PERMITS

Permits are required for all parkway activities not performed by Public Works crews, other Village employees or Village contractors. Permits are administered by the Public Works Department Permits Division and by Community Development.

If residents wish to plant their own parkway trees, a permit must be obtained. The Forestry Division first must inspect the parkway, mark the location where tree planting would be acceptable if adequate space exists, and approve the size and type of tree to be planted. Once all paperwork and applicable fees are paid, the planting may proceed. Unauthorized or unacceptable plantings may be removed by the Forestry Division. The majority of these unauthorized plantings are seedlings. As these are discovered, a door hanger is distributed indicating that removal is required by the given date (see *Your seedling needs attention* door hanger). Locations with seedlings are logged (see *Seedling removal* log sheet), and seedlings are removed if they are still present when the location is reinspected. Locations with larger size unacceptable plantings are also logged on the same sheet though a detailed letter is sent. Upon reinspection, the plantings are cut and removed from the location.

Residents are encouraged to maintain their parkway trees and may perform minor pruning to remove small branches such as trunk sprouts. Should additional pruning be requested or desired, the tree is inspected and evaluated for pruning needs. Rather than issuing a permit to the resident, any work is performed by Forestry Division staff or the contracted tree service. Unauthorized tree pruning which negatively affects the tree is inspected and the damage calculated using the methods described in Chapter 8 Tree Appraisal. The responsible party is then billed.

When permits applications are submitted for activities in the right-of-way near parkway trees, field inspections are performed to locate parkway trees in relation to the proposed work. All permittees are advised of public tree protection measures and receive a copy of the Forestry Division's Tree Protection Requirements handout which summarizes Municipal Code 24.106 and 24.107 (see copies of on the following pages, and also http://www.downers.us/govt/municipal-code). For any parkway trees to remain, they must be protected from damage with fencing and a bond equal to the appraised tree value paid. For any parkway trees which must be removed (subject to the approval of the Village Forester), the appraised value of the tree must be paid as a fee before removal work can occur. The appraisal process in described in Chapter 8, and permit fees are listed in the current version of the *Administrative Regulation: User-Fee, License and Fine Schedule* – see http://www.downers.us/govt/municipal-code . If tree protection fences are not maintained or trees are damaged, Municipal Code 24.107 also includes additional fines that increase with each offense. Fines for the first offense are $2,000, the second offense $3,000, and third and subsequent offenses are $5,000 in addition to fees for lost tree value. In addition to fines

and fees for lost tree value and noncompliance, permit applications can be denied or bonds can be withheld until all tree protection measures are rectified.

Permits and the affected public parkway trees are periodically inspected to ensure fences are upright and that trees are not damaged. Should staff identify problems, permittees are contacted, invoices sent or fees added to permits depending on each circumstance. Staff records all such activities for future reference.

Seedling Removal Hanger

Your Seedling Needs Attention

For the reason checked below, the seedling in the parkway adjacent to your property is not acceptable as a parkway tree:

____ **Space does not exist for a Parkway Tree.** The Village Urban Forestry Program spacing requirements are listed on the back of this card.

____ **The seedling is not a suitable Parkway Tree species.** Due to high maintenance, or undesirable characteristics of this species, they are considered a poor selection for the parkway. However, space for a tree does exist at this location and one has been scheduled for _____.

____ **The seedling is not of desirable size or form for a parkway planting.** However, space for a tree does exist at this location and one has been scheduled for _____.

The Village will wait until _____ to allow you the opportunity to relocate the seedling to your private property. If, after the above date, the seedling remains in the parkway, Village staff will remove it.

If you have any further please contact:

At 434-_____.

Village Of Downers Grove Public Works
5101 Walnut Ave.
Downers Grove, IL 60515

Front

Urban Forestry Program

The Village of Downers Grove has received Tree City USA recognition every year since 1984. This award recognizes municipalities that effectively manage their public tree resources. Part of effective management is maintaining a highly diversified, quality Urban Forest.

