

VILLAGE OF RANTOUL CODE - 1977
CHAPTER 7
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ARTICLE I

ELECTRICAL CONTRACTORS

Sec. 7.1 Registration Required.

No person, firm or corporation shall engage in the business of electrical contractor without having first obtained a certificate of registration therefor as herein required.

Applications for such certificate shall be made in accordance with the Rantoul Electrical Code.

Sec. 7.2 Fee.

The annual fee for registering as an electrical contractor shall be twenty-five dollars.

Sec. 7.3 Definition.

The term "**electrical contractor**" as used in this Article is hereby defined and shall be construed to mean any person, firm or corporation engaged in the business of installing or altering by contract, equipment and electrical appliances for the utilization of electricity supplied by light, heat or power, not including radio apparatus or equipment for wireless reception of sounds and signals, and not including apparatus, conductors, or other equipment installed for or by public utilities, including common carriers, which are under the jurisdiction of the Illinois Commerce Commission for use in their operation as public utilities, but the term "electrical contractor" does not include employees employed by such contractor to do or supervise such work.

Sec. 7.4 Regulations.

It shall be unlawful for any person registered under the provisions of this Article to install any electrical appliances, wiring or fixtures without strict compliance with the Ordinance relating to such fixtures, and it shall be unlawful for any person, firm or corporation to do any such work without having obtained such permits as may be required by the Electrical Code.

Sec. 7.5 Out-of-Town Contractors.

Any electrical contractor who is registered as such in any other Village or city in this state shall not be required to pay a fee for being registered in this Village, but shall post a bond; and every person, firm or corporation doing business in the Village as an electrical contractor shall secure a certificate of registration. Such certificate shall be issued without charge to electrical contractors registered as such under the Ordinance of any other Village or city in this state, provided that their registration elsewhere is current and has not been revoked.

Sec. 7.6 Penalty.

Any person, firm or corporation violating any provision of this Article shall be fined not less than twenty-five dollars or more than five hundred dollars for each offense; and a separate offense shall be deemed committed on each during or on which a violation occurs or continues.

ARTICLE II

MECHANICAL CONTRACTORS

Sec. 7.7 Registration Required.

No person, firm or corporation shall engage in the business of mechanical contractor without first having obtained a certificate of registration therefor as herein required. Applications for such certificate shall be made in accordance with regulations issued by the Inspection Department. Each person shall prove to the satisfaction of the Inspection Department that he is qualified to be a mechanical contractor.

The annual fee for registering as a mechanical contractor shall be five dollars.

Sec. 7.8 Definition.

The term "**mechanical contractor**" as used in this Article is hereby defined and shall be construed to mean any person, firm or corporation engaged in the business of installing or altering by contract, equipment for heating, ventilating, air conditioning and such other things as are described and defined in the Village of Rantoul Mechanical Code.

Sec. 7.9 Regulations.

It shall be unlawful for any person registered under the provisions of this Article to install any mechanical appliances, heating, air conditioning or other mechanical items without strict compliance with the Ordinance relating to such fixtures, and it shall be unlawful for any person, firm or corporation to do any such work without first having obtained such permits as may be required by the Mechanical Code.

Sec. 7.10 Out-of-Town Contractors.

Any mechanical contractor who is registered as such in any other Village or city in this state shall not be required to pay a fee for being registered in this Village; and every person, firm or corporation doing business in the Village as a mechanical contractor shall secure a certificate of registration. Such certificate shall be issued without charge to mechanical contractors registered as such under the Ordinance of any other Village or city in this state, provided that their registration elsewhere is current and has not been revoked.

Sec. 7.11 Penalty.

Any person, firm or corporation violating any provision of this Article shall be fined not less than twenty-five dollars nor more than five hundred dollars for each offense; and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

ARTICLE III

HANDBILL ADVERTISING

Sec. 7.12 Handbills.

It shall be unlawful for any person, firm or corporation to distribute indiscriminately to the public any written advertising on cards, circulars, or handbills on any public street or sidewalk or on any other public place.

It shall be unlawful for any person, firm, or corporation to attach any handbill, circular or card containing advertising to any unoccupied automobile or other motor vehicle which is parked within the Village of Rantoul, Illinois.

Sec. 7.13 House-to-House Distribution.

It shall be unlawful to distribute indiscriminately to the public or private property by leaving at houses or residences in the Village, any cards, circulars, samples of merchandise, handbills or any advertising matter whatsoever without having first secured a license therefor. Provided that this Section shall not be construed to apply to the sale of articles by licensed peddlers.

Sec. 7.14 License - Application - Fee.

Applications for such licenses shall be made to the Clerk and shall contain a statement of the nature of the article, cards or advertisement to be distributed and the name of the manufacturer or distributor of such article or service advertised.

The fee for such licenses shall be five dollars per day No such license shall be issued to any but a person of good reputation. The Chief of Police shall make or cause to be made an investigation into the reputation of each applicant and shall report the results thereof to the Clerk before any such license shall be issued.

Sec. 7.15 Penalty.

Any person, firm or corporation violating any provisions of this Article shall be fined not less than twenty-five dollars nor more than five hundred dollars for each offense and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

ARTICLE IV

KENNELS AND PET SHOPS

Sec. 7.16 License Required.

It shall be unlawful to operate a small animal shop anywhere in the Village without having first securing a license therefor.

Sec. 7.17 Definitions.

The term "**small animal shop**" shall be construed to include any establishment for the raising, training, boarding or selling of dogs, cats, birds, mice, rats or other small animals for hire or profit.

Sec. 7.18 Sanitation.

Every place used as a small animal store shall be kept in a clean and sanitary condition, and no refuse or waste material shall be allowed to remain thereon for more than twenty-four hours. All animals shall be humanely treated, and any animal having any disease shall be properly isolated and treated.

Sec. 7.19 Penalty.

Any person, firm or corporation violating any provisions of this Article shall be fined not less than twenty-five dollars nor more than five hundred dollars for each offense; and a separate offense shall be deemed committed for each day during or on which a violation occurs or continues.

ARTICLE V

SCAVENGERS

Sec. 7.20 License Required.

It shall be unlawful for any person, firm or corporation to engage in the business of scavenger or the collection or disposal of animal, human or vegetable refuse or offal without having first obtained a license therefor. The annual fee for such license shall be fifteen dollars.

Sec. 7.21 Application.

Application for such license shall be made to the Village Clerk, and shall be referred by him to the President and Board of Trustees; no such permit shall be issued except on order of the President and Board of Trustees.

Sec. 7.22 Vehicles.

Any vehicle used by such scavenger in his business shall be water tight, and equipped with airtight covers for such portions as are used for the transportation of refuse. It shall be unlawful for any such vehicle to be driven over or through any street in the Village during or on a Sunday.

Sec. 7.23 Disposal.

It shall be unlawful for any scavenger to dispose or to store any refuse in any place within the Village limits or within one mile thereof, excepting with the permission of the President and Board of Trustees. Provided that places designated as the Village dump may be utilized under such terms and conditions as the President and Board of Trustees may prescribe.

Sec. 7.24 Penalty.

Any person, firm or corporation violating any provision of this Article shall be fined not less than twenty-five dollars nor more than five hundred dollars for each offense; and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

ARTICLE VI

SOLICITORS

Sec. 7.25 Definition.

Solicitors are hereby defined as transient merchants, salesmen, and vendors soliciting orders for the sale of publications, articles or things in the Village, to be delivered in the future.

Sec. 7.26 Registration Badge Required.

It shall be unlawful for any person or persons to call at any residence within the Village with the intent or purpose of soliciting, as defined in this Article without having in his or her possession a registration badge issued by the Village of Rantoul. The registration badge shall be prominently displayed at all times as the person is soliciting.

No registration badge shall be used by any person other than the one to whom said registration badge is issued.

¹Sec. 7.27 Application - Fee.

