

CHAPTER 16

SWANSEA BUSINESS CODE

PART 1  
GENERAL BUSINESS REGISTRATION

- SECTION 16-101. BUSINESS REGISTRATION REQUIREMENT.
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- SECTION 16-104. DURATION OF REGISTRATION.
- SECTION 16-105. SUSPENSION; REVOCATION AND APPEAL.
- SECTION 16-106. PENALTIES.

SECTION 16-101. BUSINESS REGISTRATION REQUIREMENT.

In order to comply with the provisions of Section 20-402 of the Swansea Zoning Code, every business, in any zoning district in the Village of Swansea, as a nonresidential use of property, shall register with the Zoning Administrator each year during the month of April.

SECTION 16-102. REGISTRATION FORMS.

Forms for the registration of all nonresidential use of property, shall be provided by the Zoning Administrator and shall request, but not be limited to, the following information:

- (A) The name of the owner or operator of the nonresidential use;
- (B) The location of the use;
- (C) The nature of any services or products to be offered to the public whether sold at retail, wholesale, or without charge;
- (D) The average number of any employees to be employed at the location;
- (E) The nature of any toxic or flammable compounds, chemicals, or other such substances store or used at said location;
- (F) The number of any and all certificates of registration required under the Retailers Occupation Tax Act, Service Occupation Tax Act, Use Tax Act, and any similar acts of the State of Illinois.

SECTION 16-103. FEES.

- (A) The annual fee for registration of nonresidential uses of property shall be ~~Ten Dollars (\$10.00)~~ Twenty five dollars (\$25.00) provided, however, that for schools, educational institutions, churches, and governmental entities, the annual fee shall be waived. (Ord 1406, 03/07/2005)
- (B) In the event any such use fails to submit a registration form and the required ~~Ten Dollar (\$10.00)~~ Twenty Five dollar (\$25.00) fee prior to the termination date of said annual registration, as stated below, an additional late fee of ~~Fifty Dollars (\$50.00)~~ Seventy Five dollars (\$75.00) shall be assessed. (Ord 1406, 03/07/2005)

SECTION 16-104. DURATION OF REGISTRATION.

- (A) Business registration shall be effective for a period of one year commencing on the first day of May of each year and shall terminate on the last day of April of the following year.
- (B) The Zoning Administrator shall notify all registered businesses of the time of expiration of the registration held by the business, at least three (3) weeks prior to the date of expiration; provided, however, that a failure to make such notification or a failure of the registered business to receive the notification shall not excuse the business from the obligation to obtain a new registration, or a renewal thereof, nor shall it be a defense in an action based upon operation without registration.

SECTION 16-105. SUSPENSION; REVOCATION AND APPEAL.

- (A) The Police Chief is hereby authorized to suspend or revoke a business registration

thereby causing the cessation of a business when:

- (1) The business operation constitutes a clear and present danger to the public safety, health or general welfare; or
  - (2) The registration application information is fraudulent, false or deceptive.
- (B) If a registration is suspended or revoked the business will be notified immediately either in person by an official of the Village or by telephone. A follow-up written notice will be sent by certified mail. Both notifications will include the reason or reasons that caused the action. A suspension or revocation shall remain in place until rescinded by the Police Chief or by a successful appeal to the Board of Trustees
- (C) An appeal of the suspension or revocation must be requested by the registrant and is allowed at either:
- (1) The next regularly scheduled Board of Trustees meeting or;
  - (2) A special meeting if the special meeting meets Village ordinances and the Business has been given at least 3 days notice or has waived the 3-day requirement.
- (D) The Village Attorney shall present the complaint and represent the Village. The registrant is allowed counsel and has the right to submit evidence and cross-examine witnesses. A simple majority vote of the Board of Trustees is required to rescind the suspension or evocation. IN the case of a tie, the Village President will case the deciding vote.
- (E) The Village will keep an electronic record of the hearing. If either party requires a transcript that party shall pay the cost of transcription.
- (F) Revocation of a business registration shall not preclude prosecution or imposition of other penalties for the violation of any other ordinance of the Village. (Ord 1493, 07/09/2007)

#### SECTION 16-106. PENALTIES.

Any person or entity convicted of a violation of any section of this Article, shall be subject to a fine of not less than twenty-five dollars (\$25.00) nor more than five hundred dollars (\$500.00) for each such offense.

