



## VILLAGE OF ROUND LAKE BEACH

1937 N. Municipal Way  
Round Lake Beach, IL 60073  
(847) 546-2351

# Ice Cream Vendor License Process

The application process will begin with the vendor receiving an application packet from Economic Development during normal business hours. Included in the packet will be the application form, fee structure, copy of the ordinance, and a summary of the documents required.

When the application is returned to Economic Development the application will be paid for according to the fee structure established.

The application is then checked for completeness via the check list.

After vendor has shown proof that:

- Application is complete (with all drivers signatures)
- Health Department Permits are valid
- Retailers Occupation Tax Act Certificate or Registration
- Commercial Food Products Liability Insurance Certificate
- Copies of all Drivers Licenses
- Copy of Safety Inspection for Each Vehicle
- Copy of liability Insurance for all vehicles
- Signed Indemnification Agreement

Economic Development will send the application to the Police Department for fingerprinting.

When the fingerprints are completed they are sent back to Economic Development for processing in the same way as Liquor Licenses are completed.

\*\*\*Return on liquor license fingerprint inquiries are currently running 6 – 8 weeks.

The Police Department will then complete a background investigation to include the following  
Local State and Federal Sex Offender check.  
Local Criminal History Check.

Once the results of the fingerprints are received by Economic Development they will be sent to the Chief of Police for review and final approval of the application.

The Police Department will then complete individual vendor identification cards and vendor vehicle placards.

All identification card(s) and vehicle placards will be sent to Economic Development who will contact the applicant for final payment of said licenses according to the ordinance.

(fee structure and checklist attached)



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**Ice Cream Vendor License  
Check list**

- Completed Application
- Health Department Permits on all Vehicles
- Retailers Occupation Tax Act Certificate or Registration
- Public and Products Liability Insurance in the following amounts:
  - Food Products: \$500,000/\$500,000 aggregate, per occurrence
  - Commercial General Liability: \$1,000,000 General Aggregate  
\$1,000,000 Personal and Advertising Injury  
\$1,000,000 Each Occurrence
  - Business Automobile Liability: Bodily Injury: \$1,000,000 per person  
\$1,000,000 per occurrence  
Property Damage: \$1,000,000 per occurrence

- All Drivers Signatures
- Copies of Drivers Licenses for All Drivers
- Fingerprints for Applicant, Business Partners and all Drivers
- Copy of Safety Inspection for Each Vehicle
- Executed Indemnification Agreement
- Received a Copy of the Ordinance

**Application Fees**

Payable when application is handed in and prior to background

# of owners \_\_\_ x \$35 = \$\_\_\_\_\_  
 # of drivers \_\_\_ x \$35 = \$\_\_\_\_\_  
 Total Application Fee = \$\_\_\_\_\_  
 Paid \_\_\_\_\_ Clerk's Initials \_\_\_\_\_ Date \_\_\_\_\_

**License Fees**

Payable upon completion of background and prior to the issuance of licenses and placards

# of owners \_\_\_ x \$75 = \$\_\_\_\_\_  
 # of drivers \_\_\_ x \$25 = \$\_\_\_\_\_  
 Total License Fees = \$\_\_\_\_\_  
 Paid \_\_\_\_\_ Clerk's Initials \_\_\_\_\_ Date \_\_\_\_\_



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**Ice Cream Vendor License Application**

**Individual applicant (person submitting application):**

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_ Tel: \_\_\_\_\_

Street Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

U. S. citizen?? Yes \_\_\_ No \_\_\_ if naturalized, date and place of naturalization \_\_\_\_\_

Where do you intend to sell ice cream or related items?? \_\_\_\_\_

Have you ever successfully applied for an ice cream vendor license before?? Yes \_\_\_ No \_\_\_

If yes, list each place for the last three years: \_\_\_\_\_

Have you ever had any other itinerant merchant or transient vendor license revoked for any reason by any state or unit of government?? Yes \_\_\_ No \_\_\_ if yes reason \_\_\_\_\_

