



## **Committee on Ordinances, Rules, and Buildings Meeting**

October 26, 2020 – 8:00 A.M.  
Village Hall Council Chambers  
6900 North Lincoln Avenue  
Lincolnwood, Illinois 60712

Meeting held via GoToMeeting and Available  
On-Demand after the Meeting Concludes  
at [www.lincolnwoodil.org/on-demand/](http://www.lincolnwoodil.org/on-demand/)

### Agenda

In accordance with the recently adopted amendments to the Illinois Open Meetings Act permitting the Village Board to conduct a virtual Village Board meeting, members of the public are allowed to be physically present in the Village Board meeting room in Village Hall at 6900 North Lincoln Avenue, subject to room capacity and social distancing requirements. Accordingly, the opportunity to view the virtual meeting at Village Hall is available on a “first come, first-served” basis. Those members of the public present at Village Hall will be able to provide real-time comments in person on the computer available in the Council Chambers. Anyone who does not desire, or who is not able, to be physically present at Village Hall can watch the Village Board meeting live by visiting the Village website or by clicking [www.lincolnwoodil.org/live-cable-channel/](http://www.lincolnwoodil.org/live-cable-channel/).

- I. Call to Order
- II. Roll Call
- III. Consideration of Minutes
  - A. Consideration of the January 23, 2020 Minutes
- IV. New Business
  - A. Graffiti on Public and Private Property and Removal Expectations
  - B. Liquor License Standards
  - C. Camera Requirement for Residential Property
- V. Public Comment

#### Statement Regarding Public Comment

Anyone wishing to respectfully share thoughts about any matter concerning the Village of Lincolnwood Board of Trustees may do so by submitting an email to [administration@lwd.org](mailto:administration@lwd.org) prior to the commencement of the meeting. All Emails received will be read aloud during the Public Comment portion of the agenda. Emails should be kept to under 200 words to allow time for others to be heard and for the Board to progress through the public meeting agenda. The Board typically

does not immediately respond to public comments or engage in open dialogue, but the Board is actively listening to all comments.

VI. Good of the Order

VII. Adjournment

Posted: October 22, 2020

**VILLAGE OF LINCOLNWOOD  
COMMITTEE OF ORDINANCES, RULES, AND BUILDINGS  
REGULAR MEETING  
VILLAGE HALL BOARD CONFERENCE ROOM  
JANUARY 23, 2020**

**DRAFT**

**Call to Order**

Trustee Cope called the regular meeting of the Lincolnwood Committee of Ordinances, Rules, and Buildings (CORB) to order at 8:34 AM Thursday, January 23, 2020, in the Board Conference Room of the Municipal Complex at 6900 N. Lincoln Avenue, Village of Lincolnwood, County of Cook, and State of Illinois.

**Roll Call**

On roll call by Assistant Village Manager Charles Meyer the following were:

PRESENT: Trustees Hlepas Nickell, Sargon

ABSENT: Trustee Cope

A quorum was present.

Also present: Trustee, Jesal Patel; Village Manager, Anne Marie Gaura; Assistant Village Manager, Charles Meyer; Doug Hammel, Development Manager; Management Analyst for Fire / Community Development, Jake Litz; and Steve Elrod, Village Attorney was present via telephone.

**Consideration of Minutes**

A motion was made by Trustee Hlepas Nickell to approve the minutes for November 12, 2019 as presented. The motion was seconded by Trustee Sargon. The motion was approved via a voice vote.

**New Business**

A) Tattoo Parlor Permissibility

The topic was presented by Doug Hammel using PowerPoint

- Mr. Hammel stated that tattoo parlors and associated activities are not explicitly prohibited by the Code. As part of the process staff completed research looking at comparable communities and found no consistent or specific regulations in place related to this topic.