CHAPTER 16

SWANSEA BUSINESS CODE

PART 2

ADDITIONAL REGULATIONS FOR PEDDLERS, MERCHANTS AND VENDORS

- SECTION 16-201. LICENSE REQUIRED.
- SECTION 16-202. DEFINITION.
- SECTION 16-203. APPLICATIONS.
- SECTION 16-204. INVESTIGATION.
- SECTION 16-205. HOURS.
- SECTION 16-206. FRAUD.
- SECTION 16-207. EXCLUSIONS.
- SECTION 16-208. PHOTOGRAPHS.
- SECTION 16-209. UNWANTED PEDDLING.
- SECTION 16-210. FEES.
- SECTION 16-211. PENALTIES.
- SECTION 16-212. WAIVER OF BOND AND SURETY.

SECTION 16-201. LICENSE REQUIRED.

business is conducted. (Ill. Com. Stat. Ch. 225, Section 465/2 (b))

It shall be unlawful for any person, firm or corporation to engage in the business of hawker or peddler of any merchandise, article or thing without first having secured a license therefore from the Village of Swansea.

SECTION 16-203. APPLICATIONS.

The person desiring a license may obtain the same by making application to the Village Clerk and providing the following information:

SECTION 16-202. DEFINITION.

Peddler or Hawker shall mean any of the following:

- (A) Any person selling, bartering, or exchanging, or who offers for sale, barter, or exchange, any tangible personal property upon or along the streets, highways or public places of the Village of Swansea or from house to house, whether at one place thereon, or from place to place by means of any wagon, truck, pushcart, or other vehicle, or any movable receptacle of any kind.
- (B) Any person who is engaged temporarily in the retail sale of goods, wares or building, room, vehicle, structure of any kind, or vacant lot. (Ill. Com. Stat. Ch. 225, Section 465/2 (a))
- (C) Any person who transports tangible personal property for retail sale who does not maintain in the State of Illinois, an established office, distribution house, sales house, warehouse, service center, or residence from which such

- (A) Name and physical description of the application;
- (B) Permanent home address and local address if the business is to be conducted from such an address;
- (C) A brief description of the business and of the goods to be sold;
- (D) The name and address of the employer, if any;
- (E) The length of time for which the right to do business is desired;
- (F) If applicable, evidence that the agent is acting on behalf of the corporation he represents;
- (G) A statement of the applicants criminal record, if any, other than traffic violations;
- (H) A list of the last three municipalities wherein the applicant carried on business immediately

preceding the date of application and the address or addresses from which such business was conducted in those municipalities.

#### **SECTION 16-204. INVESTIGATION.**

Upon receipt by the Village Clerk, each application shall be referred to the Chief of Police, who shall investigate the business and the moral character of the applicant. If the facts show that the applicant is unfit to receive a license then the Chief of Police shall recommend that the application be denied.

#### **SECTION 16-205. HOURS.**

It is hereby declared to be unlawful and shall constitute a nuisance for any person to go upon any premises and ring the door bell upon or near any door of a residence located thereon, or rap or knock upon any door or create any sound in any other manner calculated to attract the attention of the occupant of such residence, for the purpose of securing an audience with the occupant thereof to engage in peddling as herein defined, prior to 9:00 a.m. or after 9:00 p.m. on any weekday, Monday through Saturday, or at anytime on a Sunday or on a state or national holiday.

#### **SECTION 16-206. FRAUD.**

It shall be unlawful for any licensed peddler or hawker to employ any fraud, cheating or misrepresentation, whether through himself or through an employee while acting as a peddler in the Village of Swansea or to barter, sell or peddle any goods or merchandise or wares other than those specified in his application for a license.

