



# Commercial Business Agreement

Your Primary Business(s) on the Fox Waterway:

- Dealer     Work Boats     Boat Rentals

## Business Information

Business Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Address (Line 2): \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Primary Contact: \_\_\_\_\_  
Email: \_\_\_\_\_

All commercial vessels should have the proper stickers on them. This includes motorized and non-motorized. It is unlawful for any business to provide false or fictitious information on record related to your registered vessels.

### Commercial Classification Categories:

**Work Boats** – Tow Boats, Work Boats, Tour, Fishing Guides, Barges, Transfer Boats, Food Boats, Entertainment Boats, any related amphibious equipment on the waterway.

**Rentals** – Business that rent watercraft vessels of any kind to the public. (Ex. VRBO, Air BNB, Timeshares etc.) It is unlawful for businesses to rent personal leisure FWA stickered vessels to the public.

**Dealers** – Business that take "VARIOUS CLASS" vessels temporarily for test drives for sales purposes. (Not to be used for personally owned boats.)

By signing this agreement, you understand it is your responsibility to ensure that your vessels are in compliance, meet all requirements and in good standing with Federal, State, U.S. Coast Guard and the Illinois Department of Natural Resources.

By signing this agreement, you understand that you are required to only operate under a current and valid licensed business name as required by Federal and State laws.

By signing this agreement, you understand and carry the required business / vessel insurance.

By signing this agreement, you understand that you may use a commercial boat for recreational purpose (with the exception of "DEALER" boats), but you may not use a recreational boat for commercial purposes. Doing so, will result in the loss of permits and possible fines and penalties per vessel not in compliance of all the above.

By signing this agreement, you agree to any possible future onsite audit to view and ensure all of your business vessels and waterway equipment are properly stickered.

By signing this agreement, you understand there are possible fines associated as outlined in the Master Ordinance Book of up to \$1,000 per vessel if found to be not to be in compliant with any aforementioned items required above.



**Declination Statement**

By checking the box above and signing below, I acknowledge that I am declining due to not having any Work / Rental / Dealer Commercial Class Boats. I understand that violating FWA Ordinance 4.13 will result in severe penalties and fines

## Business Signature

## FWA Signature

Business Signature: \_\_\_\_\_

Witness Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Address: \_\_\_\_\_

Address: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

# COMMERCIAL CLASS BOAT AUDIT



COMPANY NAME:  
CONTACT PERSON:  
ADDRESS:  
PHONE:  
EMAIL:

## BOAT INFORMATION

\* COMPLETE INFORMATION NEEDED FOR EACH VESSEL

*STATE ID #	*HULL ID #	*MAKE & MODEL	*LENGTH	*HORSEPOWER	NOTES
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					



## **CHAPTER 4 USER FEES**

- 4.01 User Permit Sticker Required
- 4.02 Application for User Permit Sticker
- 4.03 User Permit Sticker Fees
- 4.04 Lost User Permit Stickers
- 4.05 Duplicate Purchase of User Permit Stickers
- 4.06 User Permit Sticker Refunds
- 4.07 Boat Sales, Transfers
- 4.08 Misuse of User Permit Sticker
- 4.09 Revoked User Permit Sticker
- 4.10 Transfer Plates
- 4.11 Returned Check Policy
- 4.12 Business License
- 4.13 Commercial Boat Identification
- 4.14 Inspections
- 4.15 Penalties

### **4.01 USER PERMIT STICKER REQUIRED**

Except for watercraft owned by local, state or federal governmental agencies, it shall be unlawful for any person to use any boat on the Waterway, unless the watercraft has been issued i) a current State watercraft registration and, if the watercraft is commercial in use, a current watercraft commercial license ("Required State Licenses") and ii) a current Agency user permit sticker and, if the watercraft is commercial in use, a current Agency watercraft commercial endorsement sticker.

### **4.02 APPLICATION FOR USER PERMIT STICKER**

A. Application for a User Permit Sticker shall be made to the Agency or authorized agent of the Agency upon an Agency form, which shall set forth information as may be required by the Agency. The Agency shall have the right to request a copy of the Required State Licenses or evidence, sufficient to the Agency, that the Required State Licenses have been applied for. User Permit Stickers shall only be issued in the name/s of the person to whom the boat is registered, as evidenced by the Required State Licenses.

