Total Ford North Aurora facilities investment	<u>\$ 6,318,662</u>	33,589	0% increase

Employment

Ford employees at 208 Hansen Blvd. after expansion	60	
Number of current Ford employees at 208 Hansen Blvd.	<u>46</u>	
Incremental employment	<u>14</u>	30% increase in employment

Employee roles to be hired:

Salespeople	7
Sales Manager	1
F & I Manager	1
Technicians	2 to 3
Clerical	1
Detailers/porters	<u>2</u>
	<u><u>14</u></u>



Gerald Ford

Proposed Exterior Rendering

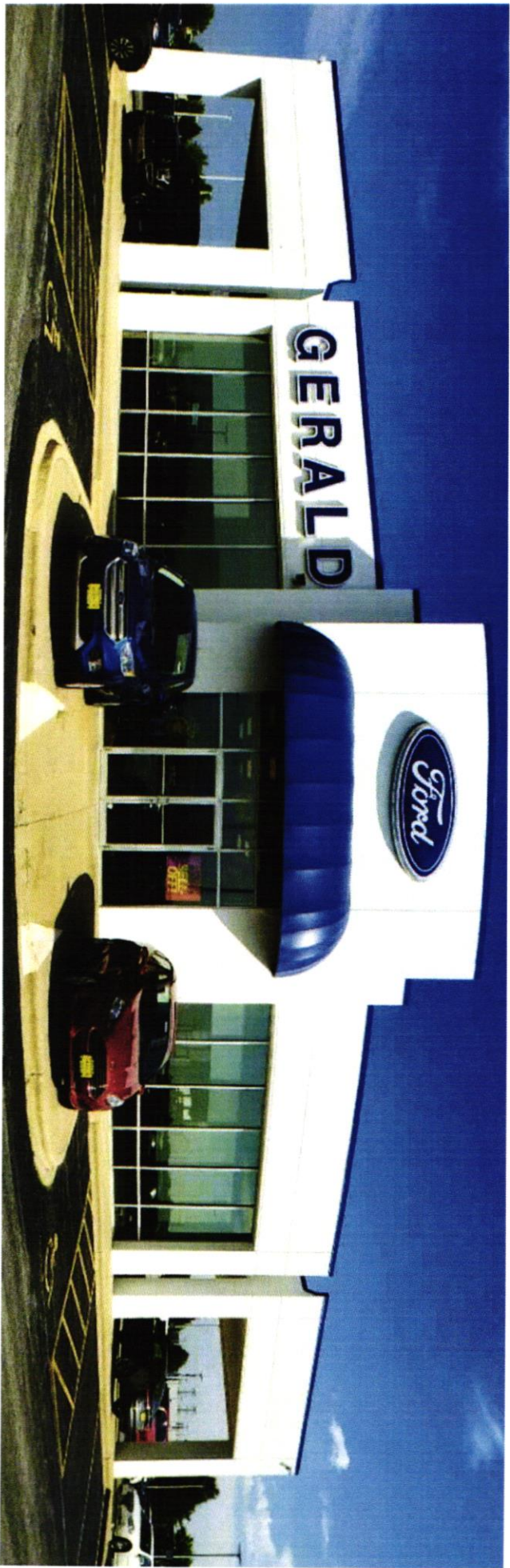
Date: 10.17.2019
City / State / Zip: North Aurora, IL 60542

ADDITIONAL PROTOTYPICAL DRAWINGS AND
DETAILS FOR THE FORD SIGNATURE FACILITY
DESIGN CAN BE FOUND AT
WWW.FORDSIGNATUREDESIGN.COM



For communication of design intent only. Local architect must review for code compliance.
These drawings are not suited or intended for construction or fabrication.
All contents on this sheet are confidential.
Information and all rights therein are and will remain the property of Ford Motor Company.