#### **SECTION 16-207. EXCLUSIONS.**

- (A) To the sale or soliciting of orders for the sale of milk, dairy products, vegetables, poultry, eggs, and any other farm and garden product, so far as the sale of such is now authorized;
- (B) To the delivery of any item previously ordered or the sale of items along delivery routes where the purchaser has previously requested the seller to stop and exhibit his wares;
- (C) To the solicitation of orders by sample where the goods are not delivered at the time the order is taken;
- (D) To any person selling goods, wares, or merchandise which are raised, produced, or manufactured by him, to any person selling vegetables, fruit, or perishable farm products at an established City or Village market, to any person operating a store or refreshment stand at

a resort, or to any person operating a stand or booth on or adjacent to property owned by him or upon which he resides;

- (E) To any person who delivers tangible personal property within this State who is fulfilling an order for such property which was solicited or placed by mail or other means.

#### **SECTION 16-208. PHOTOGRAPHS.**

Two (2) photographs of the applicant and such of its employees as will be employed in any peddling or merchandising within the Village, taken within sixty (60) days prior to the filing of the application and showing the head and shoulders of the applicant or its agents or employees in a clear and distinguishing manner, shall be filed with the Village Clerk at the time the application for a license is filed. Such pictures shall be approximately 2" x 2" in size.

#### **SECTION 16-209. UNWANTED PEDDLING.**

Nothing contained in this Article, nor the issuance of any license hereunder shall entitle the licensee to go in or upon any private residence for the purpose of peddling if such licensee, his agents or employees are directed to depart from said private residence by the owner or person in charge thereof.

#### **SECTION 16-210. FEES.**

The fee for a license issued under this Article for Peddlers and Hawkers shall be Ten Dollars (\$10.00) per person, per day.

#### **SECTION 16-211. PENALTIES.**

If any person convicted of violating any section of this Article shall be fined not less than two hundred dollars (\$200.00) for each such offense. The license of any person so convicted of any such offense, may be revoked by the President of the Village of Swansea Board of Trustees.

#### **SECTION 16-212. WAIVER OF BOND AND SURETY.**

Pursuant to Illinois Compiled Statutes, Chapter 225, Section 465/4 (d), the Village of Swansea hereby waives all requirements for the filing of a surety bond or cash deposit by any person defined under this Ordinance or under the above cited Statute as a transient merchant or itinerant vender.



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CHAPTER 16

SWANSEA BUSINESS CODE

PART 3

ADDITIONAL REGULATIONS FOR SOLICITORS

SECTION 16-301. PURPOSE.

SECTION 16-302. REGISTRATION REQUIRED.

SECTION 16-303. DEFINITIONS.

SECTION 16-304. APPLICATIONS.

SECTION 16-305. ISSUANCE AND REVOCATION OF CERTIFICATES.

SECTION 16-306. DUTY OF SOLICITORS.

SECTION 16-307. UNINVITED SOLICITING.

SECTION 16-308. HOURS OF SOLICITATION.

SECTION 16-309. CHARITABLE INSTITUTIONS.

SECTION 16-310. FEES.

SECTION 16-301. PURPOSE.

This Section is adopted so that the privacy interests of the citizens of the Village of Swansea, including the well-being, tranquility and privacy of their homes, and the quiet enjoyment of the same, may be promoted; and so that crime may be lessened or prevented by limiting entrance upon the homes and property of citizens for illegal purposes or acts; and so that the public health, safety and welfare may otherwise be promoted.

SECTION 16-302. REGISTRATION REQUIRED.

Every person, business, charity, organization or entity of any kind, desiring to engage in soliciting as herein defined within the municipal limits of the Village of Swansea, is hereby required to make written application for a Certificate of Registration as hereinafter provided.

SECTION 16-303. DEFINITIONS.