The Village has set forth the following qualifications for adequate planting space:

- 40' between parkway trees
- 10' from driveways, b-boxes, utility vaults, fire hydrants, and carriage walks
- 35' from intersections
- No utility conflicts
- Will not be a sight obstruction
- Adequate growing space to reach maturity
- No conflicts with private vegetation

These requirements can increase tree health and vigor, reduce potential utility interference, and produce aesthetically pleasing parkways.

The Village plants a variety of species. Each species is chosen based on its tolerance for the urban environment, disease resistance, and aesthetic qualities. Some species not suitable for parkway planting are:

- Willows
- Poplars
- Boxelders
- Silver Maples
- Certain Ash species
- Certain Elm species

The Village will plant high quality, 2" caliper trees at sites that qualify for parkway tree planting.

Back

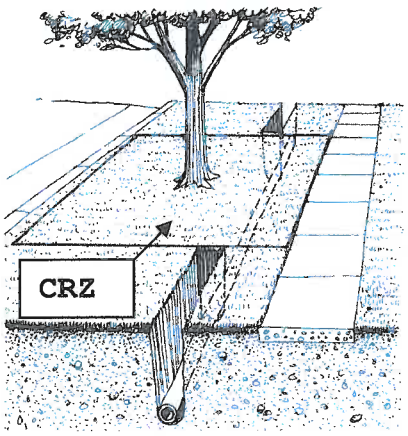
VILLAGE OF DOWNERS GROVE
SEEDLING REMOVAL

GRID	ADDRESS	REMOVAL DATE	LETTER OR DOORHANGER SENT	SPECIES	PLANTING SEASON

Downers Grove Parkway Tree Protection Requirements

Municipal Codes regarding trees, including tree protection requirements for public parkway trees, are located in Chapter 24 of the Downers Grove Municipal Code http://www.downers.us/govt/municipal-code. Parkway tree protection shall involve avoiding damage to both the above ground tree trunk, including the branches, and the below ground root system. Roots are the most vital part of a tree with the majority of nutrient and water absorbing roots in the upper 18 to 24 inches of soil. Tree roots must be protected from severing or changes in their soil environment (such as compaction or grade changes) to prevent irreversible tree decline or death in the coming years.

The Critical Root Zone, or CRZ, is the area immediately surrounding a tree that needs to be protected from damage. The size of this area, measured from the center of the tree, is ideally a circle with a radius of one foot for each inch of trunk diameter. The depth of the CRZ extends to 4 feet below the natural ground surface level. In a municipal parkway setting with utilities and paved or concrete surfaces, the CRZ cannot always be the ideal size. Instead, the CRZ has been adjusted to form a rectangle around the parkway tree trunk with the minimum dimensions listed in the following table. At a minimum, the listed CRZ shall be fenced with a 6 foot high temporary chain link construction fence secured to metal posts spaced no further than 10 feet apart. Whenever possible, the entire parkway shall be fenced in except where access has been permitted. Any exceptions shall be noted on the drawings submitted for a given permit.



Parkway Tree diameter at 4.5'	Width from street to property (minimum curb to sidewalk)	Length along street (minimum)	Depth
0 - 12.0 inches	10.0 feet	10 feet	4 feet
12.1 – 24.0 inches	10.0 feet	20 feet	4 feet
24.1 or more inches	10.0 feet	30 feet	4 feet

For public parkway trees, roots located within the determined CRZ shall be protected from compaction, severing, and the storage of materials or equipment. Utilities must be augered underneath the tree as shown above. In cases when severing of roots within a portion of the CRZ may be unavoidable (ex. sidewalk installation, curb replacement, water main or sanitary main disconnects in the parkway), subject to the approval of the Village Forester, the smallest possible area shall be disturbed and sharp clean cuts shall be made on root ends to promote wound closure and root regeneration. All CRZ fencing shall be a 6 foot high temporary chain link construction fence secured to metal posts spaced no further than 10 feet apart, and shall be maintained daily in good condition. Any exceptions to the fence dimensions or parkway position shall be noted on the permit.

