

Village of Catlin Rental Registration

Registration for Year: _____

Name of Landlord: _____

Phone # for Landlord: _____

Name of Local Representative: _____

Phone # for Local Representative: _____

Physical Address of rental Property: _____ Current tenant: (Name, phone number)

(Office use only)

Name of Inspector: _____

Date of Inspection : _____

List of all code violations: _____

Person responsible for removing code violations: _____

Deadline for removing code violations: _____

Copy of form to landlord: _____

Copy for Village Clerk: _____

Copy for Police Dept: _____

Copy for property file: _____

Copy of Ordinance given to landlord: _____

Issued sticker: _____

VILLAGE OF CATLIN

ORDINANCE NO. 761

**AN ORDINANCE AMENDING TITLE IX OF THE VILLAGE CODE BY ENACTING
CHAPTER 97 PERTAINING TO RENTAL HOUSING REGISTRATION**

WHEREAS, an inherent power of a municipality is the power over the health, welfare and safety of its citizens; and,

WHEREAS, the Illinois Municipal Code further provides a municipality with power to regulate for the health, welfare and safety of its citizens; and,

WHEREAS, the Village has determined that, in order to protect the health, welfare and safety of its citizens, registration of rental housing within the Village should be required; and,

WHEREAS, Title IX should be amended to include Chapter 97 concerning the registration of rental housing located within the Village.

NOW, THEREFORE, BE IT ORDAINED, by the Village Board of the Village of Catlin, Illinois as follows:

SECTION 1: Title IX of the Village Code shall be amended by enacting Chapter 97 as follows:

Chapter 97 Rental Housing Registration

§ 97.01 Introduction; Purpose.

It is the intention of the Village to take steps that will improve the livability and valuation of the Village's housing stock and to promote revitalization of the Village's neighborhoods. Studies have shown that rental housing tends to generate a disproportionately high level of code violations and code enforcement problems. Inspecting rental housing and requiring compliance with the minimum level of housing standards contained in the Village's Property Maintenance Code and other applicable codes shall help reduce housing deterioration in the Village's neighborhoods and will promote revitalization. With this in mind, this chapter sets forth a rental housing registration and inspection program.

§ 97.02 Definitions

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

"CODE OFFICIAL." The Mayor, or his/her designee.

"LOCAL REPRESENTATIVE." Designee, provided at time of registration by the owner of a rental dwelling, having sufficient authority to act on behalf of the owner concerning a rental dwelling unit.

"OWNER." Any person, agent, operator, firm or corporation having a legal or equitable interest in the property; or recorded in the official records of the county or municipality as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person and the executor or administrator of the estate of such person if ordered to take possession of real property by a court having jurisdiction.

"OWNERSHIP; CHANGE IN." Change of owners as described herein, in addition to any sale by contract whether recorded or not, and any transfer of property title or rights to property whether or not remuneration is provided.

"REGISTRATION CERTIFICATE." A written document, signed by the Code Official, certifying that a rental dwelling is registered pursuant to this chapter.

"RENTAL DWELLING." A dwelling unit which is not owner-occupied and which is rented, offered for rent, loaned, let or hired out by any person to any other person including a dwelling unit being sold on contract, regardless of whether or not that contract has been recorded.

§ 97.03 Registration of Rental Dwellings Required

(A) It shall be unlawful for anyone to own a rental dwelling within the village unless said dwelling has been registered with the Village Clerk according to the provisions of this chapter. Owners of any rental dwelling shall register their dwelling(s) and provide the information required on forms provided by the Village Clerk. Owners shall be required to provide tenant information to the Code Official upon submitting the application. An Owner shall notify the Village of any change in the tenant within 7 days of such change and provide the information concerning such new tenant.

(B) Owners of hotels or other similar dwellings that are otherwise licensed or registered by the Village shall not be required to register or pay any registration fees provided herein.

§ 97.04 Registration Period

All rental dwellings shall be registered on January 1 of each year. The registration period shall be January 1 through December 31 of each year. Any registration certificate which may be issued after January 1 of any given year shall be valid only through December 31 of that year.

§ 97.05 Response Time; Local Representative

Any owner shall be required to respond and meet with the Code Official or other Village officials within 24 hours of being notified of the need for such meeting. Any owner who cannot meet this obligation shall provide a local representative, having sufficient authority to act on behalf of the owner, capable of meeting the obligation.

§ 97.06 Change of Ownership

Upon any change in ownership of a specific rental dwelling the new owner shall be required to re-register said dwelling within 30 days of purchase. Re-registrations shall comply with all the requirements of this chapter including the payment of applicable registration fees.