Gerald Ford

Existing Exterior

Date: 10/17/2019
City / State / Zip: North Aurora, IL 60542

ADDITIONAL PROTOTYPICAL DRAWINGS AND
DETAILS FOR THE FORD SIGNATURE FACILITY
DESIGN CAN BE FOUND AT
WWW.FORDSIGNATUREDESIGN.COM



For communication of design intent only. Local architect must review for code compliance.
These drawings are not suited or intended for construction or fabrication.
All contents on this sheet are confidential.
Information and all rights therein are and will remain the property of Ford Motor Company.



Project: Gerald Ford

GERALD FORD DEALERSHIP NORTH AURORA, IL

Schematic Design



Project: Gerald Ford

Rendered View - Zone 1



Schematic Design

Improved Brand First Impression

Project: Gerald Ford

Rendered View - Zone 1

New layout allows for large focal brand graphic

New design allows for larger brand halo element (13')

Standard Purchase Room with Ford Graphic



New Open Sales Manager Zone

Possible alternate accent tile suggestion at entry: Ford-specified grey tile in a long linear format (4" x 24") for a more modern aesthetic

Schematic Design

Improved Brand First Impression

The open layout shown here creates a hospitality-focused entry impression. The focal graphic on the back wall draws the eye (and the customer) further into the showroom, creating an inviting environment to shop, browse and explore.

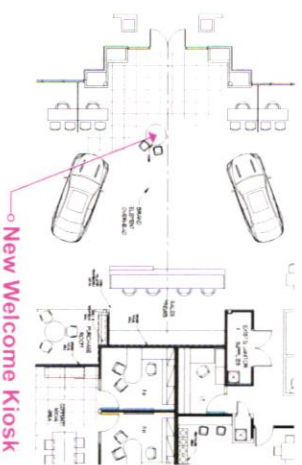
No brand focal element

Ford Proposed First Impression



Project: Gerald Ford

Zone 1 - New Welcome Pod Concept



Ford Proposed Welcome Pod

As you can see in the photo below, the large reception desk is a magnet for clutter. Stationing a person here to work results in paper everywhere, which is a negative first impression. Also, the dimensional space across the desk is less than 6' and would require a Plexi barrier in today's pandemic world.



Stools provide flexibility and create the opportunity to have a touchdown space for a sales associate or a customer

48" diameter counter size (much smaller footprint)

Schematic Design



Re-Imagined Welcome Kiosk

We are transitioning to the future with this kiosk format

Design Rationale:

- This concept is more welcoming. This idea establishes a dedicated customer-facing team member, who is focused on customer engagement and experience. A greeter can sit there and welcome guests without distraction. Guests can be checked in via a tablet. This pod functions as a check-in point, similar to the Apple genius bar.
- By removing the large barrier, and shifting to a smaller module, we create a more inviting experience. Cars can be more spread out and it creates better circulation.
- In today's changing environment the 48" tabletop enables greater social distancing, important in the health and life safety perception for customers.
- Additionally, the new open manager work area allows for a greater sense of transparency in the sales process, which is increasingly important in today's marketplace.

