

ORDINANCE NO. 2140-24

AN ORDINANCE AMENDING CHAPTER 22, "BUSINESSES" ENACTING ARTICLE XII, SECTIONS 600 THROUGH 622 THE "RENTAL PROPERTY LICENSING CODE", AND AMENDING CHAPTER 38, SECTION 22, BY ENACTING SECTION 38-22-600 ET SEQ. "FINES, PENALTIES AND FEES" RELATED TO THE RESIDENTIAL RENTAL DWELLING UNIT LICENSE, OF THE REVISED MUNICIPAL CODE OF THE VILLAGE OF NORRIDGE – 2002

An Ordinance Enacting the Rental Property Licensing  
Code and Enacting Associated Fees, Fines and Penalties

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An Ordinance Enacting the Rental Property Licensing Code and Enacting Associated Fees, Fines and Penalties

WHEREAS, the Village of Norridge ("Village"), as a home rule municipality in accordance with Article VII Section 6(a) of the Constitution of the State of Illinois of 1970, is enacting this Ordinance providing for the protection of the health, safety, and general welfare of the Village of Norridge; and

WHEREAS, it is declared to be the policy of the Village to provide protection for the public health and safety by licensing and inspection of all rental dwelling units within the Village; and

WHEREAS, the Village Board of Trustees ("Village Board") wishes to amend the Revised Municipal Code of the Village of Norridge - 2002 ("Village Code") by enacting the Rental Property Licensing Code establishing the licensing requirements for residential rental property of all types to protect Village residents and assure that the licensed home, apartment, or dwelling unit meets appropriate housing safety standards; and

WHEREAS, the Rental Property Licensing Code provides consistent enforcement of property maintenance and safety codes and it is intended to encourage rental property owners to maintain, repair and improve the quality of rental housing in the Village which in turn protects the character and stability of residential areas, and improves property values throughout the Village; and

WHEREAS, the Village Board also wishes to amend Village Code Chapter 38 "Fines, Penalties And Fees" by enacting Sections 38-22-600 *et seq.* relating to the Rental Property Licensing Code and the Residential Rental Dwelling Unit License; and

WHEREAS, the Village Board of Trustees has determined that it is necessary to amend and enact the regulations set forth hereinbelow and that doing so is in the best interests of the health, safety and general welfare of the Village, its residents and businesses.

NOW THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Norridge, Cook County, Illinois:

Section 1.

The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

Section 2.

That Chapter 22 of the Village Code regulating "Businesses", be and hereby is amended by enacting Chapter 22, Article XII, Sections 600 through 622 entitled the "Rental Property Licensing Code" as set forth **Exhibit A** which is attached hereto and made a part hereof.

Section 3.

Chapter 38, Section 22-600 *et seq.* of the Village Code be and hereby is amended by the enactment of the Fees, Fines And Penalties as set forth in **Exhibit B** which is attached hereto and made a part hereof.

Section 4.

If any section, paragraph, clause, or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance.

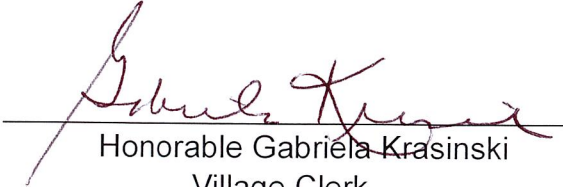
Section 5.

That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 6.

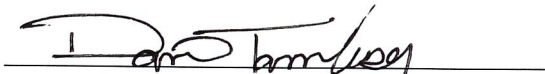
That this Ordinance shall be in full force and effect from and after its passage, approval, and publication according to law.

PASSED by the President and Board of Trustees of the Village of Norridge,  
Cook County, Illinois, this 11th day of December 2024.

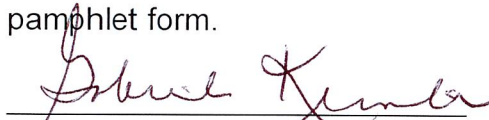
  
Honorable Gabriela Krasinski  
Village Clerk

AYES: 6  
NAYS: 0  
ABSENT: 0

APPROVED this 11th day of December 2024.

  
Honorable Daniel Tannhauser  
Village President

PUBLISHED by me this 11th  
day of December 2024 in  
pamphlet form.

