

STATE OF ILLINOIS)
) SS
COUNTY OF WINNEBAGO)

CERTIFICATE OF PUBLICATION IN PAMPHLET FORM

I, the undersigned, do hereby certify that I am the duly qualified and acting Legal Director and ex officio Keeper of the Records and Seal of the City of Rockford, Winnebago and Ogle Counties, Illinois (the "City"), and as such official I am the keeper of the official journal of proceedings, books, records, minutes and files of the City and of the City Council (the "City Council") thereof.

I do further certify that on the 23rd day of January 2025 there was published in pamphlet form, by authority of the City Council, a true, correct and complete copy of Ordinance No. **2025-8-O** and said resolution was so published on said date readily available for public inspection and distribution, in sufficient number, at my office as Legal Director and ex officio Keeper of the Records and Seal located in the City.

IN WITNESS WHEREOF I have affixed hereto my official signature and the seal of
the City, this 23rd day of January 2025.



Angela L. Hammers
LEGAL DIRECTOR AND *EX OFFICIO*
KEEPER OF THE RECORDS AND SEAL

JR:sa

Committee report passed: 1/21/25

ORDINANCE NO. 2025- 8 - 0

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKFORD,
WINNEBAGO AND OGLE COUNTIES, ILLINOIS, THAT:

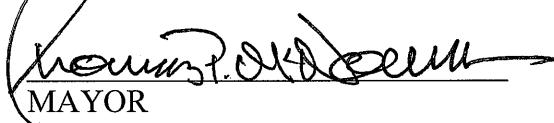
By passage and approval of this Ordinance, the Mayor and Legal Director
are hereby authorized to approve the attached amendments to Chapter 29 Article
VII (Vehicles for Hire/Pedal Bus) creating an alcohol free pedal bus license.

The provisions and sections of this Ordinance shall be deemed severable,
and the invalidity of any portion of this Ordinance shall not affect the validity of
the remainder.

All orders, resolutions, or ordinances in conflict herewith are hereby repealed
insofar as such conflict exists, and this Ordinance shall take effect immediately upon its
passage, approval, and publication, as required by law.

A full, true and complete copy of this Ordinance shall be published within ten
(10) days after passage in pamphlet form by and under authority of the Corporate
Authorities.

APPROVED: Jan. 23, 2025.



Henry P. Doremus
MAYOR

AYES: TUNEBERG, FROST, TORINA, PRUNTY, WILKINS, HOFFMAN, ROSE,
BEACH, BARRIOS, MEEKS, BAILEY, BONNE

NAYS: _____

ABSENT: DURKEE, LOGEMANN

ABSTAIN: _____

ATTESTED:

Angela L. Hammer
LEGAL DIRECTOR

PASSED: 1/21/25

APPROVED: 1/23/25

PUBLISHED: 1/23/25

FILED in my office this 23rd day of January, 2025, and published in pamphlet form this 23rd day of January, 2025 by order of the City Council of the City of Rockford, Illinois.

Angela L. Hammer
Legal Director and ex officio
Keeper of the Records and Seal

APPROVED BY:

Angela L. Hammer
Angela L. Hammer, Interim, Legal Director



RECOMMENDED BY:

Jacob L. Rubin, Assistant City Attorney

ARTICLE VII. PEDAL BUSES

Sec. 29-216. Definitions.

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

Operator shall mean owner of a business that provides pedal bus services.

Pedal bus shall mean any single-unit device upon which any person may ride, propelled by human power through a belt, chain, or gears, having four (4) or more wheels, and designed and constructed in such a manner as to engage in the business of carrying groups of passengers for hire as agreed by pre-arranged contract.

Pedal bus business shall mean the business of operating a pedal bus for the recreational or physical transportation of groups of the general public as agreed by pre-arranged contract.

Pedal bus driver shall mean the person in actual physical control of the pedal bus.

Pedal bus business license shall mean a license granted in accordance with this chapter.

City streets shall mean any public right of way, roadway, or street located within the corporate limits of the City of Rockford, and subject to the jurisdiction of the City of Rockford, Winnebago County IL.

Sec. 29-217. Applicability.

The provisions of this chapter shall be applicable to all pedal buses and to the drivers and operators of such pedal buses within the corporate limits of the city.

Sec. 29-218. Expiration.

Each license issued under this chapter shall expire on the 31st day of January of the fiscal year for which they were issued.

Sec. 29-219. State of Illinois driver's license required.

No person shall drive a pedal bus or be hired or permitted to do so unless he/she is a duly licensed driver by the State of Illinois.

Sec. 29-220. Qualifications of pedal bus driver.

