

VILLAGE OF STREAMWOOD

ORDINANCE NO. 2015 -

23

AN ORDINANCE AMENDING CHAPTER 14 ENTITLED "RENTAL RESIDENTIAL PROPERTY" OF TITLE 3 ENTITLED "BUSINESS AND LICENSE REGULATIONS" OF THE VILLAGE CODE OF ORDINANCES OF THE VILLAGE OF STREAMWOOD TO PROVIDE FOR A CRIME FREE HOUSING INITIATIVE

ADOPTED BY THE BOARD OF TRUSTEES
OF THE VILLAGE OF STREAMWOOD

THIS 1st DAY OF October, 2015.

Published in pamphlet form by authority of the Board of Trustees
of the Village of Streamwood, Cook County, Illinois
this 1st day of October, 2015.

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WHEREAS, the Village of Streamwood (the "Village") requires owners who lease residential dwelling units within the Village to secure a rental residential property license from the Village of Streamwood prior to leasing rental residential property; and

WHEREAS, the corporate authorities of the Village have determined that it is in the best interest of the health, safety and welfare of all residents of the Village to require rental residential property owners and their designated property agents to attend a crime free housing initiative seminar as a condition precedent to the issuance of a rental residential property license; and

WHEREAS, it is further in the best interest of the Village and all residents of the Village to have a crime free housing initiative as a means to reduce the level of crime, property maintenance violations and chronic nuisances in rental residential properties within the Village; and

WHEREAS, the Village of Streamwood is a home-rule unit of government by virtue of the provisions of Article VII of the 1970 Constitution of the State of Illinois and may, therefore, exercise and perform any function pertaining to its government and affairs including the adoption of a crime free housing

initiative by the Village.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Streamwood, Cook County, Illinois, that:

SECTION ONE. Section 3-14-1: entitled "General Provisions:" of Chapter 14 of Title 3 of the Village Code of Ordinances as amended, is hereby further amended, by adding thereto, section A6, to read as follows:

"6. By seeking to ensure that all lessors and lessees of rental residential property in the Village work together to prevent criminal activity, property maintenance code violations, chronic nuisance property and unsafe conditions from occurring or persisting on rental residential property within the Village."

SECTION TWO. Section 3-14-2: entitled "Definitions:" of Chapter 14 of Title 3 as amended, is hereby further amended, by adding the following in proper alphabetical order:

"Rental Residential Property Owner: Any person, corporation or other entity holding in whole or in part legal or equitable title or a beneficial interest in any form of rental residential property within the Village."

SECTION THREE. Section 3-14-4: entitled "License Application and Requirements:" as amended, is hereby further amended, by amending subsection A1, to read as follows:

"1. The full legal name, address, and home and work telephone number of every rental residential property owner and property agent, where applicable."

SECTION FOUR. Section 3-14-4: entitled "License Application and Requirements:" as amended, is hereby further amended, by adding thereto, section 3-14-4H, to read as follows:

"H. Additional registration requirements: In addition to all other application requirements as may be provided by this Chapter, every license application or renewal

application, for rental residential property by an owner residing outside of Cook, DuPage, Kane, Lake or McHenry Counties, Illinois, shall include the name, street address and telephone number of a natural person twenty-one (21) years of age or older, and designated by the non-resident owner as that owner's property agent for receiving notices of code violations and for receiving service of process in any court proceeding or administrative hearing proceeding for rental residential property owned by the non-resident owner. Said designated agent shall reside in Cook, DuPage, Kane, Lake or McHenry Counties, Illinois.

SECTION FIVE. Section 3-14-7: entitled "Violations:" of Chapter 14 of Title 3 as amended, is hereby further amended, by adding thereto, section 3-14-7G, to read as follows:

"G. Failure of a rental residential property owner to appoint and maintain a property agent when required by section 3-14-4H of this Chapter."

SECTION SIX. Section 3-14-13: entitled "Severability:" shall be renumbered as section 3-14-15.

SECTION SEVEN. Section 3-14-14: entitled "Effective Date:" shall be renumbered as section 3-14-16.

SECTION EIGHT. Chapter 14 of Title 3, as amended, is hereby further amended, by adding thereto, a new section 3-14-13: entitled "Crime Free Housing Initiative; Requirements; Fee:" to read as follows:

- A. There is hereby created the Village of Streamwood Crime Free Housing Initiative.
- B. All applicants for a rental residential property license, and when applicable, designated property agents, must attend and successfully complete an in-person or on-line a Village of Streamwood Crime Free Housing Initiative Seminar or have successfully completed similar crime free housing training from another municipality within one (1) year prior to the issuance of a Village rental residential property license.

