CITY OF CRYSTAL LAKE

Application:
Passenger Bus License

Return Completed Form To:
City of Crystal Lake
100 W. Woodstock St.
Crystal Lake, IL 60014
Attn: City Manager's Office

Enclosures:

- Completed, signed, and notarized application
- Proof of Insurance
- Applicable Fees and Taxes
- Passenger List
- Emergency Executive Order Regarding Passenger Bus Drop-Offs
- Policy Regulating Passenger Buses

Passenger Bus License

Office Use Only
Date Received _____
Fees and Taxes Paid _____
Approved or Denied

Passenger Bus Vehicle Information	
Make:	
Model:	
Year:	
VIN:	
License Plate Number:	
State of Issuance:	
Driver Information	
Driver's Name:	
Driver's License Number:	
Passenger Bus Vehicle Owner's Name:	
Disembarkation Information	
Date	
Location Address	
Time of Disembarkation (May only occur during the hours of 10:00 a.m. and 3:30 p.m., Monday through Friday (but excluding any designated federal, state or City legal holiday))	

Insurance Requirements	
General Liability	**Commercial General Liability insurance (including contractual liability arising from the Application) in the minimum amounts of: (a) Three Million Dollars ($3,000,000.00) per occurrence for bodily injury or death to each person; (b) Three Million Dollars ($3,000,000.00) per occurrence for property damage; and (c) Three Million Dollars ($3,000,000.00) per occurrence for all other types of liability. All such coverages shall also have a general aggregate of not less than $6,000,000.00.**
Worker's Compensation	**Worker's Compensation Insurance within the statutory limits and Employer's Liability Insurance with not less than One Million Dollars ($1,000,000.00) coverage.**
Vehicle Liability	**Vehicle Liability coverage in the minimum amount of $5,000,000.00 combined single limit bodily injury and property damage with a $15,000,000.00 aggregate, unless higher coverage limits are required by the State of Illinois or the State in which the Passenger Bus is registered. Coverage should include any auto, including owned, non-owned, hired or rented vehicles.**
Form of Insurance	**The coverage requirements in Sections 5.K.1 through 5.K.3 of the Executive Order may be satisfied with a combination of primary and umbrella policies, subject to the reasonable approval of the City Manager.**

Evidence of Insurance Policies	**The Applicant shall furnish proof to the City Manager that the foregoing insurance policies have been obtained, along with (i) reasonably satisfactory evidence that the required premiums have been paid, and (ii) a certificate of insurance providing that the City and all elected and appointed officers, officials, employees, agents, attorneys, and representatives of the City shall be covered by such policies on a primary and non-contributor basis evidenced by original policy endorsements CG 20 10 or CG 20 26 and CG 20 37 and CG 20 01 or their equivalent.**
Notice to City	**Each insurance policy shall contain the following endorsement:** **"It is hereby understood and agreed that this policy may not be canceled or otherwise terminated until 30 days after receipt by the City by registered mail, of a written notice addressed to the City Manager of such intent to cancel or impending termination."** **Within 30 days after receipt by the City of this notice and prior to said cancellation or termination, the Applicant shall obtain and furnish to the City replacement insurance policies in form and substance that satisfy the requirements of this Executive Order and are otherwise acceptable to the City Attorney.**

Non-Refundable Fees and Taxes	
Application Fee	**$350.00 Per Application**
License Fee	**$1,000.00 Per License**
Passenger Bus Taxes	**Any Applicant who qualifies for a License under the Executive Order shall be required to pay a nonrefundable Passenger Bus Tax in the amount of $1,000.00 for each Passenger on the Passenger List prior to the issuance of a License; provided, however, that no such tax shall be imposed for any such Passengers that are identified on the Passenger List as not disembarking in Crystal Lake.**
	The Applicant shall pay a Passenger Bus Tax in the amount of $5,000.00 for each Passenger that disembarks in Crystal Lake but is not identified on the Passenger List.
	The Driver and Owner shall be jointly and severally required to pay a Passenger Bus Tax in the amount of $7,500.00 for each Passenger that disembarks in Crystal Lake when such Passenger Bus has not secured a License in accordance with this Order. **Any Passenger Bus Tax imposed pursuant to Section 7.C of the Executive Order shall be paid before the Passenger Bus departs from the Designated Drop-Off Location (or, in the event that no License had been secured, at the drop-off location). Failure to pay such tax shall be a violation of this Section.**