All applicants for registration to solicit within the Village shall sign an application form at the office of the Police Department, which application shall give the applicant's name, address, place of birth, age, height, weight, color of hair and eyes, telephone number, the name of the firm, company, organization or association which he or she represents, the make of automobile and license number of the automobile, if any, to be used while making such solicitations; the articles of publications to be sold; or purpose for which solicitations are to be made, and the names of the three most recent cities where the applicant has solicited before.

In addition, the applicant shall also pay a fee of ten (\$10.00) dollars to cover the cost of processing an application for a registration badge, which shall be non-refundable.

Sec. 7.28 Registration.

No registration badge shall be issued until the application receives the written approval of the Chief of Police or other officers of the Police Department whose duty it is to examine such applicants, nor shall such badge be issued until two days after the application is made.

¹Repealed and replaced by Ord. #1289, 11-13-90, Sec. 7.27 & 7.28

No such registration badge shall be issued if the Police Department's investigation shows that an applicant has, within the last four (4) years, been convicted of violating any law or ordinance related to the use of sales or subscription methods involving fraud, misrepresentation, or the use of false or misleading statements.

Sec. 7.29 Hours.

All soliciting shall be done between the hours of 9:00 a.m. and 4:30 p.m., within the Village of Rantoul.

Sec. 7.30 Penalty.

Any person, firm or corporation violating any provision of this Article shall be fined not less than twenty-five dollars nor more than five hundred dollars for each offense; and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

^{2,3}ARTICLE VII

TAXICABS

Sec. 7.31 Definitions.

When used in this Article, unless the context otherwise requires:

- A. **"Taxicab"** shall mean and include any vehicle used in the Village to carry passengers for hire, but not operating on a fixed route.
- B. **"Operator"** and **"Licensee"** shall mean owner of a taxicab.
- C. **"Operating"** shall mean owning the taxicab.
- D. **"Driver"** shall mean the chauffeur of a taxicab.
- E. **"Clerk"** shall mean Village Clerk of the Village.
- F. **"Approved"** shall mean reasonably acceptable to the Chief of Police of the Village.

Sec. 7.32 License Required.

It shall be unlawful to engage in the business of operating a taxicab in the Village without first having secured a license therefor. Verified applications for such licenses shall be made in writing by the owner of the taxicab to the Clerk upon blanks furnished by the Village, and shall state thereon the full name of the applicant, his residence address, the intended place of business, and the number of cabs to be operated, the make and type of each motor car to be used, the factory number thereof, the state license number thereof, the seating capacity thereof according to its trade rating, and whether or not the applicant has ever been convicted of a felony. If the applicant is a firm or corporation, the names and addresses of the president and secretary shall be given. The owner shall have a separate license for each taxicab he intends to use.

Sec. 7.33 Character of Applicant.

²Revised by Ord. #968, 3-10-81, Sec. 7.31-7.59

³Revised by Ord. #972, 4-14-81, Sec. 7.31-7.59

No license to engage in the business of operating a taxicab shall be issued to or held by any person who is not a person of good character or who has been convicted of a felony or whose license to operate a taxicab in the Village has been revoked during the preceding six (6) months; nor shall such license be issued to or held by any firm or corporation if any officer thereof would be ineligible for a license under the foregoing conditions.

⁴Sec. 7.34 Inspection.

No license to engage in the business of operating a taxicab shall be issued unless:

- A. It bears a current State vehicle license duly issued.
- B. The taxicab is equipped with proper brakes, lights, tires, horn, muffler, rear vision mirror, windshield wiper, and is in good working order.
- C. The taxicab has been thoroughly and carefully inspected under the direction of the Chief of Police and found to be in clean, sanitary, safe, and good mechanical condition for the transportation of passengers and not unsightly in appearance.
- D. A written certificate of inspection is filed by the Chief of Police in the office of the Clerk. It shall be the duty of the Chief of Police to supervise the inspection of every taxicab in operation as often as he may deem necessary to see that such taxicab meets at all times the requirements of this Section.

Sec. 7.35 Insurance.

It shall be unlawful for any person, firm or corporation to operate a taxicab unless such taxicab is covered by a bond or public liability policy as required by statute. Evidence that applicant has filed with the Secretary of State such bond or insurance policy with a minimum in the amount provided by the laws of the State of Illinois shall be filed with the Clerk prior to the issuance of any license.

⁴Revised by Ord. #1099, 11-12-85, Sec. 7.34

Sec. 7.36 Issuance of License.

The Clerk is hereby authorized to issue a license under his hand, to any qualified applicant for the operation of a taxicab, which license shall contain a distinguishing number, name of the person, firm, or corporation owning such taxicab, his residence address, his business address, the number of taxicabs to be operated and an assigned number for each taxicab, the make and type of each motor car to be used, the factory number thereof, the state license number thereof; and the serial number assigned hereunder, shall in each case be the same as that assigned to the taxicab for the previous year. Such license shall be nonassignable and nontransferable.

Upon the issuance of said license the Clerk shall deliver to the licensee a plate or sticker bearing a separate number identical with the assigned number of such taxicab and the year for which said license is issued, for each and every taxicab for which a license is procured, and it shall be the duty of such applicant to affix such plate in an approved place, and it shall be unlawful for any taxicab, although licensed in accordance with the provisions of this Article, to be used upon the streets, avenues, or alleys of the Village unless such plate or sticker is attached thereto.

The Chief of Police or his delegate shall have the right to remove and hold the Village plate or sticker from any taxicab that fails to pass a safety inspection and said cab shall not be operated until all repairs are made and the cab passes a further inspection. When the cab has passed its inspection, the Chief of Police or his delegate shall return the Village plate or sticker.

Sec. 7.37 License Fee.

The annual license fee shall be Ten Dollars (\$10.00) for each taxicab operated for each fiscal year, payable in advance, and shall expire on the 30th day of April of the year for which it was issued; provided, however, that said license fee shall be fifty percent (50%) if payable during the second half of the fiscal year. Whenever the number of cabs so operated shall be increased during the license year, the licensee shall notify the Clerk of such change and shall obtain additional licenses and pay the additional fee.

A fee of ten dollars (\$10.00) shall be payable to the Village Clerk whenever a licensee requests a transfer of registration from one vehicle to another vehicle.

Sec. 7.38 Vehicles.

Each taxicab, while operated, shall have on each side, the name of the licensee operating it or his trade name painted in approved and visible lettering at least two (2) inches in height. Each cab shall be designated by a different number, and such number also shall appear on each side of such taxicab.

The name of the licensee and such number need not be painted on the rear of each taxicab in approved and visible letters. No licensee, driver, or other employee of a licensee shall imitate the taxicab colors, emblems, cap band, caps, or uniforms previously adopted and in use by any other licensee or represent himself as an employee of any other licensee.

⁵**Sec. 7.39 Number of Cabs.**

There shall be no limit on the number of licenses that may be issued for the operation of taxicabs within the Village of Rantoul, provided however, that each vehicle shall be insured and pass inspection as provided by other Sections of this Ordinance.

^{6, 7, 8, 9, 10, 11}**Sec. 7.40 Rates of Fare.**

A. Each Licensee of a license to engage in the business of operating a taxicab under this Article shall, before making any charge for any taxicab service with the Village, file a schedule of all rates of fare, including any revised, modified or amended rates of fare, for any such taxicab service within the Village with the Village Clerk of the Village. Any such schedule of all rates or fare shall be

⁵Revised by Ord. #1017, 6-14-83, Sec. 7.39

⁶Revised by Ord. #918, 11-14-78, Sec. 7.40

⁷Revised by Ord. #936, 9-11-79, Sec. 7.40

⁸Revised by Ord. #966, 2-10-81, Sec. 7.40

⁹Revised by Ord. #1223, 11-9-88, Sec. 7.40

¹⁰Revised by Ord. #1283, 9-11-90, Sec. 7.40(A,D)

¹¹Revised by Ord. #1545, 9-9-97, Sec.7.40 (A-G)

uniform as to any class of service and shall not take effect until such schedule of all rates of fare have been on file with the Village Clerk for at least thirty (30) days, provided, however, that any initial filing of a first schedule of all rates of fare by any new Licensee may take effect immediately upon such filing with the Village Clerk.