- C. The in-person Village of Streamwood Crime Free Housing Initiative Seminar shall be held once each month and shall be administered by the Streamwood Police Department. Certifications of completion shall be issued to those persons successfully completing the seminar. On-line Village of Streamwood Crime Free Housing Initiative Seminars shall also be available through the Village website.
- D. Every person who acts as, or is appointed as, an owner's property agent for any premises for which a rental residential property license is required must also complete the Village of Streamwood Crime Free Housing Initiative Seminar within six months of first becoming a property agent. Each president or equivalent officer of a condominium association, townhome association or homeowners' association which has authority over rental residential properties in the village shall also attend and satisfactorily complete the Village of Streamwood Crime Free Housing Initiative Seminar within six months of first becoming president or equivalent officer of the condominium, townhome or homeowners' association.
- E. Renewal Certificate: After initially completing either the full in-person Village of Streamwood Crime Free Housing Initiative Seminar or full on-line Village of Streamwood Crime Free Housing Initiative Seminar, or a similar crime free housing training from another municipality, all required parties shall successfully complete an abbreviated on-line Streamwood Crime Free Housing Initiative Recertification Seminar, two (2) years after completing the initial seminar. The full Village of Streamwood Crime Free Housing Initiative Seminar or a full on-line Village of Streamwood Crime Free Housing Initiative Seminar must be completed every four years.
- F. A certificate of completion of the Village of Streamwood Crime Free Housing Initiative Seminar, and/or online Village of Streamwood Crime Free Housing Initiative Seminar, or similar crime free housing training from another municipality or an online Streamwood Crime Free Initiative Recertification Seminar must be presented to the Department of Community Development in order to obtain or renew a rental residential property license.

- G. The cost for attending the in-person or online seminar shall be Twenty-Five (\$25.00) Dollars payable to the Village at the time.
- H. The Village Director of Community Development may require a rental residential property owner, property agent, or president or equivalent officer of a condominium, townhome or homeowners' association to retake a Village of Streamwood Crime Free Housing Initiative Seminar or full Online Village of Streamwood Crime Free Housing Initiative Seminar under the following circumstances:
- a. A rental residential property has been declared a chronic nuisance property by the Village.
 - b. A rental residential property has three (3) or more separate violations of the village's property maintenance code continuing after disposition or finding of guilty by the circuit court of Cook County, or finding of liable for such violations by the village administrative hearing officer.

SECTION NINE. Chapter 14 of Title 3, as amended, is hereby further amended, by adding thereto, a new section 3-14-14: entitled "Crime Free Lease Addendum:", to read as follows:

- A. For purposes of this chapter a crime free lease addendum is a provision which makes it a violation of the lease for a lessee, an occupant of the premises, a guest of the lessee or any other party present on the property with express permission or consent of the lessee to allow the property to become a chronic nuisance as defined in Title 7, Chapter 9 of the Village Code of Ordinances, or to engage in, commit, facilitate or conspire to commit misdemeanor criminal offense in violation of the Illinois Criminal Code on more than two (2) separate occasions within a twelve month period while on the leased premises, or any single commission of any felony criminal offense in violation of the Illinois Criminal Code while on the leased premises. Except as otherwise provided by 65 ILCS 5/1-2-1.5 and 735 ILCS 5/9-106.2, the crime free lease addendum shall provide the lessor with the authority to evict the lessee in accordance with the Illinois Forcible Entry and Detainer Act (735 ILCS 5/9-101 et seq.), if it is established by a preponderance of evidence that a violation of the crime free lease addendum has occurred.

B. Leases for all premises requiring a rental residential property license shall be in writing and shall contain a crime free lease addendum or have a clause in the lease similar to a crime free lease addendum. A sample crime free lease addendum will be available on the Village's website.

SECTION TEN. Any ordinance or portion of any ordinance in conflict with the provisions of this ordinance is expressly repealed solely to extent of any such conflict.

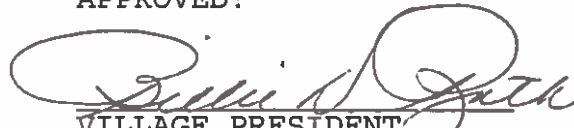
SECTION ELEVEN. Upon its passage, approval and publication as required by law, this ordinance will be in full force and effect on January 1, 2016.

ROLL CALL VOTE:

AYES	<u>6</u>
NAYS	<u>0</u>
ABSTENTIONS	<u>0</u>
ABSENT	<u>0</u>

PASSED AND APPROVED this 1st day of October, 2015.

APPROVED:


VILLAGE PRESIDENT

ATTEST:


VILLAGE CLERK