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AUG 29 2012

AN INTERGOVERNMENTAL AGREEMENT BETWEEN AND AMONG THE CITY OF PEORIA, THE
 COUNTY OF PEORIA AND THE COUNTY OF PEORIA BOARD OF HEALTH

STEVE SONNEMAKER
 PEORIA COUNTY CLERK

THIS AGREEMENT is entered into between the County of Peoria (hereinafter referred to as "County"), the City of Peoria (hereinafter referred to as "City") and the County of Peoria Board of Health (hereinafter referred to as "Board of Health").

WHEREAS, the City, County and Board of Health have reached an agreement pursuant to the authority granted by Article VII, Section 10 of the Illinois Constitution of 1970 and the Intergovernmental Cooperation Act, 5 ILCS 220/1 *et seq.*; and

WHEREAS, the City presently issues licenses to food service establishments within its corporate limits and imposes a restaurant tax upon food service establishments within its corporate limits; and

WHEREAS, the County and the Board of Health operate the City/County Health Department which also licenses food establishments within the corporate limits of the City; and

WHEREAS, the parties desire to cooperate to avoid duplication of efforts and assure efficient government;

NOW, THEREFORE, IT IS AGREED between and among the City, County and Board of Health as follows:

1. The County and Board of Health shall take such action as may be required to enable the Peoria City/County Health Department to provide for the non-renewal of its food service establishment licenses if a licensee is delinquent in filing City Restaurant Tax returns or is delinquent in payment of the City Restaurant Tax.

2. Upon notice from the City that a licensee is delinquent in the payment of its City Restaurant Tax (Chapter 27, Article VIII of the Code of the City of Peoria), the Health Department shall deny renewal of the required annual license until such time as the licensee becomes current on its City Restaurant Tax Obligation. The City shall provide such documentation of the delinquency as the Health Department shall reasonably require and the Health Department shall notify the City of any hearings conducted by the Health Department or other entity pertaining to a non-renewal. The City shall promptly notify the Health Department when a delinquent licensee, whose notice of delinquency has been forwarded to the Health Department, becomes current on its Restaurant Tax obligation.

3. Notices required under this Agreement shall be sent to the City and Health Department as follows:

City:
 City Comptroller
 City of Peoria
 419 Fulton Street
 Peoria, IL 61602

Health Department
Public Health Administrator
 Peoria City/County Health Dept.
 2116 N. Sheridan Road
 Peoria, IL 61604

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**R. STEVE SONNEMAKER
PEORIA COUNTY CLERK**

Copies to:

Copies to:

Corporation Counsel
City of Peoria
419 Fulton, Suite 200
Peoria, IL 61602

4. The parties recognize that the Health Department issues annual food service establishment licenses which are renewable beginning in October of each year. The County and Board of Health agree that the Health Department will not renew any licenses for food service establishments who have not satisfied their City Restaurant Tax obligations.

5. The parties agree that the City and Health Department remain free to establish whatever license fees are deemed appropriate and proper.

6. Nothing contained herein shall be deemed to limit a food service establishment's rights to contest a delinquency with the City. Nothing in this Agreement limits the Health Department's authority to establish or continue its processes pertaining to revocation, suspension and/or non-renewal of its food service establishment licenses. The City shall promptly notify the Health Department upon receiving any formal contest by a food service establishment licensee of its obligation under the City Restaurant Tax.

ENTERED into this 9th day of August, 2012.

CITY OF PEORIA, ILLINOIS

COUNTY OF PEORIA, ILLINOIS

BY: [Signature]
City Manager

BY: [Signature]
Its County Administrator

ATTEST: [Signature]

ATTEST: [Signature]

APPROVED AS TO FORM:
[Signature]
Corporation Counsel

COUNTY OF PEORIA BOARD OF HEALTH
BY: [Signature]
Its PRESIDENT

ATTEST: [Signature]