The Village Clerk shall keep any such schedule of all rates of fare on file and available for public inspection.

B. Any Licensee shall post conspicuously in each taxicab and keep posted conspicuously at all times a written notice setting out the schedule of all rates of fare charged by such Licensee as filed with the Village Clerk and then in effect. The fares set out in such written notice shall not vary from the schedule of all rates of fare filed with the Village Clerk and then in effect.

C. No Licensee or Driver shall charge a fare in excess of the schedule of all rates of fare on file with the Village Clerk and then in effect.

D. No Licensee shall operate and no Driver shall drive a taxicab unless the fare to be charged is determined in accordance with the schedule of all rates of fare so posted in accordance with this Section.

E. In addition to any charge for distance traveled by a taxicab, a charge may also be made for waiting time, provided that the taxicab is equipped with a meter to register such charge. Waiting time shall include the time when the taxicab is not in motion, beginning three (3) minutes after arrival at the place to which it has been called, the time consumed by unavoidable delays at street intersections and the time consumed while standing at the direction of the passenger; but no such charge shall be made for time lost for inefficiency of the taxicab or its Driver or time consumed by premature response to a call.

F. Upon paying any fare, each taxicab passenger may demand a receipt. Upon such demand, it shall be the duty of the Driver to give the passenger a receipt in legible type or writing showing the date and amount so paid, the trade name of the taxicab, and the name and the license number of the Driver.

G. The provisions of this Section shall not be construed to prohibit or limit any Licensee's or Driver's ability to enter into a charter or contract agreement with any

passenger or passengers for trips beyond the corporate limits of the Village on either a per mile or a per hour rate basis.

Sec. 7.41 Penalty for Overcharge.

The owner, driver or operator of any vehicle licensed as aforesaid, who may have demanded and received any fare in excess of what is provided for in this Article, shall return the excess received and in addition may have his license revoked in addition to the other penalties prescribed by this Article.

Sec. 7.42 Advance Payment.

Every such owner, operator or driver shall have the right to demand in advance his fare of the person or persons so employing him on entering his vehicle, and may refuse to convey any person who shall not comply with said demand.

¹²**Sec. 7.43 Notice to Public.**

Each taxicab may, at the owner's discretion, be equipped with an exterior roof light which, if installed, shall be illuminated when the taxicab is for hire and shall be extinguished when the taxicab is not for hire.

Sec. 7.44 Drivers.

No person shall drive a taxicab, or be hired or permitted to do so, unless he is duly licensed as a chauffeur by Illinois or some other state, and shall have secured a license therefor as herein provided.

Sec. 7.45 Driver's Application.

A verified application for a taxicab driver's license shall be made in writing to the Clerk, upon blanks to be furnished by the Village and shall state thereon the full name of the applicant, his age, his residence address, the name and address of his employer, whether or not he has ever been convicted of a felony, and shall have attached thereto his photograph to be furnished by the Police Department.

Sec. 7.46 Qualifications of Driver.

¹²Revised by Ord. #1157, 1-13-87, Sec. 7.43

No such license shall be issued to any person who is not a person of good character, or who is not competent to drive a motor vehicle, or who is not familiar with the traffic laws and ordinances, or who has been convicted of a felony, or whose license to drive a taxicab in the Village has been revoked during the preceding six (6) months, or who is under the age of eighteen (18) years. The Chief of Police shall examine each applicant for a taxicab driver's license to determine the competency of the applicant, and no such license shall be issued the competency of the applicant, and no such license shall be issued excepting on certificate of the Chief of Police that the applicant has demonstrated his ability to drive a motor vehicle as required herein.

Sec. 7.47 Issuance of Driver's License.

The Clerk is hereby authorized to issue a driver's license under his hand to any qualified applicant for driving a taxicab, which license shall contain the name of the driver, his residence address, and the number of his license, and in addition thereto, there shall be issued an identification card containing the driver's license number and shall have his photograph attached thereto to be furnished by the Police Department.

The driver's license and driver's identification card shall be in his personal possession at all times while on duty. The driver who has custody or possession of the taxicab shall have his identification card displayed at all times while on duty so as to be visible to a passenger in the taxicab. This license shall be nontransferable.

Sec. 7.48 Driver's License Fee.

The annual license fee for such driver's license shall be ten dollars (\$10.00). The driver's license shall expire on the 30th day of April of the year for which it is issued, and the fee shall not be pro-rated for a fractional part of a year.

Sec. 7.49 Conduct of Drivers.

It shall be unlawful for any driver of a taxicab while on duty to drink any intoxicating liquor, or to use any profane or

obscene language, to shout or call to prospective passengers, or to disturb the peace in any way.

Sec. 7.50 Traffic Rules.

It shall be the duty of every driver of a taxicab to obey all traffic rules established by statute or ordinance.

Sec. 7.51 Unlawful Use.

It shall be unlawful to knowingly permit any taxicab to be used in the perpetration of a crime.

It shall be unlawful for any driver of any taxicab in or upon the streets and public ways of the Village to have in his possession or in or about the driver's compartment of said vehicle any alcoholic liquors.

Sec. 7.52 Passengers.

It shall be the duty of the driver of any taxicab to accept as a passenger any person who seeks to so use the taxicab, provided such person is not intoxicated and conducts himself in an orderly manner. A driver shall not induce, or attempt to make anyone employ him or his taxicab, a passenger by any false statement or representation of the place or time of arrival or departure of any public conveyance or common carrier.

Sec. 7.53 Passengers - Seating Arrangement.

It shall be unlawful for a driver to overload his taxicab. Overloading means that there is less than eighteen inches (18") of seating space provided each paying passenger.

Sec. 7.54 Soliciting Trade.

No driver of any taxicab shall solicit passengers by repeatedly and persistently driving his taxicab to and fro in a short space before any place of public gathering.

No driver of any taxicab shall park his taxicab and enter a bus station or other public place to solicit passengers.

Sec. 7.55 Cab Stands and Bus Stops.

No vehicle, other than a licensed taxicab, shall stop or park in a parking space officially designated as a taxi stand.

No vehicle, other than a bus, shall stop or park in a parking space officially designated as a bus stop.

Sec. 7.56 Parking Restrictions.

The driver of a taxicab shall not stand or park it upon any street in a business district other than at a taxicab stand, except that this provision shall not prevent the driver of any such vehicle from temporarily stopping in accordance with other stopping or parking regulations at any place for the purpose of and while actually engaged in loading or unloading passengers. The foregoing shall not apply to a taxicab being used for personal use of its owner, provided a sign reading "Not For Hire" in four (4) inch letters is prominently displayed on the windshield of the taxicab.

Sec. 7.57 Revocation of Licenses.

The President of the Board of Trustees may revoke any taxicab driver's license for repeated violations of traffic laws or ordinances, or of any ordinance provision regulating the conduct of such drivers.

The President of the Board of Trustees may revoke any operator's license for repeated violations of any ordinances provisions regulating a licensee of a taxicab, or for knowingly suffering a driver of his taxicab to make repeated violations of traffic laws and ordinances or of any ordinance provision regulating the conduct of such drivers.

It shall be the duty of any person whose operator's license or driver's license shall have been revoked as herein provided to return immediately every such license, identification card, licensee's plate, driver's badge, etc., to the Clerk.

Sec. 7.58 Duplicate Copies of Licenses.

Whenever an operator or driver has lost or destroyed his license, identification card, plate, driver's badge, etc., issued as herein provided, he shall make a verified application in writing to the Clerk, stating that the same has been lost or destroyed, and the Clerk shall issue a duplicate copy or substitute thereof upon payment of the sum of five dollars (\$5.00) to the Clerk for each item so duplicated or substituted.

