

**Ordinance No. 4250-24/25 Amending Chapter 5 Regulations and Chapter 7 Taxation of the Pekin City Code Regarding Licenses, Regulations, and Fees and to Create a Combined Fee Schedule**

**WHEREAS**, Chapter 5 of the Pekin City Code sets forth regulations for various licenses; and

**WHEREAS**, the licensing regulations in Chapter 5 include certain fees for filing the various license applications;

**WHEREAS**, the City Council finds it in the best interest of the City to amend these City Code provisions related to licensing fees and to consolidate them into a single fee schedule to be published by the City Clerk.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PEKIN, TAZEWELL COUNTY, ILLINOIS, THAT:**

**Section 1.** The foregoing findings and recitals are found to be true and correct and are incorporated herein.

**Section 2.** The Pekin City Code, Chapter 5, Regulations, is hereby amended as follows with proper re-enumeration (underlined indicates new language and ~~strike through~~ indicates deleted language):

**ARTICLE I. - LICENSES, PERMITS AND MISCELLANEOUS REGULATIONS**

DIVISION 2. - BUSINESS REGISTRATION LICENSE

Sec. 5-1-2-3. - License required.  
(d) ~~There shall be no fee required for the issuance or renewal of a license required pursuant to this Division. The fee for the business registration license shall be set from time to time by the City Council.~~

DIVISION 3. - ADULT RELATED BUSINESSES

Sec. 5-1-3-3. - License required; filing of application; filing fee.  
(b) Every applicant for a license to maintain, operate or conduct an adult use shall file an application in duplicate under oath with the Mayor upon a form provided by the City Clerk and pay a non-refundable filing fee of \$600.00 to the City Clerk in an amount set from time to time by the City Council. ~~Upon payment, the City Clerk shall issue a receipt which shall be attached to the application filed with the Mayor.~~

DIVISION 4. - ~~AMUSEMENTS~~ VIDEO ~~GAMING~~

~~Subdivision I. - Generally~~ (delete subdivision in its entirety)

~~Subdivision II. - Coin Operated Amusement Devices~~ (delete subdivision in its entirety)

~~Subdivision III. - Coin Operated Musical Devices~~ (delete subdivision in its entirety)

~~Subdivision IV. Bowling Alleys(delete subdivision in its entirety)~~

~~Subdivision V. Billiards, Pool or Bagatelle or Pigeonhole Tables (delete subdivision in its entirety)~~

~~Subdivision VI. Video Gaming~~

Sec. 5-1-4-6-1. - Definitions.

Sec. 5-1-4-6-2. - Video gaming permitted.

Sec. 5-1-4-6-3. - Registration.

Sec. 5-1-4-6-4. - Fee; revenue.

A fee of ~~\$1,000.00~~ in an amount set from time to time by the City Council per video gaming terminal per year, or any fraction thereof, shall be assessed by the City against the terminal operator for any video gaming terminal registered within the City as required by Section 5-1-4-6-3 above. A terminal operator may seek contribution of a portion of the fee from the establishment in which the video gaming terminal is located if and to the extent permitted by state law. All revenue received pursuant to this Section shall be directed to the public safety pension funds with such proceeds being split in the following manner: •Sixty percent to the fire pension fund. •Forty percent to the police pension fund.

Sec. 5-1-4-6-5. - Penalty.

~~DIVISION 5. TAXICABS (delete division in its entirety)~~

~~DIVISION 6. PUSHCARTS~~

Sec. 5-1-6-2. - License required; application; fees.

(c) Fees. The applicants shall pay to the City Clerk with the filing of an application a fee in an amount set from time to time by the City Council, which shall be prorated for any full months which has expired during the license year. The fee shall be refunded if the license is denied.

