

CHAPTER 8

BUSINESS REGULATIONS

ARTICLE I - SOLICITORS

8-1-1 **DEFINITIONS.** Whenever the following terms are used in this Article, they shall have the meanings ascribed to them in this Section.

(A) **Soliciting** shall mean and include any **one (1)** or more of the following activities: Seeking to obtain orders, leads, referrals, or applications for the purchase of goods, contracts, policies, wares, merchandise, foodstuffs, services of any kind, character or description whatever; for any kind of consideration whatever or seeking to obtain subscriptions to books, photo or record clubs, magazines, pamphlets, periodicals, newspapers, or any other type of kind product, publication, or printed material; or seeking to obtain information of a survey nature of any type, with the exception of legitimate census, or church surveys, or those polls or surveys conducted by authorized city, state or federal governmental agencies, or their designated representatives; or seeking to obtain gifts, or contributions of money, clothing, or other valuable things for the support or benefit of any charitable, or non-profit group, club, association, corporation or project, not pre-authorized in writing by the County Clerk, and must be in possession of his authorizing letter prior to commencing solicitation. These groups shall be bound by this Section and **Section 8-1-9** hereafter. These groups are exempted from **Section 8-1-10** hereof.

Residents under **sixteen (16) years** of age, are specifically exempted from **Section 8-1-10** but are required to conform to **Section 8-1-9** herein and to fulfill the same requirements of pre-authorized letter as listed in the preceding paragraph.

(B) **Residence** shall mean and include every separate living unit occupied for residential purposes by **one (1)** or more persons, contained within any type building or structure, and this shall be so construed to include commercial establishments of any size, type or description within this County.

(C) **Registered Solicitor** shall mean and include any person who has obtained a valid certificate of registration as hereinafter provided.

8-1-2 **COUNTY POLICY.** It is hereby declared to be the policy of the County Board that the occupant(s) of the residences within these County Limits, shall make the determination of whether solicitors shall be or shall not be invited into the respective residential property.

8-1-3 **REGISTRATION REQUIRED.** Every person desiring to engage in solicitation as herein defined, within residences in this County, is hereby required to annually make written application for a certificate of registration prior to any solicitation, as hereinafter

provided, with the exception noted in **Section 8-1-1**, relative to those charitable or non-profit groups, clubs, associations or projects.

8-1-4 APPLICATION FOR CERTIFICATE OF REGISTRATION.

Application for a Certificate of Registration shall be made upon a form provided by the County Clerk of this County, and shall be filed with that same office. The applicant shall truthfully state in full, the information requested. The form shall include name, age, address, marital status, physical description, name of employer, nature of product or services and proposed method of operation within the County, in addition to any other information deemed necessary by the Sheriff, including fingerprinting. The County Clerk's office shall cause to be maintained a complete and accurate record of each application received, together with all other information or data pertaining thereto, including denial of any application.

8-1-5 ISSUANCE AND REVOCATION OF CERTIFICATE OF REGISTRATION.

The County Clerk after consideration of the application, information obtained relative thereto, and payment of the fee prescribed in **Section 8-1-10** hereof, shall issue a registration certificate card to applicant, or may deny the application. The County Clerk may upon reviewing an application provide the Sheriff a copy of same who shall investigate the business character of the applicant and submit a report to the County Clerk within **ten (10) days** of receipt. Any certificate of registration issued hereunder may be revoked by the County Clerk, if the certificate holder is convicted of a violation of any provision of this Chapter or any other ordinance of this County, or of any State or Federal law, or has made a false material statement in his application. To revoke a certificate, the County Clerk shall mail by certified or registered mail to certificate holder's last address shown in his or her application a letter stating certificate is revoked and reasons therefore. The date of mailing of this notice shall determine the date that the certificate is null and void.

8-1-6 ANNUAL EXPIRATION DATE. The annual expiration date of all certificates of registration shall be the **first (1st) day of January** of each year, regardless of when issued.

8-1-7 DUTY OF SOLICITORS. Any registered solicitor who has gained access or entrance to any residence, invited or not, shall immediately produce his certificate of registration card when so requested, and shall immediately and peacefully depart from those premises when requested to do so by any occupant(s) thereof. No solicitor shall solicit for any other purpose than that which is specifically shown on his or her application.

8-1-8 **UNINVITED SOLICITING PROHIBITED.** 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, to knock, or make any sounds calculated to attract the attention of the occupant(s) of such residence, for the purpose of securing an audience with the occupant(s) thereof, and engage in soliciting as herein defined in defiance of any notice visibly exhibited, posted or displayed anywhere on the residence stating in manner of wordage that soliciting is not permitted.

8-1-9 **TIME LIMIT ON SOLICITING.** No soliciting as defined herein shall be conducted within the County prior to **9:00 A.M.** or after **4:00 P.M.** of any week day, or at any time on a Sunday, or a State or National holiday.

8-1-10 **FEE REQUIRED.** Each approved registered solicitor shall pay to the County Clerk a daily fee of **Ten Dollars (\$10.00)**, or an annual fee of **Fifty Dollars (\$50.00)**; the fee being personable, not transferable, and not refundable. The stated fee shall not be reduced if less than an annual period of registration is involved.

8-1-11 **NOT APPLICABLE.** All persons soliciting inside the corporate limits of a municipality subject to the provisions of that municipality are exempt from the provisions of this Article.

ARTICLE II - PEDDLERS

8-2-1 **LICENSE REQUIRED.** 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 having first secured a license therefore.

8-2-2 **DEFINITIONS.** "Peddler" shall mean the selling, bartering, or exchanging or the offering for sale, barter or exchange of any tangible personal property upon or along the street, highways, or any public place of the County or from house to house, whether at one place thereon or from place to place, from any wagon, truck pushcart or other vehicle or from movable receptacles of any kind, but shall not include 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 items. Nor shall peddle be taken to include the solicitation of orders by sample where the goods are not delivered at the time the order is taken.

8-2-3 **APPLICATION.** The person desiring a license may obtain the same by making application with the County Clerk and providing the following information:

- (A) Name and physical description of applicant.
- (B) Permanent home and address and local address if operating from such an address.
- (C) A brief description of the business and of the goods to be sold.
- (D) Name and address of the employer, if any.
- (E) The length of time for which the right to do business is desired.
- (F) Evidence that the agent is acting on behalf of the corporation he represents.
- (G) Statement of the applicant's criminal record, other than a traffic record.
- (H) The last **three (3)** cities, villages, and/or counties where the applicant carried on business immediately preceding date of application and the address from which such business was conducted in those municipalities.

