VILLAGE OF ORLAND PARK

14700 Ravinia Avenue
Orland Park, IL 60462
www.orland-park.il.us

Ordinance No: 4448 **File Number: 2009-0040**

AN ORDINANCE AMENDING TITLE 5 (BUILDING) BY REPEALING THE EXISTING CHAPTER 8 (MOTELS, HOTELS, ROOMING HOUSES AND APARTMENTS) AND SUBSTITUTING A NEW CHAPTER 8 (RENTAL HOUSING) OF THE ORLAND PARK VILLAGE CODE

VILLAGE OF ORLAND PARK

STATE OF ILLINOIS, COUNTIES OF COOK AND WILL

Published in pamphlet form this 20th day of January, 2009 by authority of the President and Board of Trustees of the Village of Orland Park, Cook and Will Counties, Illinois.

VILLAGE OF
ORLAND PARK

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AN ORDINANCE AMENDING TITLE 5 (BUILDING) BY REPEALING THE EXISTING CHAPTER 8 (MOTELS, HOTELS, ROOMING HOUSES AND APARTMENTS) AND SUBSTITUTING A NEW CHAPTER 8 (RENTAL HOUSING) OF THE ORLAND PARK VILLAGE CODE

WHEREAS, the Village of Orland Park is an Illinois Home Rule Community; and

WHEREAS, as such, the Village is authorized to exercise power and perform functions relating to its government and affairs and for the public health, safety and welfare of the Village residents and property owners; and

WHEREAS, as such, the Village has approximately 2,100 rental housing units and, in recent years, there has been a substantial increase in crime in rental housing reported to the Village Police Department as well as complaints to the Village Building Department property maintenance inspectors; and

WHEREAS, residential rental housing is currently an unregulated business in the Village; and

WHEREAS, this new Rental Housing Chapter of the Village Code is designed to maintain property values in the Village by ensuring all residential rental housing is safe and crime free by requiring minimum property maintenance standards and, further, to prevent blighted and deteriorated rental housing areas in the Village; and

WHEREAS, this new Rental Housing Chapter of the Village Code is designed to:

a) prevent overcrowding of residential rental housing units by prescribing maximum occupancy in such units;

b) decrease law enforcement and property maintenance complaints;

c) allow the Village Police Department to better educate property owners in choosing law-abiding tenants through the Chapter's Crime Free Rental Housing Program.

d) reduce if not eliminate criminal activity from occurring on or about the residential rental housing units and property, thereby providing for the health, safety and welfare of the tenants, property owners and surrounding neighbors and properties.

NOW, THEREFORE, Be It Ordained by the President and Board of Trustees of the Village of Orland Park, Cook and Will Counties, Illinois, as follows:

VILLAGE OF
ORLAND PARK

Ordinance No: 4448

SECTION 1

The preambles to this Ordinance are incorporated herein by reference as fully as if restated herein in their entirety.

SECTION 2

Existing Chapter 8 (Motels, Hotels, Rooming Houses and Apartments) of said Title 5 is hereby repealed in its entirety and, in substitution thereof, a new Chapter 8 (Rental Housing) is hereby adopted and added to said Title 5, said new Chapter 8 to read in its entirety, as shown on Exhibit A.

SECTION 3

This Ordinance shall be in full force and effect from and after its adoption and publication as provided by law.

SECTION 4

The Village Clerk is hereby directed to publish this Ordinance in pamphlet form, said pamphlet to be deposited in the Office of the Village Clerk for general distribution.

PASSED this 19th day of January, 2009

/s/ David P. Maher

David P. Maher, Village Clerk

Aye:	6	Trustee Murphy, Trustee Fenton, Trustee O'Halloran, Trustee Dodge, Trustee Schussler, and Trustee Gira
Nay:	0	
Absent:	1	Village President McLaughlin

DEPOSITED in my office this 19th day of January, 2009

/s/ David P. Maher

David P. Maher, Village Clerk

VILLAGE OF
ORLAND PARK

Ordinance No: 4448

APPROVED this 19th day of January, 2009

/s/ Daniel J. McLaughlin

Daniel J. McLaughlin, Village President

PUBLISHED this 20th day of January, 2009

/s/ David P. Maher

David P. Maher, Village Clerk

EXHIBIT A

TITLE 5
CHAPTER 8
RENTAL HOUSING CODE

CHAPTER 8

RENTAL HOUSING

SECTION:

5-8-1:	**Administration General Provisions**
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5-8-1-1-1:	**Crime Prevention Rental Housing**
5-8-1-2:	**Effective Date**
5-8-1-3:	**Interpretation and Application of Ordinance**
5-8-1-4:	**Scope**
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5-8-3-3:	**Fees**
5-8-3-4:	**Penalties**
5-8-4	**Standards and Requirements**
5-8-4-1:	**Zoning Ordinance**
5-8 4-2:	**Property Maintenance**
5-8-4-3:	**Housing Standards**
5-8-4-4:	**Parking and Bicycles**
5-8-4-5:	**Tenant Responsibilities**
5-8-4-6:	**Sunset Provision - Repealer**

5-8-1 ADMINISTRATION GENERAL PROVISIONS:

5-8-1-1 PURPOSE:

1. **Minimum Residential Standards**: The purpose of this Code is to provide minimum standards for the protection of the life, safety, health, welfare, and property of rental residential owners and tenants, as well as that of the general public.

2. **Maximum Occupant Loads**: To prevent the overcrowding of rental dwellings by requiring compliance with minimum space standards per occupant for each dwelling unit.

3. **Prevent Slum Areas**: To facilitate the enforcement of minimum standards for the maintenance of existing residential buildings and thus to prevent slums and blight.

4. **Maintain Property Values**: To preserve the value of land and buildings throughout the Village of Orland Park.

5. **Crime-Free Housing:** To reduce and prevent crimes from occurring within rental housing and neighborhoods.

5-8-1- 1-1: CRIME PREVENTION:

This Code is intended to promote the reduction in crime with regulations that require the land/building owners to be annually licensed by the Village. A Rental Housing License will be issued when application forms are completed with the accurate tenant records as required by the Orland Park Police Department. "*Crime Prevention Through Environmental Design" (CPED) will also be part of building construction standards.*

Crime Free general reference Sections (5-8-2, 5-8-3-2, 5-8-3-3 item 6, 5-8-4-3 item 13, 5-8-4-6)

5-8-1-2: EFFECTIVE DATE:

This Code shall take effect and be in full force immediately upon approval of the Village Board of Trustees. After the effective date of this Code it shall be unlawful for any owner, as defined herein, to lease or operate Residential Rental Housing without registering each Rental Unit with the Village of Orland Park and obtaining a license to operate it as Residential Rental Housing and complying with the provisions of this Code, together with other applicable codes and ordinances of the Village of Orland Park.

