



STATE OF ILLINOIS)
) SS
COUNTY OF LAKE)

CERTIFIED COPY OF ORDINANCE

I, Daphne Paras, am the duly qualified and acting Village Clerk of the Village of Riverwoods, Lake County, Illinois (the "Village"), and do hereby certify that the following, hereinafter described, are true and correct copies of the original documents which are part of the records of my office as such Village Clerk:

ORDINANCE NO. 2019-01-06,

**AN ORDINANCE AMMENDING THE VILLAGE CODE TO REQUIRE
REGISTRATION OF RESIDENTIAL RENTAL PROPERTIES**

and a true, correct and complete copy of said ordinance as adopted by the President and Board of Trustees of the Village is attached hereto.

IN WITNESS WHEREOF, I hereunto affix my official signature and the seal of the Village this 22 day of January, 2019.

Daphne Paras, Village Clerk

[SEAL]

ORDINANCE NO. 19-01-06

**AN ORDINANCE AMENDING THE VILLAGE CODE TO REQUIRE
REGISTRATION OF RESIDENTIAL RENTAL PROPERTIES**

WHEREAS, the Village of Riverwoods (the "Village") is a home rule unit of government that has authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs and to protect the public health, safety and welfare of its citizens; and

WHEREAS, there are residential properties within the Village being leased to tenants or used for short-term rentals through online marketplace platforms; and

WHEREAS, the Village desires to obtain accurate, up-to-date information about such residential rental properties and the identification of responsible persons for these properties to ensure their proper maintenance and to avert activity that, through inability to communicate, could otherwise become a nuisance or be detrimental to the character, health and vitality of the surrounding neighborhood and the Village as a whole.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF RIVERWOODS, as follows:

SECTION ONE: The statements and findings contained in the preamble to this Ordinance are found to be true and correct, and are hereby adopted as part of this Ordinance.

SECTION TWO: Chapter 6 shall be added to Title 3 of the Riverwoods Village Code to read in its entirety as follows:

Chapter 6

REGISTRATION OF RESIDENTIAL RENTAL BUILDINGS

SECTION:

- 3-6-1: Declaration of Policy
- 3-6-2: Definitions
- 3-6-3: Registration Required
- 3-6-4: Registration; Fee; Certificate
- 3-6-5: Amended Registrations
- 3-6-6: Enforcement
- 3-6-7: Penalties
- 3-6-8: Notice of Village Code Violations
- 3-6-9: Homeowner Associations

3-6-1: DECLARATION OF POLICY: The purpose of this chapter is to protect the public health, safety, and welfare by requiring the registration of all buildings that are offered for or used as rental units, including short term rentals, to obtain accurate, up-to-date information about such residential rental properties and the identification of responsible persons for these properties, to assure that the use, operation and maintenance of such buildings comply with the ordinances of the village, to avert activity that, through inability to communicate, could otherwise become a nuisance or be detrimental to the character, health and vitality of the surrounding neighborhood and the village as a whole, and to assist in the collection of utility charges and other amounts due to the village.

3-6-2: DEFINITIONS: Unless otherwise expressly stated or clearly indicated by the context, the following terms shall, for the purpose of this chapter, have the meanings indicated in this section. Throughout this chapter, the singular shall include the plural.

BUILDING: A building, as defined in Section 9-2-3 of the Code.

CODE: This code refers to the Riverwoods Village Code.

DEPARTMENT: The Village of Riverwoods building department.

DIRECTOR: The Village of Riverwoods director of community services.

DWELLING: As defined in in Section 9-2-3 of the code.

OWNER: Any person, agent, operator, firm or legal entity having a legal or equitable interest in real property; or recorded in the official records of the state, county, or municipality as holding the title to the real property; or otherwise having control of the real property, including the guardian of any such person, or the executor, trustee or administrator of the estate or trust of any such person (or beneficiary if a trust).