I have attached a copy of all required Health Department state permits?? Yes \_\_\_ No \_\_\_

I have attached a copy of a certificate or registration under the Retailers' Occupation Tax Act?? Yes \_\_\_ No \_\_\_

I have attached the following insurance policies: Commercial Food Products Liability Insurance (\$500,000 aggregate and \$500,000 per occurrence), Commercial General Liability Insurance (\$1,000,000 each for General Aggregate, Personal and Advertising Injury and Each Occurrence), Business Automobile Liability Insurance for each vehicle (including owned, non-owned and hired vehicles) with \$1,000,000 Bodily Injury coverage per person and per accident and \$1,000,000 Property Damage Insurance per occurrence. All of these policies will not be canceled or reduced without 30 days prior written notice to the village and these policies will also name the Village, its officers, employees and agents as additional insured's. Yes \_\_\_ No \_\_\_

By submitting this application for an ice cream vendor license, I understand that the Round Lake Beach Police Department has my permission to conduct a background check to verify the accuracy of my application and to verify I am not a sex offender and I have no convictions that would make me ineligible to receive a license by reason of any matter or thing contained in any ordinance of the village of Round Lake Beach and the laws of this state.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**Business:**

Legal Name of Business: \_\_\_\_\_

Permanent Address of Business \_\_\_\_\_ City: \_\_\_\_\_

State: \_\_\_\_\_ Zip: \_\_\_\_\_ Date Business was Established: \_\_\_\_\_

**Names and Residential Addresses of Officers, Directors, Shareholders, Partners, or Members:**

1. Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_  
Street Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_
2. Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_  
Street Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_
3. Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_  
Street Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

**Vendors/Drivers:**

**Provide information for all vendors or drivers that will be selling ice cream or related products from a vehicle owned or operated by this applicant:**

**Vendor/Driver**

1. Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_  
Street Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Drivers License Number \_\_\_\_\_ Social Security Number \_\_\_\_\_  
Fingerprints attached?? Yes \_\_\_ No \_\_\_ Other locations licensed to sell \_\_\_\_\_  
Contact Phone Number \_\_\_\_\_

I understand that the Round Lake Beach Police Department has my permission to conduct a background check to verify the accuracy of my application and to verify I am not a sex offender and I have no convictions that would make me ineligible to receive a license by reason of any matter or thing contained in any ordinance of the village of Round Lake Beach and the laws of this state.

\_\_\_\_\_  
Signature Date

**Vendor/Driver**

2. Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_  
Street Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Drivers License Number \_\_\_\_\_ Social Security Number \_\_\_\_\_  
Fingerprints attached?? Yes \_\_\_ No \_\_\_ Other locations licensed to sell \_\_\_\_\_  
Contact Phone Number \_\_\_\_\_

I understand that the Round Lake Beach Police Department has my permission to conduct a background check to verify the accuracy of my application and to verify I am not a sex offender and I have no convictions that would make me ineligible to receive a license by reason of any matter or thing contained in any ordinance of the village of Round Lake Beach and the laws of this state.

\_\_\_\_\_  
Signature Date

**Provide information for all vendors or drivers that will be selling ice cream or related products from a vehicle owned or operated by this applicant (continued):**

**Vendor/Driver**

3. Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Street Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Drivers License Number \_\_\_\_\_ Social Security Number \_\_\_\_\_

Fingerprints attached?? Yes \_\_\_ No \_\_\_ Other locations licensed to sell \_\_\_\_\_

Contact Phone Number \_\_\_\_\_

I understand that the Round Lake Beach Police Department has my permission to conduct a background check to verify the accuracy of my application and to verify I am not a sex offender and I have no convictions that would make me ineligible to receive a license by reason of any matter or thing contained in any ordinance of the village of Round Lake Beach and the laws of this state.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**Vendor/Driver**

4. Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Street Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Drivers License Number \_\_\_\_\_ Social Security Number \_\_\_\_\_

Fingerprints attached?? Yes \_\_\_ No \_\_\_ Other locations licensed to sell \_\_\_\_\_

Contact Phone Number \_\_\_\_\_

I understand that the Round Lake Beach Police Department has my permission to conduct a background check to verify the accuracy of my application and to verify I am not a sex offender and I have no convictions that would make me ineligible to receive a license by reason of any matter or thing contained in any ordinance of the village of Round Lake Beach and the laws of this state.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**Vendor/Driver**

5. Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Street Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Drivers License Number \_\_\_\_\_ Social Security Number \_\_\_\_\_

Fingerprints attached?? Yes \_\_\_ No \_\_\_ Other locations licensed to sell \_\_\_\_\_

Contact Phone Number \_\_\_\_\_

I understand that the Round Lake Beach Police Department has my permission to conduct a background check to verify the accuracy of my application and to verify I am not a sex offender and I have no convictions that would make me ineligible to receive a license by reason of any matter or thing contained in any ordinance of the village of Round Lake Beach and the laws of this state.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**If more space is needed copy page five and add vendors/drivers**

**Vehicles:**

1. Vehicle Registration\_\_\_\_\_ Registration State \_\_\_\_\_ Registration Year \_\_\_\_\_  
Vehicle Make\_\_\_\_\_ Model\_\_\_\_\_ Color\_\_\_\_\_ Year \_\_\_\_\_  
GVWR\_\_\_\_\_ Vehicle Identification Number \_\_\_\_\_  
Safety Inspection?? (copy attached) Yes \_\_\_ No \_\_\_ Safety Certificate?? Yes \_\_\_ No \_\_\_ # \_\_\_\_\_  
Name of licensee on both sides of vehicle?? Yes \_\_\_ No \_\_\_ Readable from 50 feet?? Yes \_\_\_ No \_\_\_  
Individual vehicle number specific to the company \_\_\_\_\_ On both sides of vehicle?? Yes \_\_\_ No \_\_\_  
Vehicle Menu Board?? Yes \_\_\_ No \_\_\_ Hand written?? Yes \_\_\_ No \_\_\_
  
2. Vehicle Registration\_\_\_\_\_ Registration State \_\_\_\_\_ Registration Year \_\_\_\_\_  
Vehicle Make\_\_\_\_\_ Model\_\_\_\_\_ Color\_\_\_\_\_ Year \_\_\_\_\_  
GVWR\_\_\_\_\_ Vehicle Identification Number \_\_\_\_\_  
Safety Inspection?? (copy attached) Yes \_\_\_ No \_\_\_ Safety Certificate?? Yes \_\_\_ No \_\_\_ # \_\_\_\_\_  
Name of licensee on both sides of vehicle?? Yes \_\_\_ No \_\_\_ Readable from 50 feet?? Yes \_\_\_ No \_\_\_  
Individual vehicle number specific to the company \_\_\_\_\_ On both sides of vehicle?? Yes \_\_\_ No \_\_\_  
Vehicle Menu Board?? Yes \_\_\_ No \_\_\_ Hand written?? Yes \_\_\_ No \_\_\_
  
3. Vehicle Registration\_\_\_\_\_ Registration State \_\_\_\_\_ Registration Year \_\_\_\_\_  
Vehicle Make\_\_\_\_\_ Model\_\_\_\_\_ Color\_\_\_\_\_ Year \_\_\_\_\_  
GVWR\_\_\_\_\_ Vehicle Identification Number \_\_\_\_\_  
Safety Inspection?? (copy attached) Yes \_\_\_ No \_\_\_ Safety Certificate?? Yes \_\_\_ No \_\_\_ # \_\_\_\_\_  
Name of licensee on both sides of vehicle?? Yes \_\_\_ No \_\_\_ Readable from 50 feet?? Yes \_\_\_ No \_\_\_  
Individual vehicle number specific to the company \_\_\_\_\_ On both sides of vehicle?? Yes \_\_\_ No \_\_\_  
Vehicle Menu Board?? Yes \_\_\_ No \_\_\_ Hand written?? Yes \_\_\_ No \_\_\_