In addition to fines and citations that may be assessed for violations of any Chapter 24 municipal code (such as not maintaining fencing around the CRZ or unauthorized removal of parkway trees), violators may be subject to the following provisions:

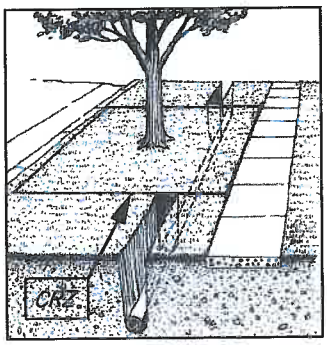
- issuance of an invoice for the monetary loss in tree value or partial value due to damage to either the above ground or below ground portions of the parkway tree, or unauthorized tree removal.
- forfeiture of bonds issued for the work should funds be sufficient to cover tree values and fines.
- costs of repairs, such as pruning or cabling, or costs for removal of the damaged parkway tree along with the stump if the tree cannot remain in the right-of-way.
- fines of $2,000 for the 1st offense; $3,000 for the 2nd offense; $5,000 for 3rd and subsequent offenses.
- each day during which a violation continues shall be construed as a separate and distinct offense.

For more information, contact the Forestry Division at 630-434-5475 or 630-434-5476.

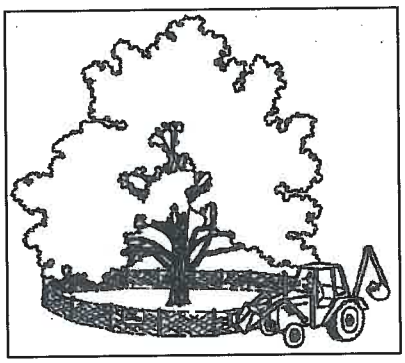
May 2020

Municipal Codes regarding trees, including tree protection requirements for public parkway trees, are located in Chapter 24 of the Downers Grove Municipal Code http://www.downers.us/code/chapters/24 . Parkway tree protection shall involve avoiding damage to both the above ground tree trunk, including the branches, and the below ground root system. Roots are the most vital part of a tree with the majority of nutrient and water absorbing roots in the upper 18 to 24 inches of soil. Tree roots must be protected from severing or changes in their soil environment (such as compaction or grade changes) to prevent irreversible tree decline or death in the coming years.

The Critical Root Zone, or CRZ, is the area immediately surrounding a tree that needs to be protected from damage. The size of this area, measured from the center of the tree, is ideally a circle with a radius of one foot for each inch of trunk diameter. The depth of the CRZ extends to 4 feet below the natural ground surface level. In a municipal parkway setting with utilities and paved or concrete surfaces, the CRZ cannot always be the ideal size. Instead, the CRZ has been adjusted to form a rectangle around the parkway tree trunk with the minimum dimensions listed in the following table. At a minimum, the listed CRZ shall be fenced with a 6 foot high temporary chain link construction fence secured to metal posts spaced no further than 10 feet apart. Whenever possible, the entire parkway shall be fenced in except where access has been permitted. Any exceptions shall be noted on the drawings submitted for a given permit.



PARKWAY TREE DIAMETER AT 4.5'	WIDTH FROM STREET TO PROPERTY (MINIMUM CURB TO SIDEWALK)	LENGTH ALONG STREET (MINIMUM)	DEPTH
0–12.0 INCHES	10.0 FEET	10 FEET	4 FEET
12.1–24.0 INCHES	10.0 FEET	20 FEET	4 FEET
24.1 OR MORE INCHES	10.0 FEET	30 FEET	4 FEET



For public parkway trees, roots located within the determined CRZ shall be protected from compaction, severing, and the storage of materials or equipment. Utilities must be augered underneath the tree as shown above. In cases when severing of roots within a portion of the CRZ may be unavoidable (ex. sidewalk installation, curb replacement, water main or sanitary main disconnects in the parkway), subject to the approval of the Village Forester, the smallest possible area shall be disturbed and sharp clean cuts shall be made on root ends to promote wound closure and root regeneration. All CRZ fencing shall be a 6 foot high temporary chain link construction fence secured to metal posts spaced no further than 10 feet apart, and shall be maintained daily in good condition. Any exceptions to the fence dimensions or parkway position shall be noted on the permit.