Sec. 7.59 Penalty.

Any person, firm, or corporation violating any provision of this Article shall be fined not less than twenty-five dollars (\$25.00) nor more than five hundred dollars (\$500.00) for each offense; and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

^{13, 14}ARTICLE VIII

RAFFLES

Sec. 7.60 License Required.

No person, firm, corporation or organization shall organize, conduct, participate in or sponsor a raffle without having first obtained a license therefor as hereinafter provided, and any person, firm, corporation or organization obtaining such license shall conform to the provisions hereinafter specified.

Sec. 7.61 Eligibility for License.

The license provided for in this Article shall only be issued to bonafide Religious, Charitable, Business, Labor, Fraternal, Veterans and Educational organizations that are organized and operated on a Not-For-Profit basis, are based or located in the Village of Rantoul, Illinois, and have been organized and have operated for a period of five (5) years immediately prior to the application.

The following are ineligible for any license under this Article:

- A. Any person who has been convicted of a felony;
- B. Any person who is or has been a professional gambler or gambling promoter;
- C. Any person who is not of good moral character;
- D. Any organization in which a person defined in A., B. or C. above has a proprietary, equitable or credit interest, or in which such a person is active or employed;
- E. Any organization in which a person defined in A, B. or C. above is an officer, director or employee, whether compensated or not;

¹³Added by Ord. #1071, 3-12-85, Sec. 7.60-7.69

¹⁴Revised by Ord #1339, 1-14-92, Art VIII, Sec 7.60 - 7.69

F. Any organization in which a person defined in A., B. or C. above is to participate in the management or operation of a raffle as defined in this Article.

Sec. 7.62 Definitions.

For the purposes of this Article, the terms defined in this Section shall have the meanings given them:

"Raffle" means a form of lottery, as defined in Section 28-2(b) of the "Criminal Code of 1961", of the State of Illinois, conducted by an organization licensed under this Article, in which:

1. The player pays or agrees to pay something of value for a chance, represented and differentiated by a number or by a combination of numbers or by some other medium, one or more of which chances is to be designated the winning chance;

2. The winning chance is to be determined through a drawing or by some other method based on an element of chance by an act of set of acts on the part of persons conducting or connected with the lottery, except that the winning chance shall not be determined by the outcome of a publicly exhibited sporting contest.

"Net Proceeds" means the gross receipts from the conduct of a Raffle, less reasonable sums expended for prizes, local license fees and other reasonable operating expenses incurred as a result of operating a raffle.

"Not-For-Profit Or Non-Profit" means an organization or institution organized and conducted on a not-for-profit basis with no personal profit inuring to any one as a result of the operation.

"Charitable" means an organization or institution organized and operated to benefit an indefinite number of the public. The service rendered to those eligible for benefits must also confer some benefit on the public.

"Educational" means an organization or institution organized and operated to provide systematic instruction in useful branches of learning by methods common to schools and institutions of learning which compare favorably in

their scope and intensity with the course of study presented in tax-supported schools.

"Religious" means any church, congregation, society or organization founded for the purpose of religious worship.

"Fraternal" means an organization of persons having a common interest, the primary interest of which is to both promote the welfare of its members and to provide assistance to the general public in such a way as to lessen the burdens of government by caring for those that otherwise would be cared for by the government.

"Veterans" means an organization or association comprised of members of which substantially all are individuals who are veterans or spouses, widows or widowers of veterans, the primary purpose of which is to promote the welfare of its members and to provide assistance to the general public in such a way as to confer a public benefit.

"Labor" means an organization composed of workers organized with the objective of betterment of the conditions of those engaged in such pursuit and the development of a higher degree of efficiency in their respective occupations.

"Business" means a voluntary organization composed of individuals and businesses who have joined together to advance the commercial, financial, industrial and civic interests of a community.

Sec. 7.63 Application for License.

Application for a license to conduct any raffle shall be made to the Rantoul Village Clerk in writing and signed by the duly authorized presiding officer and the secretary of the organization applying for such license, verified by oath or affirmation, and shall contain the following verifications:

A. The legal name and address of the organization and whether it is incorporated or unincorporated and the purpose for which it was organized and a statement attesting to the Not-For-Profit charter of the organization.

B. The name and address of all officers of the organization including the directors, trustees or other members of its governing body.

- C. The date the organization was chartered, founded or organized.
- D. The number of members in the organization.
- E. The specific details of any Raffle including:
 - 1. Prize or prizes to be offered;
 - 2. Retail value of prize or prizes;
 - 3. Price of Raffle ticket;
 - 4. The time period during which Raffle chances for any Raffle will be sold or issued (beginning date and ending date);
 - 5. The times, location and manner of selecting winning chances for any Raffle;
 - 6. The names of the persons who will be selling or issuing any Raffle chances and the area or areas where Raffle chances will be sold or issued;
 - 7. The name and address of the person designated as the Raffle Manager as provided in Section 7.67 of this Article; and
 - 8. Copy of the bond or waiver of bond, whichever is applicable, as provided in Section 7.67 of this Article.

Sec. 7.64 License Fee.

The license fee for each license shall be determined as follows and shall accompany the application.

- A. For any license for one raffle, the following applicable amount:

Where the aggregate retail value of all prizes given is \$1,000 and below: \$5.00

Where the aggregate retail value of all prizes given is more than \$1,000: \$10.00

B. For any license for a specified number of raffles to be conducted during a specified period not to exceed one year, the following applicable amount:

Where the aggregate retail value of all prizes given is \$1,000 and below: \$50.00

Where the aggregate retail value of all prizes given is more than \$1,000: \$75.00

Sec. 7.65 Scope of License.

A license issued pursuant to this Article shall be valid for one raffle or for a specified number of raffles to be conducted during a specified period not to exceed one (1) year.

Sec. 7.66 Conduct of Raffles.

Each and every organization obtaining a license to conduct a raffle shall subject to the following restrictions:

A. The entire Net Proceeds of any Raffle must be exclusively devoted to the lawful purposes of the organization permitted to conduct that Raffle.

B. No person except a bonafide member of the sponsoring organization may participate in the management or operation of the Raffle.

C. No person may receive any remuneration or profit for participating in the management or operation of the Raffle.

D. Raffle chances may be sold or issued only within the area specified on the license and winning chances may be determined only at those locations specified on the license.

E. No person under the age of eighteen (18) years may participate in the conducting of Raffles or chances. A person under the age of eighteen (18) years may be within the area where winning chances are being determined only when accompanied by a parent or guardian.

F. The aggregate retail value of all prizes given in any single Raffle shall not exceed \$30,000.00 in retail value.

G. The cost of any single Raffle ticket shall not exceed \$200.00.

Sec. 7.67 Raffle Manager - Bond.

The operation of and the conduct of any raffles shall be under the supervision of a single raffles manager designated by the organization. The manager shall give a fidelity bond in the sum of One Thousand Dollars (\$1,000.00) or such other amount as is equal to the aggregate retail value of all prizes given in any single Raffle, whichever sum is greater, in favor of the organization conditioned upon the honesty of such manager in the performance of his duties of such manager. Terms of the bond shall provide that notice shall be given in writing to the Village Clerk not less than thirty (30) days prior to its cancellation. The Village Clerk may waive this bond requirement by including a waiver provision in the license issued to an organization under this Article, provided that a license containing such waiver provision shall be granted only after a three-fourths (3/4) vote to do so by the governing body of the licensed organization.

Sec. 7.68 Records.

The following records shall be kept and maintained by each licensee, to-wit:

A. Each organization licensed to conduct raffles and chances shall keep records of its gross receipts, expenses and Net Proceeds for each single gathering or occasion at which winning chances are determined. All deductions from gross receipts for each single gathering or occasion shall be documented with receipts or other records indicating the amount, a description of the purchased item or service or other reason for the deduction, and the recipient. The distribution of Net Proceeds shall be itemized as to payee, purpose, amount and date of payment.

