

ORDINANCE NO. 2017 - 39

**AN ORDINANCE AMENDING CHAPTER 14 ENTITLED "BUSINESS LICENSING  
AND REGULATION" OF THE CODE OF THE VILLAGE OF BROOKFIELD  
REGARDING EARNED SICK LEAVE**

PASSED AND APPROVED BY  
THE PRESIDENT AND BOARD OF TRUSTEES  
THIS 26<sup>TH</sup> DAY OF JUNE 2017

Published in pamphlet form by authority  
of the corporate authorities of the  
Village of Brookfield, Illinois,  
the 26<sup>th</sup> day of June 2017

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**AN ORDINANCE AMENDING CHAPTER 14 ENTITLED “BUSINESS LICENSING AND REGULATION” OF THE CODE OF THE VILLAGE OF BROOKFIELD REGARDING EARNED SICK LEAVE**

**WHEREAS**, the Illinois General assembly enacted Public Act 99-841, the Employee Sick Leave Act (820 ILCS 191/1 *et seq.*), effective January 1, 2017, which regulates sick leave provided by all employers within the State of Illinois;

**WHEREAS**, Cook County, Illinois (“Cook County”) is a home rule unit of local government pursuant to Article VII, Section 6(a), of the 1970 Illinois Constitution;

**WHEREAS**, the Village of Brookfield (“Village”) is located within Cook County and is a non-home rule unit of local government pursuant to Article VII, Section 7, of the 1970 Illinois Constitution;

**WHEREAS**, various Illinois statutes, including, but not limited to, Article 11 of the Illinois Municipal Code (65 ILCS 5/ 11-1-1 *et seq.*) authorize the corporate authorities of the Village to regulate various businesses within the Village;

**WHEREAS**, on October 5, 2016, the Cook County Board of Commissioners adopted Ordinance 16-4229 entitled *An Ordinance Establishing Earned Sick Leave for Employees in Cook County* establishing an earned sick leave policy for all private employers in Cook County that requires private employers in Cook County to provide a minimum number of paid sick days to employees who work at least eighty (80) hours within any 120-day period (“County Sick Leave Ordinance”);

**WHEREAS**, at the time that Cook County was considering the County Sick Leave Ordinance, Donald Pechous, Chief of the Civil Actions Bureau at the Cook County State’s Attorney’s Office, issued an opinion to the Honorable Sean M. Morrison, Commissioner

of the 17<sup>th</sup> District of the Cook County Board of Commissioners that the proposed County Sick Leave Ordinance was beyond the scope of Cook County's home rule power. Mr. Pechous opined that mandatory paid sick leave was an issue of state-wide concern. Therefore, it did not pertain to the county's local government and affairs. As such, regulating sick leave was beyond the county's home rule power granted by Section 6(a) of the 1970 Illinois Constitution. The following is a quote from Mr. Pechous' opinion on this issue:

The Illinois Supreme Court's ruling in *Bernardi v. City of Highland Park*, 121 Ill. 2d. 1 (1988) directly calls into question the County's home rule authority to enact Item 164229. As a general rule, the authority of home rule units under section 6(a) is limited in those fields where the State of Illinois has the greater or more vital interest in regulating. In *Bernardi*, the Illinois Supreme Court considered whether a home rule municipality must conform to the requirements of the Illinois Prevailing Wage Act, *Bernardi*, 121 Ill. 2d at 5. The court opined that "[e]stablishing minimum requirements to ... improve working conditions has traditionally been a matter of State concern, outside the power of local officials to contradict, and it remains so today." *Id.* at 14.

It must be emphasized that although the ordinance in question in *Bernardi* pertained to wages, the Supreme Court characterized the local legislation as an attempt to "interven[e] in the workplace." *Id.* at 14. Identifying a long list of statutes as within the scope of State labor regulations, the court opined that a departure from them was beyond the authority of a home rule unit because the State has a far more vital interest in regulating labor conditions than did local entities. *Id.* at 15-16. The court concluded that allowing home rule units to govern "local labor conditions" would destroy the General Assembly's "carefully crafted and balanced economic policies." *Id.* at 16.