5-8-1-3: INTERPRETATION AND APPLICATION OF CODE:

In their interpretation and application, the provisions of this Code shall be held to be minimum requirements adopted for the protection of the public health, safety, and welfare. This Code and The International Property Maintenance Code, 2006 or latest edition adopted by the Village (VC 5-8) shall apply, as minimum standards for maintenance of Residential Rental Housing. Where the requirements of this Code vary from any other lawfully adopted Village or state laws, rules, regulations, ordinances, codes, deed restrictions or covenants, the more restrictive or that imposing the higher standards shall govern. The Village does not enforce any private covenants between land owners or tenants or finally determine conflicts between neighboring property owners.

5-8-1-4: SCOPE:

This Code shall apply to all real property located within the incorporated limits of Orland Park, Illinois, which contains one or more Rental Units, as defined herein.

5-8-1-5: SEVERABILITY:

Should any section or provision of this Code be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Code as a whole, or any part thereof other than the part so declared to be unconstitutional or invalid.

5-8-1-6: **RESPONSIBLE DEPARTMENT FOR CODE:**

The Village of Orland Park, Illinois has created this "Rental Housing Code" pursuant to its home rule powers and has designated the Development Services Department as the enforcement body. The Director of Development Services, or his/her designee, has the authority for enforcing the provisions of this Code and shall serve to render interpretations of this Code. The Crime Free Rental Housing Program will be coordinated by the Orland Park Police Department through the Chief of Police or his/her designee.

5-8-1-7: OCCUPANCY, LICENSE, AND REGISTRATION:

No Dwelling Unit may be occupied by other than the owner and owner's family without having been licensed, registered and inspected. The provisions of this Code's subsection 5-8-3 shall apply for Registration and Tri-Annual inspections of any Rental Unit within the Village. Occupancy limits shall be determined by the applicable Village Codes. No person, corporation or business entity of any kind or nature whatsoever, shall engage in the business of renting any Dwelling Unit to the public, or operating a Rental Dwelling or Dwelling Unit, rooming house or rooming unit, unless a valid and current Residential Rental License has been issued by the Village Clerk for the specific location**.** This agreement is not intended to apply to licensed professionals acting as brokers or agents, unless licensed professionals are owners or managers of property subject to this Code. No person shall rent or occupy a Dwelling Unit or rent or occupy any rooming house unit unless a current valid license has been issued for that specific location. This licensing requirement shall not apply to group homes governed by the Specialized Living Centers Act, 405 ILCS 25/1 et seq., dealing with the developmentally disabled, or other similar uses governed by state or federal laws, rules or regulations. No license shall be issued or renewed unless the owner or operator agrees in the application to such inspections as may be required pursuant to this chapter.

5-8-1-8: ADMINISTRATION AND ENFORCEMENT

5-8-1-8-1: ENFORCEMENT:

The Village of Orland Park Departments of Development Services and Police shall administer this Code. These Departments may delegate such duties and responsibilities in connection with the administration and enforcement of this Code to such persons as are appropriate for conformance through respective Department chain of command. The Development Services Director or the Chief of Police, may, when circumstances dictate, call upon the Police Department, County, State, Fire District or other authorities, agencies, codes or regulations in identifying and correcting conditions in rental housing which constitute violations of this Code or other duly enacted ordinances, regulations, or laws as applicable.

5-8-1-8-2: **ACCESS FOR INSPECTION:**

Upon presentation of proper credentials, Village authorized representatives may enter at reasonable times after giving notice to the landlord of any building, structure, or land within the Village to perform the duties imposed by this Code. Reasonable notice for required scheduled inspections shall be defined as a minimum of ten (10) calendar days advance written notice. It shall be the responsibility of the landlord to notify the tenant (s) of inspection appointments, arrange access with the tenant (s) and provide access to all units. In the absence of the building landlord or landlord's agent, an adult at least eighteen (18) years of age must be present during the inspection.

1. Revocation of Registration:

Units not made accessible for inspection (or otherwise not inspected) in accordance with this Code, shall be in violation of this Code and shall not be licensed/registered or shall have the registration revoked.

2. Residential Rental Property Complaints:

In the case of a complaint of a potentially life or health threatening condition(s) or a property maintenance violation from any source, the Village may promptly inspect or investigate without prior notice, except that notice of such inspection or investigation shall be provided to the landlord or agent as soon as reasonably possible.

3. Inspection Areas:

Rental property inspections will include a physical inspection of the rental residential property including the interior of all rental units, building exterior, exterior structures such as garages and storage areas, common areas, basements/cellars, laundry areas, electrical, plumbing and storage areas, as deemed appropriate by the inspector/code enforcement official with the exception of personal items.

4. **Denial of Access:**

Except in the case of an emergency, if a tenant or property owner denies an inspector access to a rental property, the Director of Development Services or his/her designee shall apply to the Circuit Court for the issuance of an administrative search warrant for inspections under this Code.

5. Required Inspections

Systematic Residential Rental Property inspections will be conducted tri-annually (every three years). Inspections based upon complaints received will be conducted as received and determined as necessary by the Village (see 5-8-1-8-2, 2.).

5-8-1-8-3: VIOLATIONS:

Violations of this Code and fines shall be as stated in this Chapter or as specified in the Administration Section 1-4 of the Village Code, if no fine is stated in this Chapter.

1. **Time Limit for Removal:**

When a licensing inspection of a Rental Residential Property reveals any violations of applicable codes, a compliance time frame will be set by the inspector/code official. In establishing a compliance time frame, the inspector/code official shall determine the reasonable minimal time necessary to correct the violations based upon the number and severity of the violations. The Village shall send notice to the property owner or the listed property agent by regular U.S. mail at the last address provided on the most recent license application. Said notice shall include the following:

a. Description of the property sufficient for identification.

b. A statement listing the violations of applicable codes.

c. The date upon which the licensing re-inspection will occur.

d. An explanation that if upon completion of the licensing re-inspection, the requirements of applicable Village codes have not been met, it will be recommended to the Director of Development Services that the license be suspended or revoked.

2. Immediate Action:

Notice of violations involving imminent danger to the life, safety, health, welfare and/or property of the landlord and/or tenants may be made by any means reasonably calculated to provide actual notice, which shall include but not be limited to personal delivery, registered or certified mail, or posting of an appropriate notice on the premises.

3. Occupancy Denial:

In the case of imminent danger or fire hazard, structural failure or danger of imminent collapse, interruptions or failures in plumbing, heating, electrical systems, or other hazardous health situations, the Village may order immediate repair or correction and may order the premises vacated pending such repair or correction.

4. Citation Issuance:

If at the conclusion of the period established for corrective action, the violation has not, in the Village's reasonable judgment, been satisfactorily corrected, then the Village may issue citations in accordance with provisions of this Code, suspend or revoke the license for the affected unit or units, and have the rental unit vacated. Citations for local municipal violations are adjudicated through the Village of Orland Park Administrative Adjudication of Non Vehicular Code Violations, Title 1, Chapter 14.

a. Units vacated under this subsection shall be posted with signs indicating that the unit has been determined to be "Illegal", or if applicable "Unfit for Habitation"' and that occupancy is prohibited until the rental unit has been inspected to verify that the violation has been corrected.

b. Any person who defaces or removes a posted sign as described in 4a above without the approval of the Village shall be in violation of this Code.