RENTAL UNIT: A dwelling, or one or more rooms arranged, designed and used as a residence or living quarters within a dwelling, leased for occupancy by one or more persons who are not the owner of the dwelling, in exchange for rent paid to the owner of such dwelling or the owner's agent pursuant to a rental agreement.

RENTAL AGREEMENT: All agreements, written or oral, and rules and regulations embodying the terms and conditions concerning the stated term for and the use and enjoyment of a rental unit. Rental agreements shall include applicable subleases, licenses, online reservation agreements and agreements to exchange use properties. Electronic versions of agreements deemed binding by the parties are rental agreements for purposes hereof.

SHORT TERM RENTAL: Each use of a rental unit for a term of less than 30 consecutive days. Short term rental includes occupancy reserved through online marketplace services that facilitate lodging by overnight guests.

3-6-3: REGISTRATION REQUIRED:

A. The owner of any building that is offered for use during any part of a calendar year as a rental unit, including short term rentals, shall file a registration statement for such building with the department on forms provided by the department for such purposes. Any such registration statement shall be deemed prima facie proof of the statements therein contained in any administrative enforcement proceeding or court proceeding instituted by the village against the owner of the building. For purposes of this chapter, a post office box does not suffice as a street address. The registration statement shall include the following information:

1. The name, street address, telephone number, and e-mail address of each owner of the building. If the owner is a partnership, limited liability company, or corporation, the statement shall further include the name, street address, telephone number, and e-mail address, and position of a responsible partner, managing member or officer. If the owner is a limited liability company or corporation, the statement shall also include the name, street address, telephone number, and e-mail address of the registered agent thereof;

2. The name, street address, telephone number, and e-mail address of a natural person twenty one (21) years of age or older, designated by the owner as the authorized agent for receiving notices of village code violations and for receiving process, in any court proceeding or administrative enforcement proceeding, on behalf of such owner in connection with the enforcement of this code. Notwithstanding the foregoing, this person may be between eighteen (18) and twenty one (21) years of age provided that the registration statement includes proof that said person has a valid realtor's license issued pursuant to the Illinois real estate license act, 225 Illinois Compiled Statutes 454/1-1 et seq., as amended. This person must maintain an office in Lake or Cook County, Illinois, or must actually reside within Lake or Cook County, Illinois. An owner who is a natural person and who meets the requirements of this subsection as to location of residence or office may designate himself or herself as agent;

3. The name, street address, telephone number, and e-mail address of the owner's agent for the purpose of managing, controlling or collecting rents, and any other person who is not an owner but who controls such building, if any;

4. The name, street address, and telephone number of each company that provides an insurance policy for the building;

5. The street address(es) and property index number(s) of the building, and the number of dwelling units therein;

6. A description of the rental units, whether the use includes short term rental, and such other information as the department may reasonably require, such as

the maximum number of bedrooms and the maximum number of guests allowed for the short term rental; and

7. The name and telephone numbers of each tenant occupying a rental unit (if other than a short term rental).

B. Notwithstanding the foregoing, no registration shall be required for:

1. Hotels and motels for which a tax is imposed upon the use and privilege of renting, leasing or letting of rooms by section 3-1-7 of this code;

2. Nursing homes; or

3. Group homes receiving a waiver or exception under section 9-11A-3 of this code.

3-6-4: REGISTRATION; FEE; CERTIFICATE:

A. The owner of a home shall register the home with the department before listing or marketing the home for lease or short term rental. Registration shall be effective through December 31 of the year in which the registration occurs. The owner shall certify that the information provided on the registration statement is true and correct. As long as the owner continues such use, the owner shall renew the registration with the Village prior to its expiration. The leasing of rooms in a group home when such use has been authorized by ordinance shall be exempt from registration requirements under this section.

B. The owner of a building shall pay an annual registration fee for each building so registered at the time the owner files the annual registration statement in the amount of Thirty Dollars (\$30) or as from time to time adjusted in in the village's annual fee ordinance. The registration fee shall not be prorated.