**WHEREAS**, the corporate authorities of the Village find that establishing an earned sick leave policy for all private employers is an issue of state-wide concern;

**WHEREAS**, Article VII, § 6(c) of the Illinois Constitution provides that ... "[i]f a home rule county ordinance conflicts with an ordinance of a municipality, the municipal ordinance shall prevail within its jurisdiction;"

**WHEREAS**, the corporate authorities of the Village find that the County Sick Leave Ordinance directly conflicts with the Village's efforts at economic development in the Village, places the Village at an economic disadvantage to both municipalities located outside of Cook County and to municipalities within Cook County that have adopted sick leave ordinances that conflict with the County Sick Leave Ordinance in attracting to and keeping businesses in the Village; places Village businesses and employers at an economic disadvantage to businesses and employers both located in municipalities within Cook County that have adopted sick leave ordinances that conflict with the County Sick Leave Ordinance; is likely beyond the home rule authority of Cook County, subjects Village businesses and employers to enforcement actions by the Cook County Human Rights Commission, imposes significant penalties on Village businesses and employers for non-compliance and should the County Sick Leave Ordinance be determined by the courts to be beyond the home rule authority of Cook County, and thereby unconstitutional, would place an undue burden on Village businesses and employers;

**WHEREAS**, the Village finds that the State of Illinois and/or the federal government are the most appropriate units of government to establish the employer-related mandates covered by the County Sick Leave Ordinance;

**WHEREAS**, the corporate authorities of the Village have determined that it is necessary, desirable, and in the public interest to amend the Code of Ordinances, Village of Brookfield, Illinois, concerning business regulations applicable to private employers located within the Village so that provisions concerning sick leave in the Code of Ordinances, Village of Brookfield, Illinois, would be in conflict with the County Sick Leave Ordinance and thereby pursuant to Article VII. § 6(c) of the Illinois Constitution, the

provisions concerning sick leave in the Code of Ordinances, Village of Brookfield, Illinois, would prevail as to those private employers which are subject to regulation by the Village and located within the Village; and

**WHEREAS**, the corporate authorities of the Village find it in the best interest of the Village to clearly define the sick leave requirements that apply to private employers subject to regulation by the Village and located within the Village;

**NOW, THEREFORE**, be it ordained by the Village President and the Board of Trustees of the Village of Brookfield, Cook County, Illinois, as follows:

**Section 1.** The corporate authorities of the Village hereby find that the facts and statements contained in the preambles to this ordinance are found to be true and correct, incorporate the foregoing preamble clauses into this ordinance and make the findings as hereinabove set forth.

**Section 2.** Section 14-1 entitled "Definitions" of Article I entitled "In General" of Chapter 14 entitled "Business Licensing and Regulation" of the Code of Ordinances, Village of Brookfield, Illinois, as amended, is hereby amended to read as follows:

**Sec. 14-1. - Definitions.**

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

*Advertiser, outdoor,* means any person who engages in or carries on the business of outdoor advertising by means of billposting, or by distributing, tacking, pasting, mailing or otherwise fastening handbills, signs, posters or advertisements of any kind, or by erecting, constructing or maintaining painted bulletin boards or

signs, or by maintaining or operating any other outdoor advertising means or devices.

*Advertising, handbill distributor,* means any person who distributes any handbills, sale bills or any printed advertisement of any bankrupt, reduction or other special sale of any goods or merchandise to be held in the future. For business licensing purposes, the term “advertising” and “hand bill distributor” do not include by any local church or benevolent or fraternal order regarding bakery sales, rummage sales, or entertainments to be held for benevolent or charitable purposes.

*Automatic dry cleaning machine* includes and means any device or apparatus for the cleaning of clothes or fabrics, and designed to be used or operated by anyone but the owner or an employee of the owner thereof, which machine or device makes use of or contains perchlorethylene or any other chemical solvent or substance which may cause harm to human beings by reason of inhalation or contact.

*Automobile dealer* means any person who manages, conducts or carries on or operates a business of selling, buying or exchanging new, used or secondhand automobiles, trucks or any similar self-propelled vehicles or parts thereof, in any building, structure, premises, lot or other place in the village.

*Automobile parts and accessories dealer* means any person who engages in the business of selling, at wholesale or retail, any new or secondhand motor vehicle tires, supplies, parts and accessories, whether purchased or exchanged, or kept for sale or exchange.

