

VILLAGE OF GURNEE

2025 - 71

**AN ORDINANCE AMENDING CHAPTER 22 AND 32 TO ADD ARTICLE 10
OF THE GURNEE MUNICIPAL CODE TO REGULATE AND LICENSE FOOD
TRUCKS**

ADOPTED BY THE PRESIDENT AND BOARD OF TRUSTEES

OF THE

VILLAGE OF GURNEE, ILLINOIS

ON

October 20, 2025

Published in pamphlet form by authority of the Village Board of the
Village of Gurnee, Lake County, Illinois,
This 21st day of October, 2025.

THOMAS B HOOD

President

ANDY HARRIS

Clerk

BRYAN WINTER

Attorney

JEANNE BALMES

Trustee

GREG GARNER

Trustee

QUIN O'BRIEN

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CHERYL G. ROSS

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KAREN THORSTENSON

Trustee

KEVIN WOODSIDE

Trustee

2025 - 76

**AN ORDINANCE AMENDING CHAPTER 22 AND 32 TO ADD ARTICLE 10
OF THE GURNEE MUNICIPAL CODE TO REGULATE AND LICENSE FOOD
TRUCKS**

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

WHEREAS, the Village Board possesses the authority to approve and pass all necessary ordinances, resolutions, rules and regulations necessary for carrying out the governmental functions and duties of the Village; and,

WHEREAS, the Village Board desires and believes it is in the best interests of the Village to regulate and set standards for the location, licensing, inspection and operation of Food Trucks within Village limits to promote the health, safety and welfare of the public, and to protect the property rights of the owners of land located adjacent to and within the vicinity of properties hosting a Food Truck; and,

WHEREAS, the Corporate Authorities of the Village have determined that it is in the best interest of Village to amend Article 2 of the Gurnee Municipal Code to add Sections 22-700 to 22-711 entitled Food Truck Licensing Regulations and to amend Chapter 32 to add the fees to obtaining a license.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND THE BOARD OF TRUSTEES OF THE VILLAGE OF GURNEE, LAKE COUNTY, ILLINOIS, IN THE EXERCISE OF ITS HOME RULE POWERS, AS FOLLOWS:

SECTION 1: The above recitals are incorporated into this Ordinance and shall have the same force and effect as though fully set forth herein.

SECTION 2: That Article 2 of the Gurnee Municipal Code is hereby amended to add Sections 22-700 to 22-711, as set forth as follows:

ARTICLE X. FOOD TRUCK LICENSING REGULATIONS

Sec. 22-700 Purpose

Sec. 22-701 Definitions

Sec. 22-702 License Requirements and Prohibitions

Sec. 22-703 Application Procedure

Sec. 22-704 License Application

Sec. 22-705 Denial or Non-Renewal of License

Sec. 22-706 Issuance of Food Truck License

Sec. 22-707 License Type, Term, Fee, and Expiration

Sec. 22-708 Hours of Operation

Sec. 22-709 Sanitation and Safety Requirements

Sec. 22-710 Penalties and Revocation of License

Sec 22-700 Purpose

The purpose of this article is to establish regulations governing Food Truck vendors and operation sites within the Village. These regulations are intended to promote the health, safety, and welfare of the public and to protect the property rights of the owners of land located adjacent to and within the vicinity of properties serving as a Food Truck venue.

Sec 22-701 Definitions

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Food Truck. A commercially manufactured, motorized, non-motorized or temporary food unit, including but not limited to food trailers and food trucks, in which food is cooked, wrapped, packaged, processed, and/or portioned for immediate consumption by the consumers.

Food Truck Operator. Any person or entity offering for sale and immediate delivery any food from a food truck.

License Administrator. As used in this article, "License Administrator" means the Village Administrator or designee of the Village.

Permissible Food Truck Operation Site. The proposed location for a Food Truck operation site must be located at least 500 feet from an existing brick-and-mortar food establishment. The measuring point is from the property line of a brick-and-mortar food establishment to the property line where the potential Food Truck will operate or any adjacent property within 500 feet of the brick-and-mortar food establishment. If the Food Truck applies to operate in a shopping center, plaza, or strip mall the measuring point to determine the required 500 feet separation between a Food Truck and a brick-and-mortar food establishment shall be 500 feet from the property line of any brick-and-mortar food establishment to any point on the Food Truck. No operation sites shall be located on residentially zoned property.

