

**PUBLICATION OF:**

**ORDINANCE NO. 14-113**

**ORDINANCE REGARDING THE LICENSING AND OPERATION OF RESIDENTIAL  
UNITS AND CRIME FREE MULTI-HOUSING PROGRAM**

**ADOPTED: OCTOBER 14, 2014**

**PUBLISHED IN PAMPHLET FORM PURSUANT TO AUTHORIZATION AND  
DIRECTION OF THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE  
OF SCHAUMBURG ON OCTOBER 15, 2014**

## **ORDINANCE NO. 14-113**

### **ORDINANCE REGARDING THE LICENSING AND OPERATION OF RESIDENTIAL UNITS AND CRIME FREE MULTI-HOUSING PROGRAM**

**WHEREAS**, since 2003 the Village had implemented a Crime Free Multi-Housing Program which has been a model for other communities and the state of Illinois; and

**WHEREAS**, changes have been recommended to the Crime Free Program; and

**WHEREAS**, the Public Safety Committee has reviewed the changes and recommended passage of the ordinance revising the Crime Free Program

**NOW THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF SCHAUMBURG:**

**SECTION ONE:** Any owner of property, or his agent who may not be a tenant of the owner, which property is being rented out for residential purposes shall attend and complete a Village of Schaumburg Crime Free Multi-Housing Program Seminar. The person may also provide proof of attendance of another governmental agency seminar that is substantially similar to Schaumburg's seminar and had received the written approval of the Chief of Police or his designee. The person shall attend the Seminar prior to obtaining or being issued a Village of Schaumburg residential rental license.

**SECTION TWO:** In the event a Village of Schaumburg Crime Free Multi-Housing Program Seminar is not available prior to obtaining the residential rental license, a conditional license may be issued subject to the person attending the Village of Schaumburg Crime Free Multi-Housing Program Seminar within three months of issuance of the license. In the event that seminar is not attended within three months, the license shall be void without any need of further action. After the seminar is attended, an unconditional license shall be issued for the balance of the year.

**SECTION THREE:** A property manager shall be considered an agent of the owner. If a new manager is hired, reassigned or promoted into the position, the new manager shall have three months after initial appointment to the new position to attend the Village of Schaumburg Crime Free Multi-Housing Program Seminar.

**SECTION FOUR:** Exemption: Any condo or homeowners' association which renting out premises for a period of less than 1 year and such rental is as a result of a foreclosure pursuant to Illinois law, shall not be required to attend the Crime Free Multi-Housing Program Seminar if it has as counsel an attorney that has provided training through the Crime Free Multi-Housing Program or has background or expertise in Crime Free Addendums as approved by the Village Attorney.

**SECTION FIVE:** The Chief of Police or his designee, shall provide the Finance Director with a list of owners, agents and/or designees who have attended the Village of Schaumburg Crime Free Multi-Housing Program Seminar or other duly approved seminar, with the date of attendance and verification that the owner, agent or designee has complied with this ordinance and is eligible to obtain, maintain or renew the rental license.



## **ORDINANCE REGARDING THE LICENSING AND OPERATION OF RESIDENTIAL UNITS AND CRIME FREE MULTI-HOUSING PROGRAM**

**SECTION SIX:** Any residential rental license holder is required to utilize a crime free lease addendum approved by the Chief of Police or designee, with every lease or renewal of lease. The Village shall provide at no cost samples of the crime free lease addendum. The landlord shall have authority under that clause to initiate an eviction proceeding as specified in the Illinois Compiled Statutes Forcible Entry and Detainer statutes. Proof of criminal violation shall be by a preponderance of the evidence.

**SECTION SEVEN:** A homeowners or condo association as defined pursuant to State law shall have the authority to set standards for signing of leases to be the same as standards for eviction.

**SECTION SEVEN:** The Village Manager may suspend, fine, assess costs or require additional training and/or recommend revocation of any license issued hereunder if it appears to his satisfaction from the report of any Village officer or Village employee making an inspection, or any other available information, that the licensee is violating any law or ordinance, or is in violation of the nuisance section or his operating in a manner not conducive to the public health, morals or safety. Any suspension of a license may be appealed directly to the President and Board of Trustees within 15 days of rendering his decision by the Village Manager. In the event the Village Manager determines that revocation of the license is appropriate, he shall so forward his recommendation to the Village President and Board of Trustees for their review and determination.

**SECTION EIGHT:** It is hereby declared a nuisance and to be declared against the health, peace and comfort of the Village for any property owner, agent, or manager to allow or permit the following: a) rental of a residential unit, or residential building within an apartment community or governed by a homeowner's association to a tenant who allows any of the following offenses to occur relating to the tenant, member of the tenants household, guest or other party under control of the tenant to occur: murder, kidnapping, aggravated kidnapping, prostitution, solicitation of prostitution, pandering, obscenity, child pornography, harmful materials, sale of obscene publication, criminal housing management, possession of explosives, unlawful use of weapons, sale of firearms, gambling, keeping a gambling place, concealing a fugitive, violation of the Illinois Controlled substances Act, violation of the Cannabis Control Act or commission of any two or more of any other crimes under the State of Illinois or under the Federal Government not specifically listed above b) rental of a residential unit, or residential building within an apartment community or governed by a homeowner's association to a tenant who allows any of the following offenses to occur relating to the tenant, member of the tenant's household, guest or other party under control of the tenant to occur: commission of 4 or more Village ordinance violations in a six month period or an unreasonably high number of calls for police service including, but not limited to, calls that may fall within the descriptions listed above that when compared to other properties in the Village of Schaumburg of similar type, reasonably indicate that the activity at this property is out of character for the area and is impacting the quality of life of those in the area.

**ORDINANCE REGARDING THE LICENSING AND OPERATION OF RESIDENTIAL UNITS  
AND CRIME FREE MULTI-HOUSING PROGRAM**

**SECTION NINE:** That Title 9, Section 90.55 be repealed.

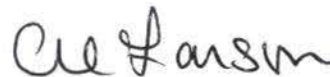
**SECTION TEN:** That this Ordinance shall be in full force and effect, after passage, approval and publication as required by law.

**AYES:** (6) Trustee: Dailly, Madej, Dunham, Sullivan, Connelly, Kozak

**NAYS:** (0) None

**ABSENT:** (0) None

**APOPTED** this 14<sup>th</sup> day of October, 2014



Village President

**ATTEST:**



Deputy Village Clerk

**APPROVED:**



Assistant Village Attorney