  
Honorable Gabriela Krasinski  
Village Clerk

## EXHIBIT A

### CHAPTER 22, ARTICLE XII RENTAL PROPERTY LICENSING CODE

#### **Sec. 22-600. - Purpose, policy, and applicability.**

This Article is adopted to provide for the licensing and inspection of all rental dwelling units within the Village. It establishes the licensing requirements for rental residential property of all types and is adopted to protect Village residents. A rental license helps assure renters and those charged with protecting the Village that the licensed home, apartment, or dwelling unit has met appropriate minimum housing safety standards. This program provides owners with consistent enforcement of property maintenance and safety codes. It is intended to encourage owners to maintain, repair and improve the quality of rental housing in the community. The process protects the character and stability of residential areas, and improves property values throughout the Village.

#### **Sec. 22-601. - 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:

*Agent* means a person designated by the Owner in the License application form in those instances when the Owner resides outside of Cook County, Illinois, and the Owner is unable to arrive on the site of the residential dwelling unit within 24 hours of being notified to do so by the Village, who has the authority to accept service of process and notice on behalf of the Owner and who is authorized to consent to Village inspections pursuant to this Article when the Owner does not reside or is otherwise unavailable or absent from the Village. The Agent means a person who is available to respond and arrive on the site of a Residential Rental Dwelling Unit within 24 hours of being notified to do so by the Village.

*Applicant* means a person who is applying for a License under this Article.

*Board of Code Appeals* means the Village Board of Trustees.

*Building Official (Building Commissioner)* means the Building Official (Building Commissioner) and/or his or her designee.

*Dwelling unit* means a single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

*Landlord* means the Owner, lessor or sublessor of the dwelling unit or the building of which it is a part.

*Multiple Dwelling Premises* means any building containing two or more dwelling units.

*License* means a Residential Rental Dwelling Unit License which is the authority granted by the Village for a Person to engage in the business of renting or leasing a specific residential dwelling.

*Licensee* means the holder of a License under this Article.

*Local Emergency Contact* means a person designated by the Owner in the License application form who is available to arrive on the site of the Residential Rental Dwelling Unit twenty-four (24) hours a day to respond in reasonable time to an emergency situation upon being notified to do so by the Village and is authorized to consent to Village inspections pursuant to this Article when the Owner or Agent is unable to be present at the Residential Rental Dwelling Unit in the event of an emergency.

*Notice* unless otherwise stated, means all notices required in this Article, which shall be in writing and which shall be served by one party upon the other by email, registered or certified mail, return receipt required, or personally upon the Owner or Agent.

*Occupant* means any individual, over one year of age, living, sleeping, cooking or eating in or having possession of a dwelling unit.

*Owner* means the person(s) having an ownership interest alone, or jointly or severally with others in a premises that is a Residential Rental Dwelling Unit subject to this Article by being (1) the legal title holder or holders to the premises or dwelling units, with or without accompanying actual possession thereof including a mortgage holder in possession; (2) the beneficial owner(s) of an Illinois Land Trust if legal title is held by such a trust; (3) the purchaser under a real estate installment sales contract; (4) any person serving as executor, administrator, trustee, or guardian of an estate if legal title is held by the estate; or (5) any person, including the agent of the legal title holder, who is authorized or entitled to control, manage or dispose of any premises. Owner includes the terms Landlord, Lessor, Licensee and Sublessor of the residential dwelling unit or the Premises of which it is a part. In the case of a condominium or townhouse association or other type of property association the term Owner includes the association and any organization having control over the common areas of the Premises in which the Residential Rental Dwelling Unit is located. The Owner shall be available to respond and arrive on the site of a residential dwelling unit within 24 hours of being notified to do so by the Village, and if unable to do so, shall appoint an Agent as defined herein.

*Person* means an individual or a corporation, government, governmental subdivision or agency, business trust, estate, trust, partnership or association, or any other legal or commercial entity.

*Premises* means a dwelling unit and the structure of which it is a part and facilities and appurtenances therein and grounds, areas and facilities held out for the use of residents, Occupants and Tenants.

*Residential Rental Dwelling Unit* means a dwelling unit occupied or available for occupancy by one or more persons, other than the Owner, under a rental agreement, implied or written.

*Short-term Residential Rental* means a residential structure, as defined herein, including a single room or portion of a residential structure, offered for rent, by license, leasehold, or any other similar arrangement, for a period which does not exceed 30 consecutive days. The term

"short-term residential rental" shall not include hotels and motels as those terms are defined in the Village of Norridge Zoning Ordinance - 1962 as may be amended from time to time or succeeded.

*Temporary License* or *Temporary Licensee* means that a person who is the Owner of a Residential Rental Dwelling Unit has submitted a fully completed application for a License for a Residential Rental Dwelling Unit and paid the License fee as required but has not yet been granted a License for any reason including but not limited to not having had or have successfully completed the necessary inspection(s) required by this Article.