5. Time Limit to Vacate a Building or Unit:

If notification has been presented to the landlord that the property is not properly licensed or that the license has been suspended or revoked, the rental property or properties shall be vacated within sixty (60) days of notification by the Village.

a. If said property is not vacated within the sixty (60) day period, the landlord will be responsible for all fines as set forth in this Code. Citations will be issued with a mandatory court appearance. Fines imposed upon rental property owners who have initiated statutory eviction proceedings against tenant(s) pursuant to the Crime Free Program of this Code (Section 5-8-3-2) shall be waived so long as such eviction proceedings are pending and being actively pursued. This waiver does not relate to fines resulting from property maintenance violations.

b. Notification will be either personally delivered or mailed to the land-lord or property agent as listed on the most recent registration application. This notice to the tenants and occupants will be posted:

1. You are hereby notified that the license for this structure has been revoked or the owner has failed to license this residential rental property pursuant to Chapter 5 Title 8 of the Village of Orland Park Code.

2. You must vacate this structure within sixty (60) days of the date of this notice.

3. If you fail to vacate this structure, you will be in violation of this above referenced Code and subject to penalties and fines with a minimum of $250.00 and a maximum of $1,000 for each day you are found to be in violation with a mandatory court appearance.

6. Hearing/ Right of Appeal:

Whenever a property owner gets notice of a permit denial, suspension or threatened revocation and required vacating of a license issued under this Chapter, the licensee shall have the right to request a hearing. The request shall be made within seven (7) days of receipt of the notice. The request shall be made by certified or registered mail, overnight courier or hand delivery to the Development Services Department.

Whenever a request for a hearing is made, the Village President shall call a hearing by the procedures in Section 7-1-16 C of this Code. Appeal of the decision rendered following such a hearing may be taken pursuant to Section 7-1-16 D of this Code.

7. "Crime Free Rental Housing":

The landlord or managing agent will be in violation of this Code if he/she has not complied with all "Crime Free Housing" requirements as stated in Section 5-3-3-2. The Chief of Police or his/her designee shall designate a Crime-Free Rental Housing co-coordinator, who shall be responsible for conducting the Crime Free Housing Seminars and maintain a list of the attendees and their dates of attendance.

8. Unfit Properties:

The Village may prohibit persons from entering or occupying, except for repair related activity, any Rental Unit, building or structure, including utility and out buildings, found to be unfit, found not to comply with Village codes or ordinances, or that poses dangerous, unsafe, or unhealthy conditions for the building's occupants, passers–by, or the general public. Unfit properties shall be posted with appropriate language that does not permit occupancy. Any person, not the owner, who enters, occupies, uses or any person, including the owner, who permits others to enter, occupy or use the structure after such a posting shall be charged with trespassing. (Village Code Title 8, Chapter. 6 5-1) Each day the Rental Unit building or structure is entered, occupied or used following such a posting shall be considered a separate offense.

5-8-1-8-4: **PENALTIES:**

Any person, firm, corporation, or other entity violating any provision of this Chapter shall be subject to the penalties of all applicable codes and such person, firm, corporation, or other entity shall be deemed guilty of a separate offense for each and every day or portion thereof during which such violation is committed, continued, or permitted, and upon finding that a violation has occurred, shall be fined in accordance with the appropriate provisions of this Chapter and The Village Code for this and subsequent or continuing violations.

5-8-2: DEFINITIONS:

ABANDONED DWELLING: A dwelling unit, building, structure, property, or part thereof that has not been actively used for its intended, designed, or permitted purpose for a period of twelve (12) consecutive months, or for a cumulative period of eighteen (18) months during any three (3) year period.

ABANDONED USE: A non-conforming use within a dwelling unit, building, structure, property, or part thereof, that has been discontinued for a period of twelve (12) consecutive months, or for a minimum of eighteen (18) months during any three (3) year period.

APARTMENT: A unit within an apartment building.

APARTMENT BUILDING: A residential building containing three or more dwelling units. An apartment building may also be classified as a multi-family dwelling.

APPROVED: Having received approval of the Village of Orland Park Development Services Department.

BATHROOM: A room meeting the criteria of Section 5-8-4-3 (1).

BEDROOM: A room within a dwelling unit capable of being used for sleeping purposes, having a closet and an openable window, and meets the minimum square footage requirements as described in 5-8-4-3 (3b) as provided in the International Property Maintenance Code *(2006 or as adopted edition).*

CRIME FREE RENTAL HOUSING PROGRAM: A system of rules used to educate rental housing unit owners, owner's mangers and/or agents for the control and record keeping for any municipal violation or criminal activity as defined by local, state or federal law. This includes the environmental design for rental housing units and facilities.

DANGEROUS BUILDINGS, STRUCTURE, OR PREMISES: Any building, structure or premises that has become or remains in an unsafe or dilapidated condition so to pose a danger to public health, safety or welfare.

DUPLEX: A single building containing only two (2) dwelling units, side-by-side or one above the other.

DWELLING UNIT: One or more rooms containing individualized cooking, sleeping and sanitary facilities which is designed to be occupied or intended for use by one household.

FAMILY: An individual, or two or more persons related by blood, marriage or adoption, living together as a single household unit; or a group of not more than four (4) persons not related by blood, marriage or adoption, living together as a single household unit.

GRANDFATHERING: Permitted use of a previously existing non conformity. (See "Previously Existing Non-Conformity").

HABITABLE ROOM: Any room meeting the requirements of this Code for living, sleeping, cooking or dining purposes, but not including bathrooms, pantries, hallways, storage areas, utility rooms, or unfinished cellars/basements, or attics.

HOT WATER: Water at a temperature of not less than 110F.

HOUSEHOLD: *see Family*

IMMEDIATE FAMILY: Kinship members including:

Mother: a female parent
Father: a male parent
Son: a male child of the parent(s)
Daughter: a female child of the parent(s)
Brother: a male child of the same parent(s)
Sister: a female child of the same parent(s)
Grandfather: a parent's father
Grandmother: a parent's mother
Grandson: a child's son
Granddaughter: a child's daughter

IMMINENT DANGER: A condition which could cause serious or life-threatening injury or death at anytime.

KITCHEN: An area or room meeting the criteria of Section 5-8-4-3 (2).

LANDLORD: The land Owner, lessor, or sublessor of Rental Residential Property.

LESSEE: See Tenant

OCCUPANT: A person who lives in a dwelling unit. An occupant who is not an individual owner is a tenant.

OWNER: The land owner, person, agent, operator, firm or corporation having a legal or equitable interest in the property; or recorded in the Land records of Orland Park, Illinois, as holding any interest in title to the property; or otherwise having

control of the property, including the guardian of the estate of any such person, and the Personal Representative of the estate of such person if ordered to take possession of real property by a court.

