

CITY OF CARLYLE

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ORDINANCE NO. 1758

AN ORDINANCE TO AMEND CHAPTER 7 OF THE REVISED CODE  
OF THE CITY OF CARLYLE, CLINTON COUNTY, ILLINOIS

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ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARLYLE

THIS 9<sup>th</sup> DAY OF October, 2023

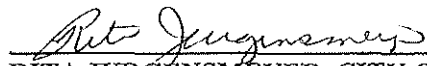
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PUBLISHED IN PAMPHLET FORM BY AUTHORITY OF THE CITY COUNCIL  
OF THE CITY OF CARLYLE, CLINTON COUNTY, ILLINOIS, THIS 9<sup>th</sup>  
DAY OF October, 2023

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CERTIFICATE OF PUBLICATION

I, Rita Jurgensmeyer, the duly qualified and acting City Clerk of the City of Carlyle, Illinois, and the official custodian of the records of said City, do hereby certify that this Ordinance was published in pamphlet form by authority of the City Council on the 9<sup>th</sup> day of October, 2023.

  
\_\_\_\_\_  
RITA JURGENSMeyer, CITY CLERK  
CITY OF CARLYLE

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE TO AMEND CHAPTER 7 OF THE CODE OF THE  
CITY OF CARLYLE, CLINTON COUNTY, ILLINOIS**

WHEREAS, the City of Carlyle ("City"), Clinton County, Illinois is a duly created, organized and validly existing municipality of the State of Illinois under the 1970 Illinois Constitution and the laws of the State of Illinois, including particularly the Illinois Municipal Code, and all laws amendatory

Whereas, the City Council of the City of Carlyle, Clinton County, Illinois believes that it is in the best interest of the residents of the City to amend Chapter 7 of the City of Carlyle Code of Ordinances;

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL  
OF THE CITY OF CARLYLE, CLINTON COUNTY, ILLINOIS,

CHAPTER 7 IS AMENDED TO INCLUDE THE ADDITION OF THE  
FOLLOWING:

**"7-8-2 Health and safety inspection for public place sleeping  
accommodations.**

**Definition:** In this article, "hotel", "motel", "inn", "Bed and Breakfast" (b&b), etc., means any structure, building or any part thereof used or offered to the public as a place where sleeping accommodations are furnished or maintained for one or more persons for a period of one day or more.

- (A) Every hotel, motel, inn, bed and breakfast, etc., operated or maintained in the City shall be subject to bi-annual inspections by the Occupancy Inspector. Inspections shall be initiated and scheduled by the Occupancy Inspector, or their designee, bi-annually.**
- (B) Every hotel, motel, inn, or bed and breakfast, etc., may be inspected at reasonable hours by the City Occupancy Inspector. Such inspection shall cover all matters pertaining**

to the sanitary condition of the rooms, beds and bedding, ventilation of all rooms or occupied space and the rooms or space occupied by servants or other employees, to ascertain the condition of such rooms with respect to light, heat, ventilation and the general sanitation. Such investigations shall be sufficiently accurate and complete to convince said official, or their duly authorized representatives, that the premises comply in all respects with applicable health, ventilation and sanitary provisions of the Code and with the requirements of the most current edition of the International Property Maintenance Code, and the laws of the state.

Commencing on January 1, 2024, the fee for the bi-annual health/safety occupancy inspection on any particular property address shall be Three Hundred Dollars (\$300.00), and shall be paid by the property owner. Said fee shall be paid at Carlyle City Hall, on or before January 31, 2024, and on or before January 31 of any year thereafter. In the event a re-inspection is required due to the rental property's failure to comply with the provisions of the City Code or the current International Property Maintenance Code, a fee of One Hundred Dollars (\$100.00) shall be assessed for the re-inspection and shall be paid by the property owner at Carlyle City Hall within 15 days after completion of the inspection. In the event additional re-inspections are required due to the rental property's failure to comply with the provisions of the City Code or the current International Property Maintenance Code, a fee of One Hundred Fifty Dollars (\$150.00) shall be assessed for each additional re-inspection and shall be paid by the property owner at Carlyle City Hall within 15 days after completion of the inspection.

The Inspector will wait no longer than fifteen (15) minutes to begin a scheduled inspection. If the property owner does not appear at any scheduled inspection, said inspection shall be rendered a failure. Initial inspections shall be scheduled and initiated by the Occupancy Inspector. Re-inspections will be scheduled within thirty (30) days of the prior inspection.

If, after the initial inspection and two re-inspections the rental property fails to comply with the provisions set out in this paragraph (B), the property may not be offered to the public as a place of sleeping accommodations. An inspection by the Occupancy Inspector must determine the property is in compliance with the City Code or the current International Property Maintenance Code before the property may be offered to the public as a place of sleeping accommodations.

- (C) In the event the property owner fails to pay the bi-annual health and safety inspection fee on or before January 31, 2024 or on January 31 of any year thereafter, the owner shall be guilty of violating this Section. Additionally, in the event the property has failed three (3) consecutive inspections and the Occupancy Inspector has determined the property may not be offered to the public as a place of sleeping accommodations, should an occupant be permitted by the owner to occupy the Property, the owner shall be guilty of violating this Section. The penalty for violation of this Section is a fine of not less than Seventy-five Dollars (\$75.00) and not more than Seven Hundred Fifty Dollars (\$750.00). Each day of unlawful occupancy shall be considered a new violation subject to the preceding fine limits.
- (D) Any property owner shall have the right to appeal to the Carlyle City Council, any Occupancy Inspector's inspection determination in connection with the enforcement of this Code. Any such appeal shall be based solely upon and shall state a claim that: (i) the true intent of the code or the rules or regulations adopted pursuant thereto have been incorrectly interpreted, (ii) the provisions of the code do not apply, or (iii) an equivalent form of construction can be used. Any appeal under this section shall be in writing, shall contain a written statement of the grounds or the appeal and must be received by the office of the City Administrator within thirty (30) days after the rendering of the Occupancy Inspector's inspection decision. Appeals will be heard by the city Council no less than five (5) days, nor greater than thirty-five (35) days, following receipt of the appeal by the city Administrator's office."

STATE OF ILLINOIS           )  
  )  
COUNTY OF CLINTON        )

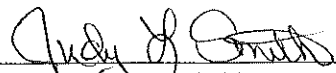
MEMORANDUM OF ENACTMENT OF ORDINANCE

The foregoing Ordinance No. \_\_\_\_\_ was passed this \_\_\_\_\_ day of \_\_\_\_\_, 2023 by the Mayor and City Council of the City of Carlyle, Clinton County, Illinois. The City Council voted as follows:

NAME	AYE	NAY	ABSTAIN	ABSENT	CONFLICT
Scott Diekemper				X	
Michael Jansen	X				
Jim McClaren	X				
Tammy Peters	X				
Jeremy Weh	X				
John Hodapp	X				
Jeff Taylor	X				
Bruce Hilmes	X				

The Mayor declared the Ordinance adopted and ordered it recorded and published as provided by law.

Dated this 9<sup>th</sup> day of October, 2023.

  
\_\_\_\_\_  
JUDY SMITH, MAYOR  
CARLYLE, ILLINOIS

Attest:

  
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RITA JURGENSMEYER  
CITY CLERK