



COOK COUNTY ILLINOIS GOVERNMENT

ARTICLE X. GENERAL BUSINESS LICENSES

Sec. 54-380. Short title.

This article shall be known and may be cited as the "Cook County General Business License Ordinance."

Sec. 54-381. Purpose.

The Cook County Board of Commissioners determines that in order to effectively protect the public health, general welfare, and safety of its citizens it has deemed it necessary to establish a General Business License for Unincorporated Cook County.

Sec. 54-382. Definitions.

The following words, terms, and phrases, when used in this article shall have the following meanings ascribed to them in this article, except where the context clearly indicates a different meaning:

Business License means any license required by County ordinance or regulation which is required as a prerequisite to doing business in Cook County other than a General Business License.

Cook County or *County* means the County of Cook, Illinois.

County Board means the County Board of Commissioners of Cook County, Illinois

Department of Administrative Hearings means the county department authorized to adjudicate business license violations pursuant to provisions of this article.

Department or *Department of Revenue* means the Department of Revenue in the Bureau of Finance of Cook County.

Director means the Director of the Department of Revenue.

Doing business means the extent to which any person who within any unincorporated area of Cook County, for the purposes of this article, fulfills one or more of the following criteria:

(a) Maintains a fixed place of business within an unincorporated area of Cook County, or

(b) Owns or leases real property within an unincorporated area of Cook County for business purposes, or

(c) Regularly maintains a stock of tangible personal property in an unincorporated area of Cook County for sale in the ordinary course of business.

Person means any natural person, trust, court appointed representative, syndicate, association, partnership, firm, club, company, corporation, business trust, institution, agency, government corporation, municipal corporation, district or other political subdivision, contractor, supplier, vendor, vendee, operator, user or owner or any officers, agents, employees, or other representatives, acting either for himself or for any other person in any capacity or any other entity recognized by law as the subject of rights and duties; the masculine, feminine, singular, or plural, is included in any circumstances.

Sheriff means the Sheriff of Cook County, Illinois or his designee.

Sec. 54-383. License required.

(a) It shall be unlawful for any Person doing business in any unincorporated area of Cook County to conduct such business without having first obtained a General Business License unless exempt as indicated in Section 54-392.

Sec. 54-384. License application.

All applications for a General Business License shall be made in writing and under oath to the Director of Revenue on a form provided for that purpose.

(a) Every application for a County General Business License shall be submitted and signed by the Person doing business or authorized representative of the Person doing business and shall contain the following:

- (1) Name of the applicant.
- (2) Business address.
- (3) Social security numbers, Tax ID number, and residence addresses of its sole proprietor or the three individuals who own the highest percentage interests in such Person and any other individual who owns five percent or more interest therein.
- (4) Pin number of the property or properties where the business is being operated.
- (5) A brief description of the business operations plan.
- (6) Sales tax allocation code. The sales tax allocation code identifies a specific sales tax geographic area and is used by the State of Illinois for sales tax allocation purposes.
- (7) Certification that applicant is in compliance with all applicable County Ordinances.

(b) The Director of Revenue shall be the custodian of all applications for licenses which [sic] under provisions of this Code. All information received by the Department from applications filed pursuant to this article or from any investigations conducted pursuant to this article, except

for official County purposes, or as required by the Freedom of Information Act, shall be confidential.

(c) The General Business License applicant may be subject to an inspection by the following county departments including, but not limited to, Health, Building and Zoning and the Environment, prior to licensing.

(d) It shall be grounds for denial and/or revocation of any license issued under the provisions of this article whenever the license applicant knowingly includes false or incomplete information in the license application or is in violation of a County Ordinance.

Sec. 54-385. License fee.

The fee for a County General Business License shall be as set out in Section 32-1, payable to the Department of Revenue, and all fees collected under this section will be used by the Department for the implementation and administration of this article.

Sec. 54-386. Late fee.

License fee payments remitted after the due date on which the fee is due, shall be subject to a Late Fee equal to the amount of the License fee.

Sec. 54-387. License issuance.

Upon approval of the application, a General Business License shall be issued by the Director for a period of two years.

Sec. 54-388. License insignia and display.

It shall be the duty of every Person issued a General Business License to display such license in a conspicuous place at the premises where the business is conducted. The Director of Revenue shall promulgate additional rules and regulations in regards to the license insignia including, but not limited to, design, distribution, and display of aforementioned insignia.

Sec. 54-389. Doing business without a license, failure to pay for or renew a license, prohibited.

Any Person doing business in unincorporated Cook County for which a license is required and fails to secure a license, provide payment for a license or fails to renew a license may be closed by the Director of Revenue, pursuant to Section 54-391 of this article until such license is procured.

Sec. 54-390. Failure to comply—Code of Ordinances.

(a) Failure to comply with applicable Cook County Code of Ordinances may result in general business license suspension or revocation.

(b) Persons doing business in unincorporated Cook County must comply with this article and, including but not limited to, the following Cook County Code of Ordinances:

- (1) Chapter 30, Environment;
- (2) Chapter 38, Article III, Public Health and Private Nuisances;
- (3) Chapter 58: Article III, Offenses involving Public Safety, and Article IV, Offenses Involving Public Morals;
- (4) The Cook County Building Ordinance, adopted originally on March 11, 1949, as amended, and/or the Cook County Building Code;
- (5) Chapter 74 Taxation; or
- (6) The Cook County Zoning Ordinance, as amended.