B. Gross receipts from the operation of raffles shall be segregated from other revenues of the organization including bingo gross receipts, if bingo games are also conducted by the same non-profit organization pursuant to license therefor issued by the Department of Revenue of the State of Illinois, and placed in a separate account. Each organization shall have separate records of its Raffles. The person who accounts for gross receipts, expenses and Net Proceeds from the operation of Raffles shall not be the same person who accounts for other revenues of the organization.

C. Each organization licensed to conduct Raffles under this Article shall report promptly after the conclusion of each Raffle to its membership, and to the Village Clerk, its gross receipts, expenses and Net Proceeds from Raffles, and the distribution of Net Proceeds itemized as required in this Section.

D. Records required by this Section shall be preserved for three (3) years, and organizations shall make available their records relating to operation of raffles for public inspection at reasonable times and places.

Sec. 7.69 Penalty.

Any person, firm or corporation violating any provisions of this Article VIII shall be fined not less than twenty-five (\$25.00) nor more than five hundred dollars (\$500.00) for each offense, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

Sec. 7.70 - 7.79 RESERVED.

ARTICLE IX

MESSAGE ESTABLISHMENTS AND EMPLOYEES

^{15, 16}**Sec. 7.80 Massage Establishment - License Required.**

It shall be unlawful for any person, firm or corporation to conduct or operate a massage establishment in the Village without having first obtained a license therefor.

^{17, 18}**Sec. 7.81 Masseur and Masseur - License Required.**

It shall be unlawful for any person who works for or is employed by a massage establishment as a masseur or masseuse without having first obtained a permit or license therefor.

^{19, 20}**Sec. 7.82 Standards for Licenses Applications.**

The standards, regulations, and qualifications for both Massage Establishment Licenses and Masseur or Masseur Licenses are set forth in Ordinance No. 816 entitled "An Ordinance Licensing Massage Establishments and Employees Thereof and Prescribing Rules and Regulations for Their Operation."

^{21, 22}**Sec. 7.83 Penalty.**

Any person, firm or corporation who operates a massage establishment or who is employed by one as a masseur or masseuse without first having obtained a license therefor shall be fined in accordance with Ordinance No. 816.

¹⁵Revised as per Codification Changes, 8-89

¹⁶Sec. 7.80 previously Sec. 7.52 in Original Blue Book

¹⁷Revised as per Codification Changes, 8-89, Sec. 7.81

¹⁸Sec. 7.81 previously Sec. 7.53 in Original Blue Book

¹⁹Revised as per Codification Changes, 8-89, Sec. 7.82

²⁰Sec. 7.82 previously Sec. 7.54 in Original Blue Book

²¹Revised as per Codification Changes, 8-89, Sec. 7.83

²²Sec. 7.83 previously Sec. 7.55 in Original Blue Book

***Sec. 7.84 - 7.99 RESERVED.**

²³**ARTICLE X**

TATTOO ESTABLISHMENTS AND EMPLOYEES

Sec. 7.100 Tattoo Establishment - License Required - Fee.

It shall be unlawful for any person, firm or corporation to own or operate a tattoo establishment at any location in the Village of Rantoul without first obtaining a license for themselves and the location which shall expire on April 30 of each year.

The annual license fee for a tattoo establishment license shall be Two Hundred Fifty Dollars (\$250.00), provided, however, that the initial license fee shall be prorated according to the number of months that it is issued for.

Sec. 7.101 Tattoo Operator - License Required - Fee.

It shall be unlawful for any person to practice the art of tattooing on the person of another in the Village of Rantoul without first obtaining a license which shall expire on April 30 of each year.

The annual license fee for a tattoo operator's license shall be Fifty Dollars (\$50.00), provided, however, that the initial license fee shall be prorated according to the number of months that it is issued for.

Sec. 7.102 Definitions.

That for the purpose of this Article, the following words shall have the meanings set forth below:

A. **TATTOO or TATTOOING.** Any method of placing designs, letters, scrolls, figures, symbols, or any other marks upon or under the skin with ink or any other substance resulting in the coloration of the skin by the aid of needles or any other instruments designed to touch or puncture the skin.

²³Added by Ord. #1153, 11-11-86, Sec. 7.100-7.127

B. **TATTOO ESTABLISHMENT.** Any establishment having a fixed place where any person, firm, association or corporation engages in or carries on, or permits to be engaged in or carried on, any of the activities mentioned in this Section.

C. **HEALTH OFFICER.** Health Officer shall mean the Village of Rantoul Inspector or his/her authorized representative.

D. **PERSON.** Any individual, co-partnership, firm, association, joint stock company, corporation or combination of individuals of whatever form or character.

E. **CERTIFICATE OF INSPECTION.** Written approval from the Health Officer or his/her authorized representative that a tattooing establishment has been inspected and meets all of the requirements of this Article relating to physical facilities, equipment, and setup for operation.

F. **TATTOO ESTABLISHMENT OWNER.** Any person, as defined in paragraph "D" of this Section, who owns a tattoo establishment in the Village of Rantoul, Illinois.

G. **TATTOO OPERATOR.** Any individual who practices the art of tattooing, as defined in this Section, on the person of another.

H. **INTOXICATED PERSON.** Any person who has consumed sufficient alcoholic beverages to make it unlawful for said person to drive a motor vehicle on the public roads or highways of the State of Illinois, as defined by Chapter 95 ½, Illinois Revised Statutes.

Sec. 7.103 Application for Tattoo Establishment License.

Every applicant for a license to operate and conduct a tattoo establishment shall file an application in duplicate under oath with the Village Clerk and shall pay the initial license fee for the year, or part thereof for which the initial license is issued. The Village Comptroller shall issue a receipt which shall be attached to the application filed with the Clerk.

The applicant shall state the location for the proposed tattoo establishment and the other information required by this Article.

F. The business, occupation or employment of the applicant for the three (3) years immediately preceding the date of application.

G. The tattoo or similar business experience of the applicant, whether such person while operating in another city of state under a license, has had such license revoked or suspended, the reason therefor, and the business activity or occupation subsequent to such action of suspension or revocation.

H. All criminal or municipal ordinance violations resulting in either a conviction, a forfeiture of bond, or pleadings of nolo contendere, except minor traffic violations.

I. The fingerprints and photograph of the applicant.

J. If the applicant is a corporations, or a partner of a partnership applicant is a corporation, the state of incorporation and the name of the corporation exactly as shown in its Articles of Incorporation.

The Village Clerk shall within seven (7) days refer copies of such application to the Inspection Department, the Fire Department and the Police Department. These departments shall within seven (7) days inspect the premises proposed to be operated as a tattoo establishment and make written reports to the Village Clerk concerning compliance with various ordinances that they administer the standards set forth in this Article.

Within thirty (30) days of receipt of the reports from the aforementioned departments, the Village Clerk shall notify the applicant that his/her application is granted, denied, or held for further investigation. The period of such additional investigation shall not exceed an additional thirty (30) days, unless otherwise agreed to by the applicant. Upon the conclusion of such additional investigation, the Village Clerk shall advise the applicant in writing whether the application is granted or denied.

Whenever an application is denied or held for further investigation, the Village Clerk shall advise the applicant in writing of the reasons for such action.

The failure or refusal of the applicant to promptly give any information relevant to the investigation of the application or his/her refusal to submit or to cooperate with any inspection

required by this Article shall constitute an admission by the applicant that he/she is ineligible for such license and shall be grounds for denial thereof by the Village Clerk.

Sec. 7.104 Facilities Necessary.

No tattoo establishment license shall be issued, maintained or renewed, in the Village unless an inspection by the Health Officer reveals that the establishment meets and complies with each of the following minimum requirements:

A. All rooms used for toilets and tubs shall be installed in accordance with the various Building Codes of the Village of Rantoul.

B. All areas where tattooing is performed shall have floor, wall and ceiling surfaces which may be easily cleaned and disinfected.

