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VILLAGE OF MELROSE PARK  
COOK COUNTY, ILLINOIS

ORDINANCE NO. 1331

AN ORDINANCE AMENDING TITLE 5 OF THE VILLAGE OF  
MELROSE PARK MUNICIPAL CODE REGARDING BUSINESS  
LICENSES AND REGULATIONS, FOR THE VILLAGE OF  
MELROSE PARK, COUNTY OF COOK, STATE OF ILLINOIS.

ADOPTED BY THE  
PRESIDENT AND BOARD OF TRUSTEES  
OF THE  
VILLAGE OF MELROSE PARK

THIS 9<sup>TH</sup> DAY OF NOVEMBER 2009

RONALD M. SERPICO, Village President  
MARY ANN PAOLANTONIO SALEMI, Village Clerk

Board Of Trustees

CATHLEEN COSSIDENT ITALIA  
ANTHONY J. PRIGNANO  
ARTURO J. MOTA  
MARY RAMIREZ TACONI  
JAIME ANGUIANO  
ANTHONY N. ABRUZZO

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Published by authority of the  
President and Board of Trustees  
Of the Village of Melrose Park,  
Cook County, Illinois on  
This 10<sup>TH</sup> day of NOVEMBER 2009

**ORDINANCE NO. 1331**

**AN ORDINANCE AMENDING TITLE 5 OF THE VILLAGE OF MELROSE PARK MUNICIPAL CODE REGARDING BUSINESS LICENSES AND REGULATIONS, FOR THE VILLAGE OF MELROSE PARK, COUNTY OF COOK, STATE OF ILLINOIS.**

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**WHEREAS**, the Village of Melrose Park, County of Cook, State of Illinois (the “Village”) is a duly organized and existing municipality and unit of local government created under the provisions of the laws of the State of Illinois, and is operating under the provisions of the Illinois Municipal Code, and all laws amendatory thereof and supplementary thereto, with full powers to enact ordinances and adopt resolutions for the benefit of the residents of the Village; and

**WHEREAS**, the Village President (the “President”), the Honorable Ronald M. Serpico, the Village Clerk, the Honorable Mary Ann Paolantonio Salemi, and the Board of Trustees of the Village (the “Village Board”), the Honorable Cathleen Cossident Italia, Arturo J. Mota, Anthony J. Prignano, Mary Ramirez Taconi, Jaime Anguiano and Anthony N. Abruzzo, having taken office on April 30, 2009, constitute the duly elected, qualified and acting officials of the Village; and

**WHEREAS**, evidence suggests that retrieving stolen goods from pawnshops and secondhand stores can be an arduous task; and

**WHEREAS**, to protect its residents and their property, the President and the Village Board (collectively, the “Corporate Authorities”) are committed to establishing regulations that ensure the safe return of stolen merchandise that is pawned at pawnshops, items or materials that are sold to a metal recycler licensed as a junk dealer in the Village or sold to stores that sell and

resell video games and related equipment (collectively, "Video Game Stores") and are located within the Village; and

**WHEREAS**, the Corporate Authorities have determined that it is both advisable and in the best interests of the Village and its residents to amend the Village of Melrose Park Municipal Code (the "Village Code") to establish requirements for Video Game Stores and to implement a system whereby pawnshops, junk dealers and Video Game Stores located within the Village are required to take steps to track property and merchandise that they receive to ensure the safe return of stolen goods; and

**WHEREAS**, the Corporate Authorities have determined that it is necessary, advisable, economical and in the best interests of the Village and its residents to amend Title 5 of the Village Code as set forth herein; and

**WHEREAS**, the enactment of this Ordinance directly pertains to and is in furtherance of the health, welfare and safety of the residents of the Village; and

**NOW, THEREFORE, BE IT ORDAINED** by the President and the Board of the Trustees of the Village of Melrose Park, County of Cook, State of Illinois, as follows:

**ARTICLE I.  
IN GENERAL**

**Section 01. Incorporation Clause.**

The Corporate Authorities hereby find that all of the recitals hereinbefore stated as contained in the preambles to this Ordinance are full, true and correct and do hereby, by reference, incorporate and make them part of this Ordinance as legislative findings.

**Section 02. Purpose.**

The purpose of this Ordinance is to amend the Village Code to establish requirements for Video Game Stores and to implement a system whereby pawnshops, junk dealers and Video

Game Stores located within the Village are required to take steps to track property and merchandise that they receive to ensure the safe return of stolen goods.

**Section 03. Invocation of Authority.**

This Ordinance is enacted pursuant to the police powers and authority granted to the Village by the Constitution of the State of Illinois and the Illinois Compiled Statutes.

**Section 04. State Law Adopted.**

All applicable provisions of the Illinois Compiled Statutes, including the Illinois Municipal Code, as may be amended from time to time, relating to the purposes of this Ordinance are hereby incorporated herein by reference.