OWNER'S AGENT: A person eighteen (18) years of age or older who maintains a primary residence (as defined herein) or an office for the purpose of transacting business in the Village of Orland Park and is customarily present to perform the duties of managing agent on a full time basis whether the rental unit is occupied or not.

PREVIOUSLY EXISTING NON CONFORMITY: Occupancy levels or permissible number of units in a dwelling granted prior to the adoption of The Village Land Development Code, which would be less under that Code or subsequent amendments.

PRIMARY RESIDENCE: A dwelling unit maintained and occupied on a routine basis by at least one individual owner more than 50% of the year and can be proven to be that individual owner's legal residence through tax records or other official documents filed with the state or federal government. A residence occupied by its owner 50% or less of the year is classified as a "Secondary Residence".

PROPERTY MAINTENANCE CODE: The duly adopted Property Maintenance Code of the Village of Orland Park. (Title 5 Chapter 7)

REGISTRATION: The process by which owners submit application for a license to operate one or more rental units in the Village. All rental units must be licensed and registered to be occupied by tenants. A license and occupancy may be refused or revoked by the Village on units not in compliance.

RENTAL RESIDENTIAL PROPERTY: See Residential Rental Housing.

RENTAL UNIT: An independent dwelling unit not occupied by the owner as a primary or secondary residence. *See "Residential Rental Housing" definition*.

RENTER: A Tenant. *(See Tenant).*

RESIDENTIAL RENTAL HOUSING: A dwelling, townhouse, condominium, dwelling unit, rooming unit, building, premise or structure for residential use by a person or persons who is not the legal owner of record. Units occupied by immediate family as herein defined are not considered residential rental housing. This Code is not intended to, an does not, apply to hotels, motels, nursing homes or assisted living facilities.

SECONDARY RESIDENCE: A dwelling unit occupied by an owner less than 50% of the year and occupied by no one else at any time except for individuals related by blood or marriage when the owner is actually present.

SINGLE FAMILY RESIDENCE: A building designed to be occupied by a family; single household. See *Family*

TENANT: A person not the owner who occupies a dwelling unit with the consent of the owner for monetary or non-monetary consideration.

VILLAGE: The Village of Orland Park, Illinois.

VILLAGE MANAGER: The Village Officer appointed by the Board of Trustees of the Village to act as Village Manager.

ZONING ORDINANCE: The Village of Orland Park Land Development Code.

5-8-3: LICENSING, REGISTRATION, AND FEES:

5-8-3-1: **RENTAL REGISTRATION:**

1. Registration Form Date:

Prior to engaging in the business of renting any dwelling unit to the public or operating a rental dwelling or dwelling unit, every owner of a rental property, whether occupied or vacant, shall file with the Village a completed license application for the unit and Owner's registration form including the appropriate fee for each rental property and units.

Initial Registration Time Frame: All residential rental property must be licensed and registered with the Village within six (6) months of the effective date of this Code or within thirty (30) days of notification by the Village. A

residential rental license shall be issued for a period of one (1) calendar year and shall expire on December 31st next after issuance unless previously revoked.

2. Application Form Renewal:

Application for license registration renewal must be filed at least thirty (30) days prior to the registration expiration date. A failure to renew an existing rental housing building(s) license and registration will result in an additional charge as specified Section 5-8-3-4 item #1 of this Code.

3. New Owner Registration:

Any person becoming an owner of an existing registered rental unit shall file a complete license application and registration form within thirty (30) days of the property transfer; however, the new owner will not have to pay the license and registration fee until the next annual license and registration if the previous owner had registered the property and paid the appropriate fees but must attend a "Crime Free Housing" training seminar within three (3) months of property ownership.

4. Notification of Sale:

Registration/License is non-transferrable to another person or to another rental dwelling unit. Every person holding a registration/license must give notice in writing to the of the Village of Orland Park within five business days after having legally transferred or otherwise disposed of the ownership or legal control of any registered/licensed rental dwelling. Such notice must include the name, address and contact information of the person succeeding to the ownership or control of such rental dwelling or dwellings.

5. New Rental Unit Registration:

Any rental unit must be registered within thirty (30) days of construction, conversion from owner-occupancy, or change from any other non-rental status.

6. Residential Rental License Application Required Information:

The Residential Rental License Application form shall contain the following information:

a. A description of the premises by street name and number and Property Tax Identification number.

b. The name and address of the property owner. If the owner is a corporation, the name and address of the "owner's agent" thereof shall also be provided. If the property is held in a land trust, the names and addresses of all beneficiaries must be disclosed. The agent shall be authorized by the owner in writing to accept service of any Village notices on behalf of the owner, including appointment letters, notices of code violations, court process or any other communication or correspondence in connection with the administration and enforcement of this and other Village Codes and ordinances.

c. The name, address and twenty-four (24) hour contact information of the owner's agent.

1. When a rental unit is owned by more than one individual, or is owned by an entity that is not a natural person, an owner's agent must be designated.

2. The Village shall be notified in writing within ten (10) days of any change of the owner's agent.

3. An owner with a designated "owner's agent" who is found not to be customarily available or able to perform the duties as defined shall designate a different individual who is able to properly fulfill the requirements within ten (10) days of being notified of the deficiency.

4. The signature of the owner or the owner's agent.

5. For the purposes of an emergency response to a residential rental property the owner or owner's designated agent must be located within thirty (30) miles of the Village

corporate limits for building and tenant emergencies. This person must be listed on the license application and registration form and readily accessible to the Unit Tenant, Village, Police and/or Orland Fire Protection District.

7. Refusal or Revocation of License and Registration:
Rental units found to be out of compliance after an Administrative Adjudication hearing or by an appropriate court order with this or other applicable codes or ordinances shall lose rental status, shall have the license and registration refused or revoked, and shall not be occupied until brought back into compliance. Tenant removal shall be the responsibility of the building owner.