Project: Gerald Ford

Rendered View - Zone 1

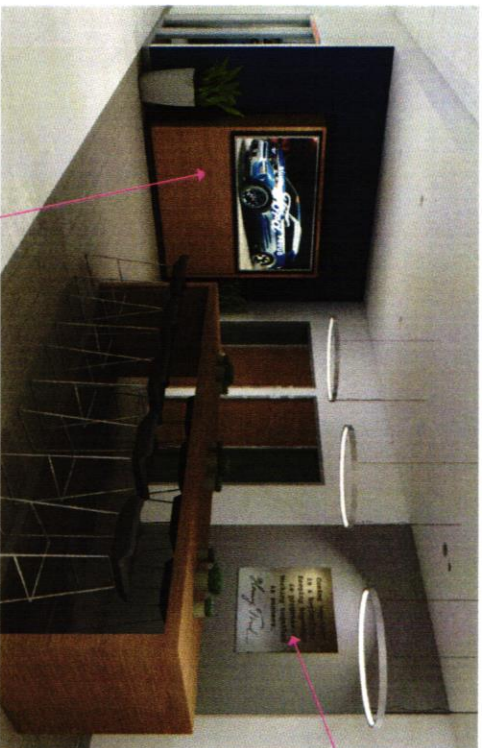
Schematic Design

View of Standard Purchase Room and New Open-Concept Sales Office



Project: Gerald Ford

Rendered Views - Community Social Area & Lounge

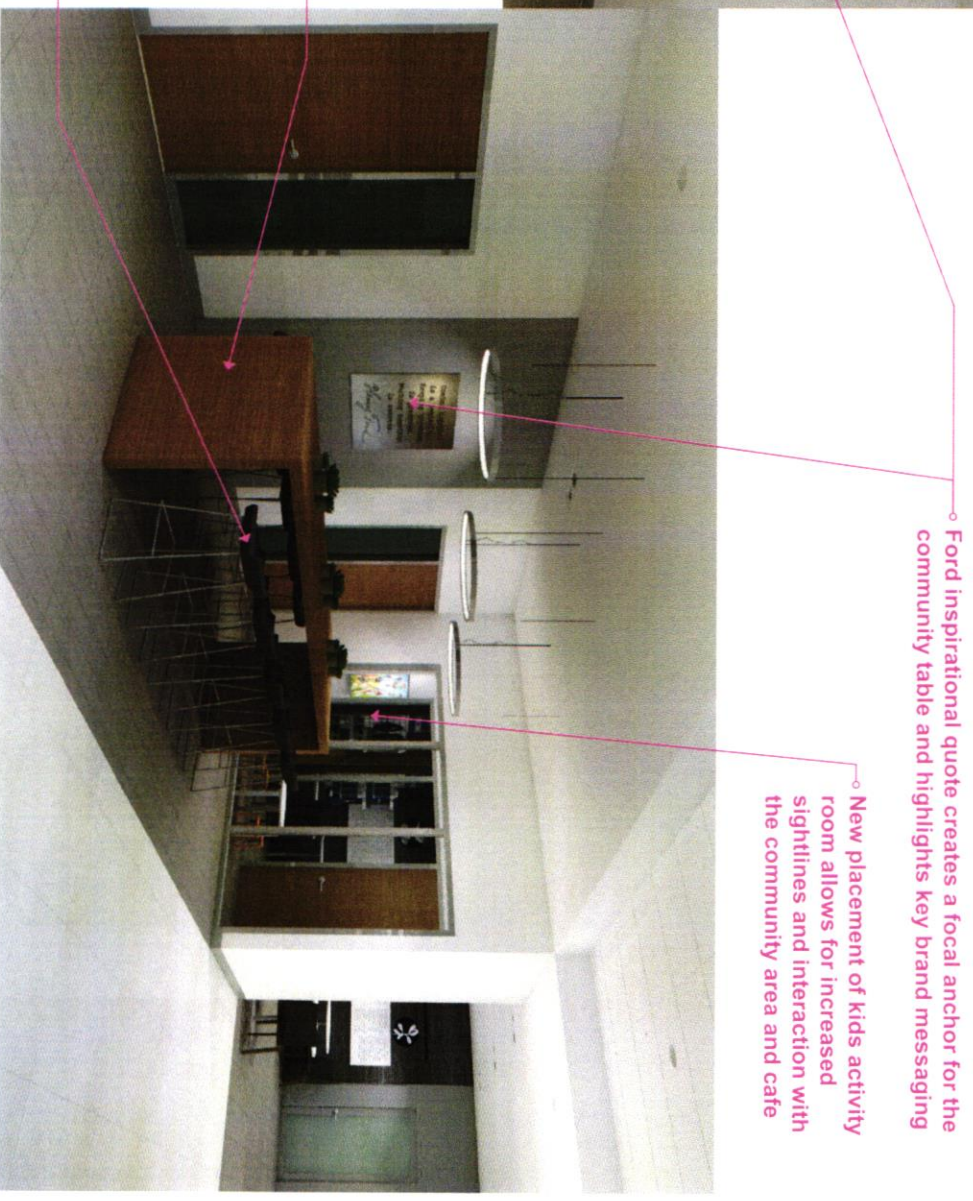


Standard digital wall enclosure

Standard 12' community table

New modern seating

Schematic Design



Ford inspirational quote creates a focal anchor for the community table and highlights key brand messaging