8-2-4 **INVESTIGATION OF APPLICANTS.** Upon receipt of each application, the County Clerk shall provide the Sheriff a copy of same who shall investigate the business character of the applicant and submit a report to the County Clerk within **ten (10) days** of receipt.

8-2-5 **FEES.** The fee for a license issued under this Chapter shall be a daily license of **Ten Dollars (\$10.00)** and an annual license fee of **Fifty Dollars (\$50.00)** per person for residents and an annual license of **Seventy-Five Dollars (\$75.00)** per person for non-residents, the fee being personable, not transferable, and not refundable.

8-2-6 **HOURS.** It is hereby declared to be unlawful and shall constitute a nuisance for any person whether registered under this Code or not, 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 thereof and engage in soliciting as herein defined, prior to **9:00 A.M.** or after **4:00 P.M.** of any weekday, or at any time on a Sunday or on a State or National holiday.

8-2-7 **FRAUD.** Any licensed peddler or hawker who shall be guilty of any fraud, cheating or misrepresentation, whether through himself or through an employee while acting as a peddler in the County or who shall barter, sell or peddle any goods or merchandise or wares other than those specified in the application for a license shall be fined as provided in **Section 1.09A.**

8-2-8 **EXEMPTION.** All peddlers or hawkers operating only within the corporate limits of a municipality are hereby exempt from the provisions of this Article.

8-2-9 **PRODUCE FARMERS.** Illinois produce farmers are hereby excluded from the license fee provisions of this Chapter and may operate from a fixed location from dawn to dusk from **May 1** to **November 1.**

ARTICLE III - MASSAGE PARLORS

8-3-1 **DEFINITIONS.** The following words and phrases when used in this Chapter shall, for the purpose of this Code, have the meanings respectively ascribed to them by this Section, unless the particular provision or the context otherwise requires.

(A) **Massage.** Any method of providing pressure on or friction against or stroking of or kneading, rubbing, tapping, pounding, vibrating or stimulating the external or superficial soft parts of the body, either with the hands or with the aid of any mechanical, magnetic, or electrical apparatus or appliance and with or without such supplementary aids as not packs or rubbing alcohol, liniments, antiseptics, oils, powder, creams, lotions, ointments, or other similar preparation commonly used in this practice and with or without the application of air, liquid, or baths of any kind whatsoever.

(B) **Massage Parlor or Massage Establishment.** Any establishment having a fixed place of business, or any premises, place of business, or membership club where any person engages in or carried on or permits to be engaged in or carried on, any of the activities mentioned in Subsection (A) of this Code for monetary consideration.

(C) **Masseur, Masseuse, or Massage Technician.** Any person over **eighteen (18) years** of age, who, for any monetary consideration whatsoever, anticipated or realized, probable or possible, engages in the practice of massage as herein defined.

(D) **Employee.** Any and all persons over **eighteen (18) years** of age other than the masseurs or masseuses, who render any service within massage establishment permittee and who receive compensation from said permittee and/or the patrons.

(E) **Person.** Any individual, partnership, firm, association of individuals, joint stock company, corporation, or combination of individuals acting for a common purpose.

(F) **Patron.** Any person over **eighteen (18) years** of age who receives a massage under such circumstances that it may reasonably be expected that he or she will provide monetary consideration therefore.

(G) **Sexual Area.** The genitalia, pubes, or anus of any person and the breasts of any female person.

8-3-2 **PERMIT REQUIRED.** It shall be unlawful for any person to engage in the conduct or carry on, or to permit to be engaged in, conducted, or carried on, in or upon any premises in St. Clair County the operation of a massage establishment as herein defined without first having obtained a permit from the County Clerk, for each and every separate office or place of business conducted by such person.

8-3-3 **FILING OF APPLICATION AND FEE PROVISION.** Every applicant for a permit to maintain, operate or conduct a massage establishment shall file an application in duplicate under oath with the County Clerk upon a form provided by the County

Clerk and pay a non-refundable filing fee of **Five Hundred Dollars (\$500.00)** to the County Treasurer, who shall issue a receipt which shall be attached to the application filed with the County Clerk.

The County Clerk shall, within **five (5) days**, refer copies of each application to the Sheriff, County Board Chairman and the State's Attorney and other relevant County Departments. The Zoning Administration, the Building Inspector, and the Sheriff shall within **thirty (30) days**, inspect the premises proposed to be operated as a massage establishment jointly and make written recommendations to the County Clerk concerning compliance with the codes and laws that they administer.

Within **ten (10) days** of receipt of the recommendations of the aforementioned departments, the Sheriff shall endorse on the copy of the application, his approval or disapproval of the application and submit a report of his findings of the business and moral character of the applicant to the County Clerk. The County Clerk shall notify the applicant that his application is granted, denied or held for further investigation, the County Clerk shall advise the applicant in writing whether the application is granted or denied.

The failure or refusal of the applicant to promptly give any information relevant to the investigation of the application or refusal of the applicant to submit to or cooperate with any inspection required by this Section shall constitute grounds for denial thereof by the County Clerk.

8-3-4 APPLICATION FOR MASSAGE ESTABLISHMENT. The application for a permit to operate a massage establishment shall set forth the exact nature of the massage to be administered, and the proposed place of business and facilities therefore.

In addition to the foregoing, any applicant for a permit, including any partner or limited partner of a partnership applicant, and any officer, director of a corporate applicant and any stockholder holding more than **ten percent (10%)** of the stock of a corporate applicant, shall furnish the following information:

- (A) Name and address.
- (B) Written proof that the individual is at least **eighteen (18) years** of age.
- (C) All residential addresses for the past **three (3) years**.
- (D) The applicant's height, weight, color of hair and eyes.
- (E) The business, occupation or employment of the applicant for the **three (3) years** immediately preceding the date of application.
- (F) The massage or similar business license history of the applicant; whether such person, in previously operating in this or another county or state under license, has had such license revoked or suspended, the reason therefore, and the business activity or occupation subsequent to such action of suspension or revocation.
- (G) All criminal or county ordinance violation convictions, forfeiture of bond, and pleadings of nolo contendere on all charges, except minor traffic violations.
- (H) The fingerprints and photographs of the applicant.
- (I) If the applicant is a corporation, or a partner of a partnership is a corporation, the name of the corporation shall be set forth exactly as shown in its Articles of Incorporation.