*Automobile repair shop* means any barn, stable, building or structure within the village in which work or service is performed on any automobile, motor vehicle or other self-propelled vehicle, such work consisting of the replacing of or adding to or repairing parts of such vehicles, including frames, wheels, bodies, tops or any other parts, or the painting or refinishing of such vehicles.

*Bakery* means any place used for any process of mixing, compounding or baking, for sale or for purposes of a restaurant, bakery or hotel, any bread, biscuits, pretzels, crackers, buns, rolls, macaroni, cake, pies or any food product of which flour or meal is a principal ingredient. Licensed restaurants in which any of the foregoing food products are mixed and baked for consumption in such restaurant only, on or in ordinary restaurant kitchen stoves or ranges, and kitchens or rooms in dwellings where any such food products are mixed and baked in an ordinary kitchen stove or range shall not be considered bakeries.

*Barber* means one who cuts or trims hair and is one who holds a certificate of registration as a licensed barber under state statute.

*Barbershop* means a place where licensed barbers pursue their calling.

*Beauty culture* means one or any combination of the following practices: When done for cosmetic or beautifying purposes and not for the purpose of the treatment of disease or muscular disorder, the application of cosmetics to the human body by massaging, exercising, cleansing, beautifying or by means of devices, apparatus or appliances, arranging, dressing, marcelling, curling, waving, cleansing, singeing, bleaching, coloring, dyeing, tinting, or otherwise treating by any means, the hair of any person, but shall not include hair cutting unless the one

practicing beauty culture shall have obtained the certificate provided for beauty culture and a certificate of registration as a barber in the state.

*Beauty shop* means any place where beauty culture is practiced as above defined and as prescribed under state statute.

*Bicycle shop* means a shop, store or other place of business where bicycles are sold at retail or where bicycle accessories are sold or where bicycles are repaired or rented.

*Bowling alley or pin and ball alley* includes bowling alleys, pin and ball alleys, box ball alleys, skee-ball alleys, ping-pong tables, and all alleys or tables of similar character.

*Canvasser* means any person who solicits or takes orders or subscriptions, at retail, for the future delivery of any magazines, books, newspapers, goods, wares or merchandise.

*Cartage vehicle* means any automobile, truck, wagon or similar vehicle which is kept, used, operated, or employed for the purpose of transporting or conveying bundles, parcels, books, furniture, baggage, goods, wares, merchandise or other property, within or upon the streets or alleys of the village for hire or reward. The term "cartage vehicles" shall not include wagons, trucks, or other vehicles kept by merchants for the free delivery of goods sold by them, nor to the owners or drivers of vehicles used in hauling or transporting brick, sand, lime, mortar, stone, coal, coke, wood, hay and straw, or to any vehicle employed for public improvement of the village, or vehicles employed in connection with the excavating of structures,

provided such vehicles are not used for other purposes for hire, or to vehicles used by a coal dealer who has secured a license under this chapter.

*Chiropodist* means one who practices chiropody and one who has been duly licensed to practice the profession of chiropody by the department of registration and education under state law.

*Cleaner and dyer branch store* means a business for receiving and delivering clothes for any purpose defined herein as the business of a dry cleaner or spotter, provided that none of the actual work on such clothes is done at such cleaner and dyer branch store.

*Dancing schools*, required to be licensed under this chapter, includes any building, room or enclosure where instruction in the art of dancing or dancing lessons are given and where a charge or fee for such instruction or lesson is made, paid or received.

*Drug and variety store* means any building, store, place or establishment where prescriptions for drugs or medicine are filled or compounded, or where medical preparations or remedies for human consumption containing more than one-half of one percent of alcohol or potent or dangerous drugs are sold at retail or are manufactured for sale at retail, or where medicines, drugs, chemicals, therapeutic preparations, druggist sundries, invalid and infant foods, physicians supplies, proprietary medicines, toilet articles, candy, ice cream, jewelry, greeting cards, toys, school supplies, household supplies, cosmetics, gifts, novelties, magazines, and any other items for general use in the home are sold, offered for sale, or kept

with the intention of selling at retail. Licenses for drug and variety stores do not include licensure for the sale of cigarettes or the operation of vending machines.

*Dry cleaner or spotter* means every person keeping or using more than two quarts of gasoline, naphtha, benzene or other volatile oils or chemicals for the purpose of cleaning or renovating any clothing or article of wearing apparel or any fabric of any kind for profit or reward.