**Indemnity and Hold Harmless Agreement**

\_\_\_\_\_ (“Owner”) of \_\_\_\_\_,  
\_\_\_\_\_, Illinois, in consideration for receiving an ice cream vendor  
license from the Village of Round Lake Beach (“Village”) and ten dollars (\$10.00) and  
other good and valuable consideration, the receipt of which is hereby acknowledged,  
covenants and agrees as follows:

1. Indemnity. The Owner shall indemnify, defend and hold harmless the Village and its Board of Trustees and its present and former officers, members (individually and collectively), agents, servants, administrators, employees, successors, representatives, attorneys, and assigns, and each and every one of them from and against claims, damages, losses and expenses, including but not limited to attorneys fees, and litigation expenses claimed to arise out of or result from Owner’s and Owner’s employees operating as ice cream vendors and selling food products pursuant to a license issued by the Village including but not limited to, claims, damages, losses or expenses attributable to bodily injury, sickness, disease, or death, or to injury to or destruction of tangible property, including loss of use resulting there from, to the extent caused in whole or in part by the acts or omissions of the Owner or anyone directly or indirectly employed by it or anyone for whose acts it may be liable, regardless of whether or not such claim, damage, loss, or expense is caused in part by a party indemnified hereunder. The indemnification obligation of this paragraph shall not be limited by any limitation on the amount or type of damages, compensation or benefits payable by or for the Owner or anyone else for whom it may be directly or indirectly liable under any policy of insurance, whether required herein or not. If the Village shall remain a party to any litigation for which the Owner is obligated to indemnify the Village, then the Owner shall protect and hold the Village harmless and shall pay all costs, expenses and reasonable attorneys’ fees incurred or paid by the Village in connection with the defense of such

litigation. The Village may, at its option, require the Owner to assume the Village's defense in any action covered by this Agreement, through counsel reasonably approved by the Village.

2. Insurance: Owner agrees to provide General Public and Products Liability Insurance in not less than the following amounts:

Food Products:                      \$ 500,000/\$ 500,000              Dollars aggregate, per occurrence.

Commercial General Liability:

1.     \$1,000,000.00    General Aggregate
2.     \$1,000,000.00    Personal and Advertising Injury
3.     \$1,000,000.00    Each Occurrence

Business Automobile Liability (including owned, non-owned and hired vehicles):

Bodily Injury:

\$1,000,000.00    Per Person  
\$1,000,000.00    Per Accident

Property Damage:

\$1,000,000.00    Per Occurrence

The required policy or policies of insurance shall contain the following special endorsement:

- a.     This insurance policy will not be canceled or reduced without 30 days prior written notice to the Village.
- b.     The Village and its officers, agents, and employees are named as *Additional Insureds* under the terms of this policy.

Owner's insurance coverage shall be primary insurance as respect to the Village and its respective officers, agents and employees. Any insurance or self-insurance

maintained by Village shall be excess of the Owner's insurance and shall not contribute with it.

No cancellation provision in any insurance policy shall be construed as derogation of the continuous duty of Owner to furnish insurance during the term of the ice cream vendor license.

Owner agrees to provide the required certificates of insurance, with all endorsements to Village prior to Owner beginning commercial operation as an ice cream vendor in the Village.

At least 30 days *prior* to the expiration of any policy, a signed and complete Certificate of Insurance, with all endorsements attached, showing that the insurance coverage has been renewed or extended shall be filed with Village.

Dated: \_\_\_\_\_, 2010.