B. Upon payment of the user fee, the Agency shall issue a User Permit Sticker, which authorizes the use of such boat upon the Waterway for one year, beginning January 1<sup>st</sup> of the year issued.

C. Processing Fee: A \$10 processing fee shall be charged to all boaters who fail to use the renewal form provided by the Agency for the year in which the permit application is being submitted. A \$5 initial processing fee shall be assessed to all applicants registering a new boat. This processing fee is in addition to the User Permit Sticker fee found in Section 4.03 herein.

D. User Permit Sticker Placement: Two User Permit Stickers shall be issued by the Agency to each applicant. A User Permit Sticker shall be affixed to each side of the boat, midway between the bow and the stern so they are visible or on side windows. All expired permit stickers shall be removed from the vessel.

4.03 **USER PERMIT STICKER FEES**

The following schedule shall apply for annual User Permit Sticker Fees:

<b>PROCESSING FEES</b>	A \$10.00 FEE WILL BE CHARGED TO BOATERS NOT USING THEIR CURRENT RENEWAL CARD. A \$5.00 NEW APPLICATION FEE WILL BE CHARGED TO APPLICANTS FILLING OUT A NEW FORM. TEMPORARY PERMITS ARE EXEMPT PER FWA CODE 4.02(C).	<b>\$10.00</b>
<b>OUT-OF-STATE FEE</b>	A fee of \$50.00 per permit will be charged for boats registered outside the State of Illinois. Proof of State registration may be required. One-day and ten-day permits and non-motorized watercraft that don't require state registration numbers are exempt.	<b>\$50.00</b>
<b>CLASS A</b>	Motor-powered boats 15 HP or less.	<b>\$60.00</b>
<b>CLASS B</b>	Motor-powered boats, personal watercraft, & jet skis over 15 HP, NOT exceeding 25 feet in length.	<b>\$125.00</b>
<b>CLASS C</b>	Motor-powered boats over 15 HP, greater than 25 feet in length, NOT exceeding 30 feet in length.	<b>\$210.00</b>
<b>CLASS E</b>	Motor-powered boats over 15 HP & greater than 30 feet in length.	<b>\$250.00</b>
<b>CLASS X</b>	NON-Motor-powered boats (Exempt from out-of-state fee).	<b>\$20.00</b>
<b>CLASS W</b>	Any boat involved in waterfowl hunting activity, WITHOUT A CURRENT STICKER. (Available August 1 <sup>st</sup> thru December 31 <sup>st</sup> , yearly. A <u>current valid hunting license is required to purchase a sticker and any applicable out-of-state fees.</u> )	<b>\$45.00</b>
<b>TEMPORARY PERMITS</b>		
<b>CLASS J - 1-Day</b>	1-Day Temporary Permit - Any length. To be used on the day of issue. Good for 24 hours.	<b>\$25.00</b>
<b>CLASS F - 10- Day</b>	10-Day Temporary Permit - Any length. To be used for 10 consecutive days.	<b>\$75.00</b>
<b>COMMERCIAL ENDORSEMENT</b>	An additional fee will be charged for any commercial boats using the system for business purposes including but not limited to: dealer boats, towboats, work boats, barges, tours, party boats, food service, fishing guides, and rentals. <b>(Fox Waterway Agency Office purchase only.)</b>	
<b>Dealer Boats</b>	<b>Dealer Boats</b> - Various lengths.	<b>\$250.00</b>
<b>Work/Rental Boats</b>	<b>Work/Rental Boats</b> - Class B, C, E, or X; based on length.	<b>Doubled Rate</b>
<b>LOST STICKERS</b>	The holder of a user fee sticker that has been lost shall be re-issued a user fee sticker for the balance of the year upon the filing of an application and payment of a \$20.00 fee. <b><u>Proof of original purchase is required.</u></b> <b>No replacements after 90 days from the date of purchase. (Lost stickers can only be processed at the Fox Waterway</b>	<b>\$20.00</b>