*Dry goods store* means any building, room, place or premises in the village operated, maintained or conducted for the sale or offering for sale of any dry goods, woolen, silk, cotton, or other fabrics, notions, fancy goods, wearing apparel, haberdashery, hats, caps, millinery, or any cloth goods. The term "dry goods stores" does not include secondhand clothing stores.

*Factory and workshop* mean any building, room, enclosure, premises, place, or establishment in the village where any merchandise, goods, wares, commodities, or products are manufactured, made, finished, printed, engraved, worked on, altered, repaired, polished, cleaned, renovated, or assorted, in whole or in part, for sale or for wages or compensation. Such terms shall not include, however, places or establishments specifically defined and required to be licensed by other provisions of this Code.

*Feed store* means any place operated as a feed store or place where such grain as corn, barley, oats, wheat and hay are kept or offered for sale.

*Filling station* means any room, building, place, lot, yard, plant, or premises where a container, tank, either portable or stationary and containing either carbon bisulphide, gasoline, naphtha, benzole, hydrocarbon (gas drips) liquefied

petroleum gas, acetone, kerosene, turpentine or other inflammable liquids having a flash point below 185 degrees Fahrenheit, are kept or located for the purpose of selling, offering for sale, or distributing any such liquids from such containers, or tanks; provided, however, that the provisions of this chapter shall not apply to inflammable liquids when such liquids are used for medical purposes.

*Food delivery vehicle* means any vehicle, including wagons, motor vehicles and vehicles propelled by human power, used for the storage or carrying of any meats, poultry, fish, butter, cheese, lard, vegetables, bread or bakery products, or any other provisions intended for human consumption, including beverages and milk, for the purpose of delivering any such food stuffs or beverages to any place in the village for use and consumption or for resale in the village for such purpose.

*Food establishment* means any building, room, stand, enclosure, place of selling, offering for sale, or keeping with the intention of selling or distributing, any article of food, confection, condiment, or drink used or intended for human consumption or any such article used for, mixed with, or entering into the consumption of, or intended for use as an ingredient in any such food. The term "food establishment" shall also be held to include any place used, operated or maintained for the preparation, manufacture, packing, bottling or canning of foods, confection, condiment or drink sold in the establishment where such articles are manufactured or prepared.

*Garage* means any barn, stable, building or other place in the village where automobiles or similar self-propelled vehicles are kept or left for hire or reward to any person, whether such vehicle is hired out or let, with or without an operator for

the same, or where such vehicles are kept ready for use and rent is paid to the keeper thereof for such keeping. The term "garage" shall not apply, however, to any garage used for housing the vehicles of the owner of such garage, and which vehicles are not used or let for hire or reward, or to any garage in which not more than one vehicle is kept for hire or reward.

*Garage sale* includes "garage sale," "patio sale," "basement sale," "back yard sale," "rummage sale," or any similar type of sale of common household items, which is held on residential premises to which the general public is invited.

*Hardware store* means any place operated or conducted for the sale at retail of any hardware, tinware, aluminum-ware, enamel-ware, cutlery, tools, implements, apparatus, machinery, plumbing, or engineers', janitors', blacksmiths', contractors', or electrical supplies, or gas, plumbing or electrical fixtures or other articles or wares, largely of metals, or kerosene, or rifles, shot guns and loaded shot shells or cartridges.

*Ice dealer* means any person who engages in the business, either wholesale or retail, of manufacturing, dealing in, distributing or selling ice.

*Insurance broker* means any person engaged for others in negotiating contracts for insurance of any kind or nature, either directly or through any insurance agent, or with any insurance company other than an insurance company of which such person is an employee.

*Itinerant merchant* means any nonresident carrying on a merchandising business in the village but who does not rent a store, loft, warehouse, yard, office space, or showroom by the year or hold a year's lease on the same.

*Jeweler* means any person whose principal business or occupation, or an essential or incidental part of whose business or occupation, is that of manufacturing, buying, selling, or otherwise trading or dealing in or with jewelry, watches, clocks, silverware, diamonds, semiprecious stones, cut glass, ivory goods, pens, umbrellas, jewelers' supplies and materials, dental supplies and accessories, optical goods, lenses, optical or watch making tools or machinery or surgical instruments, or who operates, manages or carries on the business of jewelry repairing, altering or manufacturing, or carries on the business of dental laboratories, smelting, concentrating or refining gold, silver, platinum or other precious metals.