*Tenant* means a person entitled under a rental agreement, implied or written and includes the term Occupant.

*Village Code* means the Revised Municipal Code of the Village of Norridge - 2002 as may be amended from time to time.

*Zoning Ordinance* means the Village of Norridge Zoning Ordinance - 1962 as may be amended from time to time or its duly adopted successor.

#### **Sec. 22-602. - License Required - Residential Rental Property.**

It shall be unlawful to rent or lease a Residential Rental Dwelling Unit without first obtaining a Residential Rental Dwelling License issued by the Village for the specific location. Every Person or Owner, engaged in the business of leasing or renting any Residential Rental Dwelling Unit is hereby required to make application to and receive a License for such Residential Rental Dwelling Unit from the Village before engaging in such business or continuing to do so. The application shall be accompanied by the annual license fee which shall include the fee for the first inspection as set forth in the Village Code Chapter 38 Section 38-22-602. Licenses are subject to the following:

- A. No Residential Rental Dwelling Unit shall be operated as a Residential Rental Dwelling Unit unless the Owner as defined in this Article, holds a current, unrevoked License issued by the Village annually, in the Owner's name, for the specified Residential Rental Dwelling Unit.
- B. No License shall be issued or renewed unless the Owner has first made application therefore on an application form provided by the Village.
  - 1. An Owner of more than one Residential Rental Dwelling Unit within a Multiple Dwelling Premises or property that consists of Residential Dwelling Units may make a single application for all units owned by that Owner (excepting an Owner occupied unit) within that Multiple Dwelling Premises. In that event, the application shall list each unit separately in the application by address, apartment number or unit number.
  - 2. An Owner of more than one single-family rental dwelling shall make a separate application for each Residential Rental Dwelling Unit unless the single-family Residential Rental Dwelling Units are located within a single Premises or property. In that event, the Owner shall make application as set forth in Village Code, Chapter 22, Section 22-602 B-1 above.

3. An Owner of a Residential Rental Dwelling Unit that is included in a condominium or townhome association or similar form of residential property organization having control over common areas, shall include on the License application the name of the association, the contact information for the association, and identification of the property manager, if any.
- C. The Building Official (Building Commissioner) is authorized, upon application, to investigate and issue new Licenses and renewals thereof in the names of Owners of Residential Rental Dwelling Units.
1. No License shall be issued or existing License renewed until the Residential Rental Dwelling Unit for which the License is sought has been found, after inspection by the Building Official (Building Commissioner) to meet all requirements of Village Code and of applicable rules and regulations pursuant thereto.
  2. Each Applicant shall be notified by the Building Official (Building Commissioner) at least 24 hours in advance of the date of such licensing inspection unless the Village and the Applicant mutually agree otherwise. Applicant's signature on the application form shall authorize inspection of the Residential Rental Dwelling Unit.
- D. The Finance Director or designee shall examine Village records to determine if the Applicant owes any outstanding fee, fine or other amount to the Village. No License shall be issued to any Applicant who has unpaid fines, fees, or other financial obligations outstanding with the Village. Any Applicant having unpaid fines or other fees owed the Village for any purpose shall bring those accounts current prior to the issuance of a License.
- E. Short term residential rentals are prohibited in the Village and no License shall be issued therefor.

**Sec. 22-603. - License Issuance; Temporary License.**

An application for the License required by this Article shall be made in conformance with Chapter 22, Section 22-602 of Village Code. The Village shall issue said License if the following conditions are met:

- A. Code Compliance. The Applicant's Residential Rental Dwelling Unit and/or Premises is not in violation of any ordinance of the Village.
- B. Designation of Agent. If an Owner resides outside of Cook County Illinois, and is unable to arrive on the site of the residential dwelling unit within 24 hours of being notified to do so by the Village, the Owner shall designate and appoint an Agent who shall be able to arrive on site of the Residential Rental Dwelling Unit within twenty-four (24) hours of being notified to do so by the Village, and who is authorized to receive service of complaints for violations of the provisions of this Article or the Village Code and for service of process pursuant thereto in Cook County and who shall be responsible for



receiving notices or providing access to a Residential Rental Dwelling Unit as provided by Village Code, Chapter 22, Section 22-604. Such a designation shall be made in writing, and shall accompany each application form. If such Agent is required under this Article no License or Temporary License shall be issued or renewed for an Applicant unless such Applicant has first designated an Agent.

C. License Renewal. An application for renewal of a License shall be made sixty (60) days prior to the expiration of the current License.

