

VILLAGE OF NEW BADEN, ILLINOIS
ORDINANCE NO. 737

AN ORDINANCE REQUIRING BUSINESS LICENSES

WHEREAS, the Village of New Baden (“Village”), Clinton and St. Clair Counties, Illinois is a duly created, organized and validly existing municipality of the State of Illinois under the 1970 Illinois Constitution and the laws of the State of Illinois, including particularly the Illinois Municipal Code, and all laws amendatory thereof and supplementary thereto; and

WHEREAS, there are currently numerous businesses operating in the Village of New Baden that are not registered or licensed to do business in the Village; and

WHEREAS, it is in the best interest of the citizens of the Village that the Village license businesses within the corporate limits in order to know who is conducting business in the Village.

NOW THEREFORE, BE IT ORDAINED by the Mayor and the Board of Trustees of the Village of New Baden, as follows:

1. That the preceding recitations in the upper part of this Ordinance are realleged, restated, and adopted as paragraph one (“1”) of this Ordinance.

2. That Section 7-1-2 of the Village Code shall be amended to read as follows:

“**7-1-2 BUSINESS LICENSE REQUIREMENT.** Any and all persons, firms, companies and corporations engaged in any business or occupation from a location or locations within the Village limits of the Village of New Baden are required to procure a license to conduct said business or occupation.”

3. That Section 7-1-5 of the Village Code shall be amended to read as follows:

“**7-1-5 FEES.** The annual fee for a business license shall be twenty-five dollars (\$25.00). Said amount shall be submitted with the registration application. This fee is non-refundable and is used solely for the administration of this Article. In the event that an applicant fails to renew the annual license prior to the termination date of the applicant’s license, an additional late fee of fifty dollars (\$50.00).”

4. That Section 7-1-12 of the Village Code shall be amended to read as follows:

“**7-1-12 SUSPENSION; REVOCATION AND APPEAL.**

(A) The Mayor is hereby authorized to suspend or revoke a business license, 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 license is suspended or revoked, the business will be notified immediately either in person or by and officer of the Village or by telephone. A follow-up written notice will be sent by certified mail. Both notifications shall include the reason or reasons that caused the suspension or revocation. A suspension or revocation shall remain in place until rescinded by the Mayor or by a successful appeal to the Village Board.
 - (C) An appeal of the suspension or revocation must be requested by the license holder and is allowed at either:
 - (1) The next regularly scheduled Village Board Meeting; or
 - (2) A special meeting, so long as the license holder is given at least five (5) days prior notice of the meeting.
 - (D) At the appeal, the Village Attorney shall present the complaint against the business and represent the Village. The license holder has the right to retain his/her own counsel, to submit evidence and to cross-examine witnesses. A simple majority vote to the Village Board is required to rescind the suspension or revocation. In case of a tie, the Mayor will cast the deciding vote.
 - (E) Revocation of a business license shall not preclude prosecution or imposition of other penalties for the violation of other Village ordinances.”
5. That Section 7-1-13 of the Village Code shall be amended to read as follows:
- “7-1-13 Reserved.”**
6. That any business that is currently operating within the Village, and subject to the requirements of this Ordinance, shall comply with this Ordinance within sixty (60) days of the passage and approval of this Ordinance.
7. This Ordinance shall take full force and effect immediately upon passage by the Village Board of Trustees.

PASSED and APPROVED this ____ day of _____, 2007.

Yeas:
Nays:
Absent:

Timothy Hoerchler, Village President

ATTEST:

Janet Kuhn, Village Clerk