C. The premises shall have equipment for disinfecting and sterilizing non-disposable instruments and materials used in administering tattoos, and such non-disposable instruments and materials shall be disinfected after use on each patron.

D. Closed cabinets shall be installed for the storage of clean linen, towels, and other materials used in connection with administering tattoos. All soiled linens, towels and other materials shall be kept in properly covered containers or cabinets, which containers or cabinets shall be kept separate from the clean storage areas.

E. Toilet facilities shall be provided in convenient locations. When five (5) or more employees and patrons of different sexes are on the premises at the same time, separate toilet facilities for each sex shall be provided. Toilets shall be designated as to the sex accommodated therein.

F. Lavatories or washbasins provided with both hot and cold running water shall be installed in each toilet room. Lavatories or washbasins shall be provided with soap, a soap dispenser and with sanitary towels.

G. The premises shall be equipped with a service sink for custodial service.

Sec. 7.105 Restrictions on Tattoo Establishment License.

No tattoo establishment license shall be issued or renewed for:

- A. A person who is not a resident of the Village of Rantoul, Illinois.
- B. A person who is not of good character and reputation in the community in which he/she resides.
- C. A person who is not a citizen of the United States.
- D. A person who has been convicted of a felony under any Federal or State law, unless the Clerk receives a certificate from the Chief of Police who, after an investigation, certifies that the applicant has been sufficiently rehabilitated to warrant the public trust.
- E. A person who is under twenty-one (21) years of age.
- F. A person who had a tattoo license or similar business license revoked by another city or state for cause.
- G. A person convicted of any offense involving sexual misconduct with children or of pandering, prostitution or solicitation.
- H. Any location that permits any use other than that of a tattoo establishment or any location that fails to pass the annual inspection of the Regional Health Department of the State of Illinois or fails to meet any of the standards set forth in this Article.

Sec. 7.106 Issuance of License for Tattoo Establishment.

Upon receipt of favorable reports from the departments referred to in this Article and the certificate of the Health Officer that the proposed establishment is in compliance with all the requirements, the Village Clerk shall issue a license to operate and conduct a tattoo establishment, unless he/she finds:

- A. That the operation as proposed by the applicant, if permitted, would not comply with all applicable laws, including but not limited to, the Building, Plumbing, Electrical, Planning, Housing, Zoning and Fire Codes of the Village of Rantoul; or

B. That the applicant or any other person who will be directly or indirectly engaged in the management and operation of a tattoo establishment is ineligible for a license or has been convicted of an offense which would prohibit the issuance of a license or has been convicted of a felony and the Chief of Police certifies, after an investigation, that such person has not been sufficiently rehabilitated to warrant the public trust.

Sec. 7.107 Tattoo Operator's License - Application Fee.

Any person, including the owner of a tattoo establishment, before he/she engages in the practice of tattooing as herein defined, shall file an application for a license with the Village Clerk upon a form provided and shall pay the initial license fee. The Comptroller shall issue a receipt which shall be attached to the application filed with the Clerk.

Sec. 7.108 Application Form for Tattoo Operator's License.

The application for a tattoo operator's license shall contain the following:

- A. Name, residence, address and date of birth.
- B. Social Security number and driver's license number, if any.
- C. Applicant's weight, height, color of hair and eyes.
- D. Written evidence that the applicant is at least twenty-one (21) years of age.
- E. Business, occupation or employment of the applicant for the three (3) years immediately preceding the date of application.
- F. A statement whether the applicant has ever been convicted of, pleaded nolo contendere to, or suffered a forfeiture on a bond charge of committing any crime except minor traffic violations. If the answer is in the affirmative, a further statement must be made giving the place and the Court in which such conviction, plea or forfeiture was had, the specific charge under which the conviction, plea or forfeiture was obtained, and the sentence imposed as a result thereof.

G. The fingerprints and photograph of the applicant.

All applicants shall also undergo a physical examination for contagious and communicable diseases which shall include a recognized blood test for syphilis, a culture for gonorrhea, and a test or tests which will demonstrate freedom from tuberculosis, hepatitis, and Acquired Immune Deficiency Syndrome which are to be made and interpreted by a physician acceptable to the Health Officer and such other laboratory tests performed in a laboratory approved by the Health Officer as may be necessitated by the above examination. The physician shall furnish to the Health Officer a certificate based upon the applicant's physical examination and issued within thirty (30) days of such examination, signed by said physician who must be duly licensed by the State of Illinois. The certificate shall state that the person examined is free from all contagious and communicable diseases and is not infected with nor a carrier for any of the germs or viruses of such diseases. Such persons shall undergo the physical examination referred to above and submit to the Health Officer the certificate required herein prior to commencement of his/her employment and at least once every twelve (12) months thereafter to be eligible for a license renewal.

Sec. 7.109 Restrictions on Tattoo Operator's License.

No tattoo operator's license shall be issued or renewed for:

- A. A person who is not a resident of the Village of Rantoul, Illinois.
- B. A person who is not of good character and reputation in the community in which he/she resides.
- C. A person who is not a citizen of the United States.
- D. A person who has been convicted of a felony under any Federal or State law unless the Clerk receives a certificate from the Chief of Police who, after an investigation, certifies that the applicant has been sufficiently rehabilitated to warrant the public trust.
- E. A person who is under twenty-one (21) years of age.
- F. A person who had a tattoo operator's license or similar license revoked by another city or state for cause.

G. A person convicted of any offense involving sexual misconduct with children or of pandering, prostitution or solicitation.

H. Any person who has not had six (6) months experience as an apprentice or a tattoo operator or cannot demonstrate that he/she is qualified to be a tattoo operator.

I. Any person who fails to pass the initial or annual medical examination specified in this Article.

Sec. 7.110 Issuance of Tattoo Operator's License.

The Village Clerk shall issue a tattoo operator's license within twenty-one (21) days of receipt of the applicant's favorable medical report or certificate specified herein and upon receipt of the completed application and payment of all fees, unless he finds that the applicant is unqualified for a license or is not qualified to be a tattoo operator due to lack of experience.

Sec. 7.111 Operating Requirements.

A. Price rates for all services shall be prominently posted in the reception area in a location available to all prospective customers.

B. All employees, including tattoo operators, shall keep themselves clean and neat while on duty.

C. Every portion of the tattoo establishment, including appliances and apparatus, shall be kept in good repair and maintained in a clean and sanitary condition. All towels or sheets used for tattooing shall be discarded or sent to the laundry after each use. All reusable equipment used in the application of the tattoo shall be washed, rinsed, sanitized, and air dried after each use. Then such equipment shall be decontaminated by autoclaving or by applying a high level disinfectant and then stored in a clean, dry, and enclosed location so as to prevent contamination.

D. Before starting to apply a tattoo on any person, the tattoo operator shall thoroughly wash the skin area with bactericidal soap and water and then dry the area with clean, individual, single use towels and shall sterilize the skin area with alcohol or some other sterilization substance.

E. The tattoo operator shall wash his/her hands with bactericidal soap and water and dry them with clean individual, single use towels before applying any tattoo on any person.

F. No tattooing shall be done on any skin surface that has rash, pimples, boils, infections, or manifests any evidence of unhealthy conditions.

G. No skin area shall be penetrated, abraded, or treated with chemicals for the purpose of removing, camouflaging, or altering any blemish, birthmark, scar or tattoo.

H. If body hair is to be removed, the tattoo operator shall use a safety razor with a new, single-service blade for each customer or patron or a straight edge razor may be used, but shall be thoroughly cleaned and sterilized before use on each customer or patron.

I. Following the application of a tattoo, the skin area having the tattoo shall be covered with a sterile gauze bandage, and the customer shall be given written after-care instructions which have been approved by the Health Officer.

Sec. 7.112 Prohibited Activities.

No tattooing shall be performed on any person who does not consent to being tattooed or is intoxicated.