Owner

\_\_\_\_\_

(Name)

By: \_\_\_\_\_

Attest: \_\_\_\_\_

Secretary

Name Printed: \_\_\_\_\_

Title Printed: \_\_\_\_\_

**ORDINANCE NO. 10-04-02**

**AN ORDINANCE CREATING TITLE III, CHAPTER 8  
OF THE VILLAGE CODE  
LICENSING ICE CREAM VENDORS**

**WHEREAS**, the Village of Round Lake Beach is a home rule municipality under the Illinois Constitution of 1970;

**WHEREAS**, the Village Board has considered whether to license ice cream vendors who sell from vehicles in the Village;

**WHEREAS**, the Village Board desires to regulate vendors who are engaged in the sale of ice cream primarily to children;

**WHEREAS**, the Illinois Municipal Code at 65 ILCS 5/11-42-5 authorizes municipalities to license, tax and regulate itinerate or transient vendors;

**WHEREAS**, the Illinois Municipal Code at 65 ILCS 5/11-20-2 authorizes municipalities to regulate food sales;

**WHEREAS**, 65 ILCS 5/11-42-1 authorizes municipalities to license and tax ice cream parlors;

**WHEREAS**, after thoroughly considering this matter, the Village Board finds that it is in the best interests of the residents of the Village to license ice cream vendors as provided herein.

**NOW THEREFORE BE IT ORDAINED** by the Mayor and Board of Trustees of the Village of Round Lake Beach, Lake County, Illinois, in the exercise of its home rule powers as follows:

**SECTION 1:** The above-stated recitals are incorporated herein by this reference.

**SECTION 2:** A new Title III, Chapter 8 of the Village Code entitled Ice Cream

Vendors is hereby created as follows:

**CHAPTER 8. Ice Cream Vendors**

**Section 3-8-1. Definition.**

As used in this article, the following term shall have the meaning indicated:

**VEHICLE**

Motor vehicles or devices moved by human power which are not more than 104 inches in height at its highest point from the ground, not more than 84 inches in width at its widest point, and not more than 197 inches in length at its longest point with a wheel base not to exceed 109 inches; a front track not to exceed 70 inches; rear track not to exceed 70 inches.

**Sec. 3-8-2. License required.**

It shall be unlawful to use or permit the use of a vehicle for the storage or carrying of ice cream or related products for sale at retail upon the streets of the Village without having first obtained a license to do so and fully complying with the provisions of this Chapter.

**Sec. 3-8-3. Applications.**

Applications for such licenses shall be made in writing to the Chief of Police or his/her designee, and shall be subject to the approval of the Chief of Police. The application shall be under oath and shall provide the following information:

- A. The name, permanent address and statement of legal age of the applicant in the case of an individual; in the case of a business entity, the legal name and permanent address of the business; the persons entitled to share in the profits thereof; the date of establishment, the objects for which it was organized, the names and residence addresses of the officers, directors, shareholders, partners or members; and if owned by one person, the name and address of such person. All addresses to be provided must include street addresses.
- B. The citizenship of the applicant, place of birth, and if a naturalized citizen, the date and place of naturalization.
- C. The length of time that said applicant has been in business selling ice cream or related products.
- D. A statement whether applicant has made a previous application for an ice cream vendor license, and the disposition of such application.
- E. A statement that the applicant has never been convicted of a felony, is not a registered sex offender and is not otherwise ineligible to receive a license by

reason of any matter or thing contained in this Chapter, the laws of this state or the other ordinances of the Village.

F. Whether a previous ice cream vendor license or any other itinerant merchant or transient vendor license has been revoked for any reason by any state or unit of government and the reasons therefor.

G. The number of vendors intended to be operated under the proposed license and make, model, year, license plate number and the vehicle identification number of each vehicle.

