

ORDINANCE NO. O-18-22

**ORDINANCE AMENDING CHAPTER 82 OF THE MUNICIPAL CODE REGARDING THE
LICENSING AND OPERATION OF MULTIPLE FAMILY DWELLING UNITS, ROOMING
HOUSES AND ANY SINGLE-FAMILY RENTAL
RESIDENTIAL UNITS BY ADDING AN INITIAL REINSPECTION FEE FOR SINGLE-
UNIT DWELLINGS, INCREASING THE RESCHEDULING FEE FOR NO-SHOWS AND
INCREASING THE MAXIMUM PENALTY**

WHEREAS, the Village of Hanover (“Village”) requires persons who rent a residential dwelling unit within the Village to secure a license from the Village of Hanover Park; and

WHEREAS, the fees and fines have not been modified for a number of years and are in need of modification; and

WHEREAS, the Village of Hanover Park is a home rule unit by virtue of the provisions of the 1970 Constitution of the State of Illinois and may exercise and perform any function pertaining to its government and affairs including adoption of this Ordinance; now, therefore,

BE IT ORDAINED by the President and Board of Trustees of the Village of Hanover Park, Cook and DuPage Counties, Illinois, as follows:

SECTION 1: That the Municipal Code of Hanover Park, as amended, be and is hereby amended by modifying paragraphs (b) and (c) of Section 82-10 of Chapter 82, to read as follows:

* * * * *

- (b) *Inspection fees.* No inspection fee other than the license fee provided in subsection (a) of this section shall be charged for the first inspection made upon application for issuance or renewal of a license or one re-inspection, except a fee shall be charged for a second inspection for a single-unit dwelling to determine if violations cited in the first inspection have been corrected. If any rental residential dwelling unit fails at the second inspection, then a re-inspection fee shall be charged for multiple-unit buildings and a further re-inspection fee shall be charged for a single-unit dwelling. Every failed second inspection and every third or subsequent inspection required thereafter to determine if a violation has been corrected, a re-inspection fee shall be charged of \$75.00 per rental residential dwelling unit or for the common exterior area. If any second inspection fee is not paid within 30 days of the inspection or third or subsequent inspection fee not paid prior to the inspection, then the inspection fee, a \$25.00 administrative fee, and interest at six percent shall become a lien upon the property after notice as provided in subsection (c) of this section and shall be cause for revocation or suspension of the rental residential license.
- (c) *Inspection cancellation fees.* An owner shall be permitted to reschedule one appointment per building per license year if notice is given to the village code official scheduled to conduct the inspection at least 24 hours before that inspection. If the owner fails to attend a scheduled inspection or cancels a scheduled inspection with

less than 24 hours' notice, a \$100.00 rescheduling fee shall be paid prior to the issuance of the license.

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SECTION 2: That Sections 82-13 of Chapter 82 of the Municipal Code of Hanover Park, as amended, be and is hereby amended by adding thereto a new (4) so that Section 82-13, as modified, shall read as follows:

Sec. 82-13. - Owner violations.

The following shall constitute violations of this chapter:

- (1) Failure of the owner of a rental residential building to license such building with the code official.
- (2) Failure of the owner of a rental residential building to vacate all tenants from said building within 45 days after the license has been revoked.
- (3) Failure of the owner of the rental property to maintain the structure and premises in compliance with applicable building, property maintenance and zoning ordinances in this Code.
- (4) Failure of the owner of the rental property to pay any adjudicated fine or penalty owed by said owner to the Village, whether related to the property or not, no later than 35 days following the later of: (i) the date the judgment against the owner becomes final or (ii) the date following the timely exhaustion of a review or appeal.

The failure to pay said judgment or judgements within the time provided disqualifies the owner from obtaining or receiving a license under this chapter.

SECTION 3: That Section 82-19 of Chapter 82 of the Municipal Code of Hanover Park, as amended, be and is hereby amended by modifying it to read as follows:

Sec. 82-19. - Penalty.

- (a) Any owner, property agent, occupant or person who fails to comply with any section of this chapter applicable to him and continues in this failure after due notice and opportunity to correct, given pursuant to this chapter, upon conviction thereof, shall be subject to a fine of not less than \$100.00 nor more than \$1,500.00 for each day each section of this Code is violated after expiration of the time for correction of the violations.
- (b) Nothing in this chapter shall prevent the village from taking any other legal or equitable remedies available to the village, including any emergency action permitted by law when any portion of the rental residential building is a danger to persons or property.

SECTION 4: That each section, paragraph, sentence, clause and provision of this Ordinance is separable and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance nor any part thereof, other than the part affected by such decision.

SECTION 5: That except as to the amendments heretofore mentioned, all chapters and sections of the Municipal Code of Hanover Park shall remain in full force and effect.

SECTION 6: That this Ordinance shall, by authority of the Village Board of the Village of Hanover Park, be published in pamphlet form. From and after ten days after said publication, this Ordinance shall be in full force and effect, provided, however, that the inspection, re-inspection, and rescheduling fees and rules concerning them which existed prior to the passage and approval of this Ordinance, shall remain in effect until July 31, 2018; and thereafter commencing on August 1, 2018, the inspection, re-inspection, and rescheduling fees and rules concerning them shall be as provided for in this Ordinance.

ADOPTED this 21st day of June, 2018, pursuant to a roll call vote as follows:

AYES:

NAYS:

ABSENT:

ABSTENTION:

Approved: _____
Rodney S. Craig, Village President

ATTESTED, filed in my office, and
published in pamphlet form this 21st
day of June, 2018.

Eira L. Corral Sepúlveda, Village Clerk