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April 27, 2016

Mr. Ken Zurek
3229 George Street
Franklin Park, Illinois 60131
bmatt60645@gmail.com

EP-1

Re: Freedom of Information Act Request

Dear Mr. Zurek:

On April 20, 2016, the Village of Elmwood Park received your Illinois Freedom of Information Act (5 ILCS 140/1 *et seq.*) ("FOIA") request for the following records:

"Copies of the records of all business and/or operating licenses issued to any lawyers and/or law firms with offices located in Elmwood Park by the Village of Elmwood Park for the current fiscal year."

Please be advised that your FOIA request is denied because the Village of Elmwood Park maintains no records responsive to your FOIA request. Pursuant to Section 29-11(c) of the Code of the Village of Elmwood Park, the Village of Elmwood Park does not issue business licenses to attorneys at law. Enclosed please find a copy of Section 29-11, entitled "License Fee Schedule," of the Code of the Village of Elmwood Park, which details this information. The complete Code of the Village of Elmwood Park is available online at the Village of Elmwood Park's website, [elmwoodpark.org](http://www.elmwoodpark.org), through the "Village Code Book" button. Direct access to the Code of the Village of Elmwood Park is also available at the following web address: http://www.sterlingcodifiers.com/codebook/index.php?book_id=884.

The person responsible for the decision to deny your FOIA request is the Village of Elmwood Park Freedom of Information Officer, Gina Pesko. In accordance with Section 9(a) of FOIA, you are hereby notified that you have the right to file a Request for Review regarding the decision made by the Village of Elmwood Park Freedom of Information Officer with the Public

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Access Counselor at the Illinois Attorney General's Office. You can file your Request for Review with the Public Access Counselor by writing to:

Sarah Pratt
Public Access Counselor
Office of the Attorney General
500 South 2nd Street
Springfield, Illinois 62706
Fax: 217-782-1396
E-mail: publicaccess@atg.state.il.us

If you choose to file a Request for Review with the Public Access Counselor, you must do so within 60 calendar days of the date of this letter. Please note that you must include a copy of your original FOIA request and this letter when filing a Request for Review with the Public Access Counselor.

You are also notified that you have the right to judicial review regarding the decision made by the Village of Elmwood Park Freedom of Information Officer pursuant to Section 11 of FOIA.

Sincerely,

STORINO, RAMELLO & DURKIN
Attorneys for the Village of Elmwood Park


Erin C. Tinaglia

Enclosures

Sec. 29-11: License Fee Schedule⁵:

- (a) It shall be unlawful for any person to engage in or operate any business, trade or occupation named in this section without first obtaining a license therefor and paying the fee required as designated in subsection (b) of this section; provided, however, that no license fee shall be proratable except as specifically provided for in the regulations regarding such business, trade or occupation.

Unless otherwise provided in this chapter, each individual business or commercial activity within the village shall be required to obtain only one license, but shall be required to comply with all applicable regulations contained in this chapter or elsewhere. The license fee required to be paid by an individual business which is subject to two (2) or more licenses in this chapter shall be the largest of those applicable provided that this exemption shall not apply to vending machines, each of which shall be separately licensed. A business shall be considered to be individual only if it is owned by identical persons or entities, is contained within one single building, and conducts activities which are closely related.

- (b) Annual license fees for the operation of the business establishments designated in subsection (c) of this section within the village shall be determined upon the square footage area. Square footage area is the sum total of the gross horizontal areas of all of the several floors of a building and its accessory buildings measured in square feet from the exterior faces of the exterior walls or from the centerline of party walls separating two (2) buildings or establishments on each of the respective floors, and shall include the basement floor, cellar floor, motor vehicle parking space when such space is used in conjunction with a drive-in facility (food establishment, bank, etc.), areas where equipment is located, whether open or enclosed, including such equipment as may be located on the roof, penthouse, attic space, balconies, mezzanines, porches and verandas, and floor area devoted to and occupied by accessory uses. License fees shall be paid annually unless otherwise provided, and proof of any bond or liability insurance policy required by this chapter shall be provided with the license fee. Said fees are as follows:

