

VILLAGE OF FOREST VIEW

COOK COUNTY, ILLINOIS

ORDINANCE NO. 21-05

**AN ORDINANCE AMENDING SECTION 3-19-2 OF THE
FOREST VIEW VILLAGE CODE**

**PASSED AND APPROVED BY THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF FOREST VIEW,
COOK COUNTY, ILLINOIS
this 27th day of July, 2021.**

**Published in pamphlet form
by authority of the President and
Board of Trustees of the Village
of Forest View, Cook County, Illinois
this 27th day of July, 2021.**

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ORDINANCE NO. 21-05

**AN ORDINANCE AMENDING SECTION 3-19-2 OF THE
FOREST VIEW VILLAGE CODE**

WHEREAS, Section 3-19-2 of the Forest View Village Code assesses a “Parking Lot Tax”; and

WHEREAS, pursuant to a Settlement Agreement entered into with a previous owner of Midway Park Ride & Fly, the Village established parameters for adjustments in the Parking Lot Tax; and

WHEREAS, under the Settlement Agreement, the Village has the right to increase said tax to the greater of ONE DOLLAR (\$1.00) or 5.35% of the “Chicago Parking Rate” as defined in the Settlement Agreement; and

WHEREAS, the President and Board of Trustees have determined that it is reasonable to increase the Parking Lot Tax within the parameters of said Settlement Agreement as provided hereinbelow;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF FOREST VIEW, COOK COUNTY, ILLINOIS IN THE EXERCISE OF THE VILLAGE’S HOME RULE POWERS as follows:

SECTION 1: Amendment. Section 3-19-2 of the Forest View Village Code, “Tax Imposed; Rate Payment; Collection,” is hereby amended to provide as follows:

[Deleted language shown by strikeout; new language underscored]:

3-19-2: TAX IMPOSED; RATE; PAYMENT; COLLECTION:

(A) There is imposed upon the use and privilege of parking a motor vehicle in or upon any parking lot or garage in the Village of Forest View a tax for each motor vehicle parked in or upon each parking lot or garage for every 24-hour period or fraction thereof, at the following rates:

~~1. Up until eleven fifty nine o'clock (11:59) PM on April 30, 2017 a tax of eighty cents (\$0.80) for every 24 hour period or fraction thereof.~~

~~12. As of May 1, 2017, a tax of eighty five cents (\$0.85) for every 24-hour period or fraction thereof. (Ord. 17-05, 3-28-2017)~~

2. As of September 1, 2021, a tax of one dollar (\$1.00) for every 24-hour period or fraction thereof.

(B) The ultimate incidence of and liability for payment of said tax is on the person who seeks the privilege of occupying space within said parking lot or garage (said person hereinafter referred to as the "recipient").

(C) The tax imposed by this chapter shall not apply to residential off street parking for single-family homes, multi-family dwelling units, apartment tenants or condominiums, wherein an arrangement for such parking is provided in the lease or a separate writing between the landlord and tenant, or if in a condominium, between the condominium association and the owner, occupant or guest of a unit, whether the parking charge is payable to the landlord, condominium association, or to the operator of the parking lot or garage.

(D) The tax herein levied and imposed by this chapter shall be paid in addition to any and all other taxes. It shall be the duty of the operator of every parking lot or garage to secure the tax from the recipient of the parking privilege and to remit the tax to the Village Treasurer under procedures prescribed by the Village Treasurer, and/or as otherwise provided in this chapter.

(E) Every person required to collect the tax herein levied and imposed by this chapter shall secure the tax from the recipient at the time the price, charge or rent to which it applies is collected. If the recipient is given any invoice, receipt or other statement of the price, charge or rent paid or payable, the tax shall be stated, charged and shown separately on the document. (Ord. 11-08, 4-26-2011)

SECTION 2: Severability. If any provisions of this Ordinance, or the application of any provision of this Ordinance, is held unconstitutional or otherwise invalid, such occurrence shall not affect other provisions of this Ordinance, or their application, that can be given effect without the unconstitutional or invalid provision or its application. Each unconstitutional or invalid provision, or application of such provision, is severable, unless otherwise provided by this Ordinance.

SECTION 3: Effective Date. This Ordinance shall be in full force and effect upon its passage, approval, and publication as required by law.

PASSED BY THE FOLLOWING ROLL CALL VOTE this 27th day of July, 2021.

AYES: Trustees Grossi, Sudkamp, Hubacek, Ramirez, Liska

NAYS: None

ABSENT: None

APPROVED this 27th day of July, 2021.

Nancy L. Miller
Village President

ATTEST:

Joy M. Conklin
Village Clerk