Sec 54-391. License denial, non-renewal, suspension, & revocation

(a) Any County department or agency issuing citations pursuant to applicable Cook County Code of Ordinances shall have the authority to issue to the applicant or licensee a notice of violation recommending denial, non-renewal, suspension, or revocation of an applicant's or licensee's General Business License.

- (1) After an authorized County department or agency issues a notice of violation recommending denial, non-renewal, suspension or revocation to the applicant or licensee, a copy of this notice of violation, along with copies of any documents supporting the above recommendation shall be forwarded to the Department of Revenue. The notice of violation and documents supporting the recommendation shall be "Prima Facie" or on its face legally sufficient to deny issuance, deny renewal, suspend or revoke the license, until disproved by documentary evidence.
- (2) The Director of Revenue or his or her designee shall have the authority to deny, renew, suspend, or revoke a General Business License issued under the provisions of this Article if he or she determined the applicant or licensee violated any Federal or State statute or any provision of the Cook County Code of Ordinances.
- (3) However, no General Business License shall be denied issuance or renewal, suspended, or revoked except after a License Administration Hearing. The applicant or licensee shall be given written notice at least seven days prior to the date of the hearing, where the Director of Revenue or his or her designee shall make a determination based on the documentation provided by both the applicant or licensee and the Department(s) issuing the citation. The Director of Revenue or his or her designee may upon a show of good cause grant the applicant or licensee one continuance. The Director of Revenue or his or her designee shall have the right to authorize the examination of the books and records of any applicant or licensee who appears before him or her for a Determination Hearing.
- (4) If the Director of Revenue or a designee determines, after the License Administration

Hearing, the license shall be denied, not renewed, suspended, or revoked, a written notice of determination and order to close the applicant or licensee's business, pursuant to Section 54-393 of this Article, shall be issued to the applicant or licensee and the Sheriff. The Department of Revenue, with the assistance of the Sheriff, will immediately close the business.

- (5) An applicant or licensee who disagrees with the determination issued by the Director of Revenue or his or her designee may file an appeal, for an administrative hearing, with the Cook County Department of Administrative Hearings in accordance with the Cook County Code of Ordinances, Chapter 2 Administration, Article IX Administrative Hearings. The filing of an appeal does not stop or prevent the physical closing of the applicant or licensee's business. The business shall remain closed unless an order to reopen is issued by the Department of Administrative Hearings or the Cook County Circuit Court.
- (6) If after the administrative hearing the Department of Administrative Hearings determines the license shall be denied, not renewed, suspended or revoked the Department of Administrative Hearings shall immediately prepare and issue a written determination informing the applicant or licensee that the Notice of Determination issued by the Director of Revenue or his designee is upheld and the business will remain closed.
- (7) An applicant or licensee who wishes to appeal the determination of the Cook County Department of Administrative Hearings must provide written notice to the Department of Administrative indicating an appeal has been filed with the Circuit Court pursuant to Sec. 2-917 of this Code.
- (8) If after the administrative hearing the Department of Administrative Hearings issues a written determination indicating the license shall not be denied, suspended, revoked, or shall be renewed, the license shall be reinstated in accordance with Department of Revenue policy or procedures. However, a determination issued by the Department of Administrative Hearings in favor of the applicant or licensee does not forfeit the Department of Revenue's right to file an appeal with the Circuit Court.

(b) The license of any person who has failed to pay any fine, assessment of costs or other sum of money owed to the County pursuant to an order of the Department of Revenue, an order of the Department of Administrative Hearings or a court order, by the due date indicated in the order, or within 30 calendar days of becoming a debt due and owing may be suspended by the Department of Revenue, in accordance with its rules and after affording a hearing. The license shall be suspended until such time that the fine, assessment of costs or other sum of money has been fully paid.

(c) A Person whose license has been denied renewal, suspended or revoked may seek re-issuance or reinstatement of the license the in accordance with procedures prescribed by Department of Revenue.

Sec. 54-392. License not required.

(a) A General Business License shall not be required in unincorporated Cook County if the Person, doing business in Cook County as defined in this Ordinance, is:

- (1) Required to obtain a County business license pursuant to any other County ordinance or regulation, or
- (2) exempt by any Federal or State law or County ordinance.

Sec. 54-393. - Rule making and enforcement.

The Department shall prescribe reasonable rules, definitions, and regulations necessary to carry out the duties imposed upon it by this article. Such rules, definitions, and regulations shall include, but not limited to, reasonable procedures consistent with existing practices of Persons doing business in Cook County. The Sheriff of Cook County is authorized to, and shall assist the Department, in enforcement of this article.

Sec. 54-394. - Penalties.

Any Person determined to have violated this article (1) may be denied any County contract, permit, license and or privilege and/or (2) shall be subject to a fine of \$1,000.00 for the first offense, and a fine of \$2,000.00 for the second and each subsequent offense and/or be subject to suspension, revocation. A separate and distinct offense shall be regarded as committed each day upon which said Person shall continue any such violation, or permit any such violation to exist after notification thereof.

Sec 54-395. Effective date.

This Ordinance takes effect March 1, 2011.