Area In Square Feet		Fee
Up to 5,000		\$ 75.00
5,001 to	7,500	100.00
7,501 to	10,000	125.00
10,001 to	15,000	150.00
15,001 to	20,000	175.00
20,001 to	30,000	200.00

	30,001 to	40,000	225.00
	40,001 to	50,000	250.00
	50,001 to	75,000	275.00
	75,001 to	100,000	325.00
	Over 100,000		375.00

(c) Unless otherwise provided in subsection (d) of this section, the license fees provided for in subsection (b) of this section shall be applicable to all businesses and occupations operated within the village except for the following businesses and occupations:

Architects.

Athletic trainers.

Attorneys at law.

Barbers and cosmetologists.

Business and vocational schools.

Carrier pigeons.

Crematories.

Dairy farms.

Dentists.

Detection of deception examiners.

Detective agencies.

Dietitians and nutrition counselors.

Electrologists.

Engineers; professional and structural.

Environmental health practitioners.

Genetic counselors.

Geologists.

Home inspectors.

Home medical equipment providers.

Horseracing operators, racetrack owners and organizations, harness drivers, jockeys and others employed at racetracks.

Insurance brokers.

Interior designers.

Land surveyors.

Landscape architects.

Locksmiths.

Marriage and family therapists.

Massage therapy.

Nurses.

Nursing home administrators.

Occupational therapists.

Optometrists.

Orthotic and prosthetic providers.

Petroleum equipment contractors.

Pharmacists.

Physical therapists.
 Physicians and surgeons.
 Physicians assistant.
 Plumbers.
 Podiatrists.
 Professional boxing.
 Professional counselor and clinical counselor.
 Psychologists.
 Public accountants.
 Real estate appraisers.
 Respiratory care specialists.
 Security alarm contractors.
 Security guards and watchmen.
 Shorthand reporters.
 Social workers.
 Surgical technicians.
 Veterinarians.
 Water well and pump installation contractors.
 Wholesale drug distributors.

(d) Notwithstanding the provisions of subsection (c) of this section, the annual licensing fees, unless a shorter licensing period is indicated, for the following businesses and occupations shall be as follows:

Business		License Fee
Ambulance service (private):		
(1)	Service location or establishment	Based on square footage
(2)	Each ambulance	\$ 10.00
Auctioneers, per day		10.00
Bakery delivery trucks, per year		35.00
Banks and savings and loan associations, per year		500.00
Beverage delivery trucks, per year (no fixed place of business in village)		35.00
Billboard and signboard posters, per year		500.00

	Catch basin or grease trap cleaners, per day	10.00
	Catering service, per year (no fixed place of business in village)	25.00
	Christmas tree sales, per lot, per year (\$50.00 deposit required to ensure the site of the sales to be clean and neat after the business is finished)	50.00
	Coin operated amusement devices, vending machines and other coin operated machines, not including video gaming terminals:	
(1)	Cigarette and tobacco machines, per machine	50.00
(2)	Coin operated amusement devices and game machines, per machine	125.00
(3)	Jukeboxes, per machine	50.00
(4)	Videocassette rental machines, per machine	50.00
(5)	Machines other than those listed in subsection (1), (2), (3) or (4) of this business, per machine:	
	(A) Machines requiring a deposit of 1 cent to 4 cents in coins	2.50
	(B) Machines requiring a deposit of 5 cents to 9 cents in coins	5.00
	(C) Machines requiring a deposit of 10 cents to 24 cents in coins	10.00
	(D) Machines requiring a deposit of 25 cents to 49 cents in coins	15.00
	(E) Machines requiring a deposit of 50 cents or more in coins	20.00
	Contractors, either general or sub-contractor, of all types, including, but not limited to, general building, carpentry, electrical, cement or concrete, masonry, painting, roofing, sewer, heating, air conditioning and refrigeration, per year	100.00
	Driving schools:	
(1)	Service location or establishment	Based on square footage

