
**VILLAGE OF HARWOOD HEIGHTS
COOK COUNTY, ILLINOIS**

ORDINANCE NO. 24 - 12

**AN ORDINANCE AUTHORIZING AND REGULATING MOBILE FOOD SERVICES
IN THE VILLAGE OF HARWOOD HEIGHTS**

Passed by the Board of Trustees, October 24, 2024

Printed and Published October 24, 2024 in Pamphlet Form
By Authority of the Village Board of Trustees

VILLAGE OF HARWOOD HEIGHTS
COOK COUNTY, ILLINOIS

ARLENE C. JEZIERNY, MAYOR
MARCIA L. POLLOWY, VILLAGE CLERK

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I hereby certify that this document was
properly published in pamphlet form
by authority of the Board of Trustees
on the date stated above.


Village Clerk

**VILLAGE OF HARWOOD HEIGHTS
COOK COUNTY, ILLINOIS**

ORDINANCE NO. 24-12

**AN ORDINANCE AUTHORIZING AND REGULATING MOBILE FOOD SERVICES
IN THE VILLAGE OF HARWOOD HEIGHTS**

WHEREAS, the Village of Harwood Heights (the “Village”) is an Illinois municipal corporation organized and operating pursuant to authority granted by the Constitution and Laws of the State of Illinois;

WHEREAS, the Village is a home rule unit of government pursuant to Section 6(a), Article VII of the 1970 Illinois Constitution;

WHEREAS, pursuant to its home rule power, the Village may exercise any power and perform any function relating to its government and affairs;

WHEREAS, the Village has authority, pursuant to the Illinois Municipal Code, to regulate traffic on streets located within the Village of Harwood Heights; and

WHEREAS, municipalities are authorized to regulate eating places and itinerant and transit vendors and merchants by the Illinois Municipal Code, 65 ILCS 5/11-42-5; and

WHEREAS, the Village currently regulates food sale operations in the Village pursuant to various provisions of the Village Code; and

WHEREAS, the Mayor and Board of Trustees have determined that amending the Village Code to allow and regulate Mobile Food Vehicle operations in the Village is in the best interests of the Village and its residents;

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Harwood Heights, County of Cook, Illinois, in the exercise of the Village’s home rule powers, that the Village Code be amended to add a new Article 4 (“Mobile Food Vehicles”)

to Title 4 (“Business Licenses and Regulations”), Chapter 4.20 (“Food Services”) of the Harwood Heights Code of Ordinances as follows:

SECTION 1. That the recitals set forth above be and the same are hereby incorporated as though set forth fully in this Section 1.

SECTION 2. Mobile Food Vehicles. Article 4 (“Mobile Food Vehicles”) of Title 4 (“Business Licenses and Regulations”), Chapter 4.20 (“Food Services”) of the Harwood Heights Code of Ordinances shall be and hereby is adopted as follows:

Article 4 – Mobile Food Vehicles.

4.20.160 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

Mobile Food Vehicles. A motorized vehicle or nonmotorized cart for mobile food services.

Mobile food services. Preparing, serving, and selling meals and snacks for immediate consumption from motorized vehicles or nonmotorized carts, such as hot dog carts, ice cream truck vendors, mobile food concession stands, food trucks, mobile refreshment stands, mobile food carts, or mobile snack stands. Mobile food services do not include (1) charitable organizations distributing food to those in need or (2) persons engaged in the door-to-door delivery of previously prepared food or beverages to customers who have placed an order for such items.

4.20.170 PERMIT AND FEE REQUIRED.

A. Permit Required. A permit is required to operate each Mobile Food Vehicle in the Village.

1. Annual Permit. Annual Mobile Food Vehicle permits cover May 1 through April 30.

2. Temporary Permit. Temporary Mobile Food Vehicle permits are available for a special event or temporary activity for any continuous duration up to a maximum of ninety-six (96) hours at a per diem rate set forth in Appendix 1 to the Village Code.

B. Application. Applicants must submit a complete application to the Village Clerk. The application must contain the information requested on the form, including the following:

1. A copy of all necessary licenses, permits, or registrations required by other jurisdictions, including Cook County Health Department.

2. A description of the food truck or trucks the applicant intends to operate.

3. A description of the proposed Mobile Food Vehicle operations in the Village, including the public or private property or public ways where the applicant seeks to operate, a list of events (if applicable), the planned location or route, operating days and hours, number of vehicles, signage, and lighting.

4. Written consent of the owner of any private property where the owner seeks to operate, if applicable.

5. For Mobile Food Vehicles that propose to operate while parked on public property or public ways, a signed statement that the applicant will hold harmless and indemnify the Village and its officers and employees from any claims for damage to property or injury to persons that may result from the Mobile Food Vehicle operations.