*Junk dealer* and *secondhand dealer* mean and include any person who operates, maintains or keeps any place where any secondhand furniture, junk, clothing, jewelry, rags, old metal or miscellaneous articles of personal property are purchased or sold, or engages in the business of collecting rags, old bottles, old metal or miscellaneous articles of personal property of any sort, with wagons, carts, trucks or otherwise, or keeps a junk shop or yard or assists in the conduct of any such business as a helper.

*Laundry* means any place, building, structure, room, establishment, or portion thereof, which is used for the purpose of washing, drying, starching or ironing shirts, dresses, underwear, collars, cuffs, or other wearing apparel, table, bed or other household linens, towels, curtains, draperies, or other washable fabrics, such works being done for the general public.

*Laundry, self-service*, means any establishment in which coin-operated facilities are available for washing clothes or for drying clothes, or both, and which is open and available to the general public for use.

*Laundry vehicles* means any wagon, automobile or other vehicle used for the purpose of collecting and delivering laundry within the village.

*Manicurist parlour* means any place wherein the business of caring for and treating the hands, especially the fingernails, is conducted.

*Material storage yard* means any material storage yard or place where stone, gravel, sand, cement, hollow tile, sewer pipe or other building material is kept for sale or stored.

*Mechanical musical device* means any automatic or coin-controlled or coin-operated music box, juke box, radio or any similar device, or any combination thereof, from which music or other entertainment may be obtained by the deposit or payment of money or other token.

*Milk dealer* means any person who sells or offers for sale, disposes of, exchanges or delivers or, with the intent so to do, has in his possession, care, custody or control any milk or milk products for human food.

*Paint store* means any place operated or conducted for sale at retail of paints, dry colors, wallpaper, varnishes, calcimine, white or red lead, raw or boiled linseed oil, turpentine, dryer, benzene, naphtha, painters' tools, supplies and equipment.

*Peddler* means and includes every person who shall sell or offer for sale, barter or exchange any goods, wares, merchandise, coal, coke, charcoal, wood, oil, fish, fruits, vegetables or country produce, traveling from place to place on, along or

upon the streets, alleys or sidewalks of the village, or who shall sell and deliver any such items from any wagon, pushcart, automobile or other vehicle going from place to place, or who shall go about from place to place selling and delivering any such items.

*Pet shop* means any building, room, enclosure, premises or place where birds, dogs or other similar animals used as household pets are sold or where food supplies and equipment for such birds, dogs or similar animals and other similar articles are manufactured, made, altered, repaired, sold or offered for sale or given away.

*Photographer*, for the purpose of this chapter, means any person operating, managing or maintaining a photographic studio, a postcard studio, tintype or ferrotype studio, a bromide enlarging plant, a finishing or developing plant, or a portrait-copying house, or carrying on the business of photography, including commercial, portrait and home portrait photography, or the business of a lantern slide maker, or of an itinerant or transient photographer, or the business of photography for any purpose whatsoever, except that such term shall not apply to photographing for or developing of motion picture films.

*Real estate broker* means any person who, for another, in consideration of a commission or brokerage, or on the basis of compensation in proportion to the amount of the transaction, shall make it his vocation or business, in part or in whole, to sell, buy, exchange, lease, or negotiate the sale, purchase, exchange or leasing of any real property or interest therein, or who, for another, in consideration of the commission, brokerage, or on the basis of compensation in proportion to the

amount of money involved, engages in the renting or management of real property, or acts through the medium of another licensed broker for any of the purposes aforesaid.

*Regulated Employer* means any individual, partnership, association, corporation, limited liability company, business trust, or any person or group of persons that gainfully employs at least one (1) employee with a Regulated Place of Business in the Village.