- Mr. Hammel added that the Village had received a request for micro blading, which has a similar cosmetic service and looked for coherence in regulations.
- In summarizing the legislative history of this topic until this point, Mr. Hammel stated that at the conclusion of their deliberations, the Plan Commission found this to be most aligned with a service establishment.
- Trustee Nickell asked if the hours requested for this business were more in line with the hours for a restaurant-type use which is different than what would be expected of a typical personal services establishment.
  - Mr. Hammel stated that by Code that no business within 75 feet of a residential property must operate with the hours requested for this use of working no later than 11:00 pm.
- Trustee Nickell asked if the applicant was notified of this meeting.
  - Mr. Meyer and Mr. Hammel stated that the property owner / applicant was notified of the CORB meeting.
- Trustee Sargon said that micro blading is more semi-permanent so was not sure if it would fall into the cosmetic category.
- Trustee Nickell asked about the legal guidance on this matter.
  - Attorney Elrod stated that when considering tattoo parlors that the Board should think of this as a clean state and that the Village should look at the entire map of the Village to picture where these uses should be deemed appropriate in the Village and where the Village Board would deem these types of uses as inappropriate so that potential users would know where the use may be allowed.
  - Attorney Elrod added that once you deem it appropriate, the Village Board will need to determine if it is a permitted use or a special use to determine if a public hearing process to determine if someone's particular use is in compliance with the Village Code
- Trustee Sargon stated it would make sense that this use in the MB may be appropriate
- Trustee Nickell said that she envisions a reimagining of the MB area of the Village with a revitalization of that area and the potential use of tattoo parlors may be well suited for that area.
- After deliberating, Trustee Sargon made a motion to recommend that the Village Board remand the entire application back to the Plan Commission so that the Plan Commission can consider a limited definition of consisting of dermal pigmentation and mapping of that use solely within the MB District and only as a special use. It was further recommended as part of the motion that the Village Board further recommends that the Plan Commission conduct a special use for the new public hearing. The motion was seconded by Trustee Hlepas Nickell and passed via a voice vote.

### **Good of the Order**

- Trustee Sargon voiced a concern about the windows being boarded up on vacant properties and if there were any issues with having signage blocking the windows from a public safety perspective.
  - Mr. Hammel provided an overview of the issue and said that it may not be considered a sign and trigger the rules for signage in the window. Mr. Hammel stated that in speaking with the Fire Chief and Police Chief and they did not have a concern with windows being covered.
  - Trustee Nickell said if we were to look back at this topic that commercial spaces are not covered over indefinitely
  - Ms. Gaura stated that staff would be conducting research on what other communities do in regarding to signage for vacant properties

### **Public Forum**

None

### **Adjournment**

Trustee Sargon made a motion to adjourn the meeting of CORB. The motion was seconded by Trustee Hlepas Nickell. The meeting concluded at 9:17 a.m.

Respectfully Submitted,

Charles Meyer  
Assistant Village Manager



## MEMORANDUM

TO: President Bass and Members of the Village Board

FROM: Charles Meyer, Assistant Village Manager

DATE: October 26, 2020

SUBJECT: **Committee on Ordinances, Rules, and Buildings Meeting**

As a reminder, the Committee on Ordinances, Rules, and Buildings (CORB) meeting is scheduled for **8:00 A.M.** on Monday Morning. Please find below a summary of the items for discussion:

### **1. Graffiti on Public and Private Property and Removal Expectations**

At the September 19, 2019 meeting of the Committee of the Whole the Village Board directed CORB to discuss the topic of graffiti. The Village actively tracks and addresses instances of graffiti in the community and found that in the last three calendar years there have been 32 instances of graffiti in the Village with an average completion rate of under five days from the graffiti being reported to being completed in the system.

The [attached](#) memorandum explains the issue of graffiti.

### **2. Liquor License Standards**

The Village Board has expressed an interest in reviewing the standards for the minimum requirement for dramshop insurance. Staff have conducted research on this topic and will presenting guidance from the Village's insurance provider, IRMA along with other resources for this policy discussion.

The memorandum for this topic is [attached](#).