Enforcement
Whenever a Passenger Bus violates any provision of this Order, the Owner and Driver of the Passenger Bus shall be jointly and severally liable for any fines herein imposed.
For any Passenger Bus in violation of any provisions of this Executive Order, the Passenger Bus shall be required to pay all fees and taxes due pursuant to this Executive Order prior to leaving Crystal Lake; provided, however, that the Owner or Driver may post a surety bond or other good and adequate security in form and substance acceptable to the City and in the amount of such fees and taxes prior to leaving Crystal Lake.
Any Passenger Bus located overnight on any City street or City property shall be subject to towing and impoundment in accordance with the City Code.

BOTH APPLICATION AND AFFIDAVIT MUST BE SIGNED AS FOLLOWS:

☐ Sole Proprietorship- By Owner
☐ Partnership- By both Owners, or
☐ Corporation- by President and Secretary
☐ LLC- by President and Secretary

VERIFICATION:

- Has applicant made application for a similar license for premises other than described in this application? **YES ☐ NO ☐** (If yes, state date, location of premises and disposition of application)

  _____

- Has a previous license by any state or subdivision, or the federal government been revoked? **YES ☐ NO ☐** (If yes, state reasons & date of revocation.)

  _____

- Has applicant (including any partners, directors, or officers), ever been convicted of a felony under any Federal or State law and would be disqualified to receive a license by reason of any matter or thing contained in this Section, laws of this State or the ordinances of this City? **YES ☐ NO ☐**

- The applicant will not violate any of the laws of the State of Illinois, of the United States, or any ordinance of the City in the conduct of his or her business. **YES ☐ NO ☐**

TO THE CITY OF CRYSTAL LAKE, ILLINOIS: The undersigned hereby makes application for a Passenger Bus License under the provisions of the City of Crystal Lake Emergency Executive Order Regarding Passenger Bus Drop-Offs.

Please sign below:

_____

Printed Full Name Title

_____

Applicant Signature Date

_____

Printed Full Name Title

_____

Applicant Signature Date

AFFIDAVIT

STATE OF _____)
) SS
COUNTY OF _____)

I (we) swear that I (we) will not violate any of the ordinances of the City of Crystal Lake or the laws of the State of Illinois or the laws of the United States of America, in the conduct of the place of business described herein and that the statements contained in this application are true and correct to the best of my (our) knowledge and belief.

I (we) swear that I (we) agree to indemnify, defend, and hold harmless the City and its elected and appointed officers, officials, employees, agents, attorneys, and representatives (the "City Indemnitees") from and against any and all claims, lawsuits, actions, awards, judgments, or other liabilities that may be asserted at any time against any City Indemnitee in connection with the issuance or denial of a License or any action of any Passenger Bus taken in accordance with a License issued by the City.

(Affidavit must be signed in front of a notary public.)

Please sign below:

_____

Printed Full Name Title

_____

Applicant Signature Date

_____

Printed Full Name Title

_____

Applicant Signature Date

Subscribed and sworn to before me this

_____ day of _____, _____.

_____
Notary Public

My commission expires: _____

(SEAL)

City of Crystal Lake

DECLARATION OF STATE OF EMERGENCY
REGARDING PASSENGER BUS DROP-OFFS

I, Haig Haleblian, Mayor of the City of Crystal Lake, McHenry County, Illinois (the "***City***"), pursuant to my authority under Section 18-8 of the Crystal Lake City Code, hereby find that:

a. The influx of persons seeking asylum in, and other persons seeking to immigrate to, the United States ("***Asylum Seekers***") has resulted in the decision of the State of Texas and others to bus Asylum Seekers to the Chicago metropolitan area, including McHenry County, Illinois;

b. Because buses coming from Texas and elsewhere with Asylum Seekers have been arriving without notice and unannounced ("***No Notice Buses***"), communities in which such Asylum Seekers are driven have been unable to prepare adequately to receive and safely accommodate such Asylum Seekers;

c. The inability to prepare adequately for Asylum Seekers due to the No Notice Buses -- especially when coupled with the onset of winter in Crystal Lake -- presents a severe threat of injury or loss of life for any Asylum Seekers who may be dropped unannounced in Crystal Lake by No Notice Buses; and

d. The conditions hereinabove described constitute a "disaster" as defined in 20 ILCS 3305/4.