No person shall drive a pedal bus or be permitted to do so if they are not:

- (a) A duly licensed driver in the State of Illinois;
- (b) Familiar with local traffic laws and ordinances;
- (c) The age of twenty-one (21) years or older.

Sec. 29-221. License required.

No person shall engage in the business of operating a pedal bus in the city without first having secured a license as provided in this chapter.

Sec. 29-222. Application.

. A verified application for a pedal bus business license shall be made in writing by the owner or manager of the pedal bus to the finance director or their designee upon forms furnished by the city. The application shall include the following information as applicable:

- (a) The full name of the applicant (if a firm or corporation, provide names, telephone numbers and addresses of the president, secretary and treasurer);
- (b) The applicant's residence (local and permanent) address;
- (c) The full name and intended place of business, the telephone number of the business, and the owner and/or manager;
- (d) The number of pedal buses to be operated, a complete description of each pedal bus to be used, pictures clearly depicting all four (4) sides of each unit to be operated, the seating capacity thereof according to its trade rating, the company assigned number, the body style, and the color;
- (e) The make, model, serial number, and description of the pedal bus for which the license is sought.
- (f) The proposed route or routes to be served or utilized, together with a map or maps describing the proposed routes; and
- (g) An executed waiver of liability signed by the applicant releasing the City of any liability for any claim and agreeing to hold the City harmless and indemnify it for any claim resulting from the applicant's operation of the pedal bus on the City streets.
- (h) Issuance and validity statement and insurance certificates; and
- (i) Signature of applicant.
- (j) Applicants for a license under this chapter shall, at the time of the application for such license, pay to the finance department the annual fee pursuant to the most recent annual fee schedule. The finance department shall deposit the fee into the general fund or in such other fund as the City Council may designate.
- (k) The Finance Director shall forward all completed applications to the department of law and to the Rockford Police Department.

Sec. 29-223. Issuance.

- (a) Prior to the issuance of a license, the applicant shall deposit an amount specified in the most recent annual fee schedule with the finance department of the city. Said deposit shall be placed in the general fund of the city and is nonrefundable.
- (b) The finance director or their designee is authorized to issue a license to any qualified applicant for the operation of a pedal bus business. The license shall contain a distinguishing number, full name of the person owning such pedal bus business, and their business address.
- (c) The pedal bus business license shall be non-assignable and nontransferable.
- (d) The pedal bus business shall carry a copy of said license aboard the pedal bus unit at all times, and shall present it for inspection upon the request of any passenger or law enforcement officer.

Sec. 29-224. Duplicate licenses.

Whenever an owner/manager of a pedal bus business has lost or destroyed their license, they shall submit an affidavit in writing to the finance director or their designee, stating that the license has been lost or destroyed. The finance director or their designee shall issue a duplicate copy or substitute thereof upon payment of the amount set forth in the city's fee schedule for each item so duplicated or substituted.

Sec. 29-225. Suspension or revocation.

- (a) The issuing authority may initiate suspension and/or revocation proceedings for a license issued under this chapter for any of the following:
 - (1) Violation of any ordinance provisions regulating a license of a pedal bus business or any other provisions of the Rockford City Code;
 - (2) Knowingly allowing a driver of a pedal bus with a driver's license that is suspended or revoked under the State Vehicle Code (625 ILCS 5/1-100 et seq.).
- (b) Any person whose business license has been revoked shall immediately return every such license to the finance director.

Sec. 29-226. Changes in license information.

Licensees shall report any change in information furnished in the application for a pedal bus business license pursuant to this division to the finance director or her/his designee in writing within ten (10) days of the change. Failure to so report shall be cause for suspension or revocation of the license.

Sec. 29-227. Renewal of business license.

If a business license holder wants to renew their business license to operate a pedal bus so that the renewal takes effect immediately upon the expiration of the prior annual license, such license holder must submit the renewal application prior to January 25. Applications for renewal submitted between 1-30 late shall incur a 20% late fee. Applications for renewal submitted between 30-60 days late shall incur a 50% late fee. If the late fee is not paid prior to issuance of the renewed license, the existing license shall lapse as of midnight January 31.

Sec. 29-228. License fees.

All licensees under this division shall pay in advance an annual fee for the operation within the city of pedal buses. The fee shall be set as set forth in the City Fee Schedule.

Sec. 29-229. Calculating rates and fares.

- (a) It shall be unlawful for the driver of a pedal bus to charge a passenger a fare that was not agreed upon with the passenger in advance through a pre-arranged contract.
- (b) A copy of said contract must be present with the pedal bus driver for the duration of each group's reservation.

Sec. 29-230. Proof of insurance or bond.