### **3. Camera Requirement for Residential Property**

At the January, 2020 meeting of CORB there was a discussion regarding the requirement of cameras on residential property. The purpose of the cameras would be to serve as a deterrent for criminal activity and to serve as a resource for the Police Department when criminal activity occurs in a neighborhood. By way of example for the usefulness of this proposition, the Village recently entered into an agreement with Ring whereby residents may voluntarily share footage from their cameras to the Police Department. Additionally, the Police Department routinely requests camera information from residents when there is activity in the area.

Currently, the Village does not require residents to install cameras in their residences. If the Village were to make security cameras a requirement for residents, it would raise concerns about residents needing to purchase cameras and Internet services to support the cameras. Additionally, if the Village were to explore this issue, it may raise Constitutional issues in requiring residents to emplace cameras if one of the reasons for the cameras is that they may be shared with local governments. In Staff's research it was noted that no other communities use a similar program. Staff will be prepared to discuss this topic at the October 26, 2020 Meeting.

A PowerPoint has been drafted for these discussions and is [attached](#).

If you should have any questions concerning this matter, please feel free to contact me.



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# MEMORANDUM

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**TO:** Anne Marie Gaura, Village Manager

**FROM:** Charles Meyer, Assistant Village Manager

**DATE:** October 26, 2020

**SUBJECT:** Graffiti Discussion for Committee for Ordinances, Rules and Buildings (CORB)

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## Background

At the August 28, 2019, meeting of the Long Range Planning Committee there was a discussion about developing a list of items for the Village Board's consideration and prioritization. At the September 17, 2019 Meeting of the Committee of the Whole the topics from the Long Range Planning Committee were discussed and the topic of graffiti was referred to CORB. The purpose of this memorandum is to provide a summary of graffiti issues within the Village.

## Discussion

The Village's Property Maintenance Code requires that graffiti is removed. For issues with graffiti on public property the Public Works Department will address it to ensure that it is cleaned up as soon as possible. In the past three calendar years the Village has 32 documented incidents of graffiti and on average the issue is completed in less than five days. The chart below summarizes the issues that the Village has received related graffiti for the past three years:

	CY 2017	CY 2018	CY 2019	Total
<b>Issues Reported</b>	14	5	13	32
<b>Average Days to Complete</b>	2.1	7.2	5.7	4.4

In terms of how the Village is notified about these issues, the Village normally receives concerns from the public or from staff members in the field who observe and report the graffiti. For example, the Police Department routinely observes graffiti damage to property and then will inform the Public Works Department to have the issue resolved. Once that information is received, Public Works will respond to the area to clean up the graffiti or develop a plan to address the graffiti if it cannot be cleaned up via normal means. In instances where the graffiti is on private property, Code Enforcement staff will work with property owners to address the issue.

Many of the graffiti incidents occur in public parks and as such there are repeated instances in the same area or parks in the Village. The map below provides a visual representation of where graffiti has occurred in the community in which staff from Community Development or the Community Service Officer responded.



To assist with this discussion, staff have developed policy questions that may help guide staff in addressing concerns related to graffiti:

1. What is the expectation for the Village Board in terms of how quickly graffiti is removed or addressed?
2. Does the Village Board desire to use materials that are anti-graffiti?
  - a. It should be noted that many anti-graffiti materials do not stop graffiti from adhering to a material but rather make it easier to clean up and may be more costly to use initially than non-anti-graffiti materials.
  - b. Some materials, such as signs and unpainted benches, may not be eligible for anti-graffiti materials.
3. Does the Village Board want to enact more stringent penalties for graffiti?
  - a. Under local ordinances, the Village could charge someone caught in the act of applying graffiti with a violation of Section 17-1-7 – Destruction of Property which can carry a fine of up to \$2,500. However, acts of graffiti are normally performed in such a way that the perpetrator is not normally caught and the damage is only discovered after the fact, so it is unclear what impact, if any, an adjustment to fines would have in regards to graffiti.