Private Event. A temporary single day event by invitation only, where the host controls access to a private premises and any Food Truck hired by the host is not available for use by the public nor is any food sold to any customers or invited guests.

Special Event. As used in this Article, "Special Event" means a permitted, preplanned, gathering event or series of consecutive daily (not to exceed three (3) days) gathering events for an entertainment, cultural, recreational, sporting, neighborhood or other similar event, where food is available for sale to customers, invited guests, or the public.

Sponsoring Venue. The private property comprised of a zoning lot within any non-residential zoning district of the Village.

Venue Sponsor. The legal or beneficial owner of any sponsoring venue upon which a Food Truck is authorized by such venue sponsor to operate for purposes of serving patrons or any permittee for a special event who has obtained a permit from the Village that expressly authorizes hosting Food Trucks at specified locations for the special event.

Sec. 22-702 License Requirements and Prohibitions

(a) Food Truck License required.

- (1) No person shall operate any Food Truck for public customers within the village unless there is a current valid license for that Food Truck.
- (2) Any person who desires to operate more than one Food Truck within the Village must have a separate license for each Food Truck.
- (3) The Food Truck license, once issued, must be posted in a location that will be conspicuous to patrons of the Food Truck.
- (4) Every license issued pursuant to this Article shall terminate on the December 31st following its issuance, unless suspended, revoked or voluntarily terminated sooner, and must be renewed before operation is allowed in the following year.
- (5) Food Truck Operator shall account for all sales from any Food Truck operations occurring within the Village, including the completions of appropriate forms to ensure the proper payment of sales taxes, including food and beverage taxes to the Village.

Sec. 22-703 Application Procedure

- (a) An application for a License shall be submitted and signed by an individual authorized by the person or entity making application for the License. It is the responsibility of each applicant or Licensee to be informed regarding all laws applicable to the operation of a Food Truck, including those laws affecting the issuance of said License. No applicant and/or Licensee may rely on the issuance of a License as a determination by the Village that the Licensee has complied with all applicable laws to operating a Food Truck.
- (b) All applications shall be submitted on a form supplied by the Licensing Administrator.
- (c) An Applicant or Licensee shall inform the Licensing Administrator in writing of any change in the information submitted on an application for License within (30) business days of a change.

Sec. 22-704 License Application

- (a) Application Information: Application for a license, whether original or renewal, must be made to the Licensing Administrator or designee. The application must be submitted during regular working hours. Application forms shall be supplied by the village. The applicant shall be required to give the following information on the application form:

- (1) The names (including any and all aliases), street addresses (and mailing addresses if different) and driver's license numbers of the applicant, and any and all operators and managers;
- (2) Any and all names under which the Food Truck business is to be operated and a general description of the services to be provided;
- (3) The main telephone number of the Food Truck business;
- (4) Identification of the Food Truck vehicle, including license number, to be operated within the Village.
- (5) The tax identification number of the Food Truck Operator.
- (6) Execution of an agreement with the Village that the Food Truck Operator shall account for all sales from any Food Truck operations occurring within the Village, including the completion of appropriate forms to ensure the proper payment of sales taxes, including food and beverage taxes to the Village.
- (7) Proof of general liability and other insurance in such amounts and from such insurers as the Licensing Administrator may establish uniformly for all Food Truck Operators.
- (8) Whether the applicant has previously had a Food Truck license or permit previously revoked and suspended by any other municipal entity.

(b) Application Documentation: The application shall be accompanied by the following documentation and fee:

- (1) A copy of the assumed name certificate if the Food Truck business is to be operated under any assumed name(s);
- (2) A copy of a certificate of good standing if the Food Truck business is a corporation;
- (3) If the owner of the Food Truck business is a limited partnership, a copy of the certificate of limited partnership, together with all amendments thereto;
- (4) A copy of a certificate of good standing if the Food Truck business is a limited liability company;
- (5) A diagram showing the proposed Food Truck operation site showing that no brick-and-mortar food establishment is located within 500 feet from the sponsoring venue zoning line or within 500 feet of a brick-and-mortar food establishment if the site is proposed to operate within a shopping center plaza or strip mall.
- (6) Documentation signed by the venue sponsor (i.e., lease or written permission) granting permission for the applicant to utilize a proposed Permissible Food Truck Operation Site.