*Regulated Place of Business* means any of the following businesses and activities located within the Village:

Arborist or Tree Expert which means for purposes of this definition any person who, for profit, diagnoses the condition of shade or ornamental trees and shrubs and recommends or supervises the treatment of any such trees, or in any manner treats any such trees, by feeding or fertilizing, or by pruning, trimming, bracing, treating cavities or other methods;

Ambulances;

Athletic Contests and Exhibitions Carried on for Gain;

Auctioneers;

Bagatelle Tables;

Bankers;

Bed And Breakfast Establishments and Operators;

Billiard Tables;

Bowling Alleys;

Brokers except real estate and insurance brokers;

Cabmen;

Carnivals;

Carters;

Coffee Houses;

Coin In The Slot Devices;

Dealers in Dismantled or Wrecked Vehicles or parts thereof;

Demolition Contractors;

Draymen;

Elevator Operators;

Expressmen;

Fire Extinguisher Servicing, Repairing and Refilling;

Florists;

Food and Beverage Dealers including:

- Alcoholic Liquor Dealers — Retail;
- Bakeries;
- Food Manufacturers and Delivery Vehicles;
- Fruit Stores;
- Grocery Stores;
- Ice Cream Parlors;
- Markets;
- Meat Dealers;
- Milk Dealers;
- Restaurants;

Tobacconists;

Hackmen;

Hawkers;

Heating, Air Conditioning and Refrigeration Contractors;

Hospitals;

Hotels or Motels with sleeping accommodation for 20 or more persons;

Ice Cream Parlors;

Intoxicating Liquor Dealers;

Itinerant Merchants;

Junk Dealers and Yards;

Livery Stables;

Lumber Storehouses;

Lumber Yards;

Markets and Market Houses;

Mason Contractors;

Medical Dispensaries other than a pharmacy or drugstore registered under the Pharmacy Practice Act;

Mills, Mill Races and Feeders;

Mobile Home Parks;

Money Changers, but not currency exchanges;

Nursing Homes;

Oil and Gas Mines;

Omnibus Drivers;

Parking Garages, lots and ramps;

Pawnbrokers;

Peddlers;

Pet Shops;

Pigeonhole Tables;

Pin Ball;

Places for Amusement;

Places for Eating;

Pool Tables;

Porters;

Public Accommodation Businesses that permit the consumption of alcoholic liquor on the business premises and that are not licensed under the Liquor Control Act of 1934. For purposes of this definition, "public accommodation" means a refreshment, entertainment, or recreation facility of any kind, whether licensed or not, whose goods, services, facilities, privileges, or advantages are extended, offered, sold, or otherwise made available to the public;

Public Scales;

Rag Dealers;

Runners for Cabs, Busses, Railroads, Ships, Hotels, Public Houses, and other similar businesses;

Sanitariums;

Scavengers and Garbage Collectors;

Second-Hand Article Dealers;

Shows;

Steam Boiler Operator;

Sales on Streets, Sidewalks, public property and municipal property;

Theatricals and other exhibitions;

Ticket Sellers for theatricals, shows, amusements, athletic events and other exhibitions at a place other than the theatre or location where the theatricals, shows, amusements, athletic events and other exhibitions are given or exhibited;

Transient Vendors of Merchandise;

Undertaking Establishments;

Regulated Place of Business shall exclude any business not listed in the above definition of Regulated Place of Business and the following businesses and activities located within the Village:

Architectural Practice;

Athletic Trainers;

Attorneys at Law;

Barbers and Cosmetologists;

Business and Vocational Schools;

Carrier Pigeons;

Certified Shorthand Reporters;

Clinical Psychologists;

Clinical Social Workers;

Crematories;  
Currency Exchanges;  
Dairy Farms;  
Day Care Homes;  
Dental Practice;  
Detection of Deception Examiners;  
Detectives and Detective Agencies;  
Dietitians and Nutrition Counselors;  
Electrologists;  
Elevator Mechanics, Inspectors, and Contractors;  
Environmental Health Practitioners;  
Fingerprint Vendor;  
Fire Sprinkler System Contractors;  
Genetic Counselor;  
Hearing Instrument Dispensers;  
Home Inspectors;  
Home Medical Equipment and Services Providers;  
Insurance Brokers;  
Interior Designers;  
Landscape Architecture;  
Land Surveyors;  
Locksmiths;  
Medical Practice;

Marriage and Family Therapists;  
Massage Therapy;  
Nursing;  
Nursing Home Administrators;  
Occupational Therapists;  
Optometric Practice;  
Orthotic, Prosthetic, and Pedorthic Practice;  
Petroleum Equipment Contractors;  
Pharmacy Practice;  
Physical Therapists;  
Physician Assistants;  
Plumbers and Irrigation Contractors;  
Podiatry Practice;  
Postage Stamp Vending Machines;  
Professional Boxing and Wrestling;  
Professional and Clinical Professional Counselors;  
Professional Engineers;  
Professional Geologists;  
Public Accountants;  
Perfusionists;  
Real Estate Appraisers;  
Real Estate Brokers and Salespersons;  
Respiratory Care Practitioners;