New placement of kids activity room allows for increased sightlines and interaction with the community area and cafe

Project: Gerald Ford

Rendered View - Zone 2



Schematic Design

Improved Customer Hospitality Area

Project: Gerald Ford

Schematic Design

Rendered View - Zone 2



Existing fire place renovation

Acoustic ceiling material to help control sound in TV zone

Side table with integral power for customer convenience

Carpet inset

Possible alternate accent tile suggestion at entry: Ford-specified grey tile in a long linear format (4"x24") for a more modern aesthetic and to define customer hospitality zone

Improved Customer Hospitality Area

The hospitality concept shown here creates a warm and inviting lounge zone with acoustic considerations. The usage of acoustic material on the ceiling and carpet on the floor helps to dampen sound and provide a relaxing customer lounge environment.

Ford Proposed Customer Lounge



Project: Gerald Ford

Rendered View - Zone 2

Schematic Design

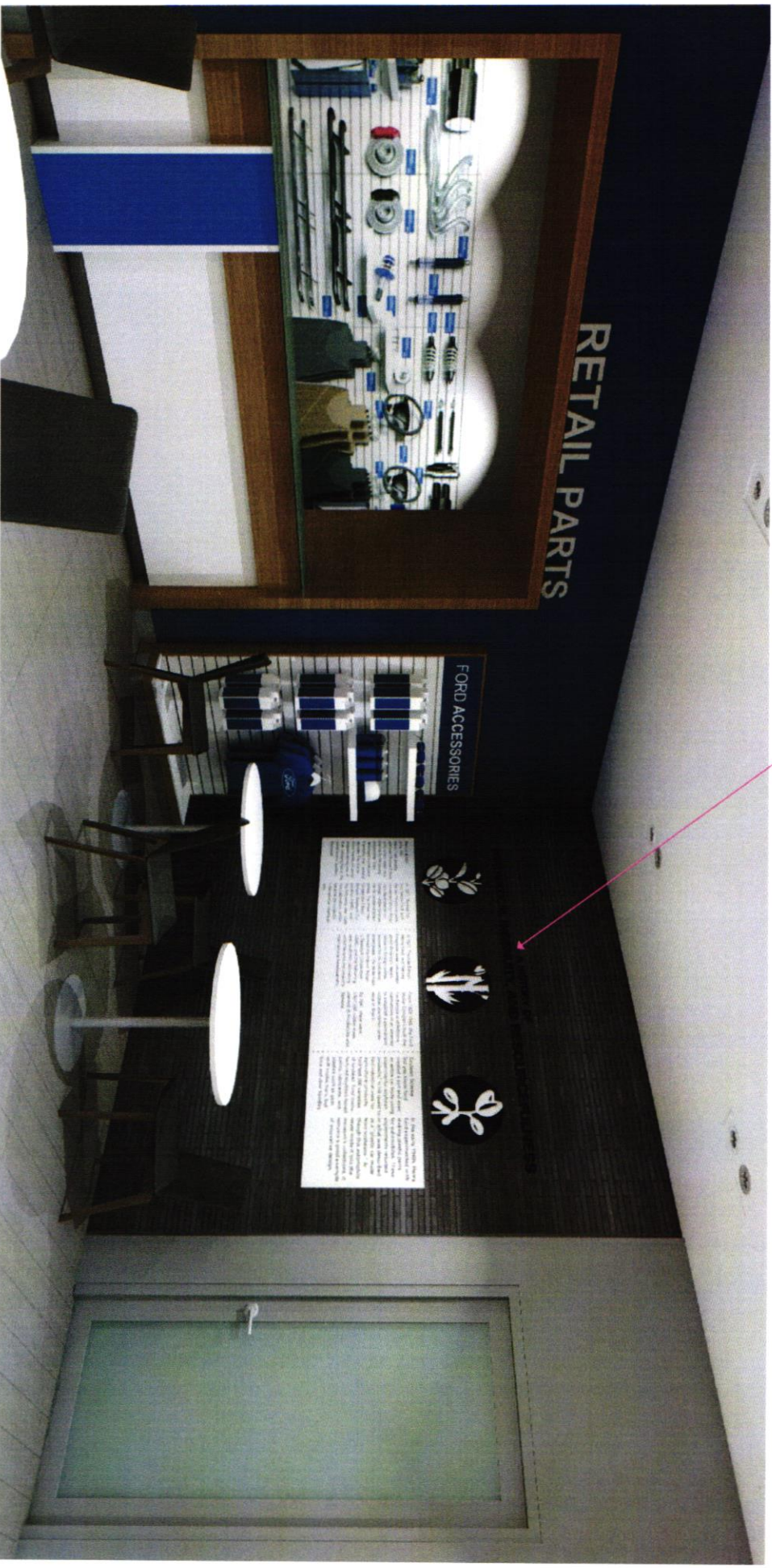
View of Retail Parts Shop and Cafe



Project: Gerald Ford

Rendered View - Zone 2

Brand graphic highlighting
the Ford story



Schematic Design

View of Retail Parts Shop and Cafe

Project: Gerald Ford

Schematic Design

Rendered View - Zone 2

Brand graphic highlighting the Gerald story

No upper storage (generally not used), replaced with TV with news feed at cafe zone

Under-surface lighting effecting

View of Cafe and Customer Lounge



Unit frame size adjusted to 3" thickness to match all other similar design elements



Project: Gerald Ford

Rendered View - Restrooms



Schematic Design

Project: Gerald Ford

Schematic Design

Rendered View - Restrooms



Gerald Ford
Proposed Economic Incentive Agreement Rebate Structure and Projection

2017 Village Sales Tax Receipts	\$	162,000										
2018 Village Sales Tax Receipts	\$	176,000										
2019 Village Sales Tax Receipts	\$	258,353										
Projected 2020 Village Sales Tax Receipts	\$	235,000										