8-3-5 **ISSUANCE OF PERMIT FOR A MASSAGE ESTABLISHMENT.**

Upon receipt of the recommendations of the departments and the certificate of the Zoning Department that the establishment is in compliance with all relevant requirements, and upon receipt of the permit fee of **Five Thousand Dollars (\$5,000.00)** per establishment which shall be paid to the County Treasurer, the County Clerk shall issue a permit to maintain, operate or conduct a massage establishment, unless he finds:

(A) That the operation, as proposed by the applicant, if permitted, would not have complied with all applicable laws, including but not limited to the building, health, planning, housing, zoning and fire codes of the County.

(B) That the applicant and any other person who will be directly or indirectly engaged in the management and operation of a massage establishment has been convicted of:

- (1) a felony,
- (2) an offense involving sexual misconduct with children,
- (3) prostitution, soliciting for a prostitute, pandering, keeping a place of prostitution, pimping or any other offense opposed to decency and morality.

Every massage establishment permit issued pursuant to this Chapter will terminate at the expiration of **one (1) year** from the date of its issuance, unless sooner suspended or revoked.

8-3-6 **APPEAL.** Any applicant who is denied a permit by the County Clerk may appeal that decision by requesting a hearing before the County Chairman and the Judiciary Committee within **ten (10) days** from the date of the County Clerk's decision. The decision of the Chairman and the Judiciary Committee will be the final decision on the part of the County concerning said matter.

8-3-7 **REVOCAION OR SUSPENSION OF PERMIT FOR MASSAGE ESTABLISHMENT.**

Any permit issued for a massage establishment may be revoked or suspended by the County Clerk upon a written report from the Sheriff in any case where any of the provisions of this Code are violated or any employee or the permittee, including a masseur or masseuse is engaged in any conduct at a permittee's place of business, which violates any of the provisions of this Code or any state law which provided for imprisonment, and permittee has actual or constructive knowledge of such violations or the permittee should have actual or construction knowledge by due diligence, or where any applicant has made a false statement or an application for a permit under this Code or in any case where the permittee or licensee refuses to permit any duly authorized police officer or code inspector of the County to inspect the premises or suspended by the County Clerk upon a written report from the Sheriff or the head of other County departments if such business is being managed, conducted or maintained without regard for the public health or health of patrons or customers or without due regard to proper sanitation or hygiene.

Any violation of this Code by any employee of the permittee including a masseur or masseuse, shall be cause for suspension or revocation of the permit. If a violation is found to exist subsequent to a suspension, within **twelve (12) months**, the permit shall be revoked.

The County Clerk must notify any permittee at least **ten (10) days** prior to the effective date of any suspension or revocation. Notice shall be by registered mail, properly addressed with postage affixed to the address of the permittee contained in the permittee's application. The notice shall be in writing and shall specify the violation.

During the said **ten (10) day** period, the permittee may appeal the County Clerk's decision of the Chairman by requesting a hearing thereon in writing. A properly filed request shall suspend the effective date of the suspension or revocation until the date of the County Board Chairman and the Judiciary Committee's decision, which decision shall be final on the part of the County. The Chairman and the Judiciary Committee may sustain, reverse or modify, but not increase the County Clerk's order of revocation or suspension.

8-3-8 **MASSEUR OR MASSEUSE PERMIT.** Any person, including an applicant for a massage establishment permit, who engages in the practice of massage as herein defined, shall file an application for a masseur or masseuse permit with the County Clerk upon a form provided by said County Clerk and shall pay a non-refundable filing fee of **One Hundred Dollars (\$100.00)** for an original application and **Fifty Dollars (\$50.00)** for a renewal application, to the County Treasurer, who shall issue a receipt which shall be attached to the application filed with the copy to the Sheriff. The County Clerk shall within **five (5) days** forward a copy of the application to the Sheriff who shall conduct an investigation of the business and moral character of the applicant. The Sheriff shall submit a report of his findings to the County Clerk within **twenty-one (21) days** following receipt of the applicant from the County Clerk, providing the necessary certificate of health as provided for in **Section 8-3-9(H)** has been received by the Sheriff.

8-3-9 **APPLICATION FORM FOR MASSEUR OR MASSEUSE PERMIT.**

The application for a masseuse permit shall contain the following:

- (A) Name and residence address.
- (B) Social Security number and driver's license number, if any.
- (C) Applicants weight, height, color of hair and eyes.
- (D) Written evidence that the applicant is at least **eighteen (18) years** of age.
- (E) Business, occupation or employment of the applicant for the **three (3) years** immediately preceding the date of the application.
- (F) Whether the applicant has ever been convicted or 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 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 Sheriff, or his delegate, shall have the right to take fingerprints and a photograph of the applicant and the right to confirm the information submitted, except that no applicant shall be required to waive any rights protected by federal or state law prohibiting disclosure of criminal justice history information.

(H) All person who desire to perform the services of masseur or masseuse at a massage establishment, shall first undergo a physical examination for contagious and communicable disease which shall include a recognized blood test for syphilis, a culture for gonorrhea and a test or tests which will demonstrate freedom from tuberculosis, all of which are to be made and interpreted by a licensed physician acceptable to the County Board as well as such other laboratory tests, as may be necessitated by the above examination, and shall then furnish to the Sheriff a certificate based upon the applicant's physical examination and issued within **thirty (30) days** of such examination, signed by a physician duly licensed by the State of Illinois and stating that the person examined is either free from any contagious or communicable disease or incapable of communicating any of such diseases to others by close physical contact. Such persons shall undergo the physical examination referred to above and submit to the Sheriff the certificate required herein prior to commencement of their employment and at least once every **six (6) months** thereafter. For the purpose of this Code, a communicable disease is as defined by the Illinois Department of Public Health in Circular 5000, which constitute part of the rules and regulations promulgated by said Department, pursuant to the authority of the Public Health act of the State of Illinois. **(Ch. 111 1/2, Illinois Revised Statutes, Sec. 22-24).**

8-3-10 **ISSUANCE OF MASSEUR OR MASSEUSE PERMIT.** The County Clerk may issue a masseur or masseuse permit within **five (5) days** following receipt of the Sheriff's report and findings, unless he finds that the applicant for masseur or masseuse permit has been convicted of:

- (A) a felony;
- (B) an offense involving sexual misconduct with children;
- (C) keeping or residing in a house of ill fame, solicitation of lewd or unlawful act, prostitution or pandering, or for any other offense opposed to decency or morality.

Every masseur or masseuse permit issued pursuant to this Chapter shall terminate at the expiration of **one (1) year** from the date of issuance, unless sooner suspended.