No pedal bus business shall provide pedal bus service unless such pedal bus is covered by a bond or an insurance policy or other proof of general liability insurance in the minimum amount of one million dollars (\$1,000,000.00) per person, two million dollars (\$2,000,000.00) per incident, and one hundred thousand (\$100,000.00) for property damage. Evidence of such coverage shall be filed with the finance director prior to the issuance of any pedal bus business license. Such insurance or bond must list the City of Rockford as a certificate holder and additional insured.

Sec. 29-231. False representation.

No driver or other employee of a pedal bus business shall imitate the name, colors, or emblems, previously adopted and in use by any another pedal bus business or represent him/herself as an employee of any other pedal bus business.

Sec. 29-232. Use of pedal bus for crime.

No person shall knowingly permit any pedal bus to be used in the perpetration of a crime.

Sec. 29-233. Obedience of traffic rules.

Every pedal bus driver shall obey all traffic rules established by statute or ordinance.

Sec. 29-234. Number of passengers; seating arrangement.

- (a) No pedal bus driver shall exceed the rated seating capacity of the pedal bus.
- (b) No passenger shall be allowed to ride the pedal bus except in the designated seating area.

Sec. 29-235. Sound amplification systems.

Pedal buses licensed under this division shall not operate or permit the operation of any sound amplification system in violation of Rockford City Code section 17-28 pertaining to Nuisance noises and operation of certain vehicles and sound devices.

Sec. 29-236. Alcohol possession and consumption; BYOB license.

- (a) No pedal bus operator or driver shall provide an alcoholic beverage to a passenger for a fee or as part of the passenger transport service.
- (b) No pedal bus operator or driver shall provide or stock any alcoholic beverage in the pedal bus.
- (c) Any pedal bus license holder who wishes to allow BYOB shall submit in writing, on the official city application for BYOB, and otherwise comply with all requirements of Sec. 3-151.
- (d) No pedal bus license holder shall be eligible to allow BYOB if the license holder or any corporate officer, owner, or shareholder is a person prohibited from holding a liquor license pursuant to Ch. 3, Sec. 3-54.
- (e) Prior to the issuance of any pedal bus license allowing BYOB, the applicant shall deposit \$5,000 with the Finance Department of the City. Said deposit shall be placed in the general fund of the city and is non-refundable.
- (f) If the pedal bus operator has received a BYOB license, alcoholic beverages may be consumed by pedal bus passengers under the following conditions:
 - (1) Other than alcoholic beverages described in section (2) below, passengers may only bring alcoholic beverages in original package form, excluding glass bottles, onto the pedal bus so long as they surrender all such beverages to the pedal bus server and allow only the pedal bus server to pour such beverages from said the containers.
 - (2) Alcoholic beverages may be brought on and consumed from approved Downtown Social District containers with approved branding.

- (3) Alcoholic beverages as defined in Chapter 3 of the Rockford City Code may only be consumed from plastic, paper or foam cups. Passengers may not consume alcoholic beverages from glass cups or glass containers, including alcoholic beverages in original package form.
- (4) Alcoholic beverages as described in Chapter 3 of the Rockford City Code may be consumed only when the passenger is in or on a pedal bus and only when otherwise permitted by all applicable state and local law and regulation, including but not limited to all other applicable laws or rules of the State of Illinois and the city.
- (5) The pedal bus operator and driver may not allow consumption of alcoholic beverages by persons under the age of twenty-one (21).
- (6) Upon completion of the pedal bus event and upon request, the pedal bus server shall return to passengers the open and unopened containers of alcoholic beverages that the respective passengers brought onto the pedal bus. The pedal bus server shall place each open container of an alcoholic beverage in a fully sealable plastic bag designed and intended for such purpose prior to returning open alcoholic beverage only to the passenger who brought the alcoholic beverage onto the pedal bus.
- (7) Upon completion of each pedal bus trip, the pedal bus operator or pedal bus server, as the case may be, shall remove from the pedal bus entirely and properly dispose all alcoholic beverages, whether in open or closed containers or open or closed original package form if not reclaimed by the respective passengers who brought the alcoholic beverages onto the pedal bus.

- (g) A business which is allowed BYOB as a condition of their pedal bus license is not considered a liquor licensee or otherwise qualified to hold a terminal operator's license as that term is defined within the Illinois Video Gaming Act, ILCS Ch. 230, Act 4, §§ 1 et seq..
- (h) A pedal bus license holder with BYOB shall comply with all provisions of Ch. 3, Article I, (Alcoholic Liquor) not in conflict with this Sec. 29. If there is a conflict, the provisions of this Sec. 29 shall control.

Sec. 29-237. BASSET training required.

All employees, owners, and officers shall enroll in a state-certified BASSET program as defined in Sec. 3-68 within thirty (30) days of date of hire and shall complete certification no more than ninety (90) days of date of hire. All license holders shall comply with all other requirements of Sec. 3-68.