~~(1) For locations in the downtown business district, the applicant shall pay to the City Clerk prior to filing an application a fee of \$250.00 per license year which shall be prorated for any full calendar months which have expired during the license year and which will be refunded if the license is denied; provided, however, that an applicant which will donate all profits from the site for charitable, educational, religious or civic purposes shall pay \$50.00 per calendar year or part thereof.~~

~~(2) For locations outside the downtown business district, the applicant shall pay to the Director of Finance prior to filing an application, a fee of \$250.00 per calendar year or part thereof which will be refunded if the license is denied.~~

~~(3) Should the applicant plan to operate for a period of less than one week whether in the downtown business district or elsewhere, the applicant shall pay to the Director of Finance prior to filing an application, a fee of \$20.00 per day; provided, however, if the applicant requests a permit for a week, the fee shall be \$75.00.~~

~~DIVISION 7. - PEDDLERS AND BROKERS~~

Sec. 5-1-7-2. - License required; application; fees.  
(c) *License fees.* The applicant shall pay to the City Clerk, prior to filing an application, a fee of ~~\$350.00 per calendar year or part thereof in an amount set from time to time by the City Council, which shall be prorated for any full months which has expired during the license year.~~ The fee shall be refunded if the license is denied. ~~Should the application be denied, the license fee shall be refunded to the applicant.~~ The applicant shall also pay to the City Clerk along with an application fee, the cost associated to conduct a background check required by Section 5-1-7-3, at a cost determined by the Bureau of Identification. ~~This fee~~ which shall be non-refundable.

DIVISION 8. - TRANSIENT MERCHANTS

Sec. 5-1-8-2. - License required; exemptions.  
(b) *Exemptions.* Exemptions from the licensing requirements shall be as follows:  
(1) Persons holding a Push Cart or Peddler/Broker license pursuant to Division ~~6~~ 5 or ~~7~~ 6 of this Article.

Sec. 5-1-8-4. - License fees and term.  
The fees for a transient merchant's or a sponsor's license shall be ~~\$350.00 for an initial license and \$100.00 for any subsequent license issued within 12 months set from time to time by the City Council.~~ All such license fees must be paid in advance. If any such licensee desires to continue in business after the expiration of such license, a new license must be secured in the same manner and upon the same terms as the original license. The applicant shall also pay to the City Clerk along with an application fee, the cost associated to conduct a background check required by Section 5-1-7-3, at a cost determined by the Bureau of Identification. ~~This fee~~ which shall be non-refundable.

DIVISION 9. - REFUSE HAULERS SCAVENGERS

Sec. 5-1-9-1. - License required.  
(a) *Regular licenses.* It shall be unlawful for any person to engage in the City in the business of scavenger or the collection or disposal of animal, human or vegetable refuse or offal without having first secured a license therefor. The annual fee for such license shall be ~~\$250.00 set from time to time by the City Council,~~ payable on May 1 annually. Such license shall be and is hereby deemed to be a personal license and shall not be assignable to any other person.  
(b) *Special licenses.* There is hereby provided a special license for refuse haulers in the City which shall apply to refuse haulers using stationary compactors, dumpsters, roll-offs or equivalent containers, and it shall be unlawful for any person to engage in the City in the business of scavenger or collection or disposal of animal, human or vegetable refuse or offal without having first secured a special license therefore when utilizing said stationary compactor, dumpster, roll-off or equivalent container. The holder of a special license as provided for herein shall be permitted to serve commercial and residential properties within the City. Such special license shall be and is hereby deemed a personal license and shall not be assignable nor transferable to any other person or entity. The annual fee for such special license shall be ~~\$250.00 set from time to time by the City Council~~ payable on May 1 annually, which fee shall apply for any part or portion of a year.

Sec. 5-1-9-4. - Disposal of refuse; permit; fee.  
(b) The term "temporary containers" means all those stationary compactors, dumpsters, roll-offs or the equivalent, which are not permanent containers. In the event the desired location of the temporary container will obstruct a public street, alley, sidewalk, or other public way in violation of Section 5-5-2-3-1, the special license holder must first submit a location map for approval and obtain authorization for such placement from the Public Works Director pursuant to Section 5-5-2-3-1. If the placement of a temporary container is

authorized by the Public Works Director in a location that obstructs a public way, the permit fee shall be ~~\$25.00~~ per ~~day set~~ from time to time by the City Council.

DIVISION 10. - SECONDHAND AND SCRAP DEALERS

Sec. 5-1-10-5. - Fees.