8-3-11 **REVOCAION OF MASSEUR OR MASSEUSE PERMIT.** A masseur or masseuse permit issued by the County Clerk shall be revoked or suspended where it appears that the masseur or masseuse has been convicted of any offense which be cause for denial or a permit upon an original application, has made a false statement or an application for a permit, has failed to have a physical examination as required or has committed an act in violation of this Code.

The County Clerk must notify any masseur or masseuse at least **ten (10) days** prior to the effective date of any suspension or revocation. Notice shall be by registered mail, properly addressed with postage affixed to the address contained in the person's application. The notice shall be in writing and shall specify the violation.

During said **ten (10) day** period, the person may appeal the County Clerk's decision to the County Board Chairman by requesting a hearing thereon in writing. A properly filed request shall suspend the effective date of the suspension or revocation until the date of the Chairman's decision, which decision shall be final on the part of the County. The Chairman may sustain, reverse, or modify, but not increase the County Clerk's order of suspension or revocation.

8-3-12 **FACILITIES NECESSARY.** No massage establishment shall be issued a permit, nor be operated, established or maintained in the County unless an inspection by the Building Inspector and County Clerk reveals that the establishment complies with each of the following minimum requirements:

(A) All plumbing, ventilation, heating and illumination shall meet recognized building standards.

(B) Construction of room used for toilets, tubs, steam baths and showers shall be made waterproof with approved waterproof materials and shall be installed in accordance with recognized building standards.

(C) The walls shall be clean and painted with washable, mold resistant paint in all rooms where steam baths are given.

(D) All massage tables, bathtubs, shower stalls, steam or bath areas and floors shall have surfaces which may be readily disinfected.

(E) Adequate bathing, dressing, locker and toilet facilities shall be provided for the patrons to be served at any given time. In the event that male and female patrons are to be served simultaneously, separate bathing, dressing, locker, toilet and massage room facilities shall be provided. Separate readily available toilet and lavatory facilities shall be maintained for personnel.

(F) The premises shall have adequate equipment for disinfecting and sterilizing non-disposable instruments and materials used in administering massages. Such non-disposable instruments and materials shall be disinfected after each patron.

(G) Closed cabinets shall be provided and used for the storage of clean linen, towels or other materials used in connection with administering massages. 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 area.

(H) Oils, creams, lotions, or other preparations used in administering massages shall be kept in clean, closed containers or cabinets.

(I) 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 shall be provided. A single water closet per sex shall be provided for

each **twenty (20) employees** or patrons of that sex on the premises at any **one (1) time**. Urinals may be substituted for water closets after **one (1)** water closet has been provided. Toilets shall be designated as to the sex accommodated therein.

(J) Lavatories or washbasins provided with both hot and cold running water shall be installed in either the toilet room or a vestibule. Lavatories or washbasins shall be provided with soap and a dispenser and with sanitary towels.

(K) The premises shall be equipped with a service sink for custodial service.

(L) Any massage parlor licensed pursuant to this Code shall be equipped with all appliances, furnishings and materials as may be necessary to enable persons employed in and about said massage parlor to comply with the provisions of this Code.

(M) The County Clerk shall certify that the proposed massage establishment complies with all the requirements of the Section of this Code and shall send such certification to the Sheriff.

8-3-13 OPERATING REQUIREMENTS.

(A) The permittee or manager approved in connection with issuance of a permit herein shall be present on the premises at all times when the establishment is in operation.

(B) Price rates for all services shall be prominently posted.

(C) Every portion of the massage establishment, including appliances and apparatus, shall be kept clean and shall be operated in a sanitary condition.

(D) All employees, including masseurs and masseuses, shall be clean and wear opaque (not translucent and not transparent) outer garments covering the sexual areas. The use of garments worn by masseurs or masseuses is to be restricted to the massage establishment. Any person applying or administering massages shall, while so administering massages, be clad from the shoulders to the knee by a robe, smock, or other opaque garment so that the patron or customer shall be protected from bodily contact with the person applying or administering the massage, except for the hands and arms of said person applying or administering said massage.

(E) A separate dressing room for each sex must be available on the premises with the individual lockers for each employee. Doors to such dressing rooms shall open inward and shall be self-closing.

(F) The sexual area of patrons must be covered by towels, cloths, or undergarments whenever the patron is in the presence of another person, including a masseur, masseuse or employee.

(G) It shall be unlawful for any person in a massage establishment to place his or her hand upon, to touch with any part, clad or unclad of his or her body, to fondle in any manner, or to massage a sexual area of any person.

(H) No person, including a masseur or masseuse, employee or establishment permittee, shall perform or agree to perform any act which would require the touching of the patron's sexual area. It shall be prohibited for any person to massage any other person, or to

give or administer any bath or baths, or to give or administer any of the procedures or services set forth in **Section 8-3-1** of this Code for immoral purposes, or in a manner intended to arouse, appeal to or gratify the lust of passions or sexual desires of such other persons.

(I) No owner or manager of a massage parlor shall authorize or tolerate in his or her establishment any activity or behavior prohibited by the laws of the State of Illinois, or the ordinance of St. Clair County, Illinois, including such laws prescribing acts of prostitution, sodomy, adultery, fornication, or any lewd or obscene act or performance. Any conviction of the manager or of any employee of a massage parlor of a violation of the aforementioned laws or ordinances shall be grounds for revocation of the permit of said establishment as herein provided.

(J) All massage establishments shall be provided with clean, laundered sheets and towels in sufficient quantity and shall be laundered after use thereof and stored in a sanitary manner. No towels, wash cloths, or other linen items shall come into contact with the body or any part thereof of any customer or patron at a massage parlor first having been laundered after its previous use upon another person. Heavy, white paper may be substituted for sheets, provided that such paper is changed for every person.

(K) All walls, ceilings, floors, pools, showers, bathtubs, steam rooms, and all other facilities shall be in good repair and maintained in a clean and sanitary condition. Wet and dry heat rooms, steam or vapor shall be thoroughly cleansed each day the business is in operation. Bathtubs and showers shall be thoroughly cleaned after each use. When carpeting is used on the floor, it shall be kept dry.

(L) Oils, creams, lotions, or other preparations used in administering massages shall be kept in clean, closed containers or cabinets.

(M) Floors shall be free from any accumulation of dust, dirt or refuse.

(N) No eating in the massage work areas shall be permitted.

(O) No person shall sell, give, dispense, provide or keep or cause to be sold, given, dispensed, provided or kept any alcoholic beverage on the premises of any massage establishment.

(P) No animals, with the exception of seeing-eye dogs, shall be permitted in the massage work areas.