No tattooing shall be performed on any person who is under the age of twenty-one (21) years.

Sec. 7.113 Hours.

No tattoo establishment shall be open on Sunday or between the hours of 9:00 P.M. and 8:00 A.M. on any other day.

Sec. 7.114 Records and Inspections.

It shall be the duty of each tattoo operator to keep and maintain an index card for three (3) years for each person who is tattooed in their establishment. The customer card file

shall be available for inspection by the Village officials, and the following information shall be shown on each card of each person tattooed, to-wit:

- A. Date of tattooing.
- B. Name of customer.
- C. Address of customer.
- D. Age of customer.
- E. Name of tattoo operator.
- F. Address of tattoo operator.
- G. Charges for tattooing.

Sec. 7.115 Inspections.

The Police Department and the Village of Rantoul Inspection Department shall from time to time and at least twice a year make an inspection of each tattoo establishment granted a license under the provisions of this Article for the purposes of determining that the provisions of this Article are being complied with. Such inspections shall be made at reasonable times and in a reasonable manner. It shall be unlawful for any licensee to deny such inspection officer access to the premises or to hinder such officer in any manner.

Sec. 7.116 Employment of Person Under the Age of Twenty-One Prohibited.

It shall be unlawful for any owner, proprietor, manager or other person in charge of any tattoo establishment to employ any person who is not at least twenty-one (21) years of age.

Sec. 7.117 Identification Card.

The Village Clerk shall provide each tattoo operator granted a license with an identification card which shall contain a photograph of the operator and the full name and license number assigned to the said operator, which must be worn on the front of the outer most garment at all times during the hours of operation of any establishment granted a license pursuant to this Article.

Sec. 7.118 Transfer of License.

No license for the operation of a tattoo establishment issued pursuant to the provisions of this Article shall be transferable.

Sec. 7.119 Display of License.

Every owner and operator shall display his/her license in a conspicuous place within the tattoo establishment so that the same may be readily seen by persons entering the premises.

Sec. 7.120 Employment of Tattoo Operators.

It shall be the responsibility of the tattoo establishment licensee to insure that each person employed as a tattoo operator shall first have obtained a valid license pursuant to this Article.

Sec. 7.121 Revocation of Tattoo Establishment License.

Any tattoo establishment license may be revoked by the Village President after a hearing for any of the following causes:

- A. The violation of any of the provisions of this Article by the owner or by any of his/her employees.
- B. The making of a false statement in the application for the tattoo establishment license.
- C. The refusal to permit an inspection of the premises by a Village of Rantoul officer or employee.
- D. The failure to operate the tattoo establishment in accordance with the standards set forth in this Article.
- E. The failure to maintain the premises in accordance with the standards set forth in this Article or in accordance with all Village of Rantoul Ordinances.

The Village President, before revoking any license, shall give the licensee at least ten (10) days written notice of the charges against him/her and the opportunity for a public hearing before the Village President, at which time the licensee may present evidence bearing upon the question. In such cases, the charges shall be specific and in writing. The decision of the Village President shall be a final, appealable order.

Sec. 7.122 Revocation of Tattoo Operator's License.

A tattoo operator's license issued by the Village Clerk may be revoked by the Village President when it appears that the tattoo operator has been convicted of any offense which would be cause for denial of a license upon an original application, has made a false statement on an application for a license, has committed an act in violation of this Article or has failed to take or pass an annual medical examination.

The Village President before revoking a tattoo operator's license shall give the licensee a written notice specifying the grounds therefor. Such person may within ten (10) days of such notice, file a written request with the Village President for a public hearing before the Village President, at which time the licensee may present evidence bearing upon the question. If such evidence is not set forth, then the Village President may revoke said license. The decision of the Village President upon a revocation hearing shall be a final, appealable order.

Sec. 7.123 Renewal.

Applications for renewal of both types of licenses provided for in this Article must be filed no later than April 1 of each year and shall have attached the applicant's license fee.

Applications for renewal of tattoo operator's license shall also have attached a copy of the annual medical report specified by this Article.

Applications for renewal of tattoo establishment license shall have attached a copy of their insurance certificate and a copy of the annual inspection by the State of Illinois Regional Health Officer.

Sec. 7.124 Non-Applicability of This Article.

This Article shall not apply to hospitals, nursing homes, sanitariums or persons holding an unrevoked certificate to practice medicine under the laws of the State of Illinois.

Sec. 7.125 Violation and Penalty.

Every person, whether acting as an individual, employee, or operator, or in any way who performs tattooing or owns or

operates a tattoo establishment, without first obtaining a license, shall be violating this Article. Upon conviction, such person shall be punished by a fine not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00).

Sec. 7.126 Maintaining a Public Nuisance.

Any building used as a tattoo establishment in violation of this Article with the intentional or negligent permission of the owner, his agent or manager of the building is hereby declared to be a public nuisance.

Sec. 7.127 Severability.

If any section, subsection, subdivision, paragraph, sentence, clause, or phrase of this Article, or any part thereof, is for any cause 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 Article or any part thereof.

Sec. 7.128 - 7.149 RESERVED.

²⁴ARTICLE XI

MOTELS

Sec. 7.150 License Required - Fee.

It shall be unlawful for any person, firm or corporation to operate a motel establishment at any location in the Village of Rantoul without first obtaining a license for themselves and the location which shall expire on April 30 of each year.

The annual license fee for a motel establishment license shall be the sum of Five Dollars (\$5.00) for each room covered by the license, provided, however, that the initial license fee shall be prorated according to the number of months that it is issued for.

Sec. 7.151 Definitions.

That for the purpose of this Article, the following words shall have the following definitions:

A. **MOTEL ESTABLISHMENT.** Motel Establishment means a structure where rooms are used, maintained, offered, and held out to the public for lease or rent for use as a place for sleeping, whether with or without meals. For the purpose of this Article, the term motel shall include a business commonly called a motel, hotel, inn, apartment hotel, lodge, or dormitory.

B. **MOTEL ROOM.** A Motel Room means a room within a structure kept, used or maintained as or advertised or held out to the public to be an inn, motel, hotel, apartment hotel, lodging house, dormitory or place where sleeping, rooming, office, conference or exhibition accommodations are furnished for lease or rent, whether with or without meals. One room offered for rental with or without an adjoining bath shall be considered as a single hotel or motel room.

C. **OPERATOR.** Operator means any person or persons having a sufficient proprietary interest in conducting the operation of a motel room or receiving the consideration for the rental of such motel room so as to entitle such

²⁴Added by Ord. #1179, 7-14-87, Sec. 7.150-7.165

The applicant shall also show the number on his/her/its Certificate of Registration required by the "Retailer's Occupation Tax Act, Service Occupation Tax Act and/or Use Tax Act," and his/her/its number on his/her/its Certificate of Registration for "The Hotel Operator's Occupation Tax Act" of the State of Illinois.

All applicants for a motel establishment license, including all partners and limited partners of a partnership, all officers, all directors, and those stockholders holding more than ten percent (10%) of the stock of a corporate applicant, shall furnish the following information in the application:

- A. Name, residence, address and date of birth.
- B. Social Security number and driver's license number, if any.
- C. All residential addresses for the past three (3) years.
- D. The applicant's height, weight, color of eyes and hair.
- E. The business, occupation or employment of the applicant for the three (3) years immediately preceding the date of application.
- F. If the applicant is a corporation, or a partner of a partnership applicant is a corporation, the state of incorporation and the name of the corporation exactly as shown in its Articles of Incorporation.

The Village Clerk shall within seven (7) days refer copies of such application to the Inspection Department, the Fire Department and the Police Department. These departments shall within seven (7) days inspect the premises proposed to be operated as a motel establishment and make written reports to the Village Clerk concerning compliance with various ordinances that they administer the standards set forth in this Article.