(c) Sworn Statement: The application shall contain a statement under oath that:

- (1) The applicant has personal knowledge of the information contained in the application, and the information contained therein is true and correct;
- (2) The applicant has read the provisions of this Article and agrees, on behalf of the owner, to abide by the provisions of this Article.

Sec. 22-705 Denial or Non-Renewal of License

- (a) If the Licensing Administrator denies the issuance or renewal of the License, the Licensing Administrator shall notify the applicant in writing by both email and USPS certified mail to the address shown in the application. The notice shall include the grounds for denial. Notice is deemed to have been properly given upon email and certified USPS mailing.
- (b) An applicant has the right to appeal the Licensing Administrator's denial of an application to the Hearing Officer appointed by the Village. Such an appeal shall be initiated by filling a written request with the Licensing Administrator within thirty-five (35) days of the date of denial of the issuance of a License.
- (c) The applicant's failure to timely appeal the decision of the Licensing Administrator is a waiver of the applicant's right to contest the denial of the issuance of the License.
- (d) The appeal, including any right to further appeals, shall be conducted and controlled by the provisions of this code.

Sec. 22-706 Issuance of Food Truck License

Upon the receipt of a completed application for a License as required by this Article, the Licensing Administrator shall sign and issue a License upon the payment in full of all fees as required under Section 32-32 within thirty (30) days, which period may be extended by the Licensing Administrator for good cause unless substantial evidence demonstrated that one or more of the following bases for denial exists:

- (a) The information presented in the application is incomplete, inaccurate, or false;
- (b) The Applicant has failed to collect, remit, report or pay any previously owed food and beverage tax to the Village;
- (c) The applicant seeks a License to operate at a location that is not a Permissible Food Truck Operation Site appropriately zoned for the use;
- (d) The applicant seeks authorization for a License and the applicant's current License is suspended or revoked;
- (e) The applicant is not qualified to hold the requested License under the provisions of this Article;

- (f) The applicant is indebted to, or obligated in any manner to the Village for other unpaid taxes, liens, or other monies.

Sec. 22-707 License Type, Term, Fee, and Expiration

- (a) There shall be the following Food Truck Licenses:
 - (1) Annual Licenses shall be valid for a calendar year starting January 1st of each year; and,
 - (2) Special Event Licenses shall be valid for Food Trucks operating at only special or private events as defined in this Article, up to a maximum of 12 special or private events during a calendar year. Special or private events hosted by public municipal entities shall not be counted for determining the number of special events during a calendar year.
- (b) The licenses provided in this Article shall be effective for annual periods commencing on January 1st and ending on December 31st of each year unless otherwise specified.
- (c) The required fees for each of the license classifications are set forth in Section 32-32.
- (d) No Rebate of the required License Fee shall be made to any applicant under this Article.
- (e) Food Trucks operated by restaurants which are located and licensed within the Village may operate at special events as defined herein without a license.

Section 22-708 Hours of Operation

Hours of operation are not restricted except that hours shall be limited between 7:00 a.m. and 10:00 p.m. Food Trucks must be moved to an appropriately zoned parking spot when not in operation.

Section 22-709 Operation and Safety Requirements

- (a) All Food Trucks must obtain a permit from the Lake County Health Department and submit to all required inspections prior to operating within the Village.
- (b) Food Trucks may be inspected from time to time by appropriate Village personnel. Food Trucks shall be made available for inspection upon request of such Village personnel.
- (c) Village personnel shall have the authority to require additional safety measures be provided as part of the operation of a Food Truck to insure the health, safety, and welfare of the general public. These additional safety measures may include but are not limited to provisions governing the use of utilities (water, wastewater, electricity, gas, etc.), provided for additional fire suppression equipment and adding limitations to the use of deep fat fryers or other cooking equipment.
- (d) No Food Truck shall use or maintain any outside sound amplifying equipment or speakers to broadcast music or sounds outside the vehicle.
- (e) No Food Truck shall use external flood or strobe lights, signage, bollards, seating, or any other equipment not contained within the vehicle.
- (f) No Food Truck shall offer drive-through or drive-by service.
- (g) All grease shall be disposed of in compliance with Village requirements.
- (h) All waste liquids, garbage, litter, and refuse shall be kept in leak-proof, nonabsorbent containers which shall be kept covered with tight-fitting lids and properly disposed of pursuant

to Village Requirements.

- (i) No waste liquids, grease, garbage, litter, or refuse shall be dumped or drained into sidewalks, streets, gutters, drains or trash receptacles.
- (j) A garbage receptacle shall be easily accessible for customer use. Food Truck Operators shall be responsible for all litter and garbage left by customers.