For the purpose of the Section, the following words as used herein shall be construed to have the meanings as set forth:

**Soliciting:** Any one or more of the following activities:

- (A) Seeking to obtain orders for the purchase of goods, wares, merchandise, food stuffs, services of any kind, character or description, whatever, for any kind of consideration whatever, or;

- (B) Seeking to obtain prospective customers for application or purchase of insurance of any type, kind or character, or;

- (C) Seeking to obtain subscriptions to books, magazines, periodicals, newspapers and every other type or kind of publication, or;

- (D) Seeking to obtain gifts or contributions of money, clothing or any other valuable thing for the support or benefit of any charitable or non-profit association, organization, corporation or project.

**Residence:** Every separate living unit occupied for residential purposes by one or more persons, contained within any type of building or structure;

**Registered Solicitor:** Any person who has obtained a valid Certificate of Registration as hereinafter provided, and which certificate is in the possession of the solicitor on his or her person while engaged in soliciting.

SECTION 16-304. APPLICATIONS.

- (A) Applications for a Certificate of Registration shall be made upon a form provided by the Chief of Police, which shall be made available to the general public upon request. The application shall include:

- (1) The applicant's name and present place of residence and length of residence at such address; also the business address if other than the residence address; and his social security number;

- (2) The address and place of residence during the past three (3) years if other than the present address for the applicant;
  - (3) The age of the applicant and marital status; and if married, the name of his spouse;
  - (4) A physical description of the applicant;
  - (5) The name and address of the person, firm, corporation, partnership, or association with whom the applicant is employed or represents; and the length of time of such employment or representation;
  - (6) Name and address of the applicant's employer during the past three (3) years, if different from the present employer;
  - (7) A description of the subject matter of the solicitation in which the applicant will engage;
  - (8) The period of time for which the Certificate is sought;
  - (9) The date or approximate date, of the most recent application for a Certificate under this Section, if any, made by the applicant;
  - (10) A statement of whether a Certificate of Registration issued to the applicant under this Section has been revoked;
  - (11) A statement of each and every conviction for violation of any provision of this Section or any other code of any other Illinois municipality or other local government entity regulating solicitation;
  - (12) A statement of the criminal record of the applicant, excluding traffic records;
  - (13) Such additional information as the Chief of Police may deem necessary to process the application, a listing of which information shall be made available by the Chief of Police for public inspection.
- (B) All statements made with respect to the application or in connection therewith shall be verified and shall be made under oath by the applicant.
- (C) The Chief of Police shall cause to be kept on file an accurate record of every application received and acted upon, together with all other information and data pertaining thereto and all Certificates of Registration issued under the provisions of this Section, and of the denial of any such applications.

- (1) Applications for Certificates issued shall be numbered in consecutive order as filed, and every Certificate issued, and any renewal thereof shall be identified with the duplicate number of the application upon which it is issued.
- (2) No Certificate of Registration shall be issued to any person who has been convicted of the commission of any felony under the laws of this or any other state or federal law, within five (5) years prior to the date of application; nor to any person who has been convicted of a misdemeanor, in any jurisdiction, involving misrepresentation, deceit, or an omission of any material fact in any commercial transaction; nor to any person who has been convicted of a violation of any of the provisions of this Section; nor to any person whose Certificate of Registration issued hereunder has previously been revoked as herein provided.

**SECTION 16-305. ISSUANCE AND REVOCATION OF CERTIFICATES.**

- (A) The Chief of Police, after consideration of the application and all information obtained relative thereto, shall deny the application, if the applicant does not possess the qualifications for such certificate as herein required, and if the issuance of the certificate to the applicant would not be in accord with the intent and purpose of this Section.
- (1) Endorsement shall be made by the Chief of Police upon the application of the denial of the application.
  - (2) When the applicant is found to be fully qualified, the Certificate of Registration shall be issued forthwith.
- (B) Any certificate of Registration issued hereunder shall be revoked by the Chief of Police if the holder of the Certificate is convicted of violation of any provision of this Section, or has made material false statement in the application or otherwise becomes disqualified for the issuance of a Certificate of Registration under the terms of this Section.
- (1) Immediately upon such revocation, written notice thereof shall be given by the Chief of Police to the holder of the certificate in person or by certified United States mail; addressed to his or her residence address set forth in the application.