Security Alarm Contractors;  
Security Guards and Watchmen;  
Shorthand Reporters;  
Speech-Language Pathology and Audiology Practice;  
Structural Engineers;  
Surgical Assistants and Surgical Technologists;  
Veterinary Practice;  
Water Well and Pump Installation Contractors; and  
Wholesale Drug Distributors.

*Restaurant* means any establishment or premises where any article of food or drink for human consumption is kept for sale, sold or served to the general public for consumption on the premises or on the sidewalk or public way contiguous to the premises.

*Sawdust dealer* means any person who sells or offers for sale sawdust, shavings or chipped products of wood or timber of any kind.

*Scavenger* means anyone performing residential or nonresidential solid waste collection activities as specified in [chapter 44](#) (Solid Waste).

*Shoe store* means any building, room, place or premises operated, maintained, or conducted primarily for the sale, or offering or keeping for sale, of any shoes, boots, slippers, sandals, or other footwear for men, women or children.

*Veterinary hospital* shall have the same meaning ascribed to it be [section 10-240](#).

*Wholesale produce establishment* means any wholesale food establishment located in the village, or any truck, wagon or vehicle operating from such establishment, which sells, offers for sale or delivers, at wholesale, any produce used or intended for human consumption.

**Section 3.** Division 1 entitled “Generally” of Article III entitled “Premises and Operational Requirements” of Chapter 14 entitled “Business Licensing and Regulation” of the Code of Ordinances, Village of Brookfield, Illinois, as amended, is hereby further amended by adding thereto Section 14-180 to read as follows:

Sec. 14-180. – Sick Leave

- (1) It is the declared intent of the provisions of this section to conflict with Ordinance 16-4229 entitled *An Ordinance Establishing Earned Sick Leave for Employees in Cook County* enacted by the Cook County Board of Commissioners establishing an earned sick leave policy for all private employers in Cook County and thereby pursuant to Article VII. § 6(c) of the Illinois Constitution the provisions of this section shall prevail as to the Regulated Employers located within the Village.
- (2) As to all Regulated Employers in the Village, employee eligibility for paid sick leave shall be in compliance with all statutes of the State of Illinois and/or all federal laws and regulations as such laws and regulations may exist from time to time, but shall not be required to be in compliance with Ordinance 16-4229 entitled *An Ordinance Establishing Earned Sick Leave for Employees in Cook County* enacted by the Cook County Board of Commissioners.

(3) No additional obligations with regard to the sick leave imposed by the Cook County Board of Commissioners now, or hereafter, shall apply to any Regulated Employer located within the Village.

**Section 4.** All parts of the Code of Ordinances, Village of Brookfield, Illinois, in conflict with the terms or provisions of this ordinance shall be and the same are hereby amended or repealed to the extent of such conflict, and the Code of Ordinances, Village of Brookfield, Illinois, and all other existing ordinances shall otherwise remain in full force and effect.

**Section 5.** If any section, subsection, paragraph, sentence, clause or phrase of this ordinance or any part thereof is, for any reason, held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance, or any part hereof. The corporate authorities hereby declare that they would have passed each section, subsection, paragraph, sentence, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid, or ineffective.

**Section 6.** This ordinance shall be in full force and effect from and after ten days (10) days following its passage, approval and publication in pamphlet form as provided by law.

**ADOPTED** this 26<sup>th</sup> day of June 2017 pursuant to a roll call vote as follows:

Ayes: Trustees Cote, Evans, Garvey,  
LeClere and Ryan  
Nays: Trustess Ryan and Gilhooley  
Absent: None  
Abstain: None

**APPROVED** by me this 26<sup>th</sup> day of June 2017.



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Kit P. Ketchmark, President of the  
Village of Brookfield, Cook County, Illinois

ATTESTED and filed in my office,  
and published in pamphlet form  
this 26<sup>th</sup> day of June 2017.



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Brigid Weber, Clerk of the  
Village of Brookfield, Cook County, Illinois