D. Change In Ownership; Notice; Extinguishment; Inspection.

1. Notice. Every person holding a License shall give notice in writing to the Village within ten (10) days prior to selling or transferring ownership of a licensed Residential Rental Dwelling Unit of the Owner's intent to dispose of legal control of said Licensed Residential Rental Dwelling Unit. A change in ownership of the Licensed Residential Dwelling Unit shall extinguish the License therefor by operation of law.

2. Non-Transferability Upon Sale. Licenses are not transferable when a property is sold or transferred. In the event that a new or successor Owner wishes to continue a previously licensed Residential Rental Dwelling Unit as a rental unit then the new or successor Owner shall apply for a License for the unit pursuant to the requirements of this Article. A new Owner has thirty (30) days from the date of closing to apply for a new License. This section applies regardless of whether the sale or transfer of the Residential Rental Dwelling Unit occurs during a Tenant's lease term for such unit.

3. Change of Ownership. A change in Ownership of a Residential Rental Dwelling Unit may require an inspection prior to the issuance of a License to the new Owner of that unit. After inspection, no License shall be issued unless the unit is found to meet all applicable requirements of this Article and the Village Code and any applicable rules and regulations.

E. License Term. A License issued hereunder shall be effective for a twelve (12) month period of time rolling forward from the date of first License issuance.

F. Non-Transferability of License. No License or Temporary License issued pursuant to this Article shall be transferable to another person or location.

G. Temporary License. The Building Official (Building Commissioner) may issue a Temporary License to the Owner of a Residential Rental Dwelling Unit who has submitted a complete application and paid the License fee required. A Temporary License shall authorize the continued occupancy of a Residential Rental Dwelling Unit in existence on the effective date of this Article, pending issuance of a License for that residential rental dwelling. A Temporary License shall authorize the continued occupancy of dwelling units after the effective date of this Article, which shall then be inspected pursuant to Village Code, Chapter 22, Section 22- 608 of this Article. A Temporary License indicates only that the Owner has submitted a complete application

for a License and has paid the required fee, and that the License shall be issued or denied after the dwelling unit has been inspected for compliance with this Article. A Temporary License shall expire by operation of law upon the Village issuance of a License for the Residential Dwelling Unit.

**Sec. 22-604. - Designation of Agent; Local Emergency Contact.**

- A. As required by Village Code Chapter 22, Section 22-603 no License or Temporary License required by this Article shall be issued or renewed for an Applicant unless such Applicant has first designated an Agent for the receipt of service of complaints for violations of this Article and for service of process pursuant thereto when the Applicant is absent from the Village. Such a designation shall be made, in writing, and shall accompany each application form.

The information required shall include, but is not limited to:

1. Name of person so designated as the Agent and if with a firm, partnership, corporation, limited liability company, or other legal entity the identifying information regarding such entity.
  2. The physical address of the person designated as Agent.
  3. The phone number and e-mail address for the person designated as Agent.
  4. The address of all residential dwellings in the Village which the Agent is representing.
- B. Successor Agent. In the event that, for any reason, a designated Agent shall cease being the designated Agent, the Owner shall appoint a new successor Agent immediately and notify the Village of the new appointment within ten (10) days and provide the information required by Village Code, Chapter 22, Section 22-604 A to the Village in writing.
- C. 24 Hour Emergency Contact. Every Applicant shall provide the name and identifying information of a person designated by the Owner in the License application form who is available to arrive on the site of the Residential Rental Dwelling Unit 24 hours a day to respond in reasonable time to an emergency situation upon being notified to do so by the Village and is authorized to consent to Village inspections pursuant to this Article when the Owner or Agent is unable to be present at the Residential Rental Dwelling Unit in the event of an emergency. No License shall be issued or renewed for an Applicant unless such Applicant has first designated a Local Emergency Contact in accordance with this section.

**Sec. 22-605. - Owner and Agent Seminar.**

- A. The Owner and any Agent shall have successfully completed the Village Residential Rental Property Seminar (hereinafter "Village Seminar") within three (3) months from the date Licensing or Temporary Licensing.
- B. An Owner and any Agent who successfully completes the Village Seminar shall not be required to attend another Village Seminar during subsequent renewal of registration.
- C. If an Agent who completed the Village Seminar is replaced by a successor Agent, the successor Agent shall successfully complete the Village Seminar unless that successor Agent has already successfully completed the Village Seminar in conjunction with another property that is a Licensed Residential Rental Dwelling Unit in the Village.
- D. The Village may require an Owner/Agent to again attend and complete a Village Seminar if there are multiple code violations in the licensed dwelling unit within an eighteen (18) month period.

