

**ORDINANCE NUMBER: 2016-35**

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES FOR  
THE VILLAGE OF CHERRY VALLEY, ILLINOIS  
CHAPTER 26, BUSINESSES, ARTICLE III, PEDDLERS, ITINERANT MERCHANTS  
AND SOLICITORS, DIVISION 2, LICENSES, SECTION 26-111, REQUIREMENTS;  
APPLICATION PROCEDURE; STANDARDS FOR ISSUANCE**

**WHEREAS**, it has come to the attention of the Ordinance Committee for the Village of Cherry Valley, Illinois, that the licensing fees required for any itinerant merchant, peddler, or solicitor to conduct outdoor sales may be cost-prohibitive for produce vendors selling produce at an outdoor produce stand and/or farmer's markets; and

**WHEREAS**, the Ordinance Committee for the Village of Cherry Valley, Illinois, has since reviewed Chapter 26, Businesses, Article III, Peddlers, Itinerant Merchants and Solicitors, Division 2, Licenses, Section 26-111, entitled "Requirements; Application Procedure; Standards for Issuance" in response to the above concerns; and

**WHEREAS**, as part of its review of Section 26-111, the Ordinance Committee for the Village of Cherry Valley, Illinois, has determined that the fee of \$150.00 as set forth in 26-111(a)(5) is cost-prohibitive for produce vendors; and

**WHEREAS**, the Ordinance Committee for the Village of Cherry Valley, Illinois, has suggested amending Section 26-111 to provide for a reduced license fee of \$25.00 for produce vendors seeking a license to sell produce at an outdoor produce stand and/or farmer's market ; and

**WHEREAS**, in order to modify Section 26-111 of the Code of Ordinances for the Village of Cherry Valley, Illinois, it is necessary to enact this ordinance.

**NOW, WHEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES FOR THE VILLAGE OF CHERRY VALLEY, ILLINOIS, AS FOLLOWS:**

**SECTION 1:** The above-recitals are incorporated herein and made a part hereof.

**SECTION 2:** Section 26-111(a)(5) of the Code of Ordinances for the Village of Cherry Valley, Illinois, entitled "Requirements; application procedure; standards for issuance", shall and hereby is amended to read as follows (new language in **bold**):

Any entity which is conducting outdoor sales shall obtain a license at least seven days prior to engaging in such activity within the Village. The fee for the outdoor sale license shall be \$150.00, **unless the entity is a produce vendor obtaining a license for the sole purpose(s) of conducting outdoor sales at a farmer's stand and/or farmer's market, in which case the fee shall be \$25.00.** In the event a license is not obtained at least seven days prior to the sale, the fee shall increase to \$250.00 **for all entities.**

All outdoor sales licenses are valid for seven days from the first day of the sale, **with the exception of licenses for produce vendors obtaining a license for the sole purpose(s) of conducting outdoor sales at a farmer's stand and/or farmer's market in which case the license is valid for thirty days from the first day of the sale.**

**SECTION 3:** Except as modified in Section 26-111 above, the Code Sections as they previously existed and were printed shall remain in full force and effect.

**SECTION 4:** This Ordinance shall become in full force and effect from and after its approval, passage and publication in pamphlet form.

PASSED UPON MOTION BY: NANCY BELT

SECONDED BY: SALLY HOLLEMBEAK

BY ROLL CALL VOTE THIS 27 DAY OF SEPTEMBER, 2016

AS FOLLOWS:

VOTING "AYE": NANCY BELT, JEFF FUSTIN, SALLY HOLLEMBEAK,  
GARY MAITLAND, DAVID SCHROEDER

VOTING "NAY": STEPHEN APPELL

ABSENT, ABSTAIN, OTHER: NONE

APPROVED SEPTEMBER 27, 2016

ATTEST:

  
\_\_\_\_\_  
KATHLEEN TRIMBLE, DEPUTY CLERK

  
\_\_\_\_\_  
JIM E. CLAEYSSEN, PRESIDENT