
**VILLAGE OF SUGAR GROVE
BOARD REPORT**

TO: VILLAGE PRESIDENT & BOARD OF TRUSTEES
FROM: WALTER MAGDZIARZ, COMMUNITY DEVELOPMENT DIRECTOR
SUBJECT: DISCUSSION: BUSINESS ZONING COMPLIANCE REGISTRATION REQUIREMENT
AGENDA: JUNE 16, 2020 VILLAGE BOARD REGULAR MEETING
DATE: JUNE 12, 2020

ISSUE

Shall the Village Board consider enacting a business registration requirement.

DISCUSSION

It has been suggested that the Village may need to establish a business registration requirement in order to keep abreast of changes in the local business community, develop a database of emergency contacts, and improve compliance with the Village building and zoning requirements. This is an old idea that has been revived given how the pandemic has exposed how little contact information the Village has for businesses in the community.

Many communities have a business license or registration requirement, generally, for information purposes (collecting basic information about the business) and to make certain the business has proper tax numbers for reporting sales tax to the Illinois Department of Revenue. The Police Department also has a need for the registration information for providing ownership and emergency contact information. The pandemic has exposed how little emergency information we have about Sugar Grove businesses.

Another practical benefit of the compliance/registration program is collecting information about materials stored/used on the premises. Having information about potentially dangerous materials in the space occupied by the business is valuable to the Police (and Fire) Department. Collection of this type of information is not a requirement of the building permit process.

Communities also use the registration requirement to collect information about business operating in the community. For example the number of employees and the number of residents employed by the business.

A business registration requirement can also be a means to get a new businesses to obtain building and zoning approvals in advance of occupying a tenant space. Businesses will inquire about business registration requirements before they will inquire about building or zoning requirements even if they intend to perform remodeling in advance of occupying a space. Upon learning the Village does not have a business registration or licensing requirements, the business owner assumes nothing else is required of them to open for business. This often leads to hard feelings as their business opening plans are delayed while zoning requirements are satisfied.

After consulting with the Village attorney, the business registration requirement needs to be tied to the Zoning Ordinance in order to avoid the exclusions for certain businesses granted by State statutes. Thus,

the business registration requirement becomes a zoning compliance requirement and would include home-based businesses.

Implementation of the program would be by ordinance but the initial registration process will require significant outreach. The Community Development Department is of the opinion that hand delivering the applications would be the most effective way to get complete coverage for the initial round of applications. And the personal delivery would provide a public relations opportunity, as well.

An application fee has been discussed in the past and the proposed amendment refers to an application fee, but the amount of the fee has not been determined. Village staff recommends a nominal \$10 fee that would be waived if the application is returned within 30-days.

Village staff consulted with the Chamber of Commerce Executive Director on the need as well as the proposed form. The Chamber of Commerce is supportive of the effort and the proposed form.

A draft Zoning Ordinance amendment that accomplishes this objective is attached. If the Village Board supports the proposal, a public hearing to amend the Zoning Ordinance would be published and held by the Planning Commission before consideration by the Village Board.

The proposed application form is designed to collect basic information about the business and contact information. If the Village Board supports the proposed program, Village staff will begin the zoning amendment process in order to prepare the Ordinance establishing the business license program.

ATTACHMENTS

- Draft Ordinance Establishing an Annual Zoning Compliance Registration Process
- Draft Zoning Compliance Registration Application form

COSTS

There are no costs associated with the discussion.

RECOMMENDATION

That the Village Board provide staff with direction and input in order to implement a business registration program, including scheduling the necessary Zoning Ordinance amendment public hearing.