Accordingly, I hereby find that a disaster exists in the City, and I therefore make this Declaration of a State of Emergency under oath pursuant to my authority under 65 ILCS 5/3.1-15-20, and by affixing my signature below and by the delivery of this Declaration to the City Clerk, I hereby affirm that the matters set forth in this Declaration are true to the best of my knowledge and belief.

DATED THIS 28th DAY OF DECEMBER, 2023

Haig Haleblian
Mayor
City of Crystal Lake, Illinois

Delivered this 28th day of December, 2023.
via e-mail to:
Nick Kachiroubas, City Clerk
Members of the City Council
City Manager Eric Helm
Police Chief Black

City of Crystal Lake

EMERGENCY EXECUTIVE ORDER
REGARDING PASSENGER BUS DROP-OFFS

I, Haig Haleblian, Mayor of the City of Crystal Lake, McHenry County, Illinois (the "***City***"), pursuant to my authority under Section 18-8.A of the Crystal Lake City Code (the "***City Code***"), hereby find that, pursuant to my Declaration of a State of Emergency dated December 28, 2023, I hereby order the City staff (including Officers of the Police Department), to take all necessary and appropriate actions to implement the attached "Policy Relating to Passenger Buses" (the "***Policy***"), which by this reference is incorporated into and made a part of this Executive Order.

The provisions of the Policy shall be deemed supplemental to and part of the regulations set forth in Section 496-101.A.2 of the City Code. Each and any violation of any provision of the Policy shall be deemed a separate and distinct violation of Section 496-101.A.2 of the City Code.

In issuing this Executive Order, I intend such Executive Order, and its parts, are declared to be severable. Any sentence, section, paragraph, sub-paragraph, clause, provision, or portion of this Executive Order that may be declared unconstitutional, invalid, or unenforceable shall be excluded and deemed inoperative or unenforceable, as though not provided for herein, and shall not affect the validity or enforceability of any other part of this Executive Order, which shall remain unaffected, unimpaired, valid, and in full force and effect.

Mayor Haig Haleblian

12/28/23
Date

Policy Regulating Passenger Buses.

1. Findings and Purpose.

A. The transportation by Passenger Bus of large numbers of Passengers into Crystal Lake presents potential hazards to such Passengers and undue strain on public resources unless appropriate arrangements are made in advance by such Passenger Buses with the City.

B. In order to protect the health, safety, and welfare of Passengers and to ensure that the City has adequate resources and means to accommodate such Passengers, it is necessary and desirable to require Passenger Buses to obtain a License from the City and pay a tax to the City in advance of any stop within the City as provided in this Executive Order.

2. Definitions.

For purposes of this Executive Order, the following definitions shall apply definitions shall apply unless the context clearly indicates or requires a different meaning. The singular or plural is included in any circumstances:

A. "*Applicant*" shall mean a Driver, Owner, and any person filing a License Application with the City with respect to a Passenger Bus.

B. "*Bus*" shall have the meaning set forth in 625 ILCS 5/1-107.

C. "*Charter Bus*" shall be a bus that transports the same set of Passengers to and from the City. Charter Buses shall not include Buses that only transport Passengers to the City.

D. "*Designated Drop-Off Location*" shall be the Crystal Lake City Hall, 100 West Woodstock Street, Crystal Lake, Illinois 60014, unless an alternative location for a specified date is expressly approved as part of the License.

E. "*Driver*" shall be the individual operating a bus within Crystal Lake.

F. "*License*" shall be a license issued in writing by the City pursuant to this Executive Order for purposes of operating a Passenger Bus within Crystal Lake.

