

ORDINANCE NO. 1855

**AN ORDINANCE AMENDING THE CITY OF CREST HILL CODE OF ORDINANCES
IN RELATION TO RENTAL INSPECTIONS**

WHEREAS, the City of Crest Hill, in an effort to promote public health, safety, and welfare, has reviewed its rental inspection ordinance and finds the same is in need of amendment; and

WHEREAS, after the passage of Ordinance 1607 relating to "Chronic Nuisance Properties", the Illinois Legislature passed Senate Bill 1666, codified as 65 ILCS 5/1-2-1.5, which prohibits a municipality from enacting or enforcing any ordinance or regulation that penalizes tenants or landlords based on certain police contacts, requiring the City to repeal said Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Crest Hill, Will County, Illinois, as follows:

SECTION 1: Chapter 9.44 of the City of Crest Hill Code of Ordinances is repealed in its entirety.

SECTION 2: Chapter 15.09 of the City of Crest Hill Code of Ordinances shall be replaced in its entirety as follows:

CHAPTER 15.09: INSPECTION OF RENTAL UNITS

Section

- 15.09.010 Definitions
- 15.09.020 Inspection required
- 15.09.030 Frequency of inspections
- 15.09.040 Inspection certificate required
- 15.09.050 Inspection procedure
- 15.09.060 Suspension or revocation of certificate
- 15.09.070 Fees

§ 15.09.010 DEFINITIONS.

For the purpose of this chapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

COMMERCIAL UNIT. Any room or group of rooms used for the transaction of any business whatsoever, where said room or group of rooms are not used or intended to be used for living and sleeping on a permanent basis. *Permanent basis* shall be defined to mean more than 28 days.

COMMON AREA. Any hallway, foyer, communal laundry or storage area, meeting or party room and any other area that is used by all the residents of a building or the general public.

DWELLING UNIT. A single unit providing complete independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking and sanitation.

DWELLINGS.

- (1) *Single-family dwelling.* A building containing one dwelling unit for occupancy by one family only.
- (2) *Two-family dwelling (duplex).* A building containing two dwelling units separated from each other by one or more common walls for occupancy by no more than two families only.
- (3) *Multi-family dwelling.* A building or portion thereof containing more than two dwelling units and not classified as one- or two-family dwellings.
- (4) *Boarding house, rooming house, lodging house and tourist house.* A building arranged or used for lodging, with or without meals, for compensation, by individuals who are not members of the family.
- (5) *Dormitory.* A space in a building where group sleeping accommodations are provided for persons not members of the same family group in one room, or in a series of closely associated rooms.
- (6) *Hotel or Motel.* A room or rooms in any building or structure kept, used, maintained, advertised or held out to the public to be an inn, motel, hotel, apartment hotel, in accordance with the definition of *Hotel* and *Motel* contained in the Crest Hill Zoning Ordinance.

PREMISES. A lot, plot or parcel of land including the buildings or structures thereon.

RENT, LET OR LET FOR OCCUPANCY. To permit possession or occupancy of a dwelling, dwelling unit, rooming unit, commercial unit, building or structure for consideration.

ROOMING UNIT. Any room or group of rooms forming a single habitable unit used or intended to be used for living and sleeping, but not for cooking or eating purposes.

§ 15.09.020 INSPECTION REQUIRED.

- (A) All single-family dwellings that are not occupied by the owner and are rented or leased to another person or entity and the rental unit of a two-family dwelling in which the other unit is owner-occupied shall be subject to inspection and compliance with the systematic inspection of this code.
- (B) All residential duplex units, multi-family dwelling units and commercial units that are not occupied by the owner and are rented or leased to another person or entity shall be subject to inspection and compliance with the systematic inspection of this code.
- (C) Every owner of a rental property shall be required to submit to the City of Crest Hill, on a form provided by the Building Department, the following information:
 - (1) Address of the rental property;
 - (2) Number of units on the property;
 - (3) Name, address, phone number, and email of the property owner;
 - (4) Name, address, phone number, and email of the agent or person in charge of the property, where applicable;
 - (5) Name, address, phone number, and email of the person or persons to contact in the event of an emergency;
 - (6) An update of any of the above information, should changes occur, within seven business days of the effective date of the change. It shall be the responsibility of the property owner, landlord and/or property manager to so notify the Building Department.

§ 15.09.030 FREQUENCY OF INSPECTIONS.

- (A) All residential rental units shall be inspected annually.
- (B) Nothing in this chapter shall prevent the Building Inspector or their designee from inspecting the premises of any unit.

§ 15.09.040 INSPECTION CERTIFICATE REQUIRED.

No person shall rent, let or let for occupancy any unit subject to this chapter without having a valid, current certificate of inspection for that dwelling.

§ 15.09.050 INSPECTION PROCEDURE.