Sec. 29-238. Pedal bus operation.

- (a) No pedal bus driver shall transport passengers while using a cell phone or other wireless device unless said pedal bus is not in motion.
- (b) No pedal bus shall be driven in weather conditions that pose an unreasonable safety risk to the driver or passengers of the pedal bus, or to motorists or pedestrians.
- (c) For the purposes of immediately loading and unloading passengers, a pedal bus may remain standing upon a street if the pedal bus is in any legal parking stall, designated loading zone, or any other location that does not impede pedestrian or vehicular traffic.
- (d) No pedal bus driver shall board passengers or allow passengers to exit a pedal bus from a traffic lane.
- (e) No pedal bus shall be left unattended by the pedal bus driver unless legally parked in a legal parking stall with any motor, if any, turned off.

- (f) No pedal bus driver shall operate a pedal bus on a street with a posted speed limit of thirty-five (35) miles per hour or greater, except for the purpose of crossing that street.
- (g) No pedal bus driver, while driving a pedal bus, shall stop on a street with a posted speed limit of thirty-five (35) miles per hour or greater in order to pick up or drop off passengers.
- (h) No pedal bus driver shall drive a pedal bus on a sidewalk or a designated path constructed for use by pedestrians.
- (i) No pedal bus driver shall drive a pedal bus in a way that obstructs the flow of pedestrian traffic, except for the time period necessary to pick up or drop off passengers.
- (j) No pedal bus driver shall allow in the driver's compartment or section any alcoholic liquor in which the original seal has been broken or tampered with.
- (k) Route restrictions.
 - (1) Pedal buses without BYOB license may operate within the city limits subject to the rules and regulations set out in Sec. 29-238.
 - (2) Pedal buses with BYOB license shall operate only within the designated area or areas and only on those streets identified on a map developed by the City of Rockford Public Works, Police and Fire departments as may, from time to time be altered. Said map shall be consistent with the Downtown Social District.
 - (3) Pedal buses with BYOB license may operate outside the area or areas designated as provided in section 29-238(k)(1) when granted a special event permit as provided in sections 16-290 et seq. of this Code so long as the route on which such pedal bus is to be operated is specifically designated in the pedal bus operator's application for a special event permit and so long as the operation of such pedal bus complies with sections 29-238(a) through and including (m) of this section. The operation of a pedal bus outside the area or areas designated on the map provided for in section 29-238(k)(1) shall constitute a special event and shall require a special event permit as provided in sections 16-290 et seq. of this Code.
- (l) All passengers must be seated at all times in the designated seating area whenever the pedal bus is in motion.
- (m) No passenger may enter onto or exit from a pedal bus except when the pedal bus is at a complete stop at a proper location as provided in this section.

Sec. 29-239. Condition of pedal bus; inspections.

- (a) No license to engage in the business of driving a pedal bus shall be issued unless:
 - (1) The pedal bus is equipped with seats for the driver and all passengers;
 - (2) The pedal bus provides a hood or cover to protect passengers from the elements;
 - (3) The pedal bus is equipped with hydraulic or mechanical disc brakes, which are battery-powered or generator-operated, both front and rear turn signals, tires, and bell or horn;
 - (4) The pedal bus is equipped with permanently affixed headlights. The headlights shall be capable of projecting a beam of white light five hundred (500) feet;
 - (5) The pedal bus is equipped with permanently affixed taillights, which are battery powered or generator operated. These lights shall be affixed on the right and left sides of the exterior of the vehicle at the same level. These lights shall be red in color and visible from a distance of five hundred (500) feet;
 - (6) The pedal bus has affixed to the rear a slow-moving vehicle triangle;

- (7) The pedal bus shall not be wider than seventy-five (75) inches at its widest point.
- (8) The pedal bus has been inspected and found by the Chief of Police or their designee to have all mandatory equipment required by this ordinance; and
- (9) A written certificate of the inspection required by this section is filed with the finance director or their designee.

- (b) Every pedal bus in operation shall be inspected at the beginning of the license year to determine if such pedal bus meets the requirements of this ordinance. The inspection required may be conducted by the City or by such duly qualified persons as the Chief of Police or their designee may direct.
- (c) Additional inspections may be required as often as the apparent condition of the pedal bus warrants.
- (d) It shall be unlawful for any person to drive, or cause to be driven, a pedal bus that is not in good working order.

Sec. 29-240. Pedal bus markings; similar markings prohibited.

All pedal buses shall have painted conspicuously upon the unit:

- (a) The name of the pedal bus business as provided to the finance director or their designee in visible lettering at least three (3) inches in height.