G. "*License Application*" shall be a form to be obtained from the City for seeking a City License as a Passenger Bus operating within the City, as well as all information that may be required pursuant to such form.

H. "*License Fee*" shall be the fee for receiving a License pursuant to Section 7 of this Executive Order.

I. "*Owner*" shall be any person that owns a bus or has caused such bus to travel to Crystal Lake with Passengers.

J. "*Passenger*" shall be any individual who is transported by bus and disembarks within Crystal Lake.

K. "*Passenger Bus*" shall be a bus that transports any Passenger into Crystal Lake that is not a Charter Bus, a School Bus, Shuttle Bus, or a Transit Bus.

L. "*Passenger Bus Tax*" shall be the tax imposed in accordance with Section 7 of this Executive Order on a Passenger Bus receiving a License pursuant to this Executive Order.

M. "*Passenger List*" shall be a full and complete list identifying the name, sex, and age of each Passenger to be transported on a Passenger Bus seeking a License from the City; provided, however, that any Passenger to be transported in such Passenger Bus but who will not be disembarking within the City may be so designated on the Passenger List.

N. "*School Bus*" shall be a bus that transports Passengers within Crystal Lake to or from a school where such Passengers are students at such school or are authorized participants in an event occurring at such school.

O. "*Shuttle Bus*" shall be a bus that transports Passengers to and from locations either within Crystal Lake or within five (5) miles of the corporate limits of the City.

P. "*Transit Bus*" shall be a bus operated by or for an Illinois unit of local government.

Q. "*City*" shall be the City of Crystal Lake and any of its officers, officials, employees, or duly authorized agents or contractors.

3. Charter Buses.

Any Charter Bus operating within the City must maintain a list of its Passengers that shall be available for inspection by the City upon request. The list of Passengers arriving and leaving Crystal Lake on a Charter Bus must be the same individuals; provided, however, that not more than ten percent (10%) of the Passengers arriving or departing Crystal Lake may be different individuals. The failure of a Driver of a bus claiming to be a Charter Bus to maintain the list of Passengers as herein required shall cause such Bus to be deemed a Passenger Bus and thereby be subject to all requirements applicable to a Passenger Bus under this Executive Order.

4. Licensing Procedures.

A. Any person seeking to operate a Passenger Bus within Crystal Lake shall be required to complete a License Application and submit such completed License Application to the City manager or the manager's designee. The License Application shall be accompanied by a non-refundable License Application fee in the amount of $350.00.

B. Upon delivery of a completed License Application to the City, the City shall review it for compliance with the requirements of this Executive Order. If a License Application is approved, the City shall issue the License to the Applicant upon Applicant's payment in full of the License Fee and Passenger Bus Tax as established in Section 7 of this Executive Order. If a License Application is denied, the City shall notify the Applicant in writing regarding the reason for such denial.

C. Any Applicant for a License whose License Application is denied shall be allowed to file a new License Application upon payment of an additional nonrefundable License Application fee in the amount of $350.00.

D. A License shall be valid only for a single disembarkation of Passengers and only on the date, at the time, and in the location set forth in the License. No Passenger Bus shall be permitted to disembark Passengers sooner than 15 minutes before, and no later than 30 minutes after, the approved time set forth in the License, otherwise the License shall be deemed invalid.

E. Any Passenger Bus that allows a Passenger to disembark within the City without first submitting a License Application as required by this Section shall be deemed to have violated this Section.

5. Criteria for Granting License; Insurance.

A License Application shall be reviewed for compliance with the terms and conditions of this Executive Order.

A. The Applicant shall identify the specific vehicle to be operated as a Passenger Bus, including satisfactory evidence that such Passenger Bus is properly registered and licensed by a State of the United States.

B. The Applicant shall identify the Driver and Owner of the Passenger Bus. In addition, the License Application shall include a copy of the Driver's motor vehicle operator license establishing that the Driver is properly licensed and authorized to operate the Passenger Bus in question.

