

ORDINANCE NO. 2020-52

ORDINANCE ADOPTING SECTION 110.120 ET SEQ., "BUSINESS PERMIT REQUIRED", TO TITLE XI, "BUSINESS REGULATIONS", CHAPTER 110, "LICENSING AND PERMITS", TO THE CODE OF PECATONICA

WHEREAS, Article 11 of the Illinois Municipal Code (65 ILCS 5/11) grants broad powers to municipalities to regulate the health, safety and welfare of the public and businesses within a municipality's boundaries; and

WHEREAS, Section 42 of that Article (65 ILCS 5/11-42) provides for municipal "powers over certain businesses; and

WHEREAS, Sections 12 and 13 of Article 11 (65 ILCS 5/11-12 and 5/11-13) empower municipalities with the authorization to regulate future development through adoption of a comprehensive plan and map and zoning; and

WHEREAS, the Village of Pecatonica has adopted a zoning code and comprehensive plan and map; and

WHEREAS, the Village of Pecatonica has a standing committee on Economic Development which committee addresses the needs of businesses currently operating in the village and potential future business development; and

WHEREAS, the requirement of an annual business permit will provide the Economic Development Committee and corporate authorities information as to what types of businesses are currently operating in the village, and the location of the business so that the Economic Development Committee and corporate authorities can plan future business development and better serve current businesses in the village; and

WHEREAS, the corporate authorities have determined it is in the best interests of the village residents, and current and future village businesses, to create a requirement that all businesses operating in the village be required to have a "business permit" obtained from the village clerk after filing an application for same; and

WHEREAS, Section 5/11-60-1 of the Article 11 (65 ILCS 5/11-60-1) states the corporate authorities of each municipality may fix the amount, terms and manner of issuing and revoking licenses; and

WHEREAS, the Code of Pecatonica is hereby amended to authorize said permit requirement.

BE IT ORDAINED, by the Village President and Board of Trustees of the Village of Pecatonica, Illinois:

Section 1. That Section 110.120 et seq., entitled "Business Permit Required", is hereby adopted and added to the Code of Pecatonica, and shall read as follows:

110.120 Persons Subject to Business Permit. Effective beginning of Fiscal Year 2021, an annual Business Permit is required for all persons or entities maintaining, operating or conducting any business or establishment, or for doing business or engaging in any activity or occupation, either by oneself or through an agent, employee, partner, or legal entity he, she or it holds himself, herself, or itself forth as being engaged in such business or occupation, or solicits patronage therefor, actively or passively, in the village.

110.121 Application for Business Permit. Each person or entity operating a business within the village shall file an annual application for issuance of a business permit and shall provide such information as is required by the application. Applications shall be maintained by the Village Clerk. Renewal Applications shall be sent out by the Village Clerk or his/her designee 60 days prior to the start of each fiscal year. Upon presentation of a completed application, the Village Clerk shall issue a business permit to the applicant.

110.022 Application for a New Business Permit. A new business permit will be required if any of the information on any prior application for business permit has changed. It shall be the responsibility of the person holding a business permit to keep the required information current.

110.023 Grace Period. Persons or entities that fail to apply for and obtain a business permit by May 31st of each year shall be charged a penalty of \$150.00.

Section 2. This ordinance shall be in full force and effect after its passage, approval and publication in pamphlet form as provided by law.

PASSED this by the President and Board of Trustees of the Village of Pecatonica this ____ day of _____, 2020.

APPROVED by the President of the Village of Pecatonica, Illinois this ____ day of _____, 2020.

BY: _____
WILLIAM SMULL, Village President
Village of Pecatonica, Illinois

ATTEST:

GWENN SHIRLEY, Village Clerk
Village of Pecatonica, Illinois

MOTION BY:

SECONDED:

AYES:

NAYS:

**ABSTAIN/
ABSENT**