The applicant shall pay the City Clerk, prior to filing an application, a non-refundable license fee of ~~\$50.00 in an amount set from time to time by the City Council per City fiscal year or part thereof. The license shall be renewed each year; the annual renewal fee shall be \$50.00.~~

DIVISION 11. RESERVED

DIVISION 12. - TOBACCO PRODUCTS DEALER

Sec. 5-1-12-3. - Fees.

The annual license fee for a tobacco dealer's license shall be ~~\$50.00 for each vending machine or for each location where tobacco products are sold and dispensed set from time to time by the City Council.~~

(1) ~~However, o~~One license only shall be required where tobacco products are dispensed in a place of business having more than one checkout counter in that individual business.

(2) ~~Also, w~~Where tobacco products are sold and dispensed at a checkout counter and by vending machine, said machine shall be required to pay annual fee and annual fee will be required for the sale of tobacco products over checkout counter or counters even though located within the same business operation.

DIVISION 13. ~~HOUSE MOVERS, RAISERS OR SHORERS~~ (delete division in its entirety)

DIVISION 14. ~~AUCTIONEERS~~ (delete division in its entirety)

DIVISION 15. - RAFFLES

Sec. 5-1-15-8. - Fee.

A fee in the amount as set ~~forth below~~ from time to time by the City Council shall be paid to the City Clerk when an application for a raffle license is filed. Said application fees are non-refundable even should the application be rejected by the City Clerk.

(1) ~~A~~ fee of \$10.00 shall be paid per raffle.

(2) ~~Notwithstanding the foregoing, an annual raffle license for the conduct of multiple raffles may be issued for a fee of \$120. Annual raffles will be valid May 1st through the following April 30th.~~

DIVISION 16. ~~BED AND BREAKFAST ESTABLISHMENTS~~ (delete division in its entirety)

DIVISION 17. - BODYWORKS ESTABLISHMENTS

Sec. 5-1-17-5. - License term, fees, and renewal.

(c) The initial license application fee for a bodywork establishment license shall be as follows: set from time to time by the City Council. The applicant for a bodywork establishment license shall also pay the fees for background checks and fingerprinting, except that licensed massage therapists shall be excluded from this requirement due to fingerprinting done at the State as a condition of the State license.

(1) \$250.00 for establishments for which bodywork is the primary service being provided.

(2) \$100.00 for establishments for which bodywork is not the primary service being provided.

~~(3) The actual cost of fingerprinting and backgrounds checks (except that licensed massage therapists shall be excluded from this requirement due to fingerprinting done at the State as a condition of the State license).~~  
(d) The annual license renewal fee for a bodywork establishment shall be ~~as follows:~~ set from time to time by the City Council.

- ~~(1) \$100.00 for establishments for which bodywork is the primary service being provided.~~  
~~(2) \$50.00 for establishments for which bodywork is not the primary service being provided.~~

~~DIVISION 18. SOUND AMPLIFIERS~~ (delete division in its entirety)

**ARTICLE II. - ALCOHOLIC LIQUOR**

Sec. 5-2-5. - Initial license application fee.  
Any applicant shall pay an application fee of ~~\$150.00~~ in an amount set from time to time by the City Council upon application for his first and initial license which shall be non-refundable and not allocated towards any license fees as herein provided. These fees are to defray the costs of investigation of applicant and the processing of the initial application.

Sec. 5-2-7. - Classifications and license fees.

(a) There shall be the following classes of licenses subject to the fees indicated:

(1) *Class A.* Class A licenses shall authorize the retail sale of alcoholic liquors for consumption on the licensed premises in accordance with the Illinois Liquor Control Act, this Division and any conditions specified on the license by the City Liquor Commissioner. The fee for a Class A license shall be set from time to time by the City Council and published by the City Clerk.

~~Class A License Fees~~ (delete table in its entirety)

(2) *Class B.* Class B licenses shall authorize the retail sale of alcoholic liquors in sealed containers for consumption off the licensed premises in accordance with the Illinois Liquor Control Act, this Article and any conditions specified on the license by the City Liquor Commissioner. The fee for a Class B license shall be set from time to time by the City Council and published by the City Clerk.