C. As part of a License Application, the Applicant shall identify the proposed date and time that the Passenger Bus will be operating within Crystal Lake, as well as the proposed location at which Passengers will disembark from the Passenger Bus. The License Application must be delivered not less than seven (7) business days before the date that such Passenger Bus proposes to operate within the City.

D. Not more than one (1) License shall be issued per day for a Passenger Bus. In the event that more than one License Application has been submitted for the same date, the License Applications shall be processed on a first-come, first-served basis, and the License will be issued to the earliest filed qualifying License Application.

E. The License Application shall include a complete list of the Passengers to be transported by the Passenger Bus pursuant to a License.

F. The Applicant shall sign the License Application before a notary public or other person authorized to administer oaths and, as part of such License Application, the Applicant must agree to indemnify, defend, and hold harmless the City and its elected and appointed officers, officials, employees, agents, attorneys, and representatives (the "***City Indemnitees***") from and against any and all claims, lawsuits, actions, awards, judgments, or other liabilities that may be asserted at any time against any City Indemnitee in connection with the issuance or denial of a License or any action of any Passenger Bus taken in accordance with a License issued by the City.

G. The Applicant must reasonably demonstrate that all requirements of this Executive Order have been (or will be) satisfied.

H. The Applicant may not have any outstanding fines or penalties due to the City.

I. The Applicant shall be required to pay all Application Fees, License Fees, and taxes due under this Executive Order prior to the issuance of a License.

J. A License Application containing a false or misleading statement shall be deemed to be in violation of this Section for each such false or misleading statement.

K. Each Passenger Bus shall submit proof of current insurance for the following coverages in the following amounts and meeting the following requirements:

1. General Liability. Commercial General Liability insurance (including contractual liability arising from the Application) in the minimum amounts of: (a) Three Million Dollars ($3,000,000.00) per occurrence for bodily injury or death to each person; (b) Three Million Dollars ($3,000,000.00) per occurrence for property damage; and (c) Three Million Dollars ($3,000,000.00) per occurrence for all other types of liability. All such coverages shall also have a general aggregate of not less than $6,000,000.00.

2. Worker's Compensation. Worker's Compensation Insurance within the statutory limits and Employer's Liability Insurance with not less than One Million Dollars ($1,000,000.00) coverage.

3. Vehicle Liability. Vehicle Liability coverage in the minimum amount of $5,000,000.00 combined single limit bodily injury and property damage with a $15,000,000.00 aggregate, unless higher coverage limits are required by the State of Illinois or the State in which the Passenger Bus is registered. Coverage should include any auto, including owned, non-owned, hired or rented vehicles.

4. Form of Insurance. The coverage requirements in Sections 5.K.1 through 5.K.3 of this Executive Order may be satisfied with a combination of primary and umbrella policies, subject to the reasonable approval of the City Manager.

5. Evidence of Insurance Policies. The Applicant shall furnish proof to the City Manager that the foregoing insurance policies have been obtained, along with (i) reasonably satisfactory evidence that the required premiums have been paid, and (ii) a certificate of insurance providing that the City and all elected and appointed officers, officials, employees, agents, attorneys, and representatives of the City shall be covered by such policies on a primary and non-contributor basis evidenced by original policy endorsements CG 20 10 or CG 20 26 and CG 20 37 and CG 20 01 or their equivalent.

6. Notice to the City. Each insurance policy shall contain the following endorsement:

> "It is hereby understood and agreed that this policy may not be canceled or otherwise terminated until 30 days after receipt by the City by registered mail, of a written notice addressed to the City Manager of such intent to cancel or impending termination."

Within 30 days after receipt by the City of this notice and prior to said cancellation or termination, the Applicant shall obtain and furnish to the City replacement insurance policies in form and substance that satisfy the requirements of this Executive Order and are otherwise acceptable to the City Attorney.

6. Requirements of Operation of Passenger Bus.

A. A Passenger Bus shall not allow the disembarkation of any Passenger without a valid License issued by the City. Each Passenger that so disembarks from a Passenger Bus shall be deemed a separate violation of this provision by the Passenger Bus and its Driver.