- (A) The owner, agent, or person in charge of the rental premises must contact the city to schedule an inspection. If, upon the completion of the inspection, the premises are found to be in compliance with this code and the appropriate fee has been paid, the Building Inspector or their designate shall issue a certificate of inspection for the premises. The certificate shall be valid for one year from the date of issuance.
- (B) If, upon completion of the inspection, the premises are found to be in violation of one or more provisions of this code, the city shall provide written notice of such violations. The owner, agent, or person in charge of the rental premises must contact the city for a reinspection when ready, after the reinspection fee has been paid. Until the rental premises passes inspection, the city shall not issue the certificate and may take any action necessary to enforce compliance with this code.
- (C) A certificate of inspection issued pursuant to this chapter shall be transferable to succeeding owners; provided, that there is no change in tenant and that within five days of the transfer, the transferor shall provide written notice of the transfer to the Building Inspector or their designate.
- (D) Upon the request of an existing or prospective tenant, or upon the request of the Mayor, Building Inspector or their designate, or any police officer, the owner shall produce the certificate of inspection.
- (E) No owner, agent or person in charge of the subject rental structure shall rent a unit or allow any person to occupy the same as an occupant or lessee, unless such owner, agent or person in charge has been issued an inspection certificate by the Building Department.

§ 15.09.060 SUSPENSION OR REVOCATION OF CERTIFICATE.

- (A) If the Building Inspector or their designee, determines that any person has failed to comply with this chapter, the Building Inspector may suspend or revoke the certificate of inspection held by that person. The suspension or revocation of any certificate shall not discharge the holder from prosecution in local court for any violation of this chapter.
- (B) The Building Inspector may suspend, revoke or refuse to renew the certificate of inspection held by any person who knowingly:

- (1) Violates any federal or state statute where the violation is deemed to be a felony or misdemeanor, including but not limited to any conduct which violates any local, state, or federal law prohibiting the manufacture, distribution, delivery, use, or possession of a controlled substance, or any state or local laws relating to prostitution or prostitution related activity;
 - (2) Permits the premises subject to inspection under this chapter to be used in a manner that constitutes a public nuisance after having received written notice from the city or any other governmental entity that the premises constitutes a public nuisance, and having failed within a reasonable time to take action to terminate the nuisance after receipt of written notice of such condition. The term *public nuisance* shall mean any conduct of individuals or condition of property that injures or endangers the health, safety, and welfare of the surrounding community or that obstructs reasonable use of property, including any conduct or condition that has been defined by Illinois common law to constitute a public nuisance;
 - (3) Violates or fails to comply with any provisions of the Crest Hill Zoning Ordinance, Crest Hill Code of Ordinances, ICC Codes, or other rules or regulations regarding the construction, maintenance, upkeep or condition of the premises owned by that person.
- (C) Any person whose certificate of inspection has been suspended or revoked by the Building Inspector may appeal the decision to the City Council or any standing or special committee designated by the City Council by filing a written notice of appeal with the City Clerk's office within three business days of the person's receipt of the decision. The City Council or its designated hearing committee may review the Building Inspector's decision and may affirm or reverse the decision or remand it to the Building Inspector for further action or review.
- (D) The city shall be authorized to recover any expenses incurred by the city in abating a public nuisance pursuant to any proceedings instituted by the Building Inspector. Any misconduct or condition of property resulting in the suspension, revocation, or refusal to renew a certificate of inspection shall be deemed a public nuisance for which expenses may be recovered.

§ 15.09.070 FEES.

- (A) There is hereby established the following fee schedule for each yearly inspection required by this chapter:

Each rental unit.....	\$50.00
All reinspections.....	\$50.00

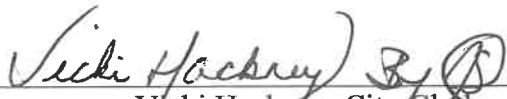
(B) The units enumerated above shall include units used or occupied by the owner or the owner's representative.

SECTION 3: Repealer. All ordinances or portions of ordinances previously adopted by the City Council that conflict with or are inconsistent with the provisions of this ordinance are repealed.

SECTION 4: Effective Date. This ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

PASSED THIS 21st DAY OF DECEMBER, 2020.

	Aye	Nay	Absent	Abstain
Alderman John Vershay	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alderman Scott Dyke	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alderwoman Claudia Gazal	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alderwoman Barbara Sklare	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alderwoman Tina Oberlin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alderman Marco Coladipietro	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alderman Nate Albert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alderman Joe Kubal	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Raymond R. Soliman	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



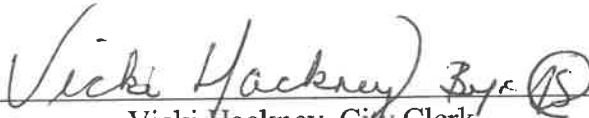
Vicki Hackney, City Clerk

APPROVED THIS 21st DAY DECEMBER, 2020.



Raymond R Soliman, Mayor

ATTEST:



Vicki Hackney, City Clerk