Title 11 (Zoning Regulations), Section 11-13 (Administration), is hereby amended to add the following sub-Section 11-13-6-G:

11-13-6-G: Business-Annual Zoning Compliance Registration Required

1. Annual Certification Required

All persons, firms, and corporations that conduct, engage in, maintain, operate, carry on or manage any business, occupation, or establishment within the Village of Sugar Grove, including businesses operating as home occupations and home professional offices as defined in Section 11-3-2 of this Code of Ordinances, must submit a Zoning Compliance Form (“Compliance Form”) informing the Village of the business occupying the location and certifying that it is in compliance with all applicable zoning regulations. A copy of said Compliance Form shall be kept on file with the Village Clerk. The Compliance Form must be submitted on an annual basis, by a deadline to be established by the Village’s Director of Community Development, or his or her designee.

2. Review by Village Zoning Authority

Upon receipt of the Zoning Compliance Form, the Director of Community Development, or his or her designee, shall review the information provided therein to ensure compliance with the Village’s zoning provisions. Any violations of the Village’s Code of Ordinances, including the failure to register with the Village in the timeframe prescribed, will be addressed pursuant to the provisions set forth in Section 11-13-15 of this Code.



ZONING COMPLIANCE REGISTRATION APPLICATION

The following information is required of all businesses located in Sugar Grove, in accordance with Ordinance No. 2020-0000. The zoning compliance registration application is required to be completed annually.

PLEASE PRINT OR TYPE RESPONSES

PART 1—BUSINESS INFORMATION

BUSINESS NAME: _____

ADDRESS: _____

CORPORATE NAME, if different: _____

ILLINOIS RETAILER OCCUPATIONAL
TAX NUMBER (if applicable):

DESCRIPTION OF BUSINESS: _____

Are you relocating to Sugar Grove? Y N

If yes, please provide previous address: _____

Does this business have other locations? Y N If so, how many?

Please provide the address of one other location: _____

NUMBER OF EMPLOYEES: FT PT How many employees are Sugar Grove residents?

HOURS OF OPERATION: M _____ T _____ W _____ R _____ F _____ S _____ S _____

PART 2—CONTACT INFORMATION

Check person to be contacted 24 hours in emergencies

BUSINESS OWNER

MANAGER, if Owner not on premises

NAME: _____

NAME: _____

ADDRESS: _____

ADDRESS: _____

PHONE: _____

PHONE: _____

EMAIL: _____

EMAIL: _____

PROPERTY MANAGEMENT COMPANY, if applicable

OTHER EMERGENCY CONTACT, if any

NAME: _____

NAME: _____

ADDRESS: _____

ADDRESS: _____

PHONE: _____

PHONE: _____

EMAIL: _____

EMAIL: _____



ZONING COMPLIANCE REGISTRATION APPLICATION

PLEASE PRINT OR TYPE RESPONSES

PART 3—BUSINESS PREMISES INFORMATION

Square footage of space occupied by your business: _____

Does premises have an alarm system? Y N If yes, what type? Fire Theft

Name of alarm company and emergency phone: _____

Does premises have video surveillance cameras? Y N If yes, what type? Interior Exterior

Do the cameras have data recorders? Y N If yes, what is the retention period? _____

Is there a guard dog on premises? Y N

Is there a safe on premises? Y N

Interior lights on after closing? Y N If so, how long after closing? _____

Amusement devices on premises? Y N If yes, how many?

Vending machines on premises? Y N If yes, how many?

Video gaming machines on premises? Y N If yes, how many?

Selling tobacco products? Y N

Does business include selling or preparing food? Y N

Does premises have fire sprinkler system? Y N

Are there hazardous materials on the premises? Y N If yes, please identify: _____

WEBSITE BUSINESS DIRECTORY

Business contact information, business description and logo/photo can be posted on the Village's Business Directory at your discretion. Would you like the Village to post your business on the Village's Business Directory? Y N

I understand any misrepresentations submitted maybe cause for denial and revocation of the Zoning Compliance Registration.

SIGNATURE OF APPLICANT: _____ PRINTED NAME: _____

DATE COMPLETED: _____

PENALTY: Any person found in violation of the Village Code relating to this compliance registration may be subject to a fine as provided in Section 11-13-15 of the Village Code.