H. A waiver signed by the applicant authorizing the Village to conduct a criminal background check on the applicant.

I. A list of each place where the applicant and driver have been licensed to sell ice cream in the past three years.

J. A copy of all required Health Department state permits.

K. A list of each driver who will be selling ice cream or related products from a vehicle owned or operated by the applicant, including each driver's:

1. Name
2. Address
3. Drivers License Number
4. Social Security Number
5. Fingerprints
6. A release authorizing a criminal background check.
7. A statement signed by the driver that he or she has not been convicted of a felony, is not a registered sex offender, and is not ineligible to receive a license by reason of any matter or thing contained in this Chapter, laws of this state or the ordinances of this Village.
8. A list of each place where the driver is licensed to sell ice cream.

L. A copy of the applicant's certificate of registration under the Retailers' Occupation Tax Act.

M. The location(s) where the applicant intends to do business.

N. A complete inventory of the goods the applicant intends to offer for sale.

**Sec. 3-8-4. Character of applicant.**

No license shall be issued to or held by any person who is not a person of good moral character, who has been convicted of a felony, and/or who is a registered sex offender; nor shall such license be issued to or held by any corporation if any officer or driver of a vehicle thereof would be ineligible for a license under the foregoing.

**Sec. 3-8-5 Issuance of License**

Upon review of the application, and payment of the appropriate fees, the Chief of Police shall either approve or deny the license. If a license is approved, a license shall be issued which shall be displayed so it is clearly visible upon the outside of the vehicle. In addition, each driver, whether the license is issued in a driver's name or not, shall be required to wear an identification card, with a picture of the driver, issued by the Chief of Police indicating he or she is authorized to drive a vehicle which sells ice cream and related products in the Village.

**Sec. 3-8-6. Driver behavior; list of drivers.**

It shall be unlawful for any driver of a vehicle while on duty to use or be under the influence of any illegal drugs or any intoxicating liquor or alcoholic beverage, to use any profane or obscene language, to shout or call to prospective customers, or to disturb the peace in any manner. The licensee shall submit a list of drivers to the Chief of Police at such times as the Chief of Police shall request.

**Sec. 3-8-7. Limitations on licenses.**

No person, firm, corporation or other entity shall be issued more than one license. No license shall be issued to any person, firm, corporation or other entity which does not have vehicles selling ice cream in service.

**Sec. 3-8-8. Vehicles.**

- A. No vehicle from which ice cream or related products are sold shall be operated unless it bears a state license duly issued, and no such ice cream vehicle shall be operated unless it is equipped with proper brakes, lights, tires, horn, muffler, rear vision mirror and windshield wipers in good condition. It shall be the duty of the owner of the license to furnish to the Village a report of an inspection of each vehicle before the season commences for the season of issuance and at such times requested by the Chief of Police or his/her designee and to submit a certificate of safety indicating that the ice cream vehicle is in a safe mechanical condition. No vehicle shall be operated upon the streets of the Village if the inspection indicates that the vehicle is not in a safe mechanical condition and until it has been repaired, submitted for retesting and a certificate issued indicating that it has no mechanical defects.

B. Each vehicle from which ice cream or related products are sold, while operated, shall have on each side, in letters readable from a distance of 50 feet, the name of the licensee operating it. Each vehicle shall be painted a uniform color which paint shall completely cover and render unreadable the lettering of a prior use of the vehicle. If more than one ice cream vehicle is operated by a licensee, each ice cream vehicle shall be designated by a different number, and such number also shall so appear on each side of such ice cream vehicle.

C. Each vehicle from which ice cream or related products are sold shall display a menu board which is readable by prospective patrons and which lists the products offered for sale with their respective prices. The menu board shall be neatly lettered and shall not be hand written.

**Sec. 3-8-9. Duration and transfer of license.**

A license shall be purely a personal privilege, good for the season of issuance, which shall be from the first day of April of each year to the 15th day of October of each year unless sooner revoked or suspended as herein provided. Licenses issued after the first day of April of any year shall pay the full license fees as provided. A license shall not constitute property, nor shall it be subject to attachment, garnishment or execution, nor shall it be alienable or transferable, voluntarily or involuntarily, or subject to be encumbered or hypothecated. Such license shall not descend by the laws of testate or intestate devolution, upon ceasing to do business, revocation or suspension. In no event shall there be any refund of any portion of any license fee paid.