5-8-3-2: CRIME FREE PROGRAM:

1. Owner Responsibilities:

"Owners" and "owner's agents" must comply with all rules and regulations required in the Crime Free Rental Housing Program.

a. Owners or "owner's agent" must advise prospective tenants of the Village of Orland Park's Crime Free Rental Housing Program, as defined in Section 5-8-2 of this Code.

b. All owners or owners' agents shall require a signed lease, identifying all tenants eighteen (18) years of age or older.

c. All landlords shall incorporate into the body of all leases or rental agreements, or renewals of leases or rental agreements, the first and last legal names, gender and date of birth of all individuals who will reside at the rental property during the term of the lease. All such landlords shall also require their tenants, as a condition of their lease, to provide written notice containing the first and last legal names, gender and date of birth of any guests who will be temporarily residing at the rental property for more than a calendar week (seven (7) consecutive days).

d. Owners or owner's agents must have all adult tenants sign the Crime Free Lease addendum that must read as follows:

"In addition to all other terms of this lease, Landlord and Tenant agree as follows:"

The tenant, any member of the tenant's household, any guest or any other person or persons associated with the tenant or his or her household,

1. *Shall not engage in any criminal activity or violation of municipal codes or ordinances or any other violations of local, state or federal law on or near the rental unit, common areas or appurtenances;*

2. *Shall not engage in any act intended to facilitate any violation of local municipal ordinances or codes or any other violations as defined by local state or federal law and/or obstruction or resistance of law enforcement efforts against criminal activity on or near the rental unit, common areas or appurtences;*

3. *Shall not permit on or near the rental unit, common areas or appurtenances to be used for or to facilitate any violations of local municipal ordinances or codes or any other violations of local, state or federal law.*

4. *Should the tenant, any member of the tenant's household, any guest or any other person or persons associated with the tenant, or his/her household, violate any provisions stated herein on or near the rental unit, common areas or appurtenances, such a violation shall constitute a material noncompliance with the lease and shall further constitute grounds for termination of tenancy and eviction*

5. *Violation of any of the above provisions shall be a material and irreparable violation of the lease and good cause for termination of tenancy. A single violation of any of*

the provisions of this added addendum shall be deemed a serious violation and a material and irreparable non-compliance. It is understood that a single violation shall be good cause for immediate termination of the lease. Proof of violation shall not require criminal conviction, but the tenant understands and agrees that an arrest for a described violation or criminal activity shall be sufficient evidence of a violation and grounds for termination of tenant's tenancy and occupancy.

6. In case of conflict between the provisions of this addendum and any other provisions of the lease, the provisions of the addendum shall govern.

2. Tenant Access To Owner or Owner's Agent:

The owner or owner's agent of a Rental Residential Property shall provide each tenant or occupant with the name and telephone number of a responsible person, or managing agent, who in emergency situations will be available on a twenty-four (24) hour basis and who has the authority to make repairs as needed for occupancy.

3. Maximum Number of Tenants Notification:

The owner of a Rental Residential Property shall inform each tenant or occupant in writing, prior to occupancy, of the maximum number of persons allowable by the occupancy standards set forth in this Code. (5-8-4-3 (3).

4. Tenant Records Access:
The owner or owner's agent of a residential rental property shall make available to the Development Services Director and/or Chief of Police or their designees, upon request, the following: the signed lease, the signed Crime Free Lease Addendum, credit history, and background checks as required to be maintained by this Code.

5. Sub-Leasing:

The owner or owner's agent must advise all tenants that sub-leasing is not allowed without prior approval of the owner/managing agent and compliance with the "Crime Free Rental Housing Program" requirements.

6. Construction Requirements:

See the Standards Section (5-8-4-3-12) of this Code for Crime Prevention Through Environmental Design" (CPTED).

7. Nuisance Residential Rental Property:

It is hereby declared a nuisance and declared to be against the health, safety, peace, and comfort of the Village of Orland Park for any property owner or owner's agent to allow or permit the following:

a. Rental of a Rental Unit, or Residential Rental Property, to a tenant who allows any of the following offenses to occur on or near the rental unit, common areas or appurtenances related to the tenant: murder, kidnapping, sexual assault, robbery, burglary, aggravated kidnapping, prostitution, solicitation of prostitution, pandering, obscenity, child pornography, sale or distribution of obscene publications, criminal housing management, possession of explosives, unlawful use of weapons, sale of firearms, gambling, keeping a gambling place, concealing a fugitive, violation of the Illinois Controlled Substances Act, violation of the Cannabis Control Act or commission of any other crime under state or federal law not specifically listed above. Prohibition of these offenses applies also to members of the tenant's household, guests or other parties under control of the tenant.

b. Rental of a Rental Unit, or Residential Rental Property to a tenant who allows any of the following offenses to occur on or near the rental unit, common areas or appurtenances relating to the tenant: commission of four (4) or more Village ordinance violations in a six month period or an unreasonably high number of calls for police service including, but not limited to, calls that may fall within the descriptions listed above that when compared to other properties in the Village of similar type, reasonably indicate that the activity at this property is out of character for the area and is impacting the quality of life of those in the area. Prohibition of these offenses applies also to members of the tenant's household, guests or other parties under control of the tenant.

c. The Village of Orland Park Police Department Crime Free Housing Co-Coordinator will attempt to assist property owners in proceedings for the eviction of tenants that have committed any of the above-referenced offenses.

d. For purposes of Subsection 7a and b, above, it shall be sufficient evidence that a described offense occurred if the offender has been arrested or cited for one or more of the offenses described in Subsections 7a or 7b.

8. Required Class Training:

The owner of any Rental Residential Property, and when applicable, the property management agent of any Rental Residential property, shall register, attend and successfully complete a landlord "Crime Free Rental Housing Program" training class conducted by the Village of Orland Park within three (3) months from the date of the issuance of a license or renewal license for a Rental Residential Property. *(see item 5-8-4-2 item # 6 violations)*

a. An owner or property agent of any Rental Residential Property who successfully completes the Village landlord training class for "Crime Free Rental Housing Program" shall not be required to attend and complete a landlord training class following the issuance of any subsequent license or renewal license for any Rental Residential Properties as long as all Properties stay in compliance with the "Crime Free Rental Housing Program" requirements. If a residential rental property owner or agent has successfully completed and received a certificate of completion of the required "Crime Free Rental Housing" training class meeting the requirements of this Code in the last five (5) years, the class requirement will be waived with verification of the certificate.

b. If the "Crime Free Rental Housing Program" class is not attended or certification is denied, the Residential Rental license for all properties owned or managed by that owner or property manager will be denied or revoked. Penalties set forth in this Code for non-license compliance will be applicable.

c. When a new property agent is hired for a Rental Residential Property and that property agent has not attended and successfully completed a landlord training class for "Crime Free Rental Housing Program" by the Village, the new property agent shall attend and successfully complete this class within three (3) months from the date of the person's hiring as the property agent for the Rental Residential Property.

d. See Section 5-8-3-3 item 5 for required Training Fees.

5-8-3-3: **FEES:**

Registration and inspection fees shall be established annually by the Village and shall be assessed to and paid by each Rental Residential Property owner.

1. Registration: An annual Registration/License fee of $25.00 shall be paid to the Village by the building owner (or owner's agent) for each separate building as defined by the Building Code. This registration fee will be waived for the first sixty (60) days after the effective date of this Code.

2. Delinquent fees, fines, charges: Any or all other amounts due to the Village by the owner in part or in whole must be paid before the owner can register any rental property.

3. Tri-Annual Inspection Fees:

a. Single Family Dwelling - $75.00

b. Two (2) dwelling unit building (Duplex) - $100.00

c. Apartment Buildings (three (3) dwelling units or more) - $100.00 and $25.00 for each individual unit more than two (2) units.