**Sec. 22-606. - Reversion to Owner Occupied Dwelling Unit - Exemption.**

In the event that an Owner occupies a Residential Rental Dwelling Unit that the Owner has previously licensed under this Article with the Owner's intent to continue to occupy that dwelling unit as an Owner occupied dwelling unit, and not rent or lease the dwelling unit to a third party tenant for, or not for compensation, the Owner shall notify the Village within ten (10) days of such occupation and surrender the Village License issued for that dwelling unit and that dwelling unit shall be exempt from the provisions of this Article. Thereafter, unless the Owner shall determine to return the dwelling unit to rental status, the Owner shall not be subject to the regulations set forth in this Article for that dwelling unit. Any License or inspection fees previously paid to the Village pursuant to this Article are not refundable and Licenses and License fees will not be prorated.

**Sec. 22-607. - No short-term residential rentals.**

The Village Code and the Zoning Ordinance prohibit short-term residential rentals within the Village.

**Sec. 22-608. - Inspections Required.**

- A. Initial or Renewal Inspections Required. At the time of the receipt of a duly completed initial application or renewal application and the required verification, and the application fee having been paid, the Building Official (Building Commissioner) and the Applicant, shall schedule an inspection of the Residential Rental Dwelling Unit. Nothing shall be construed to prevent the Building Official (Building Commissioner) from seeking an inspection of any Residential Rental Dwelling Unit where the License has expired and a renewal License has not been issued or when the Building Official (Building Commissioner) has a reasonable belief that a violation of the property maintenance code or other applicable building or zoning codes have been violated.

- B. Periodic Inspections Required. All rental property subject to this Article shall be subject to a periodic inspection by the Village as set forth herein and to the extent determined by the Building Official (Building Commissioner). The Building Official (Building Commissioner) shall make inspections to which the Licensee or Applicant shall consent, to determine the health, safety and property maintenance conditions of all Residential Rental Dwelling Units. For the purpose of making such inspections the Building Official (Building Commissioner) shall give advance notice of such inspections to the Owner and if an Agent, to both to enter, examine and inspect at a reasonable time the specified Residential Rental Dwelling Unit.
- C. Manner of Inspections. The Building Official (Building Commissioner) shall conduct inspections of Residential Rental Dwelling Units in the Village as follows:
1. At the time of first License application and as part of the renewal application process.
  2. An inspection of a Residential Rental Dwelling Unit shall be performed at least once every three (3) years provided that the number of violations found on the premises equal three (3) or less.
  3. If the number of violations found on the premises for the previous 12-month period equal four (4) or more, the premises shall be inspected within the next twelve (12) month period.
- D. Inspection of Common Areas. The Building Official (Building Commissioner) shall conduct inspections of common areas of Multiple Dwelling Premises that are other than single family dwellings in conjunction with the inspection of a Residential Rental Dwelling Unit that is part of a larger Multiple Dwelling Premises, for instance, a multiunit rental apartment building, condominium or townhouse association. The inspection of the common areas shall include, but is not limited to, all hallways, stairways, lobbies, utility rooms, laundry rooms, storage rooms, recreation rooms, grounds, refuse areas, parking areas, building extensions, signs and other areas designed for common use by dwelling unit occupants. Such inspections are for the purpose of enforcing this Article and any other sections of the Village Code applicable or pertaining thereto.
- E. Accompanied by Owner or Agent. The Building Official (Building Commissioner) shall conduct inspections of Residential Rental Dwelling Units in the company of the Owner, or Agent. Notice of the time and date of impending inspections shall be given to the tenant(s) by the Owner or the Agent.
- F. Additional Authorization. The Building Official (Building Commissioner) shall be authorized to inspect any rented or unrented Residential Rental Dwelling Unit for the purpose of enforcing this Article, notwithstanding subsection C of this section, under the following circumstances:
1. In an emergency which represents an immediate threat to persons or property.

2. Pursuant to a search warrant issued by a court.
- G. Inspection Not a Guarantee. A Village safety inspection does not represent, ensure, warrant, or guarantee to any Owner, purchaser, lessor, agent, attorney, lender, title, or property insurer or to any of their respective heirs, successors, or assigns, the condition of all of the code violations existing at the property at the time of the safety inspection.
- H. No Effect From Failure to List. The Village's failure to list a code violation on an inspection report is not a warranty or guarantee that the violation does not or did not exist on the property.
- I. Rule Making Authority. The Building Official (Building Commissioner) shall have power as reasonably necessary in the interest of public health, safety and general welfare to adopt and promulgate rules and regulations interpreting and implementing the provisions of this Article and to achieve the intent thereof. Such rules shall be consistent with the standards, procedures, and requirements established by Village Codes including but not limited to the Property Maintenance Code, and shall not have the effect of waiving structural or fire performance requirements or violating accepted engineering practice involving public safety.

