

POLICE DEPARTMENT
MEMORANDUM

TO: Police Chief Sam Bonilla
FROM: Deputy Chief Ken Dawson *KD*
SUBJECT: PROPOSED ORDINANCE AMENDING CITY CODE, TITLE 3,
CHAPTER 26, SECTION 2(C)
DATE: June 30, 2023

In 2018, the City Council passed an ordinance increasing the non-refundable Massage License application fee from \$35.00 to \$1,000.00. The fee was determined upon the amount of hours detectives spent conducting each background investigation. An audit of the process was recently conducted to evaluate whether or not the current fee accurately reflected the cost to the City. The following factors were taken into consideration when conducting this audit:

- Average time spent conducting background
- Detective salaries

Afterward, it was determined that the current cost of conducting a license application background investigation was more commensurate to \$500.00. Ultimately, the amount of time spent will vary dependent upon the applicant. In some instances, the actual cost may be greater or less than \$500.00.

I am recommending City Council approve an ordinance amending Title 3, Chapter 26, Section 2(c) of the City Code, *Massage Establishment Business License Required; Number of Licenses; Fees*, for the reduction of the City Massage License application fee, from \$1,000.00 to \$500.00. Additionally, City Attorney Lenneman has prepared a draft City ordinance outlining the proposed change.

AN ORDINANCE AMENDING SECTION 3-26-2 OF THE WARRENVILLE CITY CODE REGARDING MASSAGE ESTABLISHMENT BUSINESS LICENSE FEES

WHEREAS, the City is a home rule municipal corporation pursuant to Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970; and

WHEREAS, pursuant to Section 3-26-2 of the Warrenville City Code, as amended ("**City Code**"), a massage establishment business license must be accompanied by an initial application license fee ("**Application Fee**"); and

WHEREAS, after a review of the current administrative processes and costs to review each license application, the City desires to amend Section 3-26-2 of the City Code to reduce the Application Fee for massage establishments to \$500.00; and

WHEREAS, the Mayor and the City Council have determined that it is in the best interest of the City and the public to amend the City Code pursuant to this Ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF WARRENVILLE, DU PAGE COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1: Recitals. The recitals listed above are incorporated in this Ordinance as if fully set forth in this Ordinance.

SECTION 2: Fees. Subsection 3-26-2.C, titled "Fees of Section 3-26-2, titled "Massage Establishment Business License Required; Number of Licenses; Fees," of Chapter 26, titled "Massage Establishments," of Title 3, titled "Business Regulations," is hereby amended to read as follows:

"C. Fees:

1. Initial Fee: The initial fee for a massage establishment business license shall be ~~one thousand dollars (\$1,000.00)~~ **\$500.00**.
2. Renewal Fee: The fee for the renewal of a massage establishment business license is ~~one hundred dollars (\$100.00)~~. The ~~one hundred dollar (\$100.00)~~ renewal fee includes the processing of renewal applications that require two ~~(2)~~ or fewer background checks. An additional fee of ~~twenty five dollars (\$25.00)~~ will be charged for each additional background check required for a renewal application."

SECTION 3: EFFECTIVE DATE. This Ordinance shall be in full force and effect upon its passage, approval, and publication in the manner provided by law.

[Voting Record and Signatures on Following Page]

PASSED THIS ____ day of _____, 2023.

AYES:

NAYS:

ABSENT:

ABSTAIN:

APPROVED THIS ____ day of _____, 2023.

MAYOR

ATTEST:

CITY CLERK

{00132848.2}

[additions are **bold and double underlined**; deletions are ~~struck through~~]