

City of St. Charles, Illinois

Ordinance No.: 2019-Z-8

**An Ordinance Amending Title 17 of the
St. Charles Municipal Code Entitled
"Zoning", Ch. 17.30 "Definitions" and Ch.
17.20 "Use Standards" regarding food trucks.**

**Adopted by the
City Council
of the
City of St. Charles
April 15, 2019**

Published in pamphlet form by
authority of the City Council
of the City of St. Charles,
Kane and Du Page Counties,
Illinois, **April 22, 2019**

Nancy R. Capp

Deputy City Clerk



City of St. Charles, IL
Ordinance No. 2019-Z-8

**An Ordinance Amending Title 17 of the St. Charles Municipal Code
Entitled “Zoning”, Ch. 17.30 “Definitions” and Ch. 17.20 “Use Standards”
(Food Trucks)**

WHEREAS, on or about February 11, 2019, the City of St. Charles (“the Applicant”) filed an Application to amend Title 17 of the St. Charles Municipal Code, the Zoning Ordinance of the City of St. Charles, to add provisions for food trucks; and,

WHEREAS, Notice of Public Hearing on said Application was published on or about March 15, 2019, in a newspaper having general circulation within the City, to-wit, the Daily Herald newspaper, all as required by the statutes of the State of Illinois and the ordinances of the City; and,

WHEREAS, pursuant to said notice, the Plan Commission conducted a public hearing on or about April 2, 2019 on said Application in accordance with the statutes of the State of Illinois and the ordinances of the City; and,

WHEREAS, at said Public Hearing, the Applicant presented testimony in support of said Application and all interested parties had an opportunity to be heard; and,

WHEREAS, the Plan Commission recommended approval of the Application on or about April 2, 2019; and,

WHEREAS, the Planning and Development Committee of the City Council recommended approval of the Application on or about April 8, 2019; and,

WHEREAS, the City Council of the City of St. Charles has received the recommendations of the Plan Commission and Planning and Development Committee and has considered the same:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ST. CHARLES, KANE AND DUPAGE COUNTIES, ILLINOIS, as follows:

1. The preambles set forth hereinabove are incorporated herein as substantive provisions of this Ordinance as if fully set out in this Section One.

2. That Title 17, “Zoning”, Chapter 17.30 “Definitions”, Section 17.30.020 “Use Definitions” of the St. Charles Municipal Code is hereby amended by deleting the definition of “Outdoor Sales, Temporary” in its entirety and replacing it with the following:

“Outdoor Sales, Temporary. The sale or display for sale at retail of goods, or the provision of services, out of doors in conjunction with or accessory to a principal use, where the sale, display or provision of services conforms to the limits provided herein

for Temporary Outdoor Sales. Temporary Outdoor Sales shall be limited to the provision of services or sale of products regularly offered by the principal use on the property and seasonal products limited to Christmas trees and landscape plants and related landscape materials.”

3. That Title 17, “Zoning”, Chapter 17.30 “Definitions”, Section 17.30.030 “General Definitions” of the St. Charles Municipal Code is hereby amended by adding the following definition of “Food Truck”:

“Food Truck. A wheeled vehicle from which food is sold that typically contains cooking facilities where the food is prepared.”

4. That Title 17, “Zoning”, Chapter 17.20 “Use Standards”, Section 17.20.050 “Permitted Temporary Uses” of the St. Charles Municipal Code is hereby amended by deleting the provisions for “Temporary Outdoor Sales” in its entirety and replacing it with the following:

“A. Temporary Outdoor Sales

Temporary Outdoor Sales shall be limited to three (3) events within one (1) calendar year per lot. These events shall be restricted to the following time limits: one (1) event of not more than ninety (90) days, and two (2) events of not more than thirty (30) days each. Temporary Outdoor Sales shall be limited to the provision of services or sale of products regularly offered by the principal use on the property and seasonal products limited to Christmas trees and landscape plants and related landscape materials.”

5. That Title 17, “Zoning”, Chapter 17.20 “Use Standards”, Section 17.20.050 “Permitted Temporary Uses” of the St. Charles Municipal Code is hereby amended by adding the following provisions for Food Trucks:

“I. Food Trucks

Food trucks shall be permitted in the following circumstances and do not require a permit or prior approval of the City to operate, unless operation of the food truck will occur in conjunction with a Special Event, Temporary Outdoor Sales, or other permit, in which case the food truck shall be included in the permit application:

1. At private events not open to the public.
2. At events associated with a Special Event permit approved by the City.
3. In association with a Temporary Outdoor Sales permit approved by the City. Operation of the food truck shall be limited to no more than two (2) days in any seven (7) day period and shall not serve customers outside of the business hours of the permanent business.
4. In association with a Restaurant or Tavern/Bar (where the Restaurant or Tavern/Bar is either a principal or accessory use), as defined herein, where the food truck is offered in conjunction with the permanent business. Operation of the food truck shall be limited to no more than two (2) days in any seven (7) day period and shall not serve customers outside of the business hours of the permanent business.”

6. That after the adoption and approval hereof this Ordinance shall be (i) printed or published in book or pamphlet form, published by the authority of the Council, or (ii) within thirty (30) days after the adoption and approval hereof, be published in a newspaper published in and with a general circulation within the City of St. Charles.

PRESENTED to the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois this 15th day of April, 2019.

PASSED by the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois this 15th day of April, 2019.

APPROVED by the Mayor of the City of St. Charles, Kane and DuPage Counties, Illinois this 15th day of April, 2019.


Raymond P. Rogina, Mayor

Attest:)

Deputy

City Clerk/Recording Secretary

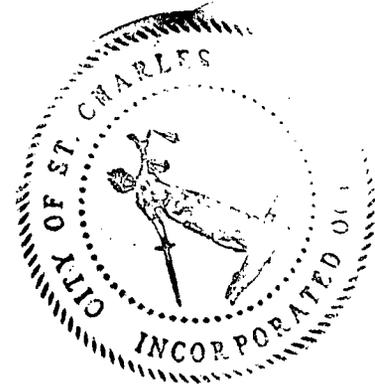
COUNCIL VOTE:

Ayes: 10
Nays: 0
Absent: 0
Abstain: 0

APPROVED AS TO FORM:

City Attorney

DATE: _____



State of Illinois)
) ss.
Counties of Kane and DuPage)

Certificate

I, CHUCK AMENTA, certify that I am the duly elected and acting Municipal City Clerk of the City of St. Charles, Kane and DuPage Counties, Illinois.

I further certify that on **April 15, 2019**, the Corporate Authorities of such municipality passed and approved Ordinance No. **2019-Z-8** entitled:

An Ordinance Amending Title 17 of the St. Charles Municipal Code Entitled "Zoning", Ch. 17.30 "Definitions" and Ch. 17.20 "Use Standards" regarding food trucks.

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. **2019-Z-8**, including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on **April 22, 2019**, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

DATED at St. Charles, Illinois, this **15th** day of **April 2019**.

Tracey R. Ament

Deputy Municipal Clerk

(SEAL)