In addition to fines and citations that may be assessed for violations of any Chapter 24 municipal code (such as not maintaining fencing around the CRZ or unauthorized removal of parkway trees), violators may be subject to the following provisions:

- issuance of an invoice for the monetary loss in tree value or partial value due to damage to either the above ground or below ground portions of the parkway tree, or unauthorized tree removal.
- forfeiture of bonds issued for the work should funds be sufficient to cover tree values and fines.
- costs of repairs, such as pruning or cabling, or costs for removal of the damaged parkway tree along with the stump if the tree cannot remain in the right–of–way.
- fines of $500 for the 1st offense; $1,000 for the 2nd offense; $2,500 for 3rd and subsequent offenses.
- each day during which a violation continues shall be construed as a separate and distinct offense.

For more information, contact the Forestry Division at 630–434–5475 or 630–434–5476.

TREE CITY USA

N.T.S.	DATE	REVISIONS	DRAWN BY	APPVD BY	STANDARD DETAIL
Village of DOWNERS GROVE FOUNDED IN 1832	02/20/07		J.M.L.	M.D.M.	PARKWAY TREE PROTECTION REQUIREMENTS
	03/25/11		S.A.V.	A.J.S.	
	03/01/15		S.A.V.	A.J.S.	
	01/01/17		N.R.H.	J.M.W.	
	DRAWING NO. TRE–01				
	I:\LIBRARY\DETAILS\TREES\TRE–01				

(a) Infectious, diseased trees declared public nuisance; duty of owner to cut trees.

Any live or dead tree on private property which is infected with an infectious disease, or which harbors vectors that transmit infectious disease (such as insects and other arthropods), is hereby declared to be a public nuisance injurious to the public health and welfare. Infectious disease includes, but is not limited to, Dutch Elm Disease, Elm Yellows, Oak Wilt, or Pine Wilt.

(b) Allowing infested trees to remain prohibited.

It shall be unlawful for any person owning or controlling any lot, tract or parcel of land to knowingly permit any and all trees, infected with infectious disease or vectors that transmit infectious disease, to remain on such property. It shall be the duty of such persons to see that all such trees are properly cut down and removed from the property. The failure to remove and destroy such trees shall constitute a violation of this section, and shall be punishable by fine or penalty in addition to such costs as may be incurred by the Village in enforcing and carrying out the provisions of this chapter.

(c) Inspection for infectious diseased trees.

In the event the Village has reasonable cause to believe, either by virtue of its appearance or otherwise, that any tree located within such Village is or might be infected with infectious disease or is or might harbor vectors that transmit infectious disease, the Village is hereby authorized and directed to enter on and upon any private or public property whereon such tree may be located for the purpose of inspecting such suspected tree, marking or identifying the tree, and removing therefrom samples or portions thereof so that same may be tested to establish whether or not such tree is in fact diseased.

(d) Notice to remove infectious diseased trees.

When any infectious live or infectious dead tree is discovered , the Village will give a written notice, which may be served personally or sent by certified mail, to the person to whom was sent the tax bill for general taxes for the last preceding year on the property. Such notice shall identify the property, by common description, the tree or trees affected.

(e) Removal of infected trees by Village; cost of removal to be lien.