B. A Passenger Bus with a valid License issued by the City shall not allow the disembarkation of any Passenger except during the times and in the location expressly approved in a License for such Passenger Bus. In no event may a Passenger Bus stop, park, or allow the disembarkation of any Passenger except:

   1. During the hours of 10:00 a.m. and 3:30 p.m., Monday through Friday (but excluding any designated federal, state or City legal holiday); and

   2. At the Designated Drop-Off Location.

Notwithstanding the foregoing and notwithstanding any authorization set forth in a License, a Passenger Bus shall not stop, park, or allow the disembarkation of any Passenger when: (a) the temperature in the City exceeds 90°F; (b) the temperature in the City is less than 25°F; (c) the official wind-chill effect in the City is less than 25°F; or (d) any severe weather or air quality alert applicable in the City has been issued by the National Weather Service or other authorized governmental agency. Each Passenger that disembarks from a Passenger Bus in a manner not authorized by this provision shall be deemed a separate violation of this provision by the Passenger Bus and its Driver.

C. No Passenger Bus shall transport any Passenger under 18 years of age without the express written consent of such Passenger's parent or guardian given under oath; provided, however, that a Passenger Bus may transport a Passenger under 18 years of age if such Passenger is accompanied by a parent or guardian.

D. No Passenger Bus shall transport a Passenger who is not identified on the Passenger list provided as part of the license Application, unless such Passenger shall be remaining on the Passenger Bus following its departure from Crystal Lake.

E. The Driver of a Passenger Bus shall carry a physical or electronic copy of the License issued by the City and the Passenger list while traveling in Crystal Lake and shall present them to City representatives upon request.

F. No Passenger Bus shall stop or park in the City except during the period authorized in a valid License issued by the City, or as otherwise required by law.

7. License Fee; Tax.

A. Any Applicant who qualifies for a License under this Executive Order shall be required to pay a nonrefundable License Fee in the amount of $1,000.00 prior to the issuance of a License.

B. Any Applicant who qualifies for a License under this Executive Order shall be required to pay a nonrefundable Passenger Bus Tax in the amount of $1,000.00 for each Passenger on the Passenger List prior to the issuance of a License; provided, however, that no such tax shall be imposed for any such Passengers that are identified on the Passenger List as not disembarking in Crystal Lake.

C. Notwithstanding the provisions of Section 7.B:

1. The Applicant shall pay a Passenger Bus Tax in the amount of $5,000.00 for each Passenger that disembarks in Crystal Lake but is not identified on the Passenger List.

2. The Driver and Owner shall be jointly and severally required to pay a Passenger Bus Tax in the amount of $7,500.00 for each Passenger that disembarks in Crystal Lake when such Passenger Bus has not secured a License in accordance with this Executive Order.

Any Passenger Bus Tax imposed pursuant to this Section 7.C shall be paid before the Passenger Bus departs from the Designated Drop-Off Location (or, in the event that no License had been secured, at the drop-off location). Failure to pay such tax shall be a violation of this Section.

D. The Passenger Bus Tax moneys received pursuant to Sections 7.B and 7.C of this Executive Order shall be separately accounted for in a "Passenger Support Fund," and the City shall expend moneys from such Passenger Support Fund only for the purpose of defraying costs of regulating Passenger Buses or otherwise relating to the accommodation of Passengers from Passenger Buses (including transfers to other governmental agencies or service organizations engaged in servicing the needs of Passengers from Passenger Buses).

8. Enforcement.

A. Whenever a Passenger Bus violates any provision of this Order, the Owner and Driver of the Passenger Bus shall be jointly and severally liable for any fines herein imposed.

B. For any Passenger Bus in violation of any provisions of this Executive Order, the Passenger Bus shall be required to pay all fees and taxes due pursuant to this Executive Order prior to leaving Crystal Lake; provided, however, that the Owner or Driver may post a surety bond or other good and adequate security in form and substance acceptable to the City and in the amount of such fees and taxes prior to leaving Crystal Lake.

C. Any Passenger Bus located overnight on any City street or City property shall be subject to towing and impoundment in accordance with the City Code.