**Sec. 3-8-10. Hours of operation.**

A licensee shall be permitted to sell ice cream and related products from the licensed vehicles between the hours of 12:00 noon and 8:00 p.m. or dusk, whichever is earlier, during the license term. All sales must be conducted from licensed vehicles which have come to a full stop, with sound equipment turned off, at the curb line of the street upon which the sales are being made.

**Sec. 3-8-11. Streets on which sales are prohibited.**

Ice cream sales shall be prohibited upon the following streets within the Village:

Rollins Road

Route 83

Cedar Lake Road

Hook Drive

Hainesville Road

Monaville Road

**Sec. 3-8-12. License fee.**

The application fee for a license shall be \$35.00 for each owner and \$35.00 for each driver. The annual fee payable in advance for such licenses shall be \$75 for each owner, plus \$25 for each vehicle operated. All such fees shall be paid to the Chief of Police or his/her designee at the time the application is issued. If a vehicle is withdrawn from service and another vehicle replaces the one withdrawn, the licensee shall notify the Chief of Police, and the replacement vehicle shall be required to comply with all of the provisions of this Chapter.

**Sec. 3-8-13. Insurance.**

Each applicant shall obtain and maintain commercial food products liability insurance with limits in the amounts of \$500,000 aggregate insurance and \$500,000 per occurrence, which names the Village, its officers, employees and agents as additional insureds. No vehicle shall be operated unless it is covered by a commercial general liability insurance policy in the amount of \$1,000,000.00 naming the Village, its officers, employees and agents as additional insureds. The owner shall furnish certificates of such insurance prior to the issuance of a license. At the time of the issuance of a license, the owner shall execute an indemnification agreement in the form required by the Village. The insurance requirements of this Section shall be in lieu of posting a security bond with the Village,

**Sec. 3-8-14. Traffic and other rules.**

It shall be the duty of every driver of a vehicle to obey all traffic rules and other requirements established by ordinances of the Village or the statutes of the State of Illinois.

**Sec. 3-8-15. Sound equipment.**

It shall be unlawful for any vehicle to be equipped with mechanical sound equipment except equipment operated in such a fashion that it emits an intermittent and not a continuous sound. In no event shall the sound emitted exceed the levels provided in Ordinances of the Village, or provided by the State of Illinois. When the vehicle stops for sales, the sound equipment shall stop playing. The sound equipment shall only play music and shall not otherwise emit commercials or advertisements.

**Sec. 3-8-16. Penalty.**

Any person, firm or corporation violating the provisions of this article shall be fined not less than \$100.00 nor more than \$750.00; each day shall constitute a separate offense. In addition a license may be revoked for a violation of this Chapter, following a hearing before the Chief of Police. Revocation shall be in writing signed by the Mayor.

**SECTION 3:** If any portion of this Ordinance is found and determined to be invalid, the invalid portion shall be stricken herefrom and the remainder shall be in full force and effect.

**SECTION 4:** Any ordinances in conflict with the terms of this Ordinance are hereby repealed to the extent of such conflict.

**SECTION 5:** This Ordinance shall be in full force and effect from and after its approval.

APPROVED this 26 day of April, 2010.

AYES: 6(Trustees Armstrong, Smith, Butler, Mount, Mattingly & Valadez)

NAYS: 0

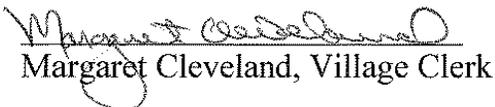
ABSTAIN: 0

ABSENT: 0



Richard H. Hill, Mayor  
Village of Round Lake Beach

ATTEST:



Margaret Cleveland, Village Clerk

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