In the event that any such infectious live or infectious dead diseased tree is not removed within thirty (30) days from the date of the delivery or sending of such notice, then the Village shall enter upon such property with a licensed tree service and cut down and remove such tree and invoice the property owner(s) for the cost thereof. Within one hundred twenty (120) days thereafter the Village shall file in the Office of the Recorder of Deeds of the County, a notice of lien which shall include the following information: (a) a description of the real estate sufficient for identification thereof; (b) the amount of money representing the cost and expense incurred or payable for the removal, including any administrative costs incurred as set forth in Administrative Regulation entitled "User-Fee, License and Fine Schedule" in causing the removal and in billing the owner for the cost; (c) the date or dates on which such cost and expense was incurred. The Village shall also provide a statement that the amount owed shall accrue interest at ten percent (10%) a year for each year the amount remains unpaid. Upon payment of the cost and expense by the owner of, or persons interested in, said real estate, after the notice of lien has been filed, the Village shall issue a release of such lien, which may be filed of record in said recorder's office. (R.O. 1925, § 210.)

(Ord. 5781, Renumbered, 11/12/2019; Ord. 5132, Amended, 04/20/2010; Ord. 4673, Amended, 05/17/2005; Ord. 4525, Amended, 07/15/2003; 4000, Amended, 01/19/1998; 3870, Amended, 08/05/1996; 3429, Amended, 01/27/1992)

Section 24.106. Prevention of Injury to Trees-Public Right-of-Way

A. In the erection, alteration or repair of any building or structure, or the construction, installation, alteration or repair of any street, driveway, sidewalk, or utility, trees in the right-of-way or on any Village owned or maintained property shall be protected from damage or removal unless otherwise authorized by a Village permit. Suitable protection shall include a six (6) foot high temporary chain link construction fence secured to metal posts driven into the ground which are spaced no further than ten (10) feet apart. Tree crowns and trunks shall not suffer any branch or bark loss. Roots shall be protected from compaction, storage of materials, severing, regrading of the parkway or excavation within the Critical Root Zone. It shall be unlawful for any entity or person to sever roots, compact the soil, regrade the parkway or excavate within the

critical root zone of any tree in any right-of-way of any street without a valid permit during the erection, alteration or repair of any building or structure, or the construction, installation, alteration or repair of any street, driveway, sidewalk or utility.
The critical root zone is defined as the minimum volume of roots necessary for maintenance of tree health and stability, and shall be a rectangle around the tree trunk with the minimum dimensions listed in the table below:

Tree diameter 4.5 feet above ground	Width from street to property (minimum -curb to sidewalk)	Length along street (minimum)	Depth
0 - 12.0 inches	10 feet	10 feet	4 feet
12.1 - 24.0 inches	10 feet	20 feet	4 feet
24.1 or more inches	10 feet	30 feet	4 feet

Whenever possible, the entire parkway shall be fenced except where access has been permitted. Any factors that would cause any deviations from the table above shall be noted on the permit issued for work in the area and shall be approved by the Village before the work begins or the permit is issued.
In addition to any fines that may be assessed for violation of this section, the person shall pay to the Village a sum equal to the value or partial value of the tree lost as a result of the violation. The value or partial value of the tree lost shall be as determined by using the most current edition of the Guide for Plant Appraisal prepared by the Council of Tree and Landscape Appraisers

B. Parkway trees in excess of eighteen (18) inches in diameter, as identified on the Village's online tree map, shall be subject to the following additional regulations:

1. A permit applicant will be required to attend a meeting to discuss the prevention of injury to trees in the public right-of-way, construction expectations and potential issues which may impact public right-of-way trees.

2. Prior to the issuance of a building permit requiring Demolition/Construction Site Management as defined in Chapter 7, an applicant shall submit a Tree Risk Assessment Qualified Report (TRAQ) for all public right-of-way trees that may be impacted by proposed utility and other right-of-way construction. The TRAQ report shall be completed by a Tree Risk Assessment Qualified Professional and shall take into account utility conflicts and other issues which may affect the tree.