Proposed Base												
reduction from 2019 percent reduction		(38,853)										
reduction from projected 2020 percent reduction		(15,500)										
		-6.6% cushion										
Revised Projected Growth Rate			2021 Year 1	2022 Year 2	2023 Year 3	2024 Year 4	2025 Year 5	2026 Year 6	2027 Year 7	2028 Year 8	2029 Year 9	2030 Year 10
		10.0%		14.0%	8.0%	4.0%	2.5%	2.2%	2.0%	1.5%	1.5%	
	Gross Sales Tax	235,000	258,500	294,690	318,265	330,996	339,334	346,799	353,735	359,041	364,427	369,893
	Base	219,500	219,500	219,500	219,500	219,500	219,500	219,500	219,500	219,500	219,500	219,500
	Difference over Base	15,500	39,000	75,190	98,765	111,496	119,834	127,299	134,235	139,541	144,927	150,393
	Percent Rebate		85.0%	85.0%	85.0%	85.0%	85.0%	85.0%	85.0%	85.0%	85.0%	85.0%
	Rebate		33,150	63,912	83,950	94,771	101,859	108,204	114,100	118,610	123,188	58,256
	Cumulative Rebate		33,150	97,062	181,012	275,783	377,642	485,847	599,946	718,556	841,744	900,000
	Village Retains		225,350	230,779	234,315	236,224	237,475	238,595	239,635	240,431	241,239	311,638

Sec. 8-11-20. Economic incentive agreements. The corporate authorities of a municipality may enter into an economic incentive agreement relating to the development or redevelopment of land within the corporate limits of the municipality. Under this agreement, the municipality may agree to share or rebate a portion of any retailers' occupation taxes received by the municipality that were generated by the development or redevelopment over a finite period of time. Before entering into the agreement authorized by this Section, the corporate authorities shall make the following findings:

(1) If the property subject to the agreement is vacant:

(A) that the property has remained vacant for at

least one year, or

(B) that any building located on the property was

demolished within the last year and that the building would have qualified under finding (2) of this Section;

(2) If the property subject to the agreement is currently developed:

(A) that the buildings on the property no longer

comply with current building codes, or

(B) that the buildings on the property have remained less than significantly

unoccupied or underutilized for a period of at least one year;

(3) That the project is expected to create or retain job opportunities within the municipality;

(4) That the project will serve to further the development of adjacent areas;

(5) That without the agreement, the project would not be possible;

(6) That the developer meets high standards of creditworthiness and financial strength as demonstrated by one or more of the following:

(A) corporate debenture ratings of BBB or higher by

Standard & Poor's Corporation or Baa or higher by Moody's Investors Service, Inc.;

(B) a letter from a financial institution with assets

of \$10,000,000 or more attesting to the financial strength of the developer; or

(C) specific evidence of equity financing for not

less than 10% of the total project costs;

(7) That the project will strengthen the commercial sector of the municipality;

(8) That the project will enhance the tax base of the municipality; and

(9) That the agreement is made in the best interest of the municipality.

The building on the property was built in 1996. It has been occupied and utilized by the Ford franchise. However, the building was not designed to accommodate modern customer shopping experience, nor to facilitate as timely of service work as possible and has not been updated in 24 years. Doing so will add meaningful additional employment as well as substantial additional retailers' occupation taxes.

We project that this project will create 12 to 14 new full time jobs, increasing this dealership's employment by 30 percent.

The project is the remodeling of the interior showroom and office spaces (more space being incorporated into showroom and customer lounge area), reconfiguring the service drive, and refinishing the exterior appearance of the building to meet modern customer expectations, improve service efficiencies and provide a more welcoming face to potential customers.

The financial support of an Economic Incentive Agreement is needed to finance this project. The Gerald Auto Group's aggressive 2013 - 2016 investments in the North Aurora Auto Mall, the purchase of this Ford dealership in September 2018, and additional investments in 2019 have utilized much of the existing capital of the organization.

We plan to finance this project with a loan for 75% of project costs provided by Comerica Bank, which is rated "A-" by Standard & Poor's and "A3" by Moody's.

The commercial sector will enjoy higher employment (which itself will generate more nearby retail activity) as well as a direct increase in taxable sales.

We project that this project will increase this dealership's taxable sales by over \$3 million in its second full year after remodeling and by over \$7 million per year by 2024.

The agreement is in the best interest of the municipality by providing increased employment, generating incremental retailers' occupation taxes, providing facilities to meet customer demand, and a much more attractive street view of the business facilities to those entering North Aurora on Orchard Road and those driving Hansen Boulevard.

VILLAGE OF NORTH AURORA BOARD REPORT

TO: VILLAGE PRESIDENT & BOARD OF TRUSTEES
CC: STEVE BOSCO, VILLAGE ADMINISTRATOR
FROM: MIKE TOTH, COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR
SUBJECT: MOBILE FOOD VENDOR TEXT AMENDMENTS
AGENDA: JULY 20, 2020 COMMITTEE OF THE WHOLE MEETING

DISCUSSION

On December 5, 2016, the Village Board approved regulations allowing mobile food vendors to operate within the Village. Staff is now revisiting the regulations to fit with current trends. Staff discussed the following items with the Village Board at the June 15, 2020 Committee of the Whole meeting:

- Amend the definition of mobile food vendor to include trailers.
Trailers are becoming more popular for mobile food sales and are not covered under the definition of mobile food vendor. A new definition, which now includes trailers, has been added. The Board did not have an issue with this.
- Restrict mobile food vendors from stopping on main roads for the purposes of making sales.
Parking restrictions on certain main roads is not addressed in the Municipal Code; as such, staff proposed language restricting mobile food vendors from selling on main roads. Upon recommendation from the Village Board (during the COW discussion), Banbury Road was added to the list of roads where mobile food vendors would be prohibited from stopping for the purposes of making sales.
- Allow for sales on private property for four (4) hours.
The Village Board was willing to allow up to four (4) hours for food sales on private property as long as mobile food vendors are prohibited from stopping for the purpose of making sales on private property more than once in one week. As such, the draft ordinance includes language that would allow sales on private property for up to four (4) hours once a week.