Section 22-710 Penalties and Revocation of License

- (a) Any person, firm or corporation violating any provision of this article shall be fined as provided in section 1-11 or not more than \$750.00 per offense. A separate offense shall be deemed committed for each day during or on which a violation occurs or continues.
- (b) The License Administrator may revoke any Food Truck license issued pursuant to this Article based on any of the following findings:
 - (1) The license holder is found in violation of any provision of this Article (including violation of any applicable federal, State, or local ordinance, statute, law, or regulation relating to public health, safety, or welfare).
 - (2) The license holder has made a false material statement in the license application.
 - (3) The license holder fails to comply with the conditions of a license or the provisions of this Article.
 - (4) The license holder has operated without the permission of a Venue Sponsor.

SECTION 3: That the following subsection of Chapter 32 (Section 32-32) is hereby amended and shall hereafter state as follows:

Annual Food Truck License Fees:		
Annual Food Truck License Fee	\$500.00	Section 22-707
Special Event Food Truck Fee	\$ 50.00	Section 22-707

SECTION 4: The effective date for the regulation set forth in this ordinance shall start on January 1, 2026.

SECTION 5: Food truck operators shall apply and receive a Village issued license prior to operating within the Village starting on January 1, 2026 and thereafter.

SECTION 6: Nothing in this Ordinance shall be construed to affect any suit or proceedings pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action arising, acquired or existing under any act or ordinance or portion thereof hereby repealed or amended by this ordinance; nor shall any just or legal right, claim, penalty or remedy of any character of the corporate authority existing on the effective date hereof be lost, impaired or affected by this Ordinance.

SECTION 7: If any provision, clause, sentence, paragraph, section, or part of this ordinance or application thereof to any person, firm, corporation, public agency or circumstance, shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, said judgment shall not affect, impair or invalidate the remainder of this ordinance and the application

of such provision to other persons, firms, corporation, or circumstances, but shall be confined in its operation to the provision, clause, sentence, paragraph, section, or part thereof directly involved in the controversy in which such judgment shall have been rendered and to the person, firm, corporation, or circumstances involved. It is hereby declared to be the legislative intent of the corporate authorities that this ordinance would have been adopted had such unconstitutional or invalid provision, clause, sentence, paragraph, section, or part thereof not been included.

Passed this 20th day of October 2025

	Ayes:	Nays:	<u>Absent/Abstain:</u>
Jeanne E. Balmes	<u>X</u>		
Greg Garner			<u>X</u>
Quin O'Brien	<u>X</u>		
Cheryl G. Ross	<u>X</u>		
Karen Thorstenson	<u>X</u>		
Kevin Woodside			<u>X</u>

By:  _____ Date: 10-20-25
THOMAS B. HOOD, Village President

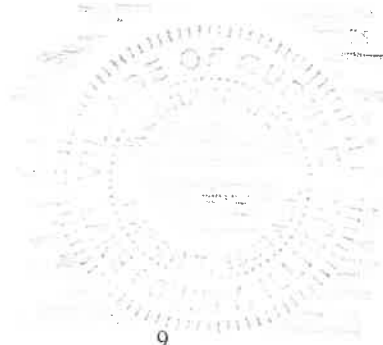
ATTEST: 
By: _____
ANDY HARRIS, Village Clerk

Presented and read, or reading having been waived, at a duly convened meeting of the Corporate Authorities on October 20, 2025.

I hereby certify that the above ordinance was published in pamphlet form on the 21st day of October 2025, as provided by law.



ANDY HARRIS, Village Clerk



STATE OF ILLINOIS)
) SS.
COUNTY OF LAKE)

CERTIFICATE

I, ANDY HARRIS, certify that I am the duly elected and acting municipal clerk of the Village of Gurnee, Lake County, Illinois.

I certify that on the 20th day of October 2025, the Corporate Authorities of such municipality passed and approved Ordinance 2025 - 71, entitled, "**AN ORDINANCE AMENDING CHAPTER 22 TO ADD ARTICLE 10 OF THE GURNEE MUNICIPAL CODE TO REGULATE AND LICENSE FOOD TRUCKS**", which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 2025 - 71, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on the 21st day of October 2025, 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 Gurnee, Illinois, this 21st day of October 2025.



ANDY HARRIS, Village Clerk