	<b>Agency Office.)</b>	
<b>TRANSFER POLICY</b>	There is a <b>\$5.00</b> charge for a stocker transfer plus any charges for an upgrade in class. <b>Applies to the original owner only. Original stickers must be returned when applying for a transfer. (Fox Waterway Agency Office only.)</b>	<b>\$5.00</b>
<b>DUPLICATE</b>	Refunds requested for duplicate permit purchases for the same boat and same owner, shall be issued upon proof of duplicate purchase and return of one set of permits in reusable condition. The refund will be for the sticker fee only, less a <b>\$20.00</b> fee. <b>Requests for refunds must be made within 30 days of purchase. (Duplicate sticker refunds can only be processed at the Fox Waterway Agency Office.)</b>	<b>\$20.00</b>
<b>REFUNDS</b>	<b>NO REFUNDS</b> will be issued after <b>April 1<sup>st</sup></b> of each boating season.	
<b>RETURNED CHECK POLICY</b>	A <b>\$30.00</b> fee will be applied to all returned checks.	<b>\$30.00</b>

#### 4.04 LOST USER PERMIT STICKERS

The holder of a User-Fee Sticker that has been lost, shall be re-issued a User-Fee Sticker for the balance of the year upon the filing of an Application and payment of a \$20.00 fee. Proof of original purchase is required. **(Please Note: Lost stickers can only be processed at the Fox Waterway Agency Office)**

#### 4.05 DUPLICATE PURCHASE OF USER PERMIT STICKERS

Refunds requested for duplicate permit purchases for the same boat and same owner, shall be issued upon proof of duplicate purchase and return of one permit in reusable condition. The refund will be for the sticker fee only, less a \$20.00 fee. Requests for refunds must be made within a reasonable length of time. **(Please Note: Duplicate stickers can only be processed at the Fox Waterway Agency Office)**

#### 4.06 USER PERMIT STICKER REFUNDS

Except for duplicate purchases of User Permit Stickers, no refunds for User Permit Stickers shall be issued after April 1 of each boating season.

#### 4.07 BOAT SALES, TRANSFERS

A. Immediately upon the sale of any boat with a User Permit Sticker required by this Chapter, when such sale is made prior to the date of expiration of such User Permit Sticker, the permit holder shall remove said User Permit Sticker and retain the User Permit Sticker as proof of purchase for purposes of acquiring a new User Permit Sticker of the same classification upon payment of a \$5 fee. If the permit holder purchases a boat requiring a higher user fee, the difference between the two user fees shall be owed. If the permit holder purchases a boat requiring a lower user fee, no refund will be given.

B. It shall be the duty of the purchaser of any used boat to remove such User Permit Sticker which may be attached to such boat at the time of the purchase thereof, which the vendor of the boat may have refused, failed or omitted to detach from such boat. It shall be unlawful for any purchaser to use, sell or offer for sale such used boat without first having removed such User Permit Sticker.

#### 4.08 MISUSE OF USER PERMIT

A. Invalid Sticker Transfer: It shall be unlawful for any person to affix or cause to be affixed any User Permit Sticker to any boat other than the boat to which such User Permit Sticker was issued by the Agency.

B. Counterfeit Sticker: It shall be unlawful for any person to create, reproduce or duplicate a User Permit Sticker, whether by photocopying, computer scanning or other means, or to affix or cause such to be affixed to any watercraft.

C. It shall be unlawful to operate any watercraft in the Waterway with a counterfeit or invalidly transferred User Permit sticker.

D. No person shall alter, loan, borrow, conceal, transfer, or otherwise falsify any license or decal issued by the State of Illinois, the United States Coast Guard, or the Fox Waterway Agency.

#### 4.09 REVOKED USER PERMIT STICKER

A. It shall be unlawful to operate any boat in the Waterway with a suspended or revoked User Permit Sticker.

B. It shall be unlawful to display on any boat a user fee sticker that has been suspended or revoked by the Agency.

C. It shall be unlawful for any person or business to purchase, possess or use user permits on behalf of or in lieu of a suspended or revoked user or business.

D. Except as provided for herein, first time violations of any provisions of this Chapter may result in suspension of the right of the person or legal entity to possess any decal or license issued by the Agency under this provision of this Part for a period not to exceed one year. The Chairman of the Fox Waterway Agency or Board of Directors have the discretion and authority to suspend or revoke a User Permit or Permits.