An ordinance was presented to the Village Board for final consideration on July 6, 2020. After public comment, the item was removed to allow the Village Board to further discuss at an upcoming Committee of the Whole meeting. Certain operational aspects of mobile food vendors, such as waste prevention, restricting sales to certain times of day, prohibiting operation in residential areas and prohibiting amplified noise, were mentioned. Staff notes the following:

- The current provisions require mobile food vendors to supply trash receptacles and pick up any litter upon leaving an area.
- In 2016, the Village Board discussed specific hours of operation, but the Board did not want to restrict the times of day a mobile food vendor could sell, but rather limit each stop to two (2) hours.
- Prohibiting mobile food vendors from operating in residential areas would prohibit ice cream trucks from operating in residential neighborhoods and also prohibit mobile food vendors from serving at private parties, such as birthdays or graduation parties.
- Amplified noise is allowed in the Village. The use of amplified noise outside of defined time periods would require a special event permit.

Staff can further research any operational aspect of mobile food vending. At this time, staff would like feedback from the Board on how to proceed.

Chapter 5.35 - MOBILE FOOD VENDORS

Sections:

5.35.010 - Definitions.

The following definitions shall apply to this chapter:

"Mobile food vendor" means any person that operates a motorized vehicle that travels through the village seeking sales of food and beverage items, or by a wheeled cart that utilizes human propulsion (including, but not limited to, motorized vehicles, non-motorized vehicles, carts, bicycles, trailers and other similar devices whether self-propelled, propelled by other vehicles or propelled by humans/animals) for the purpose of selling food and beverage items.

"Person" means any individual, firm, co-partnership, partnership, corporation (for profit or not for profit), company, association, church, organization, trust or other entity.

5.35.020 - Mobile food vendor permit required.

No person shall engage in the activities of a mobile food vendor and offer food and/or beverages for sale in the Village of North Aurora without a valid, current, written permit issued by the North Aurora Police Department.

5.35.030 - General regulations.

- A. Each mobile food vendor shall supply a trash receptacle for use by the customers. Prior to leaving each stop, the vendor shall remove any litter left at the stop by consumers.
- B. Sales of items other than food and beverage items are prohibited.
- C. No mobile food vendor shall stop at any time for the purpose of making sales on private property without the prior consent of the property owner.
- D. Mobile food vendors shall observe all local, county and state traffic codes and parking regulations and observe all other relevant municipal ordinances.
- E. Unless serving as an approved vendor as part of a special event approved by the village board, no mobile food vendor shall stop and remain in one location on any private property in the Village for the purpose of making sales of food or beverages for more than one (1) day for a maximum of two (2) four (4) hours in a calendar week, unless serving as an approved vendor as part of a special event approved by the village board. no more than one (1) mobile food vendor shall stop and remain on any private property in the Village in a day, no more than one (1) mobile food vendor shall stop and remain on any private property in the Village at a time.
- F. No mobile food vendor shall stop and remain at any one place on public property in the Village for the purpose of making sales of food or beverages for more than two (2) hours at a time, unless serving as an approved vendor as part of a special event approved by the village board.
- G. No mobile food vendor shall stop and remain for the purpose of making sales on Airport Road, Alder Drive, Banbury Road, Deerpath Road, Hart Road, Ice Cream Drive, Illinois Route 25, Illinois Route 31, Illinois Route 56, Mitchell Road, Mooseheart Road, Oak Street, Orchard Gateway Boulevard, Orchard Road, Sullivan Road, Tanner Road or Randall Road.
- H. Signage shall be limited to the surface of the vehicle.

- I. The mobile food vending permit shall be kept in the vehicle and be shown to all people who ask to see the permit at all times that the mobile food vendor is engaging in sales.
- J. All mobile food vendors shall meet the following minimum insurance requirements:
 - 1. General liability insurance with minimum coverage of one million dollars (\$1,000,000.00);
 - 2. Business auto insurance on any business vehicle from which the food or beverages are sold directly from the vehicle with minimum coverage of at least one million dollars (\$1,000,000.00); and
 - 3. Personal auto insurance on any personal vehicle pulling a trailer from which food or beverages are sold with minimum coverage of at least five hundred thousand dollars (\$500,000.00).