**Sections 05 - 09. Reserved.**

**ARTICLE II.  
AMENDMENT TO TITLE 5 OF THE VILLAGE CODE**

**Section 10.00 Amendment to Section 5.80.020 of the Village of Melrose Park Municipal Code, "License application."**

Section 5.80.020 of the Village Code, titled "License application." is hereby amended notwithstanding any provision, ordinance, resolution or Village Code section to the contrary, by deleting said section in its entirety, excepting the title, and in lieu thereof inserting the following language:

"The application for a license under this chapter shall be made to the Village Clerk and shall state the matters specified in this chapter of this Code. All fees, as determined by the Corporate Authorities or its designee, for such a license will be kept on file at the office of the Village Clerk."

**Section 10.01 Amendment to Section 5.80.040 of the Village of Melrose Park Municipal Code, "Records to be kept--Information to be shown."**

Section 5.80.040 of the Village Code, titled "Records to be kept--Information to be shown." is hereby amended notwithstanding any provision, ordinance, resolution or Village

Code section to the contrary, by adding the following paragraph after the existing paragraph as an additional substantive provision of the Village Code:

“The following provisions of this section of this Code shall apply to those persons licensed under this chapter of this Code that operate or engage in the business of metal scrap or recycling. The Melrose Park Police Department shall enter into a contract for service and maintain its contract for service with LeadsOnline or a similar entity in order to enhance its investigative services to protect both licensees and members of the general public. Every licensee shall operate and maintain a computer system with Internet access for the purposes described herein. Every licensee shall subscribe to LeadsOnline or the Village’s current electronic reporting system and maintain said subscription throughout the term of the licensee’s business license. Every licensee shall provide an electronic record utilizing the LeadsOnline electronic reporting system or the electronic reporting system then in use by the Village. Such electronic report shall include all articles of any kind purchased or received by the licensee. The licensee shall enter and upload all information from its books and records regarding contracts for purchase, pledges and purchase transactions to LeadsOnline or a similar system as soon as reasonably possible after the transaction is consummated. The electronic record shall at all times during business hours be open to inspection by any member of the Melrose Park Police Department. In the event the electronic reporting system malfunctions or is otherwise not operational, the licensee shall, at all times during such malfunction or non-operation, be required to keep written records of any and all transactions that would have otherwise been entered in the electronic reporting system and shall submit such records to the Village within twenty-four (24) hours of such transaction during the period when the electronic system is non-operational. The written records kept shall contain all information required on the electronic reporting system. No item shall be received unless the person from whom the article is acquired exhibits a driver’s license or state-issued identification card, the identifying number is recorded on the electronic report and the licensee photographs the item and uploads that photograph onto the electronic reporting system. Any receipt issued by the licensee shall be numbered consecutively, and if stubs are used in connection with the receipt, each stub shall be numbered consecutively to conform to the ticket. If any article that is left on deposit, pledged or purchased has engraved thereon a number, word or initials or contains settings of any kind, the description of the article in the report shall set forth the details of the engraving. In the event of a change to its electronic reporting system, the Village shall notify all impacted licensees in the Village of the change within a reasonable time prior to such change.”

**Section 10.02 Amendment to Section 5.88.050 of the Village of Melrose Park Municipal Code, “Definitions.”**

Section 5.88.050 of the Village Code, titled “Definitions.” is hereby amended notwithstanding any provision, ordinance, resolution or Village Code section to the contrary, by inserting the following language after the last sentence of the paragraph titled, “Pawnbroker”:

“The definition of Pawnbroker shall include, but not be limited to, businesses that intake for resale computer systems, computer equipment, computer software packages, computer accessories, electronic games, electronic gaming consoles and electronic gaming systems.”

**Section 10.03 Amendment to Section 5.88.100 of the Village of Melrose Park Municipal Code, “License fee.”**

Section 5.88.100 of the Village Code, titled “License fee.” is hereby amended notwithstanding any provision, ordinance, resolution or Village Code section to the contrary, by deleting said section in its entirety, excepting the title, and in lieu thereof inserting the following language:

“The application for a license under this chapter shall be made to the Village Clerk and shall state the matters specified in this chapter of this Code. All fees, as determined by the Corporate Authorities or its designee, for such a license will be kept on file at the office of the Village Clerk.”

**Section 10.04 Amendment to Section 5.88.150 of the Village of Melrose Park Municipal Code, “Maintenance of records.”**

Section 5.88.150 of the Village Code, titled “Maintenance of records.” is hereby amended notwithstanding any provision, ordinance, resolution or Village Code section to the contrary, by deleting said section in its entirety, excepting the title, and in lieu thereof inserting the following language:

“The Melrose Park Police Department shall enter into a contract for service and maintain its contract for service with LeadsOnline or a similar entity in order to enhance its investigative services to protect both pawnbrokers and members of the general public. Every pawnbroker shall operate and maintain a computer system with Internet access for the purposes described herein. Every pawnbroker shall subscribe to LeadsOnline or the Village’s current electronic reporting system and maintain said subscription throughout the term of the pawnbroker’s business license. Every pawnbroker shall provide an electronic record utilizing the LeadsOnline electronic reporting system or the electronic reporting system then in use by the Village. Such report shall include all articles of any kind purchased or received by the pawnbroker. The pawnbroker shall enter and upload all information from its books and records regarding contracts for purchase, pledges and purchase transactions to LeadsOnline or a similar system as soon as reasonably possible after the transaction is consummated. The electronic record shall at all times during

business hours be open to inspection by any member of the Melrose Park Police Department. In the event the electronic reporting system malfunctions or is otherwise not operational, the pawnbroker shall, at all times during such malfunction or non-operation, be required to keep written records of any and all transactions that would have otherwise been entered in the electronic reporting system and shall submit such records to the Village within twenty-four (24) hours of such transaction during the non-operational period. The written records shall contain all information required on the electronic reporting system. No item shall be received unless the person from whom the article is acquired exhibits a driver's license or state-issued identification card, the identifying number is recorded on the electronic report and the pawnbroker photographs the item and uploads that photograph onto the electronic reporting system. Each pawn ticket issued shall be numbered consecutively and if stubs are used in connection with the pawn ticket, each stub shall be numbered consecutively to conform to the ticket. If any article that is left on deposit, pledged or purchased has engraved thereon a number, word or initials or contains settings of any kind, the description of the article in the report shall contain the number, word or initials engraved and shall describe the setting of the item and the number of each kind. In the event of a change to its electronic reporting system, the Village shall notify all pawnbrokers in the Village of the change within a reasonable time prior to such change."

**Section 10.05 Other Actions Authorized.**

The officers, employees and/or agents of the Village shall take all action necessary or reasonably required to carry out, give effect to and consummate the transactions contemplated by this Ordinance and shall take all action necessary in conformity therewith including, without limitation, the execution and delivery of any and all documentation required to be delivered in connection with this Ordinance. The fees for all licensees falling under the jurisdiction of this Ordinance shall hereby be increased by the amount of Six Hundred and No/100 U.S. Dollars (\$600.00). The new, increased amount of the fees shall be kept on file with the Village Clerk.

**Sections 11.00 – 15.00 Reserved.**

**ARTICLE III.  
HEADINGS, SAVINGS CLAUSES,  
PUBLICATION, EFFECTIVE DATE**

**Section 16.00 Headings.**

The headings for the articles, sections, paragraphs and subparagraphs of this Ordinance are inserted solely for the convenience of reference and form no substantive part of this Ordinance nor should they be used in any interpretation or construction of any substantive provision of this Ordinance.

**Section 17.00 Severability.**

The provisions of this Ordinance are hereby declared to be severable and should any provision, clause, sentence, paragraph, subparagraph, section or part of this Ordinance be determined to be in conflict with any law, statute or regulation by a court of competent jurisdiction, said provision clause, sentence, paragraph, subparagraph, section or part shall be excluded and deemed inoperative, unenforceable and as though not provided for herein, and all other provisions shall remain unaffected, unimpaired, valid and in full force and effect. It is hereby declared to be the legislative intent of the Village Board that this Ordinance would have been adopted had such unconstitutional or invalid provision, clause, sentence, paragraph, subparagraph, section or part thereof not been included.

**Section 18.00 Superseder.**

All code provisions, ordinances, resolutions and orders, or parts thereof, in conflict herewith are to the extent of such conflict hereby superseded.



**Section 19.00 Publication**

A full, true and complete copy of this Ordinance shall be published in pamphlet form or in a newspaper published and of general circulation within the Village as provided by the Illinois Municipal Code, as amended.

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**Section 20.00 Effective Date.**

This Ordinance shall be in full force and effect upon its passage, approval and publication, as provided by law.

On The Individual Poll And Voice Vote Of The Board Of Trustees:

AYE VOTES: Trustee Prignano, Trustee Mota, Trustee Taconi,  
Trustee Anguiano, Trustee Abruzzo

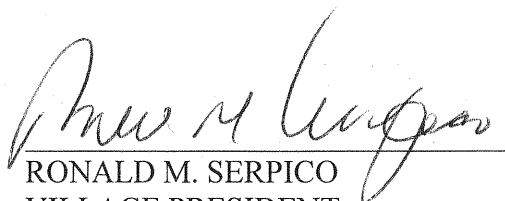
NAY VOTES:

ABSTAIN:


ABSENT: Trustee Italia

SO PASSED, ADOPTED, APPROVED AND ENACTED IN AND AT THE VILLAGE  
OF MELROSE PARK, COUNTY OF COOK, STATE OF ILLINOIS, THIS NINTH DAY OF  
NOVEMBER, 2009, A.D.

APPROVED:

  
RONALD M. SERPICO  
VILLAGE PRESIDENT

ATTEST:

  
Mary Ann Paolantonio Salemi  
Village Clerk

(SEAL)

Recorded in the Municipal Records: November 9, 2009  
Published in Pamphlet Form: November 10, 2009