§ 97.07 Violation of Registration Provisions

Any owner found to be in violation of the registration requirements of this chapter shall be required to pay an involuntary registration fee of \$200 per unregistered unit. Said involuntary registration fee shall be in addition to any other applicable penalty. In addition to any other penalty, any violation of the registration requirements of this chapter shall result in the unregistered unit or units being subject to an inspection of the interior of such unit or units.

§ 97.08 Inspection Schedule Established

Once a rental dwelling is registered, said dwelling shall be placed on a schedule for an exterior inspection by the Code Official. The specific schedule shall be determined by the Code Official.

§ 97.10 Complaints

No provision of this chapter shall prohibit the Code Official from scheduling an inspection or re-inspection, whether external or internal, based upon a complaint or visible violations of Village Codes.

§ 97.11 Inspection

(A) If a rental dwelling is occupied, the Code Official shall contact the occupant to schedule the inspection of said dwelling and shall notify the owner of the date and time of such inspection. On the agreed date and time, the occupant shall provide access to the Code Official for the inspection. If the occupant fails to provide access, the Code Official shall obtain an administrative search warrant to conduct the inspection.

(B) If a rental dwelling is unoccupied, the Code Official shall contact the owner of said dwelling to schedule the inspection. On the agreed date and time, the owner shall provide access to the Code Official for the inspection. If the owner fails to provide access, the Code Official shall obtain an administrative search warrant to conduct the inspection.

(C) The scope of an inspection performed pursuant to this chapter shall be limited to the minimum housing standards set forth in the Village's Codes. Said codes, as adopted by the Village, shall act as the basis for the Code Official in determining whether code violations exist.

(D) In the case of a multi-family rental dwelling, the Code Official shall determine which units to inspect.

(E) Upon completion of an inspection performed pursuant to this chapter, the Code Official shall prepare a written inspection report. Said report shall include, but not necessarily be limited to, the following information:

- (1) Address of the rental dwelling inspected;
- (2) Name of the owner of such dwelling;
- (3) Date of the inspection;
- (4) List of all code violations;
- (5) Name of the person responsible for removing the code violations.
- (6) A deadline for removing each of the code violations.

§ 97.12 Remedial Action

(A) The Code Official shall provide a copy of the inspection report, within five business days of the inspection, to the person responsible for removing or abating the code violations. If the responsible party is not the owner, a copy shall also be provided to the owner.

(B) If the person responsible for removing the code violations is unable to remove them within the time specified in the inspection report, he or she must contact the Code Official to request an extension of time to remove the violations. The Code Official may grant an extension of time, for good cause shown. The extension period shall be as determined by the Code Official and shall take into consideration the nature of the violation(s). No extension period shall be longer than six months.

§ 97.13 Registration Certificate

(A) Issuance.

(1) Upon registration, a registration certificate shall be issued by the Code Official for the rental dwelling unit registered.

(2) Said certificate shall be valid through December 31 of the year in which the certificate is issued, unless a change of ownership of the rental dwelling occurs or the certificate is terminated pursuant to subsection (B).

(B) Termination.

(1) The Code Official may terminate a previously issued registration certificate under any of the following conditions:

(a) An inspection reveals violations that constitute a threat to the health, safety or welfare of the occupant(s); or

(b) A re- inspection reveals violations that constitute a threat to the health, safety or welfare of the occupant(s).

(2) If a condition described above exists which would warrant the termination of a registration certificate, the Code Official may seek an order to have the rental dwelling vacated of all occupants.

§ 97.14 Status Report upon Sale or Exchange of Dwelling

Prior to the sale or exchange of ownership of any rental dwelling, the owner thereof shall deliver a copy of the most recent inspection report, if any, to the buyer of such dwelling prior to the consummation of the sale thereof.

§ 97.15 Penalty

Any person found guilty of violating any provision of this Chapter shall, in addition to any other penalty provided in this Chapter, be fined not less than \$100 nor more than \$750 for each offense. Each day a violation continues shall be deemed a separate offense. In addition to any fine imposed under this chapter, the offender shall be ordered to pay all of the costs and fees incurred by the Village in prosecuting the violation, which shall include but not be limited to the costs associated with an administrative adjudication proceeding or circuit court proceeding, and reasonable attorney's fees.

SECTION 2: This amendatory Ordinance shall be effective ten (10) days after its passage, approval and publication.

PASSED this 7th day of January, 2020, by 4 ayes, 0 nays and 1 absent.

APPROVED:

By: Butch Schminck
Butch Schminck, Mayor

ATTEST:

By: Shelley McLain
Shelley McLain, Village Clerk