- (2) Immediately upon the giving of such notice, this Certificate of Registration shall become null and void.
- (3) The Certificate of Registration shall state the expiration date thereof. The Chief shall have three (3) days to review the application.

#### **SECTION 16-306. DUTY OF SOLICITORS.**

Any solicitor who has gained entrance to any residence, whether invited or not, shall immediately and peacefully depart from the premises when requested to do so by the occupant.

#### **SECTION 16-307. UNINVITED SOLICITING.**

It is hereby declared to be unlawful and shall constitute a nuisance for any person to go upon any premises and ring the doorbell upon or near any door, or create any sound in any other manner calculated to attract the attention of the occupant of such residence for the purpose of securing an audience with the occupant thereof and engage in soliciting as herein defined, in defiance of a notice exhibited at the residence stating in clear and concise wordage that soliciting is not invited.

#### **SECTION 16-308. HOURS OF SOLICITATION.**

It is hereby declared to be unlawful and shall constitute a nuisance for any person, whether registered under this Section or otherwise, to go upon any premises and ring the doorbell upon or near any door of a residence located thereon, or rap or knock upon any door, or create any sound in any other manner calculated to attract the attention of the occupant of such residence, for the purpose of securing an audience with the occupant thereof and engage in soliciting as herein defined, prior to 9:00 a.m. or after ~~9:00 p.m.~~ 6:00 p.m. of any weekday, Monday through Saturday, or at any time on a Sunday or a National or State holiday. (Ord 1641, 04/02/2012)

#### **SECTION 16-309. CHARITABLE INSTITUTIONS.**

All resident charitable organizations in the Village of Swansea which have been in existence for six (6) months or longer shall register all solicitations and shall be exempt from registration thereafter.

#### **SECTION 16-310. FEES.**

The fee for a license issued under this section for solicitors shall be ten dollars (\$10.00) per person, per day.

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CHAPTER 16

SWANSEA BUSINESS CODE

PART 4

ADDITIONAL REGULATIONS FOR JUNK YARDS

SECTION 16-401. LICENSE REQUIRED.

SECTION 16-402. DEFINITIONS.

SECTION 16-403. APPLICATION.

SECTION 16-404. DISQUALIFICATION.

SECTION 16-405. LICENSE.

SECTION 16-406. PHYSICAL REQUIREMENTS.

SECTION 16-407. MINORS.

SECTION 16-408. LICENSE FEE.

SECTION 16-401. LICENSE REQUIRED.

It shall be unlawful for any person, firm, partnership or corporation to keep, maintain, or conduct a junk yard within the corporate limits of the Village of Swansea, without first obtaining a license to do so. A separate license shall be required for each junk yard located on non-contiguous lots, blocks, tracts, or parcels of land.

SECTION 16-402. DEFINITIONS.

**Junk:** Shall mean scrap and old iron, steel, chain, brass, copper, magnesium, aluminum, tin, lead or other base metal, scrap lumber, old rope, old bags, rags, waste paper, paper clippings, scraps of woolens, clips, bagging, rubber and glass, empty bottles of different kinds or sizes when the number of each kind or size is less than one gross, any wrecked or dilapidated motor vehicle, engine or machinery received, stored or held for more than ninety (90) days, all articles and things discarded or no longer used as a manufactured article composed of or consisting of any one or more the materials or articles herein mentioned;

**Junk Dealer:** Shall mean every person, firm, partnership or corporation that shall engage in the business of buying, selling, bartering or exchanging, or shall collect, receive, or store or hold in possession for sale, barter or exchange, any of the things defined in this Part as junk.

**Junk Yard:** Shall mean the premises upon which a junk dealer is engaged in the business of buying, selling, bartering, exchanging, collecting, receiving, storing or holding in possession for sale, barter or

exchange any of the things in and by this Section defined as junk.