(Q) No person under age **eighteen (18)** shall be permitted to come onto or to remain upon the premises of any massage establishment in any capacity, including that of masseur, masseuse, employee, or patron, unless such person is on the premises in order to conduct lawful business.

(R) No masseur or masseuse shall administer a massage to a patron exhibiting any skin fungus, skin infection, skin inflammation, or skin eruption, unless a physician duly licensed by the State of Illinois certifies in writing that such person may be safely massaged and prescribes the conditions thereof.

(S) Each masseur and masseuse shall wash his or her hands in hot running water, using a proper soap or disinfectant before administering a massage to each patron, and after each such massage.

(T) No masseur, masseuse, or other employee or attendant in any massage establishment shall apply or administer any massage or other treatment to any person in room the door of which is capable of being locked.

(U) No person shall render any service to the public upon the premises of a massage parlor, except during the time that the establishment is open with free access thereto by the public.

(V) No person shall conduct or operate a massage establishment between the hours of **10:00 P.M.** and **6:00 A.M.** of the following day.

(W) No massage establishment shall be used as and for a dormitory or place of sleep, nor shall any licensee under this Code permit any massage establishment to be so used.

(X) No massage establishment granted a permit under provisions of this Code shall place, publish, or distribute or cause to be placed, published or distributed any advertising matter that depicts any portion of the human body that would reasonably suggest to prospective patrons that any services are available, other than those services described in **Section 8-3-1(A)** of this Code, or that employees, masseurs or masseuses are dressed in any manner other than that prescribed in **Section 8-3-13(D)** of this Code, nor shall any massage establishment indicate in the text of such advertising that any services are available which are prohibited by this Code, or other than those services described in **Section 8-3-1(A)** of this Code.

(Y) No massages shall be administered or applied by any permittee hereunder or by any employee, operator, or attendant while working for such permittee, except in or upon the premises or regular place of business of said permittee where massage establishment permit is regularly displayed and at the place and location designated for the operation of said massage parlor in said permit.

(Z) Any person violating the provisions of this Section shall, upon conviction, be fined as provided in **Section 1.09** and the violation shall be grounds for suspension or revocation of the license of the owner or manager of the massage establishment as provided herein.

8-3-14 **INSPECTIONS.** Every massage establishment shall, at all times it is open to the public, be held open for inspection as well by duly authorized representatives of the County departments concerned with the licensing and supervision of such establishments. The Sheriff's department and the County Clerk shall, from time to time, and at least twice a year, make an inspection of each massage establishment granted a permit under the provisions of this Code for the purposes of determining that provisions of this Code are met. Such inspections shall be made at reasonable hours and in a reasonable manner. No permittee shall fail to allow such inspection officer access to the premises or to hinder such officer in any manner. Any massage establishment licensed by the County shall, at all times, comply with all health regulations, rules and requirements as are now in effect and as shall be promulgated by the Illinois Department of Public Health.

8-3-15 **IDENTIFICATION CARD.** The Sheriff shall provide each masseur and masseuse granted a permit with an identification card which shall contain a photograph of the masseur or masseuse and the full name and permit number assigned to the said masseur or

masseuse, which must be worn on the front of the outermost garment at all times during the hours of operation of any establishment granted a permit pursuant to this Code.

8-3-16 **TRANSFER OF PERMITS.** No permit for the operation of a massage establishment issued pursuant to the provisions of this Code shall be transferable. No permit of any masseur or masseuse shall be transferable under any conditions, and such authority as a permit confers shall be conferred only on the permittee named therein.

8-3-17 **DISPLAY OF PERMITS.** Every permittee shall, at all times, display a valid massage establishment permit and a valid permit for each and every masseur and/or masseuse employed in the establishment in an open and conspicuous place within the massage establishment so that the name may be readily seen by persons entering the premises.

8-3-18 **EMPLOYMENT OF PERSONS UNDER THE AGE OF EIGHTEEN (18) PROHIBITED.** It shall be unlawful for any owner, proprietor, manager or other person in charge of any massage establishment to employ any person who is not at least **eighteen (18) years** of age.

8-3-19 **EMPLOYMENT OF MASSEURS AND MASSEUSES.** It shall be the responsibility of the permittee for the massage establishment or the employer or any persons purporting to act as masseurs and masseuses to insure that each person employed as a masseur or masseuse shall first have obtained a valid permit pursuant to this Code.

8-3-20 **RECORDS.** A person operating a massage establishment shall maintain a current file of all persons employed by him. This file shall contain true names and aliases used by each employee, age, birthdate, height, weight, color of hair and eyes, home address, telephone numbers, Social Security number, and the date of employment and termination thereof. Such persons shall make all records immediately available upon demand by any law enforcement officers. Every person who operates a massage business or practices or provides a massage shall at all times, keep an appointment book in which the name of each and every person shall be entered together with the date, time and place of service, as well as the precise nature of the service provided. Such appointment book shall be available at all times for inspection by the Sheriff or by his authorized representative.

8-3-21 **TIME LIMIT FOR FILING APPLICATION FOR PERMIT.** All persons who at present operate a massage establishment or who are employed as a masseur or masseuse, must file for a permit within **thirty (30) days** of the effective date of this Code.

Applications for renewal of permits must be filed not more than **two (2) months** nor less than **one (1) month** prior to termination of an existing permit.

8-3-22 **NON-APPLICABILITY OF THIS CODE.** This Code, except for the provisions of **Section 8-3-13(H)** hereof, shall not apply to hospitals, nursing homes, sanitariums, medical clinics, dispensaries, the offices of a physician, surgeon, osteopath or chiropractor, or to persons holding an unrevoked certificate to practice the healing arts under the law of the State of Illinois, or to persons working or studying under the direction of any such persons or in any such establishments, nor shall this Code apply to barbers or cosmetologists lawfully carrying out their particular profession or business and holding a valid, unrevoked license or certificate of registration issued by the State of Illinois.

8-3-23 **RULES AND REGULATIONS.** The Sheriff, County Clerk, and the County Board Chairman, or both officers, may, after a public hearing, make and enforce reasonable rules and regulations not in conflict with, but in accord with the intent and purpose of this Code.

8-3-24 **MAINTAINING PUBLIC NUISANCE.** Any building used as a massage establishment in violation of this Code with the intentional, knowing, reckless or negligent permission of the owner thereof or the agent of the owner managing the building, together with all fixtures and other property used in violation of this Code is hereby declared a nuisance.