**Sec. 22-609.- Scheduling Inspections.**

- A. Scheduling. The Building Official (Building Commissioner) shall request permission from the Applicant or Licensee to conduct inspections during normal business hours. The Village shall give Notice of the time and date of impending inspections shall to the Owner and Agent no less than 24 hours in advance of the date and time for the scheduled inspection unless another time is mutually agreed to by the Village and the Owner/Agent.
- B. Notice to Tenants/Occupants. Notice of the time and date of impending inspections shall be given to the Tenant(s)/Occupants by the Owner/ Agent.
- C. Lack of Tenant or Occupant Consent. Owners/Agents shall contact the Village prior to the scheduled inspection if they are unable to obtain their tenants' consent to the inspection if a planned inspection includes the interior space under that tenant's exclusive possession. Failure to do so will be considered a missed inspection and subject to penalties as prescribed under Village Code, Chapter 38, Section 38-22-610.

**Sec. 22-610. - Inspection Fees.**

After the initial inspection has been completed, the Owner will be notified of any code violations. If a compliance inspection is not needed the Owner will be so notified. . If a follow-up compliance inspection is needed, the follow-up compliance inspection shall be scheduled.

- A. There is no additional fee for the first inspection and one follow-up inspection if needed, upon the initial License application set forth in Village Code, Chapter 38, Section 38-22-602.

- B. After the initial licensing fee has been paid as set forth in Chapter 38, Section 22-602 additional follow-up compliance inspection fees shall be assessed as set forth in Village Code, Chapter 38, Section 22-610.
- C. A missed inspection fee will be as assessed in Village Code Chapter 38, Section 38-22-610.
- D. No cancellation fee shall be assessed if the Applicant or Licensee shall cancel at least 24 hours prior to the previously scheduled inspection. Cancellation fees for inspections canceled within 24 hours of the time for a previously scheduled inspection shall be as set forth in Village Code, Chapter 38, Section 38-22-610.
- E. Failure to register or apply for a license will be as assessed in Village Code, Chapter 38, Section 38-22-610.

Fees for such inspections or reinspections shall be paid by the Owner prior to the performance of said inspection or reinspection and shall be as set forth in Village Code, Chapter 38, Section 22-600 *et seq.*

**Sec. 22-611. - Owner or Agent to provide access.**

- A. The Owner/Agent shall, provide the Village with access to inspection areas and may be present during any such safety inspection.
- B. If the Owner/Agent fails to provide access to all areas subject to inspection herein on a date and time agreed to between the Village and Owner or Agent, the Village may impose an additional fee as prescribed under Village Code, Chapter 38, Section 38-22-610.
- C. If the Owner/Agent refuses access to conduct a safety inspection, the Village may apply to a court of competent jurisdiction for an administrative search warrant to search the premises as provided by this Village Code and the laws of the State of Illinois.

**Sec. 22-612. - Search Warrant.**

If no consent either by Owner, Agent, Tenant or Occupant has been given to enter or inspect the Residential Rental Dwelling Unit, no entry or inspection shall be made without the procurement of a warrant form from the Circuit Court of Cook County. The court may consider any of the following factors along with such other matters as it deems pertinent in its discretion as to whether a warrant shall issue:

1. Eyewitness account of a violation;
2. Citizen complaints;
3. Tenant complaints;
4. Plain view violations;
5. Violations apparent from Village records;
6. Property deterioration;

7. Age of the property;
8. Nature of the alleged violation;
9. Similar properties in the area;
10. Documented violations of similar properties in the area;
11. Passage of time since last inspection;
12. Previous violations on the property.

Cause for issuance of a warrant shall be deemed to exist in light of reasonable legislation and administrative standards which show that there is probable cause to believe that a condition of nonconformity exists with respect to a particular property in violation of a Village ordinance.