SECTION 16-403. APPLICATION.

Any person, firm, partnership, or corporation desiring to operate a junk yard in the Village of Swansea shall make a verified application, in writing, to the Village Clerk, stating the following:

- (A) The full name of the applicant or applicants;
- (B) The residence address of the applicant;
- (C) The trade name of the applicant;
- (D) A legal description of the premises where the junk yard is to be located;
- (E) The size and approximate location of each entrance thereto and exit there from;
- (F) Whether the premises where the junk yard is to be located is enclosed on its perimeter with a solid, non-transparent wall or fence of a minimum height of eight feet (8') measured from ground level, except in the entrances and exits there from;
- (G) Whether public streets and alleys adjacent to the premises where the junk yard is to be located have junk thereon;
- (H) If the applicant is a partnership the names and residences of all the partners thereof and in the case of a corporation the name and residence of the president and secretary thereof, as well as

the location of its principal place of business and its state of incorporation.

#### SECTION 16-404. DISQUALIFICATION.

Any applicant for a license to keep, maintain, conduct or operate a junk yard shall be disqualified for any of the following reasons:

- (A) Falsification of an application for a license hereunder;
- (B) A license for a junk yard previously issued to the applicant has been revoked during the preceding twenty-four (24) months;
- (C) Failure to meet any one of the minimum physical requirements for a junk yard as specified in Section 16-406.

#### SECTION 16-405. LICENSE.

Any license issued hereunder shall state the following:

- (A) That such license is issued in the name of the junk dealer solely for the purpose of keeping, maintaining, conducting or operating a junk yard;
- (B) The expiration date thereof;
- (C) The legal description of the premises where the junk yard is to be located;
  - (1) That the license shall be used and the privileges thereof exercised only at the described premises;
  - (2) That such license is not assignable and non-transferable.
- (D) Such license shall further provide that it is issued subject to all provisions of this Chapter, and that upon the first conviction of a violation of any of the provisions of this Section, in addition to the fine, such junk yards shall remain closed for a period of thirty (30) days; that upon the second conviction for a violation of any of the provisions of this section, such license shall become null and void, and that the licensee shall forfeit all sums paid for such license, and that the licensee by the acceptance of such license expressly agrees to all of the terms and conditions thereof, and to the terms and provisions of this Section, and all amendments hereto.

#### SECTION 16-406. PHYSICAL REQUIREMENTS.

The minimum physical requirements at all times for each junk yard shall be as follows:

- (A) The premises where the junk yard is located shall not have more than two (2) entrances thereto and two (2) exits therefrom, each of which shall not exceed fifteen feet (15') in width at the perimeter of the premises;
- (B) The premises where the junk yard is located shall be enclosed on its perimeter with a solid, non-transparent, vertical wall or fence with a minimum height of eight feet (8') measured from ground level, excepting for the entrances and exits permitted by this section;
- (C) The aforesaid solid, non-transparent wall or fence and the gates or doors, if any, at the aforesaid entrances and exits, shall not contain any sign, poster, or advertising matter of any kind whatsoever, except as permitted pursuant to the Swansea Zoning Code;
- (D) The public streets and alleys adjacent to the junk yard shall not have junk thereon.

#### SECTION 16-407. MINORS.

No licensee hereunder shall purchase or receive any article whatsoever from any minor without the written consent of the minors parent or guardian.

#### SECTION 16-408. LICENSE FEE.

The annual license fee for each junk yard shall be five hundred dollars (\$500.00) payable in advance with the filing of the application for license, and shall not be subject to prorate reduction for a portion of the year, either because the application for or because of revocation of a license; provided, however, that only one annual license fee shall be payable for licenses, which may be issued whenever the applicant desires to keep, maintain, conduct or operate junk yards on lots, blocks, tracts, or parcels of land which are situated on directly opposite sides of and abut upon each side of a public street or alley.