6. For Mobile Food Vehicles that propose to operate while parked on public property or public ways, proof of insurance to protect from claims for damage to property or bodily injury or death that may arise from the Mobile Food Vehicle operations. The insurance must provide coverage of not less than one million dollars (\$1,000,000.00) per occurrence and the Village must be named as an additional insured on the insurance policy.

7. The license fee required by Subsection C below.

8. Any other information deemed appropriate by the Village Clerk.

- C. Permit Fee.** The application required by Subsection A above must be accompanied by an application fee as set forth in Appendix 1 to the Village Code, except that the permit fee will be waived for Mobile Food Vehicles (1) that are approved to operate at a Village of Harwood Heights-sponsored festival or event or (2) that are operated by restaurants with a current Harwood Heights restaurant license.
- D. Conditions.** In issuing a permit for Mobile Food Vehicle operations, the Village has the authority to impose conditions on the approved permit, including regulations relating to trash collection and disposal, noise control, signage, vehicular and pedestrian traffic protection, among other conditions.

4.20.180. MOBILE FOOD VEHICLE OPERATIONS.

Mobile Food Vehicle operators must have a valid permit as required by Section 4.20.170 and must comply with all applicable federal, state, and local laws and ordinances and the following regulations:

- A. Limit on Number of Mobile Food Vehicles.** No more than five (5) annual Mobile Food Vehicle permits will be issued to operate in the Village in any calendar year, unless expressly waived by the Village Board. Mobile Food Vehicles approved to operate at Village-sponsored festivals or events or that are operated by restaurants with current Harwood Heights restaurant license will not be counted towards the maximum number of Mobile Food Vehicles permitted by this Section. Mobile Food Vehicles operating pursuant to a temporary Mobile Food Vehicle permit will also not count towards the maximum number of Mobile Food Vehicles permitted by this Section.
- B. Locations.** Mobile Food Vehicles will only be allowed to operate in the Village in the location or locations designated in the approved permit, which restrictions are within the license issuer's authority. In addition, Mobile Food Vehicles are prohibited from parking, standing, or operating in a manner that obstructs a public way, impairs the movement of pedestrians or vehicles, or poses a hazard to public safety.
- C. Mobile Food Vehicle Must be Attended at all Times.** Mobile Food Vehicles must be attended at all times while on public property or a public way.
- D. Hours of Operation.** Mobile Food Vehicles may only operate on those dates and during the hours designated in the approved permit.
- E. Health Codes and Regulations.** All Mobile Food Vehicles operating in

the Village must comply with all applicable health codes, including but not limited to state and county health department requirements for Mobile Food Vehicle operations.

F. Taxes. Operators must file and pay all applicable taxes.

SECTION 3. RESOLUTION OF CONFLICTS. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4. SAVING CLAUSE. If any section, paragraph, clause, or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance, which are hereby declared to be separable.

SECTION 5. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form in the manner provided by law.

VOTES

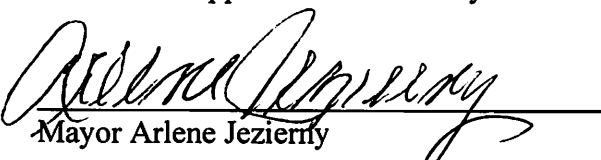
AYES: Trustee Steiner, Brzezniak-Volpe, Brzozowski-Wegrecki, Zerillo, Lewandowski

NAYS:

ABSENT: Trustee Brutto


ABSTAIN:

Passed and Approved this 24th day of October, 2024.



Mayor Arlene Jezierny

ATTEST:



Marcia L. Pollowy, Village Clerk

STATE OF ILLINOIS

COUNTY OF COOK

CERTIFICATION

I, Marcia L. Pollowy, do hereby certify that I am the duly elected and acting Clerk of the Village of Harwood Heights, County of Cook, State of Illinois.

I do further certify that the foregoing Ordinance 24-12 entitled:

**AN ORDINANCE AUTHORIZING AND REGULATING MOBILE FOOD SERVICES
IN THE VILLAGE OF HARWOOD HEIGHTS**

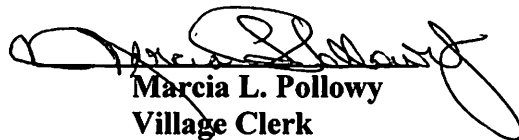
Is true and correct copy of an Ordinance adopted by the Board of Trustees of the Village of Harwood Heights at a meeting held on the 24th day of October, 2024.

I do further certify that the original of which the foregoing is a true copy is entrusted to my care and safekeeping, and that I am keeper of the same.

I do further certify that I am the keeper of the records, ordinances, and resolutions of said Village of Harwood Heights, Cook County, Illinois.

In witness whereof I have hereunto set my official hand and seal this 25th day of October, 2024.




Marcia L. Pollowy
Village Clerk

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