ARTICLE IV - AMUSEMENTS

8-4-1 **AMUSEMENTS, ASSEMBLIES, LICENSE REQUIRED.** No person shall engage in, participate in, aid, form, or organize any assembly or group of people or conduct any musical program or festivals, anywhere in the County outside an incorporated municipality, unless a permit has been obtained from the County Board Chairman and unless such permit is carried by the person heading or leading such activity; provided, however, that the provisions hereof shall not apply to student's work when constituting a part of their educational activities and under the immediate direction and supervision of the proper school authorities; nor to any governmental agency within the scope of its functions.

8-4-2 **APPLICATION.** The application for a permit shall be filed with the County Board Chairman, not less than **thirty (30) days** nor more than **one hundred (100) days** before the date on which it is proposed to conduct such activity. Such application shall be sworn to and shall state:

- (A) The name of the person or organization wishing to conduct such activity;
- (B) If the activity is proposed to be conducted for, on behalf of, or by an organization, the name, address, and telephone number of the headquarters of the organization, and of the authorized and responsible head of such organization;
- (C) The name, address and telephone number of the person who will be the chairman of such activity and who will be responsible for its conduct;
- (D) The name, address and telephone number of the person or organization to whom the permit is desired to be issued;
- (E) The date when such activity is to be conducted;
- (F) The park or the portion of the County thereof for which such permit is desired;
- (G) An estimate of the anticipated attendance; and
- (H) The hour when such activity will start and terminate.

8-4-3 **APPROVALS REQUIRED.** The County Board Chairman may require the Highway Superintendent and Sheriff to file reports concerning the possible cost and impact of such a festival or musical event upon the roads and highways of the County. The County Board Chairman may require the applicant to file additional reports from local, state and federal agencies.

If it is necessary, the County Board Chairman may hold a public hearing to allow the public to appear and petition the approval and disapproval of the application.

8-4-4 **ISSUANCE OF PERMIT.** The County Board Chairman may grant and issue such permit if:

- (A) The proposed activity or use of the park will not unreasonably interfere with or detract from the general public enjoyment of the park;
- (B) the proposed activity and use will not unreasonably interfere with or detract from the promotion of public health, welfare, safety and recreation;
- (C) the facilities desired have not been reserved for other use at the day and hour required in the application;
- (D) the conduct of such activity will not substantially interrupt the safe and orderly movement of traffic;
- (E) the conduct of such activity will not require the diversion of so great a number of police officers of the County to properly police such activity and the areas contiguous thereto, as to prevent normal police protection to the County;
- (F) the conduct of such activity is not reasonably likely to cause injury to persons or property, incite violence, crime, or disorderly conduct; and
- (G) such activity is not to be held for the sole purpose of advertising any product, goods, or event, and is not designed to be held purely for private profit.
- (H) Each permit shall state the following:
 - (1) Date of such activity;
 - (2) Park or portion thereof to be used; and
 - (3) The hour when such activity will start and terminate.

The County Board Chairman shall act upon the application for a permit within **thirty (30) days** after the filing of the same.

8-4-5 **REVOCAION OF PERMIT.** In the event the applicant for a permit misrepresents the facts necessary for the issuance of the permit, or if the activity endangers the health, welfare, and safety of the County residents, the permit shall be revoked immediately by the Sheriff.

8-4-6 **LICENSE REQUIRED.** No person, firm or corporation shall operate any establishment engaged in the business of providing entertainment, recreation or amusement to the public within the limits of the County of St. Clair, but outside the limits of incorporated cities, villages and towns therein, without first obtaining a license therefor. Such places of entertainment, recreation and amusement shall include, but is not limited to, arcades, regular and miniature golf courses, commercial fishing lakes, swimming pools, golf driving ranges, skating arenas, pool and billiard rooms, bowling alleys, carnivals, circuses or other open air attractions, presentations or expositions such as motorcycle races, horse races, rodeos and midget car races. Carnivals and circuses and other open air attractions operated by bona fide not-for-profit organizations shall not be required to obtain the necessary license. Such places also include restaurants and taverns and other places containing coin-operated mechanical devices for the providing of amusement and recreation.

8-4-7 **COMPLIANCE.** All places herein described shall comply with any and all state and local health and sanitary standards and with any and all local and state fire code requirements.

8-4-8 **COLLECTION OF FEES.** The County Clerk of the County of St. Clair shall be responsible for the collection of the fees and is hereby authorized and empowered to issue the annual licenses provided for herein.

8-4-9 **FEE.** The license fee for each establishment providing a form of entertaining, recreation and amusement shall be as follows, and no license shall be issued until such fee is paid in advance and all licenses shall be for a **one (1) year** period.

Coin-operated phonographs and jukeboxes, electrically or mechanically operated	\$50.00 each
Coin-operated electronic machines, devices and games operated for amusement or skill such as video machines	\$50.00 each
Regular and miniature golf courses	\$50.00 each
Commercial fishing lakes	\$50.00 each
Swimming pools	\$50.00 each
Golf driving ranges	\$50.00 each
Skating arenas	\$50.00 each
Pool and billiard rooms	\$50.00 per table
Bowling alleys	\$50.00 plus \$4.00 per lane
Carnivals, circuses or other open air attractions, presentations or expositions, such as motorcycle races, horse races, rodeos and midget car races	\$100.00 each

8-4-10 **TERM.** A license issued under this Code shall be for a period of a calendar year, from the **first (1st) day of January** to the **thirty-first (31st) day of December** (both days included).

8-4-11 **PENALTY.** The conduct of an establishment such as described herein, and required to be licensed hereunder, without first obtaining such license as is herein provided, shall be a misdemeanor punishable by a fine, not less than **Fifty Dollars (\$50.00)** nor more than **Two Hundred Dollars (\$200.00)** in accordance with the Statutes in such cases made and provided. **(Ord. No. 350-83; 06-27-83)**

ARTICLE V - PARAPHERNALIA AND ACCESSORY LICENSE

8-5-1 **LICENSE REQUIRED.** It shall be unlawful for any person or persons as principal, clerk, agent, or servant to sell within the unincorporated areas of the County any item, effect, paraphernalia, accessory or thing which is designed or marketed for use with illegal cannabis or drugs, as defined by **Illinois Revised Statutes**, without obtaining a license therefor. Such license shall be in addition to any or all other licenses held by applicant.