	(2)	Each vehicle	\$ 10.00
Dry cleaners, pick up and collecting outlets only			Based on square footage
Dry cleaning plants:			
		1 to 25 employees, per year	\$ 150.00
		25 to 50 employees, per year	225.00
		Over 50 employees, per year	300.00
Dry cleaning and collecting delivery trucks, per year (no fixed place of business in village)			10.00
Exterminators (no fixed place of business in village)			10.00
Filling stations:			
		Tanks up to 10,000 gallons, per year	300.00
		Tanks with each additional 1,000 gallons' capacity, per year	10.00
Firearm sales, per year			250.00
Food delivery trucks, per year (no fixed place of business in village)			35.00
Fruit and vegetable delivery trucks, per year (no fixed place of business in village)			50.00
Fuel oil, solid fuel dealer:			
	(1)	Service location or establishment	Based on square footage
	(2)	Each delivery vehicle	\$ 10.00
Funeral directors or undertakers, per year			250.00
Garages, auto repair and body shops, towing and wrecking services, per year			300.00
Hawkers, transient merchants and peddlers, per year			50.00

Ice cream or frozen dessert basket or bikes, per year (no fixed place of business in village)	15.00
Ice cream or frozen dessert stores or drive-ins, per year	100.00
Ice cream or frozen dessert trucks, per year (no fixed place of business in village)	25.00
Junk dealers and junkyards, per year	1,500.00
Junk pick up service, per year	50.00
Landscaping service, per year	50.00
Laundry delivery truck, per year	2.00
Milk delivery, retail, per year (no fixed place of business in village)	12.00
Milk delivery, wholesale, per year (no fixed place of business in village)	30.00
Mobile food cart vendors, per year (no fixed place of business in village)	50.00
Perishable and seasonal commodities sales, per lot, per year	50.00
Public amusements:	
(1) Billiard and pool halls	Based on square footage
(2) Bowling alley	Based on square footage
(3) Commercial playground or amusement park	Based on square footage
(4) Live entertainment:	
(A) Open air or tent enclosed concert or other live professional entertainment, per day	\$ 10.00
(B) Single performer within a restaurant, tavern or other business establishment (including piano bar, standup comedian or sole entertainment act)	300.00
(C) Instrumental units or 2 or	

	more performers within a restaurant, tavern or other business establishment	
(5)	Public skating rink	Based on square footage
(6)	Theater (motion picture or dramatic)	\$1,000.00 per year
(7)	Ticket sales for theatricals, shows, amusements, athletic events or other exhibitions at a place other than the theater or location where the theatricals, shows, amusements, athletic events or other exhibitions are given or exhibited	Based on square footage
(8)	Dance halls	\$1,500.00 per year
Restaurants:		
	1 to 5 employees	100.00 per year
	6 to 10 employees	200.00 per year
	Over 10 employees	300.00 per year
Retail merchandise stores:		
	1 to 9 employees	100.00 per year
	10 to 20 employees	200.00 per year
	Over 20 employees	500.00 per year
	Scavengers	1,000.00 per year
	Solicitors and canvassers	15.00 per year
	Taxicab stands	100.00 per year
	Taxicabs, each vehicle	30.00 per year
	Tobacco dealers	50.00 per year

Tree spraying	50.00 per year
Video gaming:	
Licensed video gaming location	1,000.00 per year
Video gaming terminal	\$1,000.00 per video gaming terminal per year

(Ord., 6-2-1975, § 1; Ord. 88-12, 7-5-1988, §§ 1,2; Ord. 89-45, 1-22-1990, § 1; Ord. 96-11, 4-15-1996, § 2; Ord. 96-27, 10-7-1996, §§ 1,2; Ord. 2001-2, 2-5-2001, § 1; Ord. 2008-20, 7-21-2008, §§ 4,6; Ord. 2012-17, 9-17-2012; Ord. 2013-20, 9-16-2013.)