E. Violation of subsection 4.9 C, above and repeat violations of any provisions of this Chapter within a two-year period, shall result in revocation of any decal or license issued by the Agency for a period not less than 5 years.

F. Violations of any other provisions of the Boat Registration and Safety Act [625 ILCS 45], the Fish and Aquatic Life Code [515 ILCS 5], the Wildlife Code [520 ILCS 5], The

United States Coast Guard Code of Federal Regulations [C.F.R.], or the Fox Waterway Act [615 ILCS 90] may also result in suspension or revocation of any decal or license issued by the Agency under the provisions of this Part.

G. The procedures by which suspensions and revocations are made may be determined by the Fox Waterway Agency.

H. The rights of licensees to notice and hearing shall be submitted to a violator in a manner as may be determined by the Chairman of the Fox Waterway Agency.

#### **4.10 TRANSFER PLATES**

Transfer plates are available for commercial boat dealers for the purpose of demonstrating and testing boats, and for the owners of two or more antique boats, as defined in Appendix A of this Code. Dealer and antique boat owners must provide their Illinois registration number and, if applicable, the Heritage Watercraft Identification number. Commercial boat dealers must purchase the appropriate User Permit Sticker for all other boats not requiring transfer plates.

#### **4.11 RETURNED CHECK POLICY**

A \$30.00 fee will be charged for all returned checks.

#### **4.12 BUSINESS LICENSE**

It shall be unlawful for any person or business to engage in a commercial operation, operate a boat or boats carrying passengers for hire, or offering for rent a boat or boats, without first having obtained a business license from the Agency.

A. Such license shall be renewable each year on January 1<sup>st</sup> through the remainder of the calendar year.

B. It shall be unlawful for any such person to so engage in such business without having a valid license currently in force.

#### **4.13 COMMERCIAL BOAT IDENTIFICATION**

In addition to the User Permit Sticker regulation, commercial boats operating within the Waterway must have clear identification affixed to each side of the boat, between the midpoint of the boat and the stern (rear) of the boat. Commercial boats include, but are not limited to: rental boats, boats used for construction work or towing, shuttle boats and boats included for Waterway use in short term residential rental agreements such as VRBO rentals. The identification shall include i) the name of the rental business, ii) individual vessel fleet number for each boat, beginning with #1 and increasing chronologically, and iii) the phone number of the rental business. The identification shall consist of numbers and

block letters at least three-inches high which must contrast sharply with the color of the boat. The identification shall be in the following format:

**OWNER NAME, NO. ###  
OWNER PHONE NUMBER**

#### **4.14 INSPECTIONS**

##### Business License:

A. Any business or individual granted a business license under the ordinances promulgated by this Agency shall maintain a roster of vessels used for commercial purposes under this ordinance. The format of this roster shall be in a manner specified by this Agency.

B. The Agency or its designees may, at a reasonable time, review a business or individual's roster of vessels.

C. Any changes to a business fleet of vessels shall be documented with the Fox Waterway Agency within 7 business days of the change.

##### Boats:

A. The Agency or its designees may, at a reasonable time, review a business or individual's boat licenses issued by this Agency and/or State of Illinois. The business or individual shall provide evidence of compliance upon request.

B. The business or individual shall submit their vessels used for commercial purposed under this ordinance to inspection by this Agency or its designees, at a reasonable time, to ensure they contain safety equipment required by state and local laws.

##### Penalty:

Failure to comply with the aforementioned inspections may result in a suspension of licenses and a fine as indicated in Part 4.15 per occurrence. Continued violations may result in the impoundment of vessels being used until such time as compliance is verified by the Agency or its designee.

#### **4.15 PENALTIES**

Unless another penalty is specifically provided for by this Code, any person or entity found in violation of any provision of this Code shall, upon conviction, be subject to a fine of not less than \$120 nor more than \$1,000, injunctive relief to restrain violations, and recovery of all damages caused by such violation including legal fees incurred by the Agency in the prosecution of such violation. Such violation shall empower the Agency to i) suspend or revoke the Agency issued user permit after providing the holder, with at least 3 days written



notice and an opportunity to be heard by the Agency Board and ii) remove the subject boat from the water until the violation is corrected. The remedies provided in this Code shall not be exclusive and the Agency may seek whatever other remedies are authorized by statute, at law or in equity against the alleged violator.