~~Class B License Fees~~ (delete table in its entirety)

(3) *Class C.* Class C licenses shall authorize the short-term or temporary retail sale of alcohol related to special events or shall extend or supplement the conditions of existing licenses in accordance with the Illinois Liquor Control Act, this Division and any conditions specified on the license by the Local Liquor Commissioner. Short-term or temporary Class C licenses shall not be issued when, in the opinion of the Local Liquor Commissioner, a Class A or a Class B license is more appropriate. The fee for a Class C license shall be set from time to time by the City Council and published by the City Clerk.

~~Class C License Fees~~ (delete table in its entirety)

(4) *Class D.* A Class D license shall authorize the retail sale of alcoholic liquor for consumption on-premises subject to the following conditions:

h. The fee for a Class D license shall be \$500.00 per year set from time to time by the City Council, published by the City Clerk, and, which shall be in addition to the fee for a Class B license as set forth above.

(5) *Class VG.* A Class VG Rider shall authorize the licensee to operate video gaming terminals on the licensed premises. No Class VG Rider shall be issued unless the licensee already holds a Class A or Class D license issued under this Article; provided, however, that licensed fraternal organizations, licensed veterans organizations, and licensed truck stops may apply for and obtain a Class VG Rider without first obtaining a Class A license. No video gaming terminal may be located in any outdoor sales area. The operation of video gaming terminals shall not be permitted during the hours sales of alcohol are prohibited pursuant to Sections

5-2-13 through 5-2-17. Licensees holding a Class VG Rider shall comply with the provisions of the Illinois Gaming Act (230 ILCS 40/1 et seq.), as amended from time to time, which is adopted by reference and made a part of this Article. No additional fee shall be charged for a Class VG Rider. The fee for a Class VG Rider shall be set from time to time by the City Council and published by the City Clerk.

(6) *Class T.* A Class T Rider shall authorize the tasting or sampling of wine, distilled spirits, or beer on the premises of a licensed establishment holding a Class B license under this Article. Each sample shall consist of no more than one-quarter ounce of distilled spirits, one ounce of wine, or two ounces of beer. The fee for such license shall be \$300.00 for an annual rider, or \$25.00 per day for a daily rider set from time to time by the City Council and published by the City Clerk.

### ARTICLE III. - ANIMALS

Sec. 5-3-4. - Impoundment procedures.

(b) *Redemption of impounded dog or cat.*

(1) Any person seeking to redeem any impounded animal shall pay a fee of \$10.00 in an amount set from time to time by the City Council. ~~if the animal is vaccinated and registered, or a fee of \$15.00 if the animal is not vaccinated and registered, plus a reasonable maintenance charge for boarding said animal to the animal control office, and in addition, a fee of \$50.00 to the City Clerk plus rabies fees if required. On the second offense, the fee to the City Clerk shall be \$75.00. On the third offense, a fee of \$100.00 shall apply.~~ If the owner of the animal does not redeem said animal within five days after notice by mail or otherwise to said owner of the impounding, such animal may be placed for adoption or humanely dispatched pursuant to the Humane Euthanasia in Animal Shelters Act (510 ILCS 72/1 et seq.) at the discretion of the Animal Control Warden. If the animal is adopted by a person other than the owner, said person shall pay all fees and charges which the owner would have been required to pay except that, in order to facilitate the adoption of impounded animals, the Animal Control Officer or his designee may waive said fees. If such fees are waived, the Animal Control Officer shall notify the City Clerk of his decision.

Sec. 5-3-9. - Dangerous dog or cat.

(h) It shall be unlawful for any person to keep or maintain any dog/cat which has been found to be a dangerous dog/cat unless the person meets the following requirements within two weeks of final finding:

(1) *Registration of dangerous dogs/cat.* The owner shall register a dangerous dog/cat within two weeks of the dog/cat being declared dangerous unless a hearing has been requested, during which time these requirements are stayed. The dog/cat must be registered by April 30 of each year thereafter. The dog/cat shall be registered with the City Clerk. The cost of each registration shall be \$200.00 set from time to time by the City Council.

Sec. 5-3-10. - Vicious dog or cat.

