
VILLAGE OF LANSING
COOK COUNTY, ILLINOIS

ORDINANCE NO. 11-030

AN ORDINANCE AMENDING THE LANSING MUNICIPAL CODE, AS AMENDED BY
THE REPEALING OF THE EXISTING ARTICLE TEN OF CHAPTER 16 ENTITLED
"CRIME FREE RESIDENTIAL HOUSING LICENSING AND REGULATION"
AND SUBSTITUTING THE TERMS AND PROVISIONS HEREINAFTER
RECITED IN ITS PLACE AND STEAD

ADOPTED BY

PRESIDENT AND BOARD OF TRUSTEES

VILLAGE OF LANSING

COOK COUNTY, ILLINOIS

This 16th day of November, 2011.

Published in pamphlet form by authority of the President and Board of Trustees of the
Village of Lansing, Cook County, Illinois, this 16th day of November, 2011