These questions are designed to assist with the discussion at the October meeting of CORB.

**Financial Impact**

None

**Recommendation**

It is the recommendation of this memorandum that this is discussed at the October 26, 2020 meeting of CORB.

**Documents Attached**

None



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# MEMORANDUM

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**TO:** Anne Marie Gaura, Village Manager

**FROM:** Charles Meyer, Assistant Village Manager

**DATE:** October 26, 2020

**SUBJECT:** Liquor License Insurance Requirements

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## **Background**

The Village approved modifications to Chapter 10 of the Municipal Code of Lincolnwood regarding dramshop insurance requirements at their August 18, 2020 Village Board Meeting. These approved changes were creating a standard that the Village would confirm license holders have valid dramshop insurance every 90 days. Dramshop insurance is a requirement of the Village Code for liquor license holders to ensure that they have adequate liability coverage in case an issue arises in the course of their business. The Village Board also desired to have a discussion on the minimum limits for dramshop insurance. The purpose of this memorandum is to provide an overview of the Village's current standards in regards to dramshop insurance and policy questions for the Village Board's consideration.

## **Discussion**

Liquor Licenses are governed by Chapter 10 Liquor and Tobacco of the Village Code. In this Chapter it sets out expectations for those holding liquor licenses and the process an entity would go through to receive their liquor license.

The Village's current requirements for insurance for liquor licenses, commonly referred to as "Dramshop Insurance" is:

10-2-9 Dramshop insurance.

No license shall be granted to any applicant until such applicant shall furnish evidence satisfactory to the Liquor Control Commissioner that such applicant is covered by a policy of dramshop insurance issued by a responsible insurance company authorized and licensed to do business in the state insuring such applicant and the owner of the premises against liability in the minimum amount of \$500,000 each for liability, one person, means of support and property damage, which such applicant may incur under the provisions of the Illinois Compiled Statutes. The insurance policy or certificate of insurance providing evidence of the insurance policy shall indicate that the term of the insurance is of sufficient length to encompass the period of the license sought. Such insurance policy shall provide that no cancellation or modification of the

policies shall occur without at least 30 calendar days' prior written notice given to the Village. In the event of cancellation of such insurance, the Local Liquor Control Commissioner shall be notified immediately of such cancellation.

The Village’s minimum insurance requirement for license holders is \$500,000 for all classifications for liquor licenses. While the minimum requirement is \$500,000, all license in Lincolnwood have a minimum of \$1,000,000 for their insurance. In researching comparable communities it was found that there is a wide standard with some communities adhering to the State of Illinois standard for minimum insurance, which is \$231,021 or increasing the minimum requirement to as high as \$1,000,000. The Village’s general liability provider, IRMA, recommends that their member communities have a minimum of \$1,000,000 for dramshop insurance.

<b>Community</b>	<b>Dramshop Insurance Amount</b>
Countryside	\$1,000,000
Evanston	\$1,000,000
Skokie	\$231,021
<b>Lincolnwood</b>	<b>\$500,000</b>
Morton Grove	\$1,000,000
Niles	\$250,000
Park Ridge	\$1,000,000
River Forest	\$231,021
Skokie	\$231,021
State of Illinois Requirement	\$231,021
IRMA Guidance	\$1,000,000

As current all license holders have at least \$1,000,000 in dramshop insurance and this amount is recommended by IRMA, it is the recommendation of staff that the Village Board consider increasing the dramshop insurance for all license holders to a minimum of \$1,000,000.