**Sec. 22-613. - Post- Inspection Classification. [Reserved.]**

**Sec. 22-614. - Property failing a safety inspection; Appeals.**

Any and all code violations identified during a Village safety inspection will be brought to the Owner's attention by means of serving a copy of a safety inspection checklist to the Owner or the Agent, and the Owner will be given a reasonable time to correct such code violations. If the property fails to pass re-inspection, and more than one (1) re-inspection is required, the Owner shall be subject to fees and penalties as prescribed under Village Code, Chapter 38, Section 38-22-600 *et seq.* If the code violations remain uncorrected, the Village will pursue compliance with applicable code provisions. Upon receipt of a notice and order to correct any and all code violations, the Owner may appeal the Notice to Correct to the Board of Code Appeals. Any person having record title or legal interest in the building may appeal from the notice and order or any action of the Building Official (Building Commissioner), provided the appeal is made in writing as provided in Village Code, Chapter 18, Article III, Section 78 International Property Maintenance Code ("IPMC") Section [A] 111.1 and Sections [A] 111.3 through [A] 111.7 of the IPMC (as may be amended from time to time) and filed with the Building Official (Building Commissioner) within twenty (20) days from the date of service of such notice and order. IPMC Section [A] 111.8 "Stays of Enforcement" is modified so the clause (other than "Imminent Danger") also includes the term "Life Safety Violations" and that there shall be no stay of enforcement for a notice and order of enforcement for Life Safety Violations or any situation involving Imminent Danger. Life Safety Violations are defined as set forth in the following technical codes adopted by the Village, to wit:

- a. International Building Code ("IBC") Village Code Chapter 18 Article III, Section 18-61 - *Adoption - The International Building Code, 2018 Edition*, as may be amended from time to time.
- b. International Fire Code ("IFC") Village Code, Chapter 18, Article III, Section 18-82 - *Adoption of International Fire Code, 2018 Edition*, as may be amended from time to time.
- c. International Property Maintenance Code ("IPMC") Village Code Chapter 18, Article III, Section 18-78 - *Adoption - International Property Maintenance Code, 2018 Edition*, as may be amended from time to time.

- d. International Residential Code (“IRC”): Village Code, Chapter 18, Article III, Section 18-64. - *Adoption - The International Residential Code, 2018 Edition*, as may be amended from time to time.

**Sec. 22-615. - Suspension or revocation authorized.**

A License or Temporary License issued by the Village may be summarily suspended upon the issuance of a written order, for a period not to exceed 30 days by the Building Official when the Licensee fails to cooperate with the Village in an inspection of the Licensed Premises and/or the Owner’s compliance with the laws, rules and regulations applicable to the Licensing provisions set forth in this Article. Any License or Temporary License issued by the Village may be suspended or revoked by the President and Board of Trustees upon the violation, by the Licensee or his agents or employees, of any provision of this Village Code or of the state law applicable to the business covered by such License or Temporary License.

At the end of the time period allowed for correction of any violation cited, the Building Official shall reinspect the Residential Rental Dwelling Unit, and if the Building Official (Building Commissioner) determines that such conditions have not been corrected, the Building Official (Building Commissioner) may issue an order suspending the License or Temporary License to take effect five (5) days following service of the Notice of suspension upon the Owner unless, in the interim, the Owner requests, in writing, a hearing.

During this period the Licensee shall have an opportunity to be heard unless the Building Official has reason to believe that any continued operation of a particular licensed premises will immediately threaten the welfare of the Occupants or the health safety and welfare of the Village.

**Sec. 22-616. - Appeal; hearing on revocation or suspension.**

- A. Upon suspension or revocation of a License or a Temporary License, the Licensee may appeal to the Village President and Board of Trustees, and shall be entitled to a hearing thereon.
- B. The President and Board of Trustees shall conduct such hearing within 30 days after such appeal shall have been filed with the Village; and the Village shall give notice to the such Licensee and interested officers and employees of the Village no less than ten (10) days prior to the date of such hearing.
- C. If upon such hearing the President and Board of Trustees is of the opinion that such License or Temporary License should be reinstated, they shall do so.
- D. If the President and Board of Trustees find that such suspension or revocation was justified, they shall so rule.



**Sec. 22-617. - Vacation of affected dwelling units.**

When an application for License has been denied, or a rental certificate or Temporary License has been revoked, suspended, or not renewed, or when the Owner has not obtained a current License or Temporary License upon proper application as required by this Article, the Building Official may order the dwelling or the affected dwelling units therein vacated, giving Occupants a reasonable time to arrange new housing and to move their possessions.

**Sec. 22-618. - Civil action to enforce compliance.**

Whenever the Building Official (Building Commissioner) has reasonable cause to believe that any Owner / Agent is engaged in a pattern or practice of violating this Article or the License has been suspended, the Village, in addition to all other remedies provided in this Article, may bring a civil action by filing a complaint, setting forth the facts pertaining to each cause, and shall have a right to one or more of the following: A permanent or temporary injunction, a restraining order, the appointment of a receiver, damages or fine in an amount set forth in Chapter 38, Section 22-618 of the Village Code. Each day a violation exists or continues shall be a separate and distinct offense. Such relief may be obtained against the Owner responsible and shall be as is necessary to ensure compliance with this Article and the full enjoyment of the rights established in this Article. Before filing a complaint in court with respect to a violation of this Article, the Building Official (Building Commissioner) shall notify the offending Owner or other party designated to receive notices and services of process on behalf of such Owner requesting compliance.