4. Re-Inspection Fees Per Unit:

a. No fee for the 1st re-inspection if all violations have been corrected.

b. 2nd re-inspection - $200.00

c. 3rd and subsequent re-inspections - $300.00

5. Crime Free Rental Housing Training Fee:

Required training classes as administered by the Orland Park Police Department, shall be completed by the land owner (or owner's registered agent) for all residential rental buildings. The Fee for this class shall be incorporated in the registration fee.

5-8-3-4: PENALTIES

1. Failure to register as an owner: $250 each day not registered

2. No-Show inspections for designated scheduled times by owner/agent:
$250.00 1st offense
$350.00 2nd offense
$800.00 3rd offense

3. $250.00 - $1000.00 for violations when a citation or ticket(s) is/are served. Each day shall be a separate violation.

4. Penalties – *See Sections 5-8-1-8-4 when applicable*

5-8-4: STANDARDS AND REQUIREMENTS:

5-8-4-1: **ZONING ORDINANCE:**

No Rental Residential Unit shall be created or occupied unless it complies with the provisions of the Village Land Development Code and other applicable Village Code.

1. New Rental Units:

No new Rental Units shall be established or added, nor shall the occupancy limit of any Rental Residential Unit be increased except in conformity with the Village Zoning Ordinance and all applicable Village Codes.

2. **Existing Abandoned Rental Units**:

Rental Units that have been abandoned, as defined herein, have lost rental status for any reason, are otherwise unlicensed, unregistered or have not been inspected in accordance with this Code, shall lose or forfeit any previously existing legal non-conformity and must meet current standards and requirements prior to occupancy.

5-8-4-2: **PROPERTY MAINTENANCE:**

No Rental Residential Unit shall be occupied or continued to be occupied unless the structure in which said Unit is located complies with the provisions and standards of the Village Property Maintenance Code (VC 5-7) and is maintained in a structurally sound condition and kept free from health, fire and other hazards to life and property.

1. General Repair:

The owner of the Rental Residential Unit shall be responsible for keeping the premises maintained in good repair and fit for human habitation, which shall include the building's interior and exterior and all living areas. Repairs may require obtaining proper Village building permits. (VC 5-1-13)

2. Exterior and Site:

The building exterior and sites which Rental Residential Units are located shall be maintained to Village Codes including but not limited to:

a. Building Exterior envelope: walls, roof, soffits, doors windows etc.
b. Building address (See 5-8-4-3 item # 12f. of this Code)
c. Landscaping (5-8-4-3 item 12d. and VC nuisances 6-2)
d. Parking lot spaces and access aisle repair and maintenance.
e. Roof and site water drainage of an "approved" design.
f. Public and private sidewalks.
g. Village Property Maintenance Code (*5-7)* and Nuisance Code (6-2) regulations apply.

3. Exterior Balconies:

Exterior balconies and porches may not be used as storage areas.

4. Equipment Safety and Maintenance:

Every facility, piece of equipment, utility or service which is required under this Code shall be so constructed and/or installed to function safely and effectively and shall be maintained in satisfactory working condition and shall not be removed, shut off or disconnected in any occupied Rental Residential Unit except for such temporary interruptions as may be necessary while actual repairs or alterations are in process or during temporary emergencies or tenant's failure to pay agreed upon services. Utilities or services shared by more than one Unit shall be the owner's responsibility to maintain.

5. Rodents, insects, and other pests:

All structures shall be kept free from insect and rodent infestation. All Rental Residential Property shall be treated by a licensed pest control company annually. Receipts or reports must be made available upon request to the Village authorized inspector. All structures in which insects or rodents are found shall be promptly exterminated by approved processes that will not be injurious to human health. If upon inspection there is an insect or rodent infestation in more than one Dwelling Unit, the Owner shall be required to contract with a licensed extermination company to treat all common areas and infested units not less than on a monthly basis for the remainder of the license year.

6. Garbage Containers:

Providing for garbage and rubbish removal and supplying such facilities or containers as are necessary for the sanitary disposal of all garbage and rubbish is a condition of occupancy. Such exterior containers shall be enclosed on three (3) sides with appropriate materials for appearance and the containers must be emptied at a frequency so that garbage and rubbish does not overflow provided containers.

7. Interior Storage:

In a common area, patio, balcony, hallway, stairwell, or in any living areas, it shall be unlawful to:

1. Accumulate and store building materials, lumber, boxes, and cartons, scrap metal, machinery, junk, flammable or hazardous materials or devices in such quantities or in such a manner as to create a fire, health, or other hazard to the premises or persons residing therein.

2. Store gasoline and similar combustible liquids; if stored in a multi family dwelling must be locked in an approved fire resistant cabinet.

3. Store a motorcycle, moped, gasoline powered lawnmower, snow blower, or other similar equipment which may contain a hazardous material including, without limitation, gasoline.

8. Public Utilities:

Water, electric, and natural gas utilities must be made available and operational in buildings and Rental Residential Units for occupancy approval.

5-8-4-3: RENTAL HOUSING STANDARDS:

All new and existing Rental Residential Units shall meet the standards set forth in the Village Property Maintenance Code(s) in effect from time to time and the standards contained herein. In the event of conflict between standards, the more stringent standard shall apply.

1. Bathroom Equipment:

Full bathrooms, shall contain the following minimum equipment:

a. One flush toilet with at least thirty-two inches (32") of clear shoulder width and eighteen inches (18") clear space in front.

b. One sink connected to hot and cold running water.

c. One bathtub or shower stall connected to hot and cold running water.

d. All bathrooms and powder rooms shall be contained within a separate room providing privacy from other portions of the unit or building.

2. Kitchen Equipment:

Kitchens, where required, shall contain the following minimum equipment:

a. One sink connected to hot and cold running water

b. Space and safe access to utility hook-ups for adequate refrigeration and cooking appliances refrigeration and cooking appliances.

c. Fixed counter space made of impermeable, cleanable and durable material for food preparation consisting of a minimum of three (3) continuous linear feet and a minimum of eighteen inches (18") deep.

d. Adequate storage space for food, dishes, cookware and utensils in proportion to the number of occupants configured in a manner to prevent contamination from food preparation, cleaning activities, pets or vermin. Storage space may not be directly on the floor unless within a pantry or closet.

3. Living Space Requirements for Tenants:

a. **Prohibited Occupancy:** Kitchens, living, family, dining rooms and non-habitable spaces shall not be used for sleeping purposes. Rental Residential Units shall not be occupied by more occupants than permitted by the minimum area requirements of this Code.

b. **Bedrooms:** Every bedroom occupied by one person shall contain at least seventy (70) square feet of floor area. Every room occupied for sleeping purposes by more than one occupant shall contain at least fifty (50) square feet of floor area for each occupant twelve (12) years of age and over and at least thirty-five (35) square feet of floor area for each occupant less than twelve (12) years of age.

c. **Access from bedrooms:** Bedrooms shall not constitute the only means of access to other bedrooms or habitable spaces and shall not serve as the only means of egress from other habitable spaces.

d. **Living Rooms:** Shall be a minimum of 120 square feet.

e. **Dining Rooms:** Shall be a minimum of 80 square feet.