The Village also maintains 10 different classifications of liquor licenses. The insurance requirements for these classifications are all the same however the parameters for what is allowed differs by classification and is explained below:

- Class A license: retail sale for consumption on the premises.
- Class A-1 license: retail sale for consumption on the premises, by restaurants only, but only for a premises located not less than 500 feet from any property that is primarily used for residential purposes.
- Class B license: retail sale in its original package, not for consumption on the premises.
- Class B-1 license: retail sale in its original package, not for consumption on the premises, only by grocery stores that receive customer orders solely through the Internet and only for a premises located within an approved planned unit development.
- Class C license: retail sale for consumption on the premises in clubs.
- Class D license: retail sale of wine and beer only for consumption on the premises in restaurants in conjunction with the sale of food.
- Class D-1 license: retail sale and service of beer and wine only, but not for resale in any form, for consumption in a separate room within the premises operated and licensed as an ice arena. The sale, service and consumption of beer and wine must be confined to a separate room within

the ice arena premises accessible only to persons 21 years of age or older. The separate room must be secured and patrolled by the liquor licensee or his or her nominee to ensure that no persons under 21 years of age are allowed in the separate room. The beer and wine shall not be stored in coolers or dispensers to which customers have access.

- Class E license: Class E licenses, which shall authorize the sale of alcoholic liquors for consumption on the premises where served and limited to invited guests at private catered functions. Such licenses shall be issued only to caterers, catering services, or catering establishments that possess a current Village business license. Caterers holding Class E licenses may serve alcoholic liquor only in conjunction with the service of meals, not snacks. The service of alcoholic liquor shall be by employees of the licensed catering business. Such licenses shall be issued only for the premises owned, operated or maintained by the licensed catering business or for the location in which the licensed catering business shall serve food and alcoholic liquor. The sale of alcoholic liquor shall be deemed to occur at the address of the catering establishment. The caterer, catering service or catering establishment shall give notice in writing to the Local Liquor Control Commissioner not less than seven days prior to holding any open house or special event tasting.
- Class S-E license. The temporary retail sale of wine and beer for consumption on the premises for a period not to exceed five days. During each calendar year, a single organization may receive no more than three Class S-E licenses and no more than five Class S-E licenses may be issued during a single calendar year. All sales of alcoholic liquor made pursuant to a Class S-E license may be conducted only upon receipt of, and in strict compliance with, a special use permit license or a special event retailer's license, as the case may be, issued by the State of Illinois pursuant to the Liquor Control Act. Class S-E licensees shall grant free and unfettered access to the licensed premises at all times to officers of the Village Police Department.
- Class F license: Class F licenses, which shall authorize the sale of beer by a craft brewery, either for consumption on the premises within a tasting room, or for consumption off the premises. Class F licensees may only sell beer manufactured at the location of the sale. Beer sampling shall be permitted but only in compliance with Section 10-2-35 of this Code. Alcohol sold at retail for consumption off the premises must be delivered in containers that are sealed for transport, which containers shall not be opened or consumed in the tasting room. Class F licensees may not operate a kitchen or food preparation facility anywhere within a licensed craft brewery.

As part of this discussion, it is requested that the Village Board evaluate the following Policy Questions:

- Does the Village Board wish to modify or adjust the insurance amounts for liquor license holders?

### **Financial Impact**

None

### **Recommendation**

It is the recommendation of this memorandum that this is discussed at the October 26, 2020 Meeting of CORB.

### **Documents Attached**

1. Table of Current Liquor Licensees

Liquor License Information

<b>Business</b>	<b>Address</b>	<b>Classification</b>	<b>Insurance</b>
Binny's	7175 N Lincoln Avenue	B	\$1,000,000.00
Bryn Mawr Country Club	6600 N Crawford Avenue	C	\$1,000,000.00
Café Valentino's	7384 N Lincoln Avenue	D-1	\$1,000,000.00
CVS	3950 W Devon Avenue	B	\$4,500,000.00
Food for Thought	6955 N Hamlin Avenue	E	\$1,000,000.00
Great Beijing	6717 N Lincoln Avenue	A	\$1,000,000.00
Imseeh's Liquor	6423 N Cicero Avenue	B	\$1,000,000.00
Libanais	3300 W Devon Avenue	D	\$1,000,000.00
Lou Malnati's	6649 N Lincoln Avenue	A	\$1,000,000 / \$2,000,000
L'Woods	7110 N Lincoln Avenue	A	\$1,000,000.00
Olive Garden	3303 W Touhy Avenue	A	\$1,000,000.00
Psistaria	4711 W Touhy Avenue	A	\$1,000,000.00
Red Lobster	3301 W Touhy Avenue	A	\$1,000,000.00
Renga Tei	3956 W Touhy Avenue	D	\$1,000,000.00
Spirit Hub	6428 N Ridgeway Avenue	B	\$1,000,000 / \$2,000,000
Stefani's	6755 N Cicero Avenue	A	\$1,000,000.00
The Carrington	3501 Northeast Parkway	A	\$1,000,000.00
Walgreens	6498 N Lincoln Avenue	B	\$4,000,000.00
Walmart	6840 N McCormick Boulevard	B1	\$1,000,000.00
Wholly Frijoles	3908 W Touhy Avenue	A	\$1,000,000.00