CHAPTER 16

SWANSEA BUSINESS CODE

PART 5

ADDITIONAL REGULATIONS FOR TOW YARDS

SECTION 16-501 LICENSE REQUIRED  
SECTION 16-502 DEFINITIONS  
SECTION 16-503 APPLICATION  
SECTION 16-504 DISQUALIFICATION  
SECTION 16-505 LICENSE  
SECTION 16-506 PHYSICAL REQUIREMENTS  
SECTION 16-507 NOTIFICATIONS and REGULATIONS  
SECTION 16-508 LICENSE FEES  
SECTION 16-509 UNCLAIMED VEHICLE REPORT

SECTION 16-501 LICENSE REQUIRED

It shall be unlawful for any person, firm, partnership or corporation to keep, maintain or conduct a towing and storage company within the corporate limits of the Village of Swansea without first obtaining a license to do so. A separate license shall be required for each location on non-contiguous lots, blocks, tracts or parcels of land.

SECTION 16-502 DEFINITIONS

Vehicle: Shall mean every device by which any person or property is or may be transported or drawn upon a highway or is requiring a certificate of title under the Illinois Compiled Statute 625 Section 3-101d, excluding human powered vehicles, snowmobiles and devices designed to operate solely upon stationary rails or tracks.

Towing and Storage Company: Shall mean any person, firm, partnership or corporation engaged in towing and temporary storage of vehicles whether wrecked, abandoned, inoperable or for any other purpose.

Tow Storage Lot: Shall mean any premises where vehicles are stored by the tow company on a temporary basis for retrieval by owner or legally authorized person entitled to the vehicle.

Temporary Storage: Shall mean a term of not more than ninety (90) days.

SECTION 16-503 APPLICATION

Any person, firm, partnership, or corporation desiring to operate a towing and storage company in the Village of Swansea shall make a verified application in writing to the Village Clerk stating the following:

- (A) The full name of the applicant(s).
- (B) The resident address of the applicant(s) and phone number(s).
- (C) A legal description of the premises where the towing and storage company is to be located.
- (D) The trade name of the applicant.
- (E) The size and approximate location of each entrance thereto and exit there from.
- (F) Whether the premises where the towing and storage is to be located is enclosed on its perimeter with a solid non-transparent wall or fence of a minimum height of 6' measured from ground level, except the entrances and exits there from.
- (G) Whether all stored vehicles are within the fenced area.
- (H) If the applicant(s) is a partnership, the names and residences of all the partners thereof and in the case of a corporation the names and residences of the president and secretary thereof, as well as the location of its principal place of business and its state of incorporation.

## SECTION 16-504 DISQUALIFICATION

Any applicant seeking a license to keep, maintain, conduct or operate a towing and storage lot shall be disqualified for any of the following reasons:

- (A) Falsification of an application for a license hereunder.
- (B) A license for a tow and storage lot previously issued to the applicant has been revoked during the preceding twenty-four months.

## SECTION 16-505 LICENSE

Any license issued hereunder shall state the following:

- (A) That such license is issued in the name of the towing and storage company solely for the purpose of towing and storage of vehicles on a temporary basis.
- (B) The expiration date thereof.
- (C) The legal description of the premises where the business is to be located.
- (D) That the license shall be used and the privileges thereof exercised.
- (F) That such license is not assignable and non-transferable.
- (F) Such license shall further provide that it is issued subject to all provisions of this chapter, and that upon the first violation of any of the provision in this section, in addition to fine, the business shall remain closed for a period up to thirty (30) days; that upon a conviction of second violation of any provision(s) of this section, such license shall become null and void (revoked), that the licensee shall forfeit all sums paid for such license(s); and that the licensee, by the acceptance of such license expressly agrees to all the terms and provisions of this section, and all amendments thereto.

## SECTION 16-506 PHYSICAL REQUIREMENTS

The minimum physical requirements all times for each towing and storage lot shall be as follows:

- (A) The premises where the vehicles are to be stored shall have no more than two (2) entrances and two (2) exits there from, each of which shall not exceed fifteen (15) feet in width at the perimeter of the premises.
- (B) The premises where the vehicles are to be stored shall be enclosed on its perimeter with a

solid, non-transparent, vertical wall or fence, with a minimum height of six (6) feet measured from ground level, excepting for the entrances and exits permitted by this section.