**Sec. 22-619. - Operation of rental dwelling without license - violation.**

A person who allows to be occupied, lets or offers to let to another, any dwelling unit, without having the License or Temporary License required by this Article, is in violation of this Article, punishable as provided in Chapter 38, Section 22-619 of the Village Code. The practice of pre-leasing new rental construction shall be exempt from the provisions of this section.

**Sec. 22-620. - Unauthorized removal of notices - violation.**

Any person who removes, defaces, tampers or in any way interferes with any notice posted pursuant to this division, is guilty of a violation, punishable as provided in Chapter 38, Section 22-620 of the Village Code.

**Sec. 22-621. - Remedies not exclusive.**

- A. The remedies provided in this Article are not exclusive. They are in addition to, and do not supersede or preempt, other remedies such as condemnation, written violation orders and warnings, criminal charges for violation of substantive provisions of any Village or state code relating to property maintenance, fire safety, building codes, zoning, health, and the like. Further, the remedies provided herein do not supersede or affect the legal rights and remedies of Tenants provided under state law or Village Code.
- B. In addition to fines provided in this Article, the Village may seek any other lawful and appropriate remedy to enforce compliance with the provisions of this Article, including, but not limited to, an action in a court of competent jurisdiction for mandatory injunction,

injunction, temporary restraining order, preliminary injunction, equitable relief, demolition or other lawful relief including, but not limited to, fines and costs of enforcement. The remedies available to the Village shall be cumulative and not exclusive of another.

**Sec. 22-621. - Enforcement; Penalty.**

- A. Violation notices for violations of this Article shall be issued, served, and resolved in accordance with the Village Administrative Hearing System or, if brought before a court of competent jurisdiction, pursuant to the Illinois Code of Civil Procedure, Illinois Supreme Court Rules, and such other rules that may apply to such court.
- B. Any person violating any provision of this Article shall be fined not less in an amount set forth in Chapter 1, Section 1.8 of the Village Code unless a greater fine for a specific violation shall be set forth in this Article or elsewhere in Village Code. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

**Sec. 22-622. - Effective Date.**

This Article shall be in full force and effect from and after December 11, 2024 with an effective implementation and enforcement date of May 1, 2025, after its passage, approval, and publication in pamphlet form as provided by law.

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## EXHIBIT B

### Chapter 38

#### FINES, PENALTIES AND FEES

##### CHAPTER 38-22- 600 *et seq.*

Sec. 38-22-600 *et seq.* Residential Rental Dwelling Unit License

Code Section	Residential Rental Dwelling Unit License	Penalty, Fee, Fine
38-22-602	Annual License Fee; Renewal License Fee – one Owner of 3 or fewer units in a single Premises.	\$350 per unit
38-22-602	Annual License Fee; Renewal License Fee – one Owner of 4 or more units in a single Premises.	\$250 per unit
38-22-610	Third Reinspection Fee during the annual licensing period.	\$100 per unit
38-22-610	Fourth Reinspection Fee during the annual licensing period.	\$150 per unit
38-22-610	Fifth and Succeeding Reinspection Fees during the annual licensing period.	\$200 per unit After the Fifth reinspection it is an additional \$50 per unit on top of the base fee for the previous reinspection.
38-22-610	Missed Scheduled Inspection.	\$100 per unit
38-22-610	Canceled Inspection.	No fee if canceled more than 24 hours prior to the scheduled inspection time. If canceled within 24 hours of the scheduled time the fee is \$100 per unit.
38-22-610	Failure to register, renew, or apply for a license.	Double the Annual License Fee per unit.
38-22-619	Penalty - Operation of rental dwelling without rental license - violation.	\$100 minimum - \$750 maximum. Each day that a violation occurs is a separate offense.

38-22 620	Unauthorized removal of notices - violation.	\$50.00 for each unauthorized removal. . Each removal is a separate offense.
38-22-614	Penalty - violation of Village Codes	Not less than \$40 and no more than \$750. Each day that a violation occurs is a separate offense.
38-22-618	Civil action to enforce compliance	A permanent or temporary injunction, a restraining order, the appointment of a receiver, damages or fine in a minimum amount of \$1,000.00.

Any fees previously paid to the Village pursuant to this Article are not refundable and will not be prorated.

A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

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