

## **PERSONAL PROPERTY WAREHOUSE LICENSE REQUIREMENTS**

**Please note: This page is only an informal summary of the licensing requirements. For precise requirements please refer to 240 ILCS PAR 10/0.01 et seq.**

**Any Entity** engaging in the business of storing personal property for compensation is required by 240 ILCS 10/0.01 et seq. (Personal Property Storage Act) to be licensed by the Illinois Department of Agriculture (Department).

- If the entity receives, holds, stores or delivers any alcoholic liquors it must hold a certificate of registration from the Department of Revenue. This certificate is in addition to the Personal Property Warehouse license.

**Recognized Fair Associations** offering storage for personal property shall be licensed under a limited special governmental fairs license. Personal property stored under this license shall be primarily boats, farm machinery and other similar tangible personal property.

- Each licensee shall have a signed contract with each depositor on forms prescribed by the Department.

### **Warehouses NOT Requiring a Personal Property Warehouse License**

- Warehouses licensed under 240 ILCS 35/1 et seq. (an Act to regulate refrigerated warehouses in the handling and storage of certain articles of food)
- Public warehouses storing grain
- Garages customarily housing automobiles for in and out storage
- Safety deposit vaults or boxes or lock boxes
- Check rooms where personal effects, parcels and the like are received for temporary custody
- Personal property being held for selling, cleaning, repair or alteration

**To apply for a new license** the following must be submitted to the Department:

**(All fees may be added together and check made payable to the "Illinois Department of Agriculture")**

- Personal Property Warehouse Application
- Major Location Fee: \$250
- Additional Locations: \$100 each
- Governmental Fairs: \$50
- A sample copy of the warehouse receipt, bill of lading or lease contract that will be used in daily business.
- The Department must complete an inspection of the warehouse described in the application before licensing
- A surety bond, legal liability insurance policy on a form prescribed by the Department, or a Certificate of Deposit
  1. Governmental Fairs are the only entity that does not have to have a bond, legal liability insurance policy or a Certificate of Deposit. If Governmental Fairs does not have a bond or legal liability policy the warehouse receipt shall have stamped across its face in bold type "Not Insured."
  2. If Governmental Fairs does have a bond or legal liability policy proof must be provided to the Department

**To apply for a renewal license** the following must be submitted to the Department:

**(All fees may be added together and check made payable to the "Illinois Department of Agriculture")**

- Personal Property Warehouse Application (license is valid for one year from the date of its issuance unless the license is suspended or revoked)
- Major Location Fee: \$150
- Additional Locations: \$100 each
- Governmental Fairs: \$50
- A surety bond, legal liability insurance policy on a form prescribed by the Department, or a Certificate of deposit
  1. Governmental Fairs are the only entity that does not have to have a bond, legal liability insurance policy or a Certificate of Deposit. If Governmental Fairs does not have a bond or legal liability policy the warehouse receipt shall have stamped across its face in bold type "Not Insured."
  2. If Governmental Fairs does have a bond or legal liability policy proof must be provided to the Department

**Entities doing business in the State of Illinois:**

- Illinois corporations must be incorporated through the Illinois Secretary of State and hold Articles of Incorporation
- Corporations of other states must obtain a Certificate of Authority to do Business in Illinois, issued by the Illinois Secretary of State.
- Out of state corporations, that do not have an Illinois address, and which do not do business in Illinois except as general partners in a limited partnership, limited liability partnership, or limited liability company must be listed on an "Application for Admission to Transact Business (foreign limited partnership)" in addition to obtaining a Certificate of Authority. The Certificate of Authority must be obtained before an Application for Admission is accepted. Both of these are filed with the Illinois Secretary of State. Corporations that file as full partners, without a limit of their liability, file in the county of business the same as any other partnership using an assumed name.
- Partnerships must have a partnership agreement
- Proof of registration of operating under a "DBA." Corporations using an assumed name must register the assumed name with the Secretary of State. Partnerships and Sole Proprietors using an assumed name must register the name with the County recorder in the counties in which a place of business will be maintained.

**To obtain forms from the Secretary of State call 217-782-6961**

**General requirements:**

- All property shall be stored on a month to month basis unless otherwise provided in the warehouse receipt
- Storage charges must be listed separately and cannot be merged into transfer or other charges on any statement or billing.
- A negotiable or non-negotiable warehouse receipt shall be issued and delivered to the depositor upon receipt of personal property for storage.
  1. Printed in a form prescribed by the Department and pre-numbered by a bonded printer
  2. Kept under lock and key at the office of the warehouse operator
  3. A register must be kept of each negotiable warehouse receipt issued.
  4. Endorsements shall be made on the negotiable warehouse receipt of any partial deliveries of goods covered by such receipt.
  5. Delivery of goods covered by a negotiable warehouse receipt without surrender of such negotiable warehouse receipt shall be prohibited.
  6. The property of each depositor shall be specifically designated under a lot, product code, batch, or other control unit agreed upon by the warehouse operator and depositor.
  7. A separate account and record shall be kept for each customer's property.

8. No operator shall issue any receipt unless it states on the face of the receipt in a conspicuous type whether or not such goods are insured for the benefit of the depositor against fire or any other casualty.
- Each warehouse licensee shall, at all times, keep a sign posted in a conspicuous place over the main entrance to each warehouse. The sign shall clearly state: the name of the licensee, the fact that the warehouse is licensed with the Illinois Department of Agriculture, and the license number. A like sign shall be displayed on all motor vans, trucks or other vehicles used by the licensee to transport personal property to and from the warehouse.
  - All licensees must keep a record showing all personal property stored, the name of the depositor, all warehouse receipts issued, or cancelled, and any other information necessary to the proper conduct of the warehouse business. All records shall be kept on file and intact for one year from the closing of any storage transaction.

**If you have any questions please call 217-782-2895**

**Completed forms and checks for fees are to be mailed to:**

**Illinois Department of Agriculture  
Bureau of Warehouses  
P O Box 19281  
Springfield IL 62794-9281**