(l) It shall be unlawful for any person to keep or maintain any dog/cat which has been found to be a vicious dog/cat unless the person meets the following requirements within ten days of final finding:

(1) *Registration of vicious dogs/cats.* The owner shall register a vicious dog/cat within two weeks of the dog being declared vicious. The dog/cat must be registered by April 30 of each year thereafter. The dog/cat shall be registered with the City Clerk. The cost of each registration shall be \$250.00 set from time to time by the City Council.

Sec. 5-3-27. - Duties of the City Clerk.

The City Clerk shall keep a separate register for all dogs declared to be dangerous or vicious, the tag number, a copy of liability insurance, registration fee ~~of \$200.00~~ and a statement of intent to maintain insurance for the

duration of registration.

**ARTICLE IV. - STREETS, SIDEWALKS AND OTHER PUBLIC PROPERTY**

**DIVISION 9. - HONORARY STREET DESIGNATIONS**

Sec. 5-4-9-3. - Application for honorary street designation.

(a) Any person or organization proposing an honorary street designation within the City shall complete and submit a written application, on a form to be provided by the City, to the City Clerk. The application shall include the following:

(4) Payment of a ~~\$400.00~~ fee set from time to time by the City Council for each honorary street designation sign requested (up to two). Payment of the fee must be made in full at the time of application.

**ARTICLE V. - SPECIAL EVENTS**

Sec. 5-5-7. - Permit fees.

An applicant for a special event permit shall pay to the City Clerk a fee of ~~\$25.00~~ as set from time to time by the City Council at the time of filing an application for a special event permit.

**ARTICLE VII. - ENVIRONMENT AND NATURAL RESOURCES**

**DIVISION 3. - TREES AND SHRUBS**

Sec. 5-7-3-2. - ~~Arborists' license~~ Approval and insurance.

(a) ~~License Approval required; fee.~~ It shall be unlawful for any person to engage in the business or occupation of pruning, treating or removing street trees within the City without first ~~applying for and procuring a license obtaining written approval from the Public Works Director. The Public Works Director shall take care to ensure only qualified individuals perform work on street trees. The license fee shall be \$50.00 annually in advance; provided, however, that no license shall be required of any public service company or City employee doing such work in pursuit of their public service endeavors.~~

(b) ~~Liability insurance. Before any license shall be issued, each applicant~~ Before performing any work on street trees, each contractor shall first file evidence of possession of liability insurance in the minimum amounts of \$50,000.00 for bodily injury and \$100,000.00 property damage indemnifying the City or any person injured or damaged resulting from the pursuit of such endeavors as herein described.

**Section 3.** The Pekin City Code, Chapter 7, Taxation, is hereby amended as follows with proper re-enumeration (underlined indicates new language and ~~strikethrough~~ indicates deleted language):

**Sec. 7-1-5. - Hotel/motel transient rental unit tax.**

(a) *Definitions.* Certain words or terms herein shall have the meaning ascribed to them as follows:

*Hotel* means a structure kept, used or maintained as or advertised or held out to the public to be an inn, motel, hotel, apartment, home, lodging house, dormitory or place where sleeping, rooming, office, conference or exhibition accommodations are furnished for lease or rent, whether with or without meals. For avoidance of doubt, transient occupancy rental units and bed and breakfasts are hotels under this definition.

(d) *License required.*

(3) The annual fee for such license for a hotel or motel shall be ~~\$10.00~~ set from time to time by the City Council. The license shall be valid for one year.

**Section 4.** The City Clerk License Fee Schedule attached hereto as Exhibit A is hereby adopted.

**Section 5.** All sections, subsections, and provisions of the Pekin City Code not expressly amended herein remain in full force and effect.

**Section 6.** This Ordinance is in addition to all other ordinances on the subject and shall be construed therewith, excepting as to that part in direct conflict with any other ordinance, and in the event of such conflict, the provisions hereof shall govern.

**Section 7.** This Ordinance shall be in full force and effect from and after its passage and approval in the manner provided by law.

