

VILLAGE OF ST. JACOB

ORDINANCE 19-602

**AN ORDINANCE CREATING RENTAL HOUSING
REGISTRATION PROCEDURES**

**ADOPTED BY THE
VILLAGE BOARD OF TRUSTEES
VILLAGE OF ST. JACOB
THIS 20th day of February 2019**

**Published in pamphlet form by authority of the Village President and the
Board of Trustees of the Village of
St. Jacob, Madison County, Illinois, this 20th day of February 2019.**

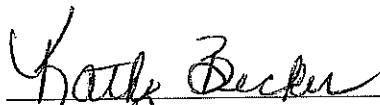
STATE OF ILLINOIS
COUNTY OF MADISON
VILLAGE OF ST. JACOB

} ss. VILLAGE CLERK'S OFFICE

CERTIFICATE

I, Kathy Becker, Village Clerk of the Village of St. Jacob, Madison County, Illinois, do hereby certify that the following Ordinance of the Village of St. Jacob, Illinois, passed this 20th day of February 2019, published by authority of the Village Board of Trustees was duly passed by the Village Board of Trustees of the Village of St. Jacob, Illinois, approved by the Mayor, and published in pamphlet form according to law on this date, and that this ordinance is a true and perfect copy of the ordinance, as passed, approved, and now of record on file in my office as provided by law.

In witness whereof, I have hereunto set my hand and affixed the Corporate Seal of the Village of St. Jacob, Illinois, this 20th day of February 2019.



KATHY BECKER
VILLAGE CLERK
ST. JACOB ILLINOIS

(SEAL)

ORDINANCE NUMBER 19-602

AN ORDINANCE CREATING RENTAL HOUSING REGISTRATION PROCEDURES

WHEREAS, residents of the Village of St. Jacob have requested that the Village work to ensure that rental housing in St. Jacob is in a sufficient condition at the time of occupancy; and

WHEREAS, the Board of Trustees of the Village of St. Jacob has considered such requests and is now willing to not only require the registration of all rental housing but also to establish rules for rental housing.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE BOARD OF TRUSTEES OF THE VILLAGE OF ST. JACOB, STATE OF ILLINOIS, AS FOLLOWS:

1. That Article III shall be added to Chapter 6 of the Village of St. Jacob Revised Code of Ordinances, and shall read as follows:

6-3-1 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 Building Code violations and code enforcement problems. Inspecting rental housing on a systematic basis and requiring compliance with the minimum level of housing standards contained in the *International Property Maintenance Code*, as adopted by the Village, and all other codes referenced therein, shall eventually help reduce housing deterioration in the Village's neighborhoods and will promote revitalization. With this in mind, this subchapter sets forth a rental housing registration and systematic inspection program.

6-3-2 DEFINITIONS.

(A) *General guidelines.* The *International Property Maintenance Code* shall be the source of definitions affecting the provisions of this subchapter unless specifically provided hereinafter in this section. When conflicts occur, definitions provided in the *International Property Maintenance Code* shall apply.

(B) *Terms defined.* For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

CODE OFFICIAL. The Village Code Official or his or her assigns.

DWELLING. See *International Property Maintenance Code*.

OCCUPANCY PERMIT. A written document, signed by the Code Official, certifying that a dwelling conforms to the Village's approved *International Property Maintenance Code* and compliance with code requirements.

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 the 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.

RENTAL DWELLING. A dwelling unit offered for remuneration whether for cash or any other form of payment.

6-3-3 REGISTRATION OF RENTAL HOUSING REQUIRED.

All owners of rental dwelling(s) shall be required to register each unit of the dwelling(s) within 30 days after the effective date hereof. Owners of hotels or other dwellings who rent units on a monthly basis shall also be required to register the units within this 30-day period. After the effective date hereof, it shall be unlawful for any person or entity to rent a dwelling within the corporate limits of the Village unless the person or entity complies with the requirements of this subchapter. Failure to comply with the requirements of this subchapter shall subject the person or entity to the penalties set forth herein. Owners shall complete a registration application for each unit of their dwelling(s) on forms provided by the Code Official.

6-3-4 UPDATING REGISTRATION AT CHANGES IN OWNERSHIP.

A new owner of any rental dwelling(s) shall be required to update the unit(s) registration within 30 days of a change in ownership and/or at the time of any change in tenancy of any unit(s).

6-3-5 INITIAL OCCUPANCY PERMIT.

All owners of any rental dwelling unit(s) shall obtain an occupancy permit prior to a new tenant moving into any rental unit after the effective date hereof, or, in the event that a rental unit is currently occupied on the effective date hereof, the owner of the rental unit shall obtain an occupancy permit within two years after the effective date hereof. The owner, or his or her agent, shall obtain an occupancy permit for the unit of each such dwelling and pay an inspection fee as provided herein per unit in the office of the Code Official.

6-3-6 OCCUPANCY PERMIT APPLICATION AND FEES.

(A) Upon any change in tenancy of a specific rental unit, the owner shall be required to submit the required application for occupancy permit.

(B) The owner shall make an appointment for an inspection of the property and affected unit to determine compliance with the Property Maintenance Code.

(C) The owner shall pay a fee of \$25 for the first inspection, report and a subsequent followup inspection, if necessary. An occupancy permit shall not be issued until all fees are paid.

(D) The owner shall pay a fee of \$25 for each subsequent inspection.

6-3-7 VIOLATION OF REGISTRATION PROVISIONS.

Any owner found to be in violation of the registration requirements of this subchapter shall be required to pay an involuntary registration fee of \$150 per rental dwelling unit.

6-3-8 COMPLAINTS.

No provision of this subchapter shall prohibit the Code Official from scheduling an inspection or reinspection based upon a complaint.