(C) The previously mentioned solid, non-transparent wall or fence and the gates, or doors, if any at the aforesaid entrances and exits shall not contain any signs, posters, or advertising matter of any kind whatsoever, except as permitted pursuant to the Swansea Zoning Code.

(D) No vehicles shall be stored outside of the wall or fenced area of the premises.

(E) The premises shall not store any other materials, items or junk as described in Section 16-402 of the Swansea Business Code.

(F) Only vehicles shall be stored on a temporary basis.

The minimum physical requirements all times for each towing and storage lot shall be as follows:

- (A) The premises where the vehicles are to be stored shall have no more than two (2) entrances and two (2) exits there from, each of which shall not exceed fifteen (15) feet in width at the perimeter of the premises.
- (B) The premises where the vehicles are to be stored shall be enclosed on its perimeter with a solid, non-transparent, vertical wall or fence, with a minimum height of six (6) feet measured from ground level, excepting for the entrances and exits permitted by this section.
- (C) A landscaping plan shall be submitted for the premises indicating features such as berming and the planting of bushes and trees, especially trees of "evergreen" varieties that will provide year-round visual buffering and are at least 6' tall at the time of planting.
- (D) The previously mentioned solid, non-transparent, wall or fence and the gates, or doors, if any at the aforesaid entrances and exits shall not contain any signs, posters, or advertising matter of any kind whatsoever, except as permitted pursuant to the Swansea Zoning Code.
- (E) All tow yards shall be paved in accordance with Sec. 20-1307 of the Swansea Zoning Code, and shall have storm water detention facilities designed in accordance with Sec. 19-325 through 327 of the Swansea Subdivision Code.

(F) No vehicles shall be stored outside of the wall or fenced area of the premises. The stacking of vehicles is prohibited.

(G) The premises shall not store any other materials, items or junk as described in Section 16-402 of the Swansea Business Code.

(H) Only vehicles shall be stored on a temporary basis. (Ord 1528, Aug 4, 2008)

revocation of a license; provided, however, that only an annual license fee shall be payable for licensees, which may be issued whenever the applicant desires to keep, maintain, conduct or operate the towing and storage business. (Ord.1510, Mar 17, 2008)

#### SECTION 16-507 NOTIFICATIONS AND REGULATIONS

(A) All licensees shall comply with the Illinois Compiled Statutes regulating abandoned, lost, stolen or unclaimed vehicles (625 ILCS 5/4-201 to 625 ILCS 5/5-802) and all other state regulations.

(B) All licensees shall furnish a list of all unclaimed vehicles in their possession to the Swansea Police Department weekly. The list shall include make, model, color, license plate, vehicle identification number, date of tow, and name of person or agency authorizing the tow.

(C) All licensees shall notify the Swansea Police Department of any vehicle left unclaimed for 30 days and supply a copy of all related tow information for the vehicle and any contact or correspondence involving the disposition of said vehicle.

(D) If the licensee is conducting business as a commercial vehicle relocator, the licensee must provide a copy of all relocator licenses, operator and dispatcher permits and abide by the Illinois Compiled Statutes 625 ILCS 5/18a-100 to 625 ILCS 5/18a-700.

(E) No vehicle shall be stored at the place of business by contract agreement or other means beyond 90 days. No rentals of parking or storage areas are permitted. The storage lot is for the temporary storage of unclaimed, disabled or impounded vehicles.

(F) The Village of Swansea reserves the right of inspection and compliance with the terms and provisions of this section.

#### SECTION 16-508. LICENSE FEE.

The annual license fee for each towing and storage business shall be \$1000 payable in advance with the filing of the application for license, and shall not be subject to prorate reduction for a portion of the year, either because the application for or because of

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