4. Plumbing Requirements:

All plumbing fixtures, including sinks, bathtubs, shower stalls and toilets, shall be constructed of dense, durable, non-absorbent materials and shall have smooth impervious surfaces free from defects and concealed surfaces unable to be kept sanitary.

a. All plumbing fixtures shall be properly maintained, vented and connected to the Village municipal sewer system.

b. All units must have water service to be considered habitable. Any unit lacking potable water service must be vacated immediately.

5. Heating Requirements:

a. Every Rental Residential Unit shall have a heating system capable of providing heat to the entire unit at a minimum of sixty-eight (68) degrees. Between the period of October 1st and May 15th of the succeeding year the owner or manager of any Rental Residential Unit within the Village shall provide heat to those persons occupying said Rental Residential Units as provided in the following schedules:

A minimum temperature of sixty eight (68) degrees Fahrenheit from six o'clock (6:00) A.M. through ten thirty o'clock (10:30) P.M. averaged throughout any room occupied by the tenant when the outdoor temperature is minus twenty (-20) degrees Fahrenheit or above.

A minimum temperature of sixty-five (65) degrees Fahrenheit from ten thirty o'clock (10:30) P.M. through six o'clock (6:00) A.M. throughout any room occupied by the tenant when outdoor temperature is minus twenty (-20) degrees Fahrenheit or above. (*ord. 1159, 1-25-82*)

b. Any unit where the utility or service required for operation of the heating system has been removed; shut off or disconnected between October 1st and May 15th shall be considered uninhabitable and must be vacated immediately.

c. All gas duct furnaces must be vented to the exterior. All duct furnaces shall be tested in accordance with ANSI Z83.8 or UL795 and shall be installed in accordance with the manufacturer's installation instructions.

d. No heater shall be operated with the use of an extension cord. All floor furnaces shall be approved and tested in accordance with ANSI Z21.86/CSA 2.32 and shall be installed in accordance with the manufacturer's installation instructions.

e. Heaters and vents shall be installed with clearances from combustible materials in accordance with the manufacturer's installation instruction.

f. Any unit or service required for operation of the heating system(s) must be maintained by the building owner.

g. For the protection of building tenants, the Village may require the heating system to be inspected and repaired by a qualified heating system specialist whenever a hazard condition is apparent or may be considered possible.

6. Electrical Requirements:

a. All electrical wiring shall be protected by a circuit breaker or fuse. Every room in a rental unit, except a bathroom shall be equipped with not less than two (2) duplex outlets. Bathrooms shall have at least one (1) outlet.

b. Each Rental Residential Unit shall have a minimum electrical service of at least 100 amps.

c. Where provisions are made for major electrical appliances requiring 220 volt service such as room heaters, air conditioners, stoves, washers and dryers, such units shall be on individual circuits.

d. No electrical circuit shall serve more than one Rental Residential Unit.

e. Every outlet, circuit, fixture, load center, service entrance or other component shall be maintained in a safe working condition.

f. All work performed on electrical systems in Residential Rental Housing must be performed in accordance with applicable codes and regulations and may require permits and/or additional inspections. Electrical contractors providing service, shall be licensed and bonded as required in the Village Building Code 5-1-6.

7. Stairways and Steps Standards:

a. All stairways, both interior and exterior, shall be maintained in a safe condition, as required in the Village Property Maintenance Code *(5-7).*

b. Building common area stairways must remain illuminated at all times. Lighting standards for stairways shall not be reduced.

c. Storage is not allowed under or near stairwells.

8. Handrails and Guardrails:

a. **Stairway Handrails**: Continuous handrails shall be placed on both sides of stairways accessible to the general public. Handrail height shall be not less than thirty (30") in., nor more than thirty-four inches (34"), measured vertically at the tread nosing for stairways with three or more risers. Stairways within individual Dwelling Units may be on one side of the stairway. Handrails acting as a guardrail along stairways shall follow the details for openings in subsection c. below.

b. **Guardrails**: Porches, balconies, landings, or raised floors surfaces located more than thirty inches (30") above the floor or grade below shall have a guardrail not less than forty two inches (42) in areas open to the general public. Guardrail height may be reduced thirty inches (36") in height when located within a single family Dwelling Unit.

c. **Guardrail Openings:** Handrails or guardrails on open sides where the floor or grade below is more than eighteen inches (18") shall have intermediate rails, parts, or closures which will not allow passage of an object six inches (6") in diameter.

9. Light and Ventilation:

a. Every bathroom not containing an operable window shall provide adequate light and mechanical ventilation. Ventilation must vent to the outside.

b. Other permitted living areas without direct access to the exterior via an operable door or window must provide adequate light and ventilation

c. In every Dwelling Unit, for protection against mosquitoes, flies and other insects, every door used or intended to be used for ventilation opening directly from a Dwelling Unit to outdoor space shall have supplied and installed screens and a self-closing device; and every window or other device with opening to outdoor space, used or intended to be used for ventilation, shall likewise be supplied with screens installed. During the period from April 1st until December 1st insect screens must be in place on all doors, windows and other outside openings required for ventilation of habitable rooms.*(see item 12.a below for bedroom egress requirements).*

10. Moisture

a. All living areas shall be kept dry and free from exterior moisture penetration.

b. Building components, including enclosed cavities, which have become wet for any reason, shall be dried adequately to prevent mold growth.

c. All areas of a Dwelling Unit, including non-living areas part of or adjacent to the Dwelling Unit, shall be kept free of significant water entry or standing water. Measures must be taken to prevent moisture contact with permeable building components or other materials.

11. Fire Safety and Exits:

Dwelling Units shall be provided with two (2) independent fire escape routes. An escape route such as an exterior porch roof, an accessible operable exterior window or an exterior door or landing may constitute an independent fire escape route. Exterior fire escapes shall be designed to prevent the accumulation of snow or ice.

a. **Exit Requirements:** Every bedroom shall have at least one (1) operable exterior window or exterior door constructed to permit emergency exit or rescue.

1. Bedrooms protected by a functioning approved sprinkler system that is tested and certified annually by a qualified inspector may have no direct exterior exit.

2. Where no exterior door or window exists in a bedroom, two (2) doors are required. Each door must open into a different room or area and lead to an independent exit of the Unit.

3. Minimum clear window openings shall be 820 square inches (5.7 square feet) with a minimum of twenty-four inches (24") high and a minimum of twenty inches (20") wide. Opening must be attainable without the use of tools. Bottom of the opening shall be no more than forty-four inches (44") above the floor or to the top of an appropriate fixed step or platform.

b. **Smoke Detectors**:

1. An electrical (hard wired) smoke detector in each bedroom is required as regulated by State of Illinois and Village Codes as applicable at time of building permit issuance.