Within thirty (30) days of receipt of the reports from the aforementioned departments, the Village Clerk shall notify the applicant that his/her/its application is granted, denied, or held for further investigation. The period of such additional investigation shall not exceed an additional thirty (30) days, unless otherwise agreed to by the applicant. Upon the conclusion of such additional investigation, the Village Clerk shall advise the applicant in writing whether the application is granted or denied.

Whenever an application is denied or held for further investigation, the Village Clerk shall advise the applicant in writing of the reasons for such action.

The failure or refusal of the applicant to promptly give any information relevant to the investigation of the application or his/her/its refusal to submit or to cooperate with any inspection required by this Article shall constitute an admission by the applicant that he/she/it is ineligible for such license and shall be grounds for denial thereof by the Village Clerk.

Sec. 7.153 Restrictions on License.

A. No license shall be issued or renewed for any person, partnership or corporation if such person, or any partner, or any officer, director or shareholder owning more than 10% of the stock of a corporation applicant is indebted to the Village of Rantoul for any license fee, tax, fine or penalty, or is delinquent in the payment of any utility bill to the Village or other indebtedness.

B. No license shall be issued to any person, firm or corporation unless the applicant is the owner of the premises or has a lease upon the premises until May 1st of the following year when the license expires.

Sec. 7.154 License Term, Expiration, Renewal.

A. The initial license term shall commence on the date the initial application is approved by the Clerk and shall expire April 30th of the following year. All renewal licenses shall be for a period of one (1) year and shall commence on May 1st of each year.

B. Each licensee shall re-apply annually for a renewal license on or before April 15th of each year to receive a new license.

C. Except as otherwise provided herein, each license may be renewed upon proper application and payment of the required fee. The requirements and procedures for granting and issuing a license renewal shall be the same as the requirements and procedures for granting a new license.

Sec. 7.155 Licenses Not Assignable, Unlawful Use, Display.

A. No license may be assigned, sold, loaned, transferred, used as collateral or otherwise encumbered. No person, firm or corporation shall use or display any license certificate which has been improperly acquired.

B. No person, firm or corporation shall alter, deface, forge, or counterfeit any license issued by the Village.

C. Every licensee shall display his/her/its license in a prominent place on the licensed premises.

Sec. 7.156 Nuisances Prohibited.

A. No motel establishment shall be so conducted or operated as to constitute a nuisance in fact; and no building, vehicle, structure, yard, lot, premises, or part thereof, shall be used, kept, maintained, or operated in connection with any business or establishment so as to occasion any nuisance, or so as to be dangerous to life or detrimental to health. Any charge of conducting or operating a nuisance may be made under this Article or under the provisions of the Code prohibiting nuisances generally.

B. Unsafe or Unhealthful Business.

1. No building or structure, utilized, constructed, or maintained in connection with the operation of the motel business shall permit any unsanitary, unsafe, or dangerous condition to exist.

2. No substance, matter or thing of any kind whatever, which shall be dangerous or detrimental to health, shall be allowed to exist in connection with the business.

C. Refuse Disposal.

1. Refuse Containers. Standard refuse containers are required and shall be used. These receptacles shall have at least twenty (20) gallons of capacity and be constructed of impervious and sturdy material, with a tight-fitting cover, and equipped with handles properly placed to facilitate handling. All refuse which is placed for collection service outside any building or structure must be kept in standard refuse containers unless another type of container is

approved by the Village Inspector due to the unusual nature of the refuse produced by the business.

2. Refuse Removal. It shall be the duty of the licensee of the premises used or maintained in connection with the license issued to cause to be removed, at his/her/its/own cost and expense, at least twice each week, all refuse produced therein.

Sec. 7.157 Code Compliance.

The licensee of each and every motel establishment shall comply with all the building codes, zoning codes, plumbing codes, electrical codes, fire prevention codes, property maintenance codes, and all other codes affecting the use and occupancy of property in the Village of Rantoul, Illinois enacted by the Village of Rantoul, Illinois and the State of Illinois. The licensee shall also permit the Village Inspector or other Village officials reasonable access to the premises for the purpose of making such inspections.

²⁵**Sec. 7.158 Smoke Detectors.**

Each and every motel room shall have at all times an approved smoke detector that is in good working order, except that in motels constructed prior to 1970 that for technical reasons cannot have smoke detectors in each motel room, then licensee shall install the number of smoke detectors specified by the Village Inspector and Fire Chief in the hallway as close to the door of each motel room as possible. All such smoke detectors so installed shall be kept in good working order by the licensee.

Sec. 7.159 Grounds for Revocation of Motel Establishment License.

Any motel establishment license may be revoked by the Village President after a hearing for any of the following causes:

A. The violation of any of the provisions of this Article by the operator or by any of his/her/its employees.

²⁵Revised by Ord. #1196, 11-10-87, Sec. 7.158

- B. The making of a false statement in the application for the license.
- C. The refusal to permit an inspection of the premises by a Village of Rantoul officer or employee.
- D. The failure to operate the motel establishment in accordance with the standards set forth in this Article.
- E. The failure to maintain the premises in accordance with the standards set forth in this Article or in accordance with all Village of Rantoul Ordinances or State Statutes.
- F. The failure of the licensee or the failure of a partner, or the failure of a corporate officer, director or shareholder owning more than 10% of the stock in the corporation, to pay to the Village of Rantoul, when due, any other license fee, fine, penalty, tax, or any other bill or charge.
- G. The cessation of ownership or loss of a lease on the premises to be licensed.

Sec. 7.160 Procedures for Revocation of License.

Before a motel establishment license can be revoked, the following procedures must be followed:

- A. Notice of the hearing for revocation of a license shall be given in writing, setting forth specifically the grounds of the complaint and the time and place of the hearing. Such notice shall be sent by certified mail (return receipt requested) to the licensee at his/her/its last known address, at least five (5) days prior to the date set for the hearing.
- B. At the hearing, the Village Attorney shall present the complaint and shall represent the Village. The licensee shall be permitted counsel and shall have the right to submit evidence and cross-examine witnesses. The Mayor shall preside and shall render the decision.
- C. A stenographic or electronically recorded record of the hearing shall be kept. The Village shall pay the cost of attendance fees of the reporter and the cost of the transcript, if such transcript shall be ordered by the Village. The Licensee shall pay the cost of any transcript ordered by him/her/it.

D. Within a reasonable time after the conclusion of the hearing, but not later than thirty (30) days after such conclusion, the Mayor shall file a written decision in which he/she summarizes the evidence and states the reasons for the decision.

Sec. 7.161 Appeal.

Any person aggrieved by the decision of the Mayor in regard to the denial of an application for a license, as provided in this Article, or in connection with the revocation of a license, shall have the right to appeal to the corporate authorities. Such appeal shall be taken by filing with the Clerk, within ten (10) days after notice of a denial of an application or a revocation of a license, a written statement under oath setting forth specifically the grounds for appeal. The corporate authorities shall thereupon set the time and place for a hearing on such appeal, and notice of such hearing shall be given to the applicant or licensee in the same manner as provided in Sec. 7.100. The decision of the corporate authorities on such appeal shall be final.

Sec. 7.162 Unlicensed Motel Establishment - Room Rental.

It shall be unlawful for any owner, room clerk, manager, employee or other person connected with an unlicensed motel establishment to rent, lease or permit a person to occupy a motel room in any part of said unlicensed motel establishment.

Sec. 7.163 Unlicensed Motel Establishment - Occupants.

It shall be unlawful for any person to rent, lease or occupy any motel room in an unlicensed motel establishment for sleeping purposes knowing that he/she is in violation of this Ordinance.

Sec. 7.164 Penalty.

Every person, firm or corporation which violates any provision of this Article shall be fined not less than Twenty-Five Dollars (\$25.00) nor more than Five Hundred Dollars (\$500.00), and each day that such violation continues shall be deemed to be a separate offense.

Sec. 7.165 Severability.

If any section, subsection, subdivision, paragraph, sentence, clause, or phrase of this Article, or any part thereof, is for any cause 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 Article or any part thereof.