C. Upon registration and payment of the applicable fee, the director shall issue a certificate of registration to the owner that certifies that the owner has registered the building in compliance with the terms of this chapter.

D. Late Payment Penalty: If an owner fails to register within six (6) weeks of the date before the rental use is commenced, or fails to renew a registration more than six (6) weeks after license expiration when such renewal was required, there shall be an additional late charge of thirty (30%) added to the regular registration fee.

3-6-5: AMENDED REGISTRATIONS: The owner of a building required to register with the department pursuant to the terms of this chapter shall notify the department, within twenty (20) business days, of any change in the registration information by filing an amended registration statement on a form provided by the department for such purpose. There shall be no additional fee for filing an amended registration statement.

3-6-6: ENFORCEMENT:

- A. The director and the department shall enforce the terms of this chapter by any lawful means, including, but not limited to, proceedings in the circuit court or in the Village's Administrative Adjudication Division.
- B. The director may refuse to issue any permit required by this code for any construction, alteration, installation, razing or other work done in or on any "building" as defined in this chapter, or any certificate of occupancy required by this code for such a building, unless the owner or other applicant for such permit or certificate presents a current certificate of registration for the building.

3-6-7: PENALTIES:

- A. Each day that any building subject to registration hereunder is not registered in accordance with the provisions of this chapter shall constitute a separate and distinct offense.
- B. In addition to any of the penalties provided in this chapter, any person failing to register a home in violation of the terms of this chapter shall, upon conviction thereof, be fined seventy five dollars (\$75.00) for the first offense, two hundred dollars (\$200.00) for the second offense in any one hundred eighty (180) day period, and three hundred seventy five dollars (\$375.00) for the third and any subsequent offense in any one hundred eighty (180) day period.
- C. The intentional submission of false information on a registration statement or an amended registration statement filed pursuant to this chapter shall be a separate offense punishable by a fine of not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00). Each day that such information remains uncorrected by the owner(s) shall constitute a separate and distinct offense.
- D. Any fines shall be debts due and owing to the village that the village may collect by any means allowed by law, including, but not limited to, filing a lien against the building.

3-6-8: NOTICE OF VILLAGE CODE VIOLATIONS:

- A. By designating an authorized agent to receive notice pursuant to the terms of this chapter, the owner consents to receive any and all notices of village code violations concerning the registered building and all process in any court proceeding or administrative enforcement proceeding brought to enforce village code provisions concerning the registered building by service of the notice or process on the authorized agent until the owner files an amended registration

statement or new annual registration statement pursuant to the terms of this chapter.

- B. Any owner who fails to register a building pursuant to the provisions of this chapter shall further be deemed to consent to receive, by posting at the building, any and all notices of village code violations and all process in an administrative proceeding brought to enforce code provisions concerning the building.
- C. The terms of this section shall supersede any conflicting or contradictory notice provisions contained within this code.

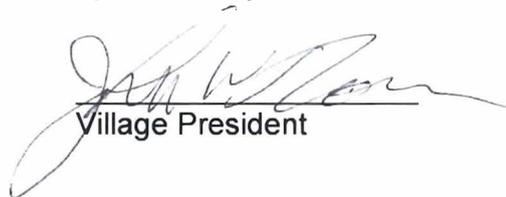
3-6-9: HOMEOWNER ASSOCIATIONS: All homeowner associations that maintain records of units offered for rent, shall, on an annual basis and no later than November 1 of each year, provide to the department the names and current mailing addresses of all owners of said units and, if available, the names of tenants occupying said units.

* * *

SECTION THREE: This Ordinance shall be in full force and effect after its passage, approval and publication in the manner provided by law but the requirement to comply with the .

AYES: CHAMBERLAIN, FORD, GOLDSTEIN, HABER, HOLLANDER, JAYPERSON (6)
NAYS: (0)

PASSED & APPROVED this 22nd day of January, 2019.


Village President

Attest:

Village Clerk