8-5-2 **APPLICATION.** A person desiring to obtain a license under this Article shall make application on a form to be provided by the County Clerk. The following information shall be required to be furnished:

(A) Name and address of the business location to which license is sought.
(B) The name and residence and business addresses of the person applying for a license. In addition to the foregoing, any applicant for a license, including any partner or limited partner of a partnership applicant, and any officer, director of a corporate applicant and any stockholder holding more than **ten percent (10%)** of the stock of a corporate applicant, shall furnish the following information:

- (1) Name and residence and business address.
- (2) Written proof that the person is at least **eighteen (18) years** of age.
- (3) All residential addresses for the last **three (3) years**.
- (4) Height, weight, color of hair and eyes.
- (5) The business, occupation, or employment of the applicant for the **three (3) years** immediately preceding the date of application.
- (6) All criminal or ordinance violation convictions, excluding minor traffic violations.

Each application for a license under this Article shall, in addition to the foregoing requirements, be accompanied by affidavits by applicant and each and every employee or person authorized to sell any item, effect paraphernalia, accessory, or thing which is designed or marketed for use with illegal cannabis or drugs that such applicant, employee, or person has never been convicted of a drug related offense. Upon the issuance of a license under this Article, it shall be the duty of the applicant to file with the County Clerk a similar affidavit for any person employed subsequent to the issuance of such license to sell the items described herein. Supplemental affidavits filed under this Section shall be filed with the County Clerk within **five (5) days** of the employment of the person whose affidavit is required to be filed by this Section.

8-5-3 **MINORS.** It shall be unlawful to sell or give within the unincorporated areas of the County of St. Clair, State of Illinois, items as described in **Section 8-5-1** in any form to any male or female child under **eighteen (18) years** of age.

8-5-4 **RECORDS.** Every licensee must keep a record of every item, effect, paraphernalia, accessory, or thing which is designed or marketed for use with illegal cannabis or drugs which is sold and this record shall be open to the inspection of any peace officer at any time during the hours of business. Such record shall contain the name and address of the purchaser, the name and quantity of the product, the date and time of the sale, and the licensee or agent of the licensee's signature. Such record shall be retained for not less than **two (2) years**.

8-5-5 **REGULATIONS.** The applicant shall comply with all applicable regulations of the Sheriff's Department.

8-5-6 **LICENSE FEE AND TERM OF LICENSE.** Licenses issued under this Article shall be valid for **one (1) year** upon payment of the license, an annual fee of **One Hundred Fifty Dollars (\$150.00)**, which shall be payable at the time of application for a license. The **one (1) year** period shall be from **January 1** of each calendar year to **December 31** of the same calendar year. The license fee for applications made after **January 1** of any calendar year will be pro-rated on a basis of **one-twelfth (1/12)** of the annual fee for each month and part thereof remaining in the calendar year during which application is made.

In the event an application for license is denied, the fee deposited with the application shall be returned to the applicant. In the event a license is issued, the County Clerk shall deposit the fee with the County Treasurer, who shall deposit the fee in the County General Fund.

8-5-7 **CONTENT OF LICENSE.** Each license issued under this Article shall state on its face the name of the licensee, the address of the premises for which the license was issued, the date of its expiration, and shall be entitled "**LICENSE TO SELL ITEMS, EFFECTS, PARAPHERNALIA, ACCESSORIES, OR THINGS DESIGNED OR MARKETED FOR USE WITH ILLEGAL CANNABIS OR DRUGS**".

8-5-8 **DISPLAY OF LICENSE.** Every licensee shall cause his license to be framed and hung in a conspicuous place on the licensed premises.

8-5-9 **PENALTY.** Any person convicted of violating any provision of this Article shall be fined not less than **Ten Dollars (\$10.00)** nor more than **Five Hundred Dollars (\$500.00)** for the **first (1st) offense** and succeeding offenses during the same calendar year, and each day that such violation shall continue shall be deemed a separate, distinct offense.

ARTICLE VI - RAFFLES

8-6-1 **DEFINITIONS.** Unless the context otherwise requires, the words and phrases herein defined are used in this Chapter in the sense given them in the following definitions:

(A) **“Net Proceeds”** means the gross receipts from the conduct of raffles, less reasonable sums expended for prizes, local license fees and other reasonable sums expended for prizes, local license fees and other reasonable operating expenses incurred as a result of operating a raffle.

(B) **“Raffle”** means a form of lottery, as defined in **Section 28-2, Subparagraph (b) of the Criminal Code of 1961**, conducted by an organization licensed under this Act in which:

(1) the player pays or agrees to pay something of value for a chance, presented 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 or 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.

8-6-2 **DUTIES.** The County Board Chairman is charged with the administration of the appropriate provisions of the Legislative Act #HB2976 of the General Assembly of Illinois and provisions of this Chapter, and may appoint persons to assist him in the exercise of the powers and the performance of the duties herein provided, including, but not limited to the State's Attorney, and Sheriff.

8-6-3 **LICENSE REQUIRED.** No person or organization shall conduct or partake in the selling of raffle chances within the limits and territory of St. Clair County, Illinois, without having a license to do so issued by the County Clerk, in a manner hereinafter provided and a valid license for such purpose as provided by the Legislative Act of the Illinois General Assembly, House Bill 2976. Licenses shall be issued only to bona fide religious, charitable, labor, fraternal, educational or veterans' organizations that operate without profit to their members and which have been in existence continuously for a period of **five (5) years** immediately before making application for a license and which have had during that entire **five (5) year period** a bona fide membership engaged in carrying out their objectives.

8-6-4 **APPLICATIONS FOR LICENSE.** The County Clerk is authorized to grant and issue licenses to eligible organizations permitting them to conduct raffles and to participate in the sale of raffle tickets, within the borders of St. Clair County and outside the borders of any municipality, upon the conditions and in the manner provided by this Chapter

and by the aforesaid Act of the General Assembly of Illinois, and not otherwise. Such license shall be in writing, signed by the County Clerk with the seal of that office affixed thereto.

Prior to the issuance of a license, the applicant must submit to the County Clerk, an application, in triplicate, in writing and under oath stating:

- (A) The name and address of the organization;
- (B) The type of organization that is conducting the raffle, i.e., religious, charitable, labor, fraternal, educational, veterans or other;
- (C) The length of time the organization has continually existed immediately before making application for a license;
- (D) The applicant shall give the aggregate retail value of all prizes or merchandise awarded by a licensee in a single raffle;
- (E) The applicant will give the maximum retail value of each prize awarded by a licensee in a single raffle;
- (F) The amount that the organization plans to charge for each raffle chance issued or sold;
- (G) The time and location where the raffle is to be held;
- (H) The purpose for which the proceeds of the raffle will be used;
- (I) The name and address of the person conducting and performing the raffle, and his relationship with the organization;
- (J) The last date which the applicant has applied for a raffle license;
- (K) The area in which the organization plans to sell or issue its raffle chances;
- (L) Whether or not the applicant has ever been convicted of a felony.