3. When associated with a permit requiring compliance with Section 7.1801, it shall be unlawful for any entity or person to trench or auger within a critical root zone prior to an on-site Village inspection and approval.
(R.O. 1925, § 209.)
(Ord. 5781, Renumbered, 11/12/2019; Ord. 4895, Amended, 08/07/2007; Ord. 4673, Amended, 05/17/2005; 4000, Amended, 01/19/1998)

Section 24.107. Violations.
(1) It shall be unlawful for any person or entity to fail to maintain the fence around the critical root zone, as defined above. Each day during which a violation continues or is permitted shall be construed as a separate and distinct offense.
(2) Any entity or person who injures a public tree shall be held responsible for the costs of repairs, such as pruning or cabling, if the injured tree will not die as a result of such injuries. In cases where the tree has

been damaged beyond repair and cannot remain in the public right-of-way, the entity or person responsible for the damage shall remove the tree and stump at their own costs, or if the tree is an immediate hazard, the entity or person shall pay the cost the Village incurs in its removal.
(3) In addition to any fines that may be assessed for violation of this section, the person shall pay a replacement tree fee to the Village in a sum equal to the value or partial value of the tree lost as a result of the violation as provided below in section (b). The value or partial value of the tree lost shall be as determined by the Village using the most current edition of the Guide for Plant Appraisal prepared by the Council of Tree and Landscape Appraisers.
(4) Whoever violates this Code, in addition to any other fines, or fees, shall be subject to the following provisions:

(a) Fines:

1st Offense	$2,000
2nd Offense	$3,000
3rd and Subsequent Offense	$5,000

All violations that are committed by the same person or any firm controlled by such person shall be counted, regardless of whether or not the violations occur at the same time. Any finding or plea of guilty or plea of "no contest" upon a citation shall be deemed a violation.

(b) Payment into the Village's tree planting fund.

In addition to the fines or fees described in section (a) above, any person or entity who unlawfully removes a tree shall pay into the Village's tree planting fund a replacement tree fee at a rate of two hundred seventy-five dollars ($275) per inch of trunk diameter of the tree that was destroyed or removed.

(c) In addition to any other applicable provisions, the Village may issue to any entity or person who violates any provision of this chapter an invoice as settlement of any violation. The invoice shall list the specific violations that occurred, the date or dates of a violation, the location of the violation and shall request payment of the invoice within thirty (30) days. In lieu of invoices, bonds issued for the work at a violation site may be forfeited should funds be sufficient to cover the tree values or fines. Upon failure to settle the violation, a complaint shall be filed in the Circuit Court for the damage and violation.
(R.O. 1925, § 208.)
(Ord. 5781, Renumbered, 11/12/2019; Ord. 4673, Amended, 05/17/2005; Ord. 4525, Amended, 07/15/2003; 3870, Amended, 08/05/1996; 3429, Amended, 01/27/1992)

Section 24.108. Appeal.

Any applicant for a permit who received a notice of denial may file a written appeal with the Village Manager within ten (10) business days upon receipt of the decision. The written appeal shall set forth the reasons why the applicant believes the decision to deny the license should be reversed. The Village Manager shall respond to the appeal within fourteen (14) days, either affirming or reversing the decision to deny the permit. The decision of the Village Manager shall be the final administrative action of the Village with respect to the permit or application and shall be subject to the immediate appeal by the permittees or applicant to the Circuit Court. Such appeal to the Circuit Court shall be filed not later than thirty-five (35) days following receipt of the Village Manager's decision. Failure to timely file such appeal as provided herein shall render the Village Manager's decision final. (R.O. 1925, § 212.)
(Ord. 5781, Renumbered, 11/12/2019; Ord. 4673, Amended, 05/17/2005; Ord. 4525, Amended, 07/15/2003; 4000, Amended, 01/19/1998)

LICENSES

A business license must be obtained by persons or companies performing tree removal as required by Municipal Codes 8-71 to 8-74. This license must be renewed every calendar year and has an annual fee listed in the *Administrative Regulation: User-Fee, License and Fine Schedule* – see http://www.downers.us/govt/municipal-code. The following pages contain a copy of the license application and the Municipal Codes.