<b>RESULT:</b>	<b>PASSED (6 TO 1)</b>
<b>MOVER:</b>	Council Member Dave Nutter
<b>SECONDER:</b>	1st Alternate Mayor Pro Tem John Abel
<b>AYES:</b>	1st Alternate Mayor Pro Tem Abel, Mayor Burress, Council Member Nutter, Council Member Orrick, Mayor Pro Tem Hohimer, Council Member Onken
<b>NAYS:</b>	Council Member Hilst
<b>ABSTAIN:</b>	None
<b>ABSENT:</b>	None

**ADOPTED AND APPROVED** at a Regular meeting of the City Council of the City of Pekin this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk





City of Pekin  
111 S. Capitol St. Pekin, IL 61554  
309-477-2300 ▪ www.ci.pekin.il.us

## City Clerk Fee Schedule

### Business License Fees

Adult Related Business	\$600 annually
Bodyworks (primary use of business)	\$250 application fee + \$50 fingerprinting fee + \$100 criminal background check fee in first year, then \$100.00 annually
Bodyworks (non-primary use of business)	\$100 application fee + \$50 fingerprinting fee + \$100 criminal background check fee in first year, then \$50.00 annually
Business Registration	No charge
Hotel/Motel	\$50.00
Peddler / Broker	\$350 application fee + \$30 background check fee annually
Push Cart / Food Vendor (annual)	\$20 per day or \$250 annually + \$30 investigation fee annually
Push Cart / Food Vendor (1 week)	\$75 + \$30 investigation fee
Push Cart / Food Vendor (daily)	\$20 + \$30 investigation fee
Raffle	\$10 per raffle or \$120.00 annually for multiple raffles
Refuse Container – Temporary	\$25 per day
Refuse Hauler	\$1,000 annually
Secondhand Dealer / Scrap Dealer	\$200 annually + \$30 investigation fee annually
Tobacco Products Dealer	\$200 per location / vending machine annually
Transient Merchant	\$350 for initial license and \$100 for any subsequent license issued within 12 months + \$30 investigation fee annually

### Liquor License Fees

<b>Class A – On Premises Consumption</b>	
No Restriction on Alcohol (general)	\$1,300 annually
No Restriction on Alcohol (club, not-for-profit, or charitable organization)	\$500 annually
Beer & Wine Only (general)	\$900 annually
Beer & Wine Only (club, not-for-profit, or charitable organization)	\$200 annually
<b>Class B – Off-Premises Consumption</b>	
No Restriction on Alcohol	\$1,300 annually
Beer & Wine Only	\$900 annually
<b>Class C – Temporary / Conditional</b>	
No restriction on Alcohol (maximum 20 per year)	\$100 per day
Beer and Wine Only (maximum 20 per year)	\$50 per day
All other fees for Class C licenses	Determined by Liquor Commissioner
<b>Other Liquor Fees</b>	
Class D –On-Premises Consumption for Class B License Holder	\$500 annually
Class VG – Video Gaming Rider	No additional fee
Class T – Tasting Rider	\$25 per day or \$300 annually
Late Renewal Fee	\$500 annually
Initial Application Fee	\$400 annually

Change of Ownership or Business Name	\$100
Replacement / Duplicate License	\$50
Fingerprinting Fee	\$60

### Other Fees

Dangerous Dog/Cat Registration	\$200 annually
Vicious Dog/Cat Registration	\$250 annually
Impounded Dog or Cat	\$75 for 1st offense; \$100 for 2 <sup>nd</sup> offense, \$125 per offense thereafter; additional \$20 per offense if dog or cat is unvaccinated or unregistered
Special Event Permit	\$50 per event plus police fee if required
Honorary Street Designation	\$400 per designation
Video Gaming Registration	\$1,000 per terminal annually

### Schedule Notes

1. This schedule may be amended by the City Council from time to time, and the most recently approved schedule or schedule amendment shall govern regardless of what schedule is published in any public form.
2. The City Clerk is responsible for the accurate publication and maintenance of this schedule as well as making determinations in the administration of this schedule. Appeals to determinations made by the City Clerk may be made to the Mayor by submitting such in writing to the City Clerk.
3. The City Clerk may make non-substantive improvements to this schedule (i.e., re-titling categories, changing order of fees, etc.).
4. The City Council shall have the authority to modify or waive any fees on this Schedule in special circumstances.