6-3-9 EXEMPTIONS.

The following rental dwellings are required to register, but shall be exempt from the inspection for occupancy permit compliance requirements provided herein. They shall however, be subject to normal inspections under the *International Property Maintenance Code* if complaints are received from occupants, tenants or owners:

(A) Dwellings that have received a certificate of occupancy as part of an *International Building Code* permit process. In the event, however, there is a change in tenancy of a rental dwelling unit, the owner shall be required to submit an application for an occupancy permit; and

(B) Dwellings that contain 20 or more contiguous rental dwellings within one property that are annually inspected through programs administered by the State Department of Public Health or the State Housing Development Authority.

6-3-10 INSPECTION.

(A) The scope of an inspection performed pursuant to this subchapter shall be limited to the minimum housing standards set forth in the *International Property Maintenance Code*, as adopted by the Village. The *International Property Maintenance Code*, as adopted by the Village, shall act as a guideline for the Code Official in determining whether code violations exist.

(B) Upon completion of an inspection performed pursuant to this subchapter, the Code Official shall prepare a written inspection report. This 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 the dwelling;
- (3) Date of the inspection;
- (4) List of all code violations;
- (5) Name of the person responsible for removing the code violations; and
- (6) A deadline for removing each of the code violations.

6-3-11 REMEDIAL ACTION.

(A) The Code Official shall provide a copy of the violation notice to the owner by mailing the notice via first class mail to the address provided on the registration form. Notice shall be delivered within five business days of the inspection.

(B) All violations shall be removed within 30 days from the date of inspection. If the person responsible for removing the code violations is unable to remove them within the time specified in the violation notice, 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, provided that all violations are removed within 60 days from the date of the inspection.

(C) If, after 30 days of the first inspection, the Code Official determines the code violations have not been corrected, additional inspections may be required. Those inspections shall be subject to fees outlined herein.

6-3-12 TEMPORARY OCCUPANCY PERMIT.

(A) The Code Official may allow occupancy of a dwelling as efforts proceed to remedy code violations. This may be accomplished by issuing a temporary occupancy permit for a period not to exceed 30 days from the date of the notice of violation. A temporary occupancy permit shall only be allowed when, in the judgment of the Code Official, practical difficulties exist that inhibit the owner's ability to complete all necessary repairs in a timely manner. A temporary occupancy permit may be reissued for additional period(s) of 30 days, at the discretion of Code Official, if the Code Official has judged that the owner is making a good faith effort to remedy the code violation(s).

(B) However, no temporary occupancy permit shall be issued when, in the opinion of the Code Official, there is a condition on the premises which represents an imminent threat to the health or safety of an occupant. A temporary occupancy permit may be terminated at any time by the Code Official if, in the opinion of the Code Official, the owner is not making a good faith effort to remedy the code violations according to the approved schedule. In this circumstance the Code Official shall have the authority to seek an order to have the rental unit or dwelling vacated of all occupants.

6-3-13 OCCUPANCY PERMIT; ISSUANCE.

If the property is found to be in compliance with the code, the occupancy permit will be presented to the resident with a copy to the owner. Once the violations identified in the inspection report have been remedied, or a schedule acceptable to the Code Official has been approved to remove the violations, an occupancy permit shall be issued by the Code Official. The permit shall be valid until a change in tenancy of the subject rental unit occurs.

6-3-14 OCCUPANCY PERMIT; REVOCATION.

(A) The Code Official may revoke a previously issued occupancy permit under any of the following conditions:

- (1) A code violation which could be detrimental to the health, safety or welfare of the occupants has not been removed within the time frame set out in the violation notice;
- (2) A reinspection performed pursuant to this subchapter reveals violations which could be detrimental to the health, safety or welfare of the occupants of the dwelling unit; or
- (3) Failure to give written notice to the Village of any additional or different individuals moving into the unit after issuance of the original permit.

(B) If a condition described above exists which would warrant the termination of an occupancy permit, the Code Official may fine the owner under the penalties set forth herein or seek an order to have the rental dwelling vacated of all occupants.

6-3-15 EFFECTIVE DATE.

The effective date of this subchapter shall be March 1, 2019.

6-3-16 PENALTY.

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to the range of fines as provided for violation of the Code of Ordinances for St. Jacob.

(B) (1) Violations of the Building Code, as set forth herein, shall be guilty of a civil offense punishable by a fine of not less than \$100 and not more than \$750, which shall be imposed whether a judgment or order of supervision is entered. Each day that a violation continues shall be deemed a separate offense.

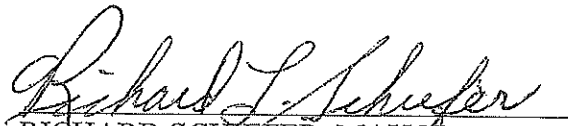
(2) Persons who continue work after a stop work order, as set forth herein, shall be liable to a fine of not less than \$100 and not more than \$750, which shall be imposed whether a judgment or order of supervision is entered. Each day that a violation continues shall be deemed a separate offense.

ADOPTED this 20th of February 2019 pursuant to a roll call vote by Board of Trustees of the Village of St. Jacob, Madison County, Illinois.


Board of Trustees	Aye	Nay	Absent
BOBBY ROSS	X		
MARK EILERS	X		
TIMOTHY ELLIOTT	X		
CHRIS TOLBERT			X
GIDEON RICHESON			X
GEORGE GAVLICK	X		

Adopted this 20th day of February 2019.

APPROVED:


RICHARD SCHIEFER, MAYOR
VILLAGE OF ST. JACOB, ILLINOIS

ATTEST:


KATHY BECKER, VILLAGE CLERK
VILLAGE OF ST. JACOB, ILLINOIS