2020

VILLAGE OF DOWNERS GROVE, ILLINOIS
TREE REMOVAL LICENSE APPLICATION

Fee for Tree Removal License: **$97.00.** All Tree Removal Licenses expire on 12/31/2020.
APPLICANT *MUST* ATTACH A *CURRENT* CERTIFICATE OF INSURANCE.

PLEASE PRINT OR TYPE

1. NAME OF BUSINESS _____
   Address _____
   City, State, Zip _____
   Telephone _____

   NAME OF APPLICANT _____
   Address _____
   City, State, Zip _____
   Telephone _____
   Driver's License Number _____
   Social Security Number _____
   Relationship to Business _____

2. FORM OF BUSINESS (check only one) Corporation__ Individual Owner___ Partnership____

   If corporation, name of registered agent _____
   Address _____
   City, State, Zip _____
   Telephone _____

   If individual owner, name _____
   Address _____
   City, State, Zip _____
   Telephone _____ Date of Birth _____
   Driver's License Number _____
   Social Security Number _____

   If partnership, list each partner, name _____
   Address _____
   City, State, Zip _____
   Telephone _____ Date of Birth _____
   Driver's License Number _____
   Social Security Number _____

   Name _____
   Address _____
   City, State, Zip _____
   Telephone _____ Date of Birth _____
   Driver's License Number _____
   Social Security Number _____

Name _____
Address _____
City, State, Zip _____
Telephone _____ Date of Birth_____
Driver's License Number _____
Social Security Number _____

3. MANAGER OF BUSINESS
Name _____
Home Address _____
Home Phone _____Date of Birth_____
Driver's License Number _____
Social Security Number _____

4. **COMPLETE FOR TREE REMOVAL LICENSES ONLY (CERTIFICATE OF INSURANCE REQUIRED)**

Applicant must file a Certificate of Insurance OR be Self-Insured
Certificate of Insurance:
Name of Insurance Company_____ Telephone Number_____
Policy Number_____ Expiration Date_____

If Self-Insured, please complete the following:
_____, a _____ contractor, hereby state that I am not covered by public liability insurance. Any claims for personal injury or property damage resulting from any work I may perform in the Village of Downers Grove should be sent to the following address:
Name_____ Company_____
Address_____
Signature_____

I hereby authorize without reservation, any law enforcement agency, administrator, state agency, federal agency, institution, information service bureau, or employer contacted by the Village of Downers Grove to furnish the above mentioned information.
I further acknowledge that a telephonic facsimile (fax) or a photographic copy of this document shall be as valid as the original.

I certify that the information provided herein is true and correct.

SIGNATURE OF APPLICANT_____ Date _____

Subscribed and sworn to before me
on this _____ day of _____, 20__.

_____
Notary Public

Return this application to: Village Clerk, Village of Downers Grove, 801 Burlington, Downers Grove, IL 60515
Please be sure to include the fee for renewal - $97 as well as a **current certificate of insurance**.

Section 8.70.01. Regulations.

(a) All licensees shall comply with the following regulations:

(1) A copy of the application for a license to conduct a sale under this Article, including the inventory filed therewith, shall be posted in a conspicuous place in the sales room or place where the inventoried goods are to be sold; provided, however, that such copy need not show the purchase price of the goods.

(2) The license issued hereunder shall be attached to the front door of the premises where the sale is conducted in such a manner that it is clearly visible from the street. Any advertisement or announcement published in connection with the sale shall conspicuously show on its face the number of the license and the date of its expiration.

(3) It shall be unlawful to substitute for, or add to, the goods described in the inventory sheets filed with the Village Clerk;

(4) It shall be unlawful to change the time or place for the sale from that indicated in the application for the license;

(5) For the sale of goods damaged by fire, smoke, water or otherwise, or in the case of an insurance sale or a salvage sale, the goods to be sold at such sale shall be clearly and distinctly segregated, marked or identified, and advertised, if at all, so that both on display and in advertising such goods may be readily distinguished from other stocks, and their identity readily ascertained. It shall be unlawful to commingle such goods with other stocks of the licensee in such a manner to cause the goods to lose their separate identity, either on display or in advertising.

