

**Memorandum  
Office of the City Clerk**

**To:** Thomas Thomas, City Manager  
**Subject:** Amendment to Transient Merchant Ordinance  
**Date:** February 13, 2013



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Attached is an Ordinance amending Chapter 8, Sec. 8-426; Issuance; Fees; Display of the City Code of Ordinances regarding Transient Merchants as it relates to time and fee changes; and Sec.8-427; Denial; Revocation as it relates to what specified conditions warrant a Transient Merchant license being denied or revoked.

The current language in Sec. 8-426 (b) (2) allows the issuance of a one day, one month, six months, or one year license. The amended ordinance adds language for a three month license with a fee of \$200.00. In addition, the fee for a six month license was increased from \$250.00 to \$275.00. In the past, various transient merchants have opted for a three month license especially in the summer months when this would be the only time they could sell their products. This modification will allow those merchants to obtain a license.

The current language in Sec. 8-427(a) allows the City Manager to deny a license for certain specified situations, which include the applicant failing to make a complete application or during the past two (2) years has a history of fraudulent applications for similar licenses; misrepresenting the quality of merchandise or services offered for sale or for crimes involving personal injury. The amended ordinance will allow for the denial of a license if an applicant within the past five (5) years has a history of fraudulent applications for similar licenses; misrepresents the quality of merchandise or services offered for sale, or has been convicted of any felony or misdemeanor. Modification of the language will allow for an expanded time frame and be more inclusive for reasons to deny a license.

The attached ordinance has been reviewed by City Attorney Ted Kutsunis.

**RECOMMENDATION:**

It is recommended that Council approve the Amendments to Chapter 8, Sec. 8-426 and Sec. 8-427 of the Code of Ordinances and pass the ordinance.

**Submitted by:** Aleisha L. Patchin, City Clerk

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**Approved by:** Thomas Thomas, City Manager

A SPECIAL ORDINANCE AMENDING CHAPTER 8  
OF THE CODE OF ORDINANCES OF THE  
CITY OF ROCK ISLAND, ILLINOIS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCK ISLAND, ILLINOIS:

Section One. That Section 8-426 (b) of Chapter 8, Article XIII of the Code of Ordinances of the City of Rock Island is hereby amended by deleting said paragraph (b) in its entirety and by inserting in lieu thereof the following:

**Sec. 8-426. Issuance; fees; display:**

(b) Before a license shall be issued, applicant shall pay to the city collector a license fee according to the following schedule:

(1) Blanket License:

- a. Single event blanket license, fifty dollars (\$50.00).
- b. Blanket annual license, three hundred dollars (\$300.00).

(2) Transient Merchant's License:

- a. For one day, twenty five dollars (\$25.00); for each additional day, five dollars (\$5.00).
- b. For one month, one hundred fifty dollars (\$150.00).
- c. For three (3) months, two hundred dollars (\$200.00)
- d. For six (6) months, two hundred seventy five dollars (\$275.00).
- e. For one year, four hundred fifty dollars (\$450.00).

(3) Duplicate License: Five dollars (\$5.00).

Section Two. That Sec. 8-427 (a) of Chapter 8, Article XIII of the Code of Ordinances of the City of Rock Island is hereby amended by deleting said paragraph (a) in its entirety and by inserting in lieu thereof the following:

**Sec.8-427 Denial;Revocation**

(a) The city manager may deny, within twenty one (21) days, a license to any applicant under this article who has:

- (1) Held a license under this article that has been revoked within two (2) years of the date of the present application.
- (2) Failed to make a complete application.

(3) During the past five (5) years:

- a. Has submitted fraudulent applications for similar licenses;
- b. Has misrepresented the quality of merchandise or services offered for sale;
- c. Has been convicted of any felony or misdemeanor.

Section Three. All ordinances and parts of ordinances in conflict herewith are hereby repealed insofar as they do so conflict.

Section Four. This ordinance shall be in full force and effect from and after its passage and approval, as required by law.

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MAYOR OF THE CITY OF ROCK ISLAND

PASSED: \_\_\_\_\_

APPROVED: \_\_\_\_\_

ATTEST: \_\_\_\_\_

CITY CLERK