2. Smoke detectors operated by battery are only acceptable as allowed by Village ordinance and as permitted by the State of Illinois Smoke Detector Act as described below. (ILCS 425 60/3).

In the case of any dwelling unit that is newly constructed, reconstructed, or substantially remodeled after December 31, 1987, the requirements of this Section shall apply beginning on the first day of occupancy of the dwelling unit after such construction, reconstruction or substantial remodeling. The smoke detectors required in such dwelling unit shall be permanently wired into the structure's AC power line, and if more than one detector is required to be installed within the dwelling unit, the detectors shall be wired so that the actuation of one detector will actuate all the detectors in the dwelling unit.

3. All smoke alarms shall be listed in accordance with UL 217 and installed in accordance with the provisions of this Code and the household fire warning equipment provisions of NFPA 72.

A. Smoke detectors are to be installed as required by the manufacturer and placed on each and every floor level including the basement, all bedrooms and on the ceiling or wall outside of each separate sleeping area in the immediate vicinity of bedrooms.

B. Smoke detectors should be installed in all multi unit common area hallways, exit passageways, and stairwells.

C. Areas separated by doors or distance may require additional smoke detectors.

D. All substantially remodeled or rewired, enlarged, expanded, or otherwise upgraded units shall meet all applicable codes including having interconnected smoke detectors.

E. All systems, devices and equipment to detect a fire, actuate an alarm, or suppress or control a fire or any combination thereof shall be maintained in an operable condition at all times in accordance with the International Fire Code. Maintaining the operable

condition of all smoke detectors shall be the responsibility of the owner and managing agent. Should any smoke detectors be found to have been removed, disabled, or destroyed by the tenant, the tenant shall be deemed guilty of a municipal infraction under the provisions of this Code or State laws as applicable.

c. **Fire Extinguishers**: Every Rental Residential Unit shall have one (1) fire extinguisher, 2.5 pound charge, manufactured by an approved testing agency for combating Class A, B, and C fires.

d. **Carbon Monoxide Detectors**: Carbon Monoxide Detectors shall be the Owner's_responsibility for installation as regulated by the State of Illinois (**Public Act 094-0741)** as *shown below.*

State of Illinois Public Act 094-0741
(1) Every dwelling unit shall be equipped with at least one approved carbon monoxide alarm in an operating condition within fifteen (15) feet of every room used for sleeping purposes. The carbon monoxide alarm may be combined with smoke detecting devices provided that the combined unit complies with the respective provisions of the administrative code, reference standards, and departmental rules relating to both smoke detecting devices and carbon monoxide alarms and provided that the combined unit emits an alarm in a manner that clearly differentiates the hazard.

(2) Every structure that contains more than one dwelling unit shall contain at least one approved carbon monoxide alarm in operating condition within fifteen (15) feet of every room used for sleeping purposes.

(3) It is the responsibility of the owner of a structure to supply and install all required alarms. It is the responsibility of a tenant to test and to provide general maintenance for the alarms within the tenant's dwelling unit or rooming unit, and to notify the owner or the authorized agent of the owner in writing of any deficiencies that the tenant cannot correct. The owner is responsible for providing one tenant per dwelling unit with written information regarding alarm testing and maintenance.

(4)The tenant is responsible for replacement of any required batteries in the carbon monoxide alarms in the tenant's dwelling unit; except that the owner shall ensure that the batteries are in operating condition at the time the tenant takes possession of the dwelling unit. The tenant shall provide the owner or the authorized agent of the owner with access to the dwelling unit to correct any deficiencies in the carbon monoxide alarm that have been reported in writing to the owner or the authorized agent of the owner.

(5) The carbon monoxide alarms required under this Act may be either battery powered, plug-in with battery back-up, or wired into the structure's AC power line with secondary battery back-up.

e. **Fire Separation and Barriers Between Residential Units:** Attached Single and Multi-Family Dwelling Units shall maintain wall and ceiling fire barriers as required from their original Building permit requirements. Openings between residential units and common use areas shall be patched as needed for controlling the spread of fire. *(units constructed after 12/17/85 have required a two-hour fire separation rating for construction per ordinance 148)*

f. **Mistaken Egress:** Any door, passage or stairway which is neither a means of egress nor access to a means of egress, and which is so located or arranged as to be mistaken for a means of egress, shall be properly identified as to its use.

12. Security, Crime Free Rental Housing Program Requirements:

The following requirements provide "Crime Prevention Through Environmental Design" (CPTED). Each Rental Unit must comply with these requirements:

a. Deadbolts with three inch (3") screws secured into the building framing for strike plates on all Unit entry doors.

b. Anti-lift slide devices on sliding doors and windows on the first floor, garden levels and accessible second levels.

c. Adequate security lighting for all hallways, entryways and parking lots and common areas.

d. Proper trimming of trees and shrubs, eliminating hiding places.

e. Eye views on entry doors with 180° degree view.

f. All multi-unit buildings must have the building address in clear view on the front and back of the building. Single residences must have the building address in clear view on the front of the building. Each of the figures of every such address on any residence or apartment building shall no be less than four inches (4") in length. (VC 3-2-2-2).

g. Buzzer type entry security system must be in proper working order from all of the Dwelling Units in every multi-unit buildings with common entrances. All front and back entry doors must locked at all times.

5-8-4-4: PARKING AND BICYCLES:

1. Off-street parking shall be provided and maintained for all Rental Units in accordance with the standards set forth in the Land Development Code and Village building code standards. (VC 5-1-13, item 4)

2. Secure bicycle stands shall be provided where necessary or as requested by tenants.

5-8-4-5: **TENANT RESPONSIBILITIES:**

Every tenant of a Rental Unit shall keep in a clean and sanitary condition that portion of the premises, both interior and exterior, that the tenant occupies uses, shares or controls. Every tenant shall insure that his/her trash, garbage and other refuse is stored and disposed of in a clean and sanitary manner.

1. No tenant either by negligence or abuse shall create or contribute to the creation of any violation of this Code.

2. No tenant shall create or permit to be created by others any noise, smoke, vibration, fumes, vapor, glare, odor or dust within that portion of the premises that the tenant occupies, uses or controls which interferes with the reasonable use and enjoyment of other Rental Residential Units on a Rental Residential Property or of nearby properties.

3. No tenant shall store flammable or hazardous materials or devices in such quantities or in such a manner as to create a fire, health, or other hazard to the premises or other persons.

4. Vehicles are to be parked or driven on improved parking areas or driveways only without blocking public access to sidewalks or roadways.

5. In a common area, patio, balcony, hallway, stairwell, or in any living areas, a person shall not store or accumulate a motorcycle, moped, gasoline powered lawnmower, or other similar equipment which may contain a hazardous material including, without limitation, gasoline. These areas may not be used as storage areas.

5-8-4-6: SUNSET PROVISION – REPEALER:

This Chapter 8 of Title 5 is repealed on January 19, 2015, unless prior to that date the corporate authorities of the Village enacts legislation providing for the continuation of this Chapter 8.

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