(6) No person in contemplation of conducting any going out of business, removal, assignee's or creditor's sale, or during the continuance of such a sale, shall order or purchase any goods for the purpose of selling them at such sale, and any unusual purchase, or additions to the stock of such goods within sixty days before the filing of such application for a license to conduct such a sale, shall be presumptive evidence that such purchases or additions were made in contemplation of such sale and for the purpose of selling them at such sale.

(b) Violations of subsections (a)(3), (a)(4), (a)(5), and (a)(6) above shall void any license issued under this Article and such license shall cease to apply to such sale.

(3687, Enacted, 10/10/1994)

Section 8.70.02. Discontinuance of business.

If the application is for a license to conduct a going out of business sale or a removal sale, the business shall be discontinued at the premises where the sale is conducted upon the conclusion of the sale for which the license was issued.

(3687, Enacted, 10/10/1994)

Section 8.70.03. Bankruptcy sales.

It shall be unlawful for any person to advertise, or otherwise to represent, for sale, or to sell, any goods at a bankruptcy, executor's, administrator's receiver's or trustee's sale, except pursuant to, and in compliance with, federal or state statutory authority or judicial process, or as an assignee's or insolvent's sale except when there is a bona fide assignment for the benefit of creditors.

(3687, Enacted, 10/10/1994)

Section 8.70.03ART. Article XVII. Tree Removal

Section 8.71. Tree removal--License required.

No person shall engage in the business of tree removal before obtaining a license therefor from the Village Clerk. (Ord. No. 2167, § 6; Ord. No. 2277, § 2.)

Section 8.72. Same--Application for license; statement of insurance.

The license required under Section 8-71 herein shall be issued by the Village Clerk subject to the standards for issuance of Section 8-2 hereof, and only upon submission of the following documents upon application:

(a) The written application form for such license, which form shall require the name, address, and telephone number of the applicant, the particular type of work contemplated by the applicant, and such other information as the manager may require pursuant to Section 8-3 hereof.

(b) One of the following:

(1) A certificate of insurance, issued by an insurance company authorized to do business in the State of Illinois, that evidences public liability coverage of the applicant for personal injury and property damage. Such certificate shall show the policy number, policy period, the limits of liability, and the amount of any self-insured retention; or

(2) A statement, signed by the contractor, if an individual, or by one authorized to sign on behalf of a partnership or corporation, that the contractor is not covered by public liability insurance, and providing the address to which claims against the contractor for personal injury or property damage should be sent.

The certificate of insurance or statement filed in accordance with this section shall be open to public inspection. Within fifteen days of any change in insurance coverage which causes the most recently filed certificate or statement to be inaccurate, the licensee shall file a new certificate or statement with the Village Clerk. (Ord. No. 2167, § 6; Ord. No. 2277, § 2; Ord. No. 2725, §2.)

Section 8.73. Same--Fee for license.

The annual license fee for a tree removal license shall be set forth in Administrative Regulation entitled "User-Fee, License and Fine Schedule". (Ord. No. 2167, 6; Ord. No. 2277, § 2; Ord. No. 2523, § 1.)
(Ord. 5132, Amended, 04/20/2010)

Section 8.74. Reserved.
(4000, Amended, 01/19/1998)

Section 8.75. Reserved.
(Ord. No. 2390, § 1; Ord. No. 3383, § 1.)
(Ord. 5068, Amended, 08/04/2009; Ord. 4669, Amended, 05/03/2005; 3730, Amended, 04/03/1995)

Section 8.76. Reserved.
(Ord. No. 2390, § 1; Ord. No. 3383, § 1.)
(Ord. 5068, Amended, 08/04/2009; 4801, Amended, 08/01/2006, "code services" to "community development"; Ord. 4669, Amended, 05/03/2005; Ord. 4533, Amended, 09/16/2003; 4427, Amended, 07/02/2002; 3874, Amended, 08/12/1996; 3730, Amended, 04/03/1995)

Section 8.77. Reserved.