8-6-5 RULES FOR APPLICATIONS AND LICENSES.

(A) The license and application for license must specify the area or areas within the licensing authority in which raffle chances will be sold or issued, the time period during which raffle chances will be sold or issued, the time of determination in winning chances, and the location or locations with which winning chances will be determined.

(B) The application must contain a sworn statement attesting to the not-for-profit character of the prospective licensee organization signed by the presiding officer and the secretary of that organization.

(C) The County shall act on a license application within **thirty (30) days** from the date of application.

8-6-6 PROHIBITED LICENSEES. The following are ineligible for any raffle license:

- (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 firm or corporation in which a person defined in paragraphs (A), (B) or (C) above has a propriety, equitable or credit interest, or in which such a person is active or employed;
- (E) Any organization in which a person defined in paragraphs (A), (B), or (C) above is an officer, director or employee, whether compensated or not;
- (F) Any organization in which a person defined in paragraphs (A), (B), or (C) above is to participate in the management or operation of a raffle as defined by this Act.

8-6-7 RESTRICTIONS ON THE CONDUCT OF RAFFLES.

- (A) The entire net proceeds of any raffle must be exclusively devoted to the lawful purposes of the organization permitted to conduct that game.
- (B) No person except a bona fide 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) A licensee may rent a premises on which to determine a winning chance or chances in a raffle only from an organization which has also been licensed under the Raffle Act;
- (E) 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;
- (F) 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 his parent or guardian.

8-6-8 RECORDS.

- (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 the 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 raffle programs 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 the 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 shall report monthly to its membership, and to the County Clerk of St. Clair County, Illinois, its gross receipts, expenses and net proceeds from raffles, and the distribution of net proceeds itemized as required by this Section.

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

8-6-9 **PENALTY.** Persons or organizations who violate any provision of this Ordinance shall be fined in an amount not less than **Twenty-Five Dollars (\$25.00)** and no more than **Five Hundred Dollars (\$500.00)**.

8-6-10 **TERM AND FEES.**

(A) The aggregate retail value of all prizes or merchandise awarded by a licensee in a single raffle shall not exceed **Twenty-Five Thousand Dollars (\$25,000.00)**;

(B) The maximum retail value of each prize awarded by a licensee in a single raffle shall not exceed **Fifteen Thousand Dollars (\$15,000.00)**;

(C) The maximum price which may be charged for each raffle chance issued or sold shall not exceed **Twenty-Five Dollars (\$25.00)**;

(D) The maximum number of days during which chances may be issued or sold shall not exceed **one hundred twenty (120) days**;

(E) Licenses issued pursuant to this Ordinance shall be valid for **one (1) raffle** and may be suspended or revoked for any violation of this Ordinance;

(F) Raffle chances shall be sold only within the boundaries of the County and outside the boundaries of any municipality;

(G) Licenses shall be issued to bona fide religious, charitable, labor, fraternal, educational, or veterans' organizations that operate without profit to their members, and which have been in existence continuously for a period of **five (5) years** immediately before making application for a license and which have had during that entire **five (5) year** period a bona fide membership engaged in carrying out their objectives;

(H) The above-mentioned types of organizations shall be defined pursuant to the General Assembly Act, House Bill 2976, and incorporated herein;

(I) No person, or organization shall be issued more than **one (1) license** in a period of **one (1) week**;

(J) The manager of a raffle game shall give a fidelity bond in the sum of **One Thousand Dollars (\$1,000.00)** in favor of the organization conditioned upon his honesty in the performance of his duties. The Chairman of the County Board or his designated representative is authorized to waive requirement for bond by including a waiver provision in the license issued, provided that the license containing such waiver provision shall be granted only by unanimous vote of the members of the licensed organization. The terms of the bond shall provide that notice shall be given in writing to the licensing authority not less than **thirty (30) days** prior to its cancellation.

(1) Any license issued under this Ordinance shall be non-transferable.

(K) **Fees.** The fee for a license issued under this Chapter shall be **Sixteen Dollars Seventy Cents (\$16.70)** each time a license is issued. Each license shall be valid for **one (1) raffle** and may be suspended or revoked for any violation of this Article.

ARTICLE VII - PAWNBROKERS

8-7-1 **LICENSE REQUIRED.** No person, firm or corporation shall conduct or operate the business of pawnbroker without having first obtained a license therefor as is herein provided; or in violation of any of the provisions herein contained. Any pawnbroker's license may be revoked by the County Board Chairman for any violation of any provision of this Article.

8-7-2 **APPLICATION - INVESTIGATION.** Application for pawnbroker's license shall be made to the County Clerk and shall state thereon the name of the applicant; the place of business; and the number of employees intended to be engaged. The Sheriff or any other officer of the County designated by the County Board Chairman shall investigate each applicant for such license and shall report back to the County Clerk whether or not such applicant is a person of good character; no license shall be issued to a person who has been convicted of the offense of receiving stolen good or of burglary or robbery.

8-7-3 **FEE.** The annual fee for a pawnbroker's license shall be **Five Hundred Dollars (\$500.00)** and this fee shall be payable in advance and no license shall be issued until the fee is paid.

8-7-4 **RECORDS.** Every pawnbroker doing business in the unincorporated areas of the County shall keep a record of every article pledged with him or sold to him, and this record shall be open to the inspection of any police officer at any time during the hours of business.

8-7-5 **WEAPONS.** No pawnbroker shall receive as a pledge or purchase any revolver, pistol, blackjack or sawed-off shotgun and no pawnbroker shall display in his window or shop any such weapon for sale.

8-7-6 **MINORS.** No pawnbroker shall have any business dealings as a pawnbroker with any person less than **eighteen (18) years** of age, except with the written consent of the parent or guardian of the minor to each particular transaction. No pawnbroker's license shall be issued to any person who is not **eighteen (18) years** of age or over; and no pawnbroker shall employ a person of less than **eighteen (18) years** of age to assist him in his business.

8-7-7 **STOLEN GOODS.** It shall be the duty of every pawnbroker to report to the police any article pledged with him, or which it is sought to be pledged with him, if he shall have reason to believe that the article was stolen or lost.

8-7-8 **SECONDHAND DEALERS.** No pawnbroker shall conduct the business of a secondhand dealer without having obtained the license required for such dealer in addition to his pawnbroker's license.

(Ord. No. 98-655; 08-31-98)