5.35.040 - Permit requirements.

- A. Every person required to obtain a mobile food vendor permit shall make a written application for a mobile food vendor permit, pay the permit fee and obtain a permit prior to engaging in the mobile food vending business within the village.
- B. No mobile food vendor permit will be issued without a permit issued by the Kane County Department of Health.
- C. A fee of fifty dollars (\$50.00) shall be charged for every mobile food vendor permit application and renewal application to cover the cost of processing the application.
- D. Mobile food vending permits shall be good for one year from the date of issuance and must be renewed as of the anniversary date of the original date of issuance by applying for a renewal permit, paying the annual fee and obtaining a renewal permit.

5.35.050 - Mobile food vending permit application.

Application for a mobile food vendor permit shall be accompanied by the proper documentation necessary to complete the application. The applicant shall truthfully state in full the following information requested on the application:

- A. Full name, date of birth, address and telephone phone number of the business owner as it appears on a driver's license, state ID, social security card or birth certificate, birth date, mailing address;
- B. The names, dates of birth, addresses and telephone phone numbers of the operators of any mobile food vending vehicles or wheeled carts, if different than the owners, as it appears on a driver's license, state ID, social security card or birth certificate, birth date, mailing address;
- C. All addresses of places of residence of the persons identified in subsections (A) and (B) if those persons have resided in other places during the past three years;
- D. Physical description of the owner, including sex, height, weight, hair color and eye color;
- E. A valid vehicle registration, driver's license and proof of required insurance;
- F. Whether the applicant has ever been convicted of the commission of a felony and/or any crime involving moral turpitude under the laws of this state or any other state or federal law of the United States;
- G. Such additional information and any documentation as the chief of police may deem necessary to process the application.

5.35.060 - Penalty and enforcement.

- A. Any person violating or aiding or abetting the violation of any provision of this chapter is guilty of a misdemeanor and shall be fined not less than fifty dollars (\$50.00) nor more than seven hundred fifty dollars (\$750.00). Each day that a violation occurs shall be considered a separate violation. The police department and any code enforcement officers shall have concurrent authority to enforce the provisions of this chapter and may give written notice of any violation and the fine imposed for the violation by serving a citation in person or by certified U.S. mail return receipt requested on any violator. All complaints from citizens regarding violations of this chapter shall be directed to the village code enforcement officer(s).
- B. The acts of any employee, partner other agent (hereinafter "agent") shall be attributed to and considered the acts of the employer, partnership, corporation, limited liability company or other principal on whose behalf, or at whose direction or by whose authority or consent (hereinafter "principal") the agent was engaging in mobile food vending, and any violation of this chapter by an agent shall be enforceable against the principal and/or the agent jointly or severally. The act of engaging in mobile food vending for another person shall be presumed to create an agency relationship for purposes of this chapter.

5.70.020 - Conditions and permits for outdoor special events.

An outdoor special event permit is required on any property in the village for any planned outdoor event involves the following:

- A. The use of any village property;
- B. The closure of any public street, posting of "no parking" signs on public streets or blocking of any parking on public streets;
- C. The use of any commercial parking lot and/or blocking of any commercial parking area that reduces the number of required parking spaces established in Title 17;
- D. The use of mobile food vendor(s).
 - 1. More than one (1) vendor in a day; or
 - 2. More than one (1) vendor at a time; or
 - 3. More than two (2) hours at a time on public property; or
 - 4. More than four (4) hours at a time on private property;
- E. The sale of alcoholic liquor; or
- F. Any event at which sound amplification equipment will be used.
 - 1. Sunday through Thursday before 10:00 a.m. and/or after 9:00 p.m.; or
 - 2. Friday and Saturday before 10:00 a.m. and/or after 10:00 p.m.

All outdoor special events shall be conducted in a way that minimizes the direct impact of sound and the activity of the event on neighboring properties and the public as is practicable.