# CORB

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OCTOBER 26, 2020

# Agenda

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Consideration of Minutes

Graffiti on Public and Private Property and Removal Expectations

Liquor License Standards

Camera Requirement for Residential Property

# Graffiti on Public and Private Property and Removal Expectations

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Issue first raised during Long Range Planning Committee and at subsequent Committee of the Whole Discussions

Property Maintenance Code requires that graffiti is removed once identified

For the past three calendar years there have been 32 documented incidents of graffiti and on average the issue is completed in less than five days

Village becomes informed of issues of graffiti through staff observations or requests made through Public Staff

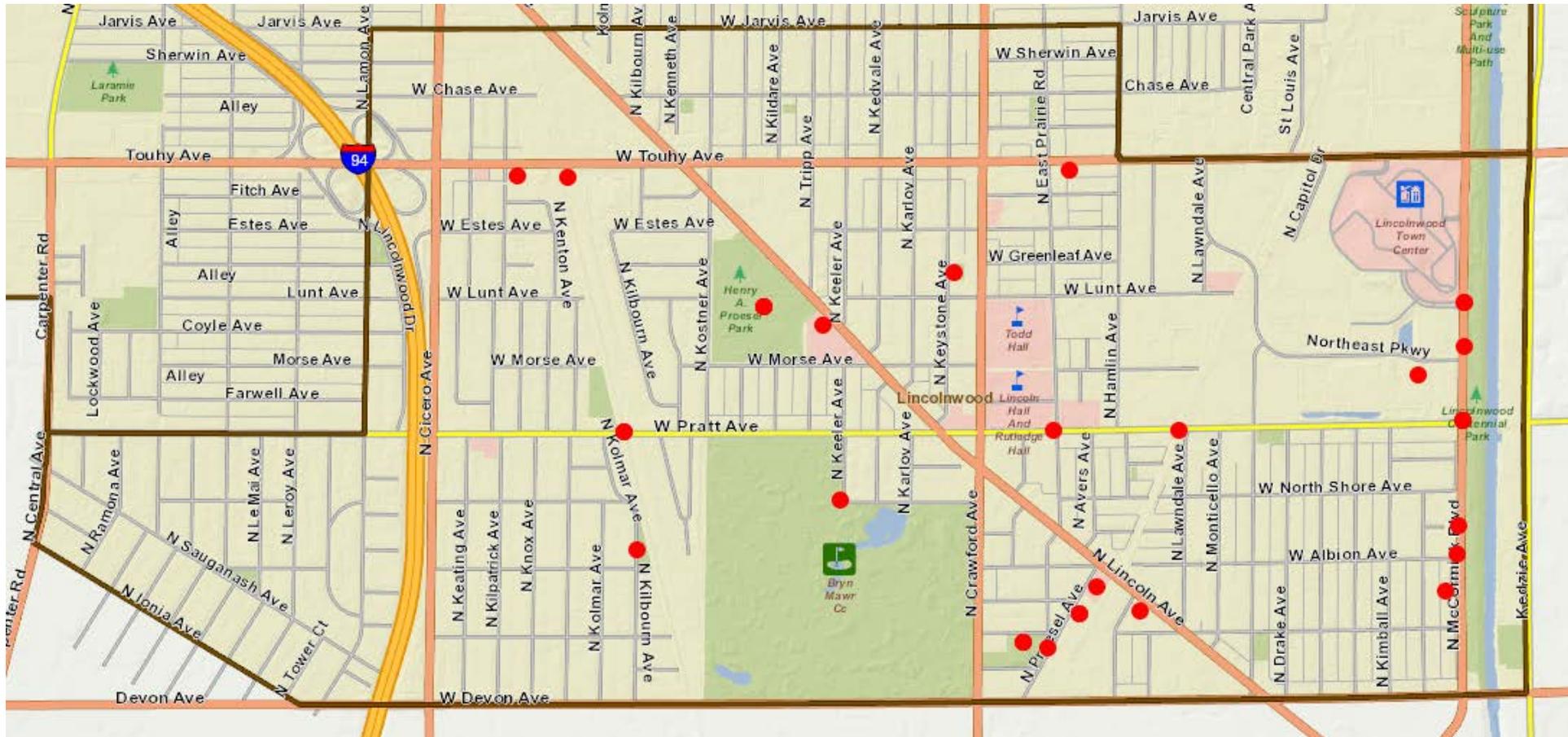
# Summary of Cases

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	<b>CY 2017</b>	<b>CY 2018</b>	<b>CY 2019</b>	<b>Total</b>
Issues Reported	14	5	13	32
Average Days to Complete	2.1	7.2	5.7	4.4

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# Location of Cases



# Policy Questions

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1. What is the expectation for the Village Board in terms of how quickly graffiti is removed or addressed?
2. Does the Village Board desire to use materials that are anti-graffiti?
  - a. It should be noted that many anti-graffiti materials do not stop graffiti from adhering to a material but rather make it easier to clean up and may be more costly.
  - b. Some materials, such as signs and unpainted benches, may not be eligible for anti-graffiti materials.
3. Does the Village Board want to enact more stringent penalties for graffiti?
  - a. Under local ordinances, the Village could charge someone caught in the act of applying graffiti with a violation of Section 17-1-7 – Destruction of Property which can carry a fine of up to \$2,500. However, acts of graffiti are normally performed in such a way that the perpetrator is not normally caught and the damage is only discovered after the fact, so it is unclear what impact, if any, an adjustment to fines would have in regards to graffiti.

# Liquor License Standards

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Village requires all liquor license holders to maintain dramshop insurance of at least \$500,000

Dramshop insurance is a requirement of the Village Code for liquor license holders to ensure that they have adequate liability coverage in case an issue arises in the course of their business

A request was made to increase the dramshop insurance minimum coverage amount

- The State of Illinois's requirement is \$231,021
- IRMA, the Village's general liability provider, recommends \$1,000,000

# Summary of Cases

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<b>Community</b>	<b>Dramshop Insurance Amount</b>
Countryside	\$1,000,000
Evanston	\$1,000,000
Skokie	\$231,021
<b>Lincolnwood</b>	<b>\$500,000</b>
Morton Grove	\$1,000,000
Niles	\$250,000
Park Ridge	\$1,000,000
River Forest	\$231,021
Skokie	\$231,021
State of Illinois Requirement	\$231,021
IRMA Guidance	\$1,000,000

# Policy Questions

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1. Does the Village Board wish to modify or adjust the insurance amounts for liquor license holders?

# Camera Requirement for Residential Property

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Issue was first raised at January, 2020 meeting of CORB to discuss a requirement for cameras on residential property to serve as a deterrent for criminal activity and as a resource for the Police Department

Police Department currently works with residents to recover footage when criminal activity occurs

Staff could not find any local governments that have a requirement for residential properties to own and maintain security cameras

# Policy Questions

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1. Does the Village Board wish to explore the possibility of requiring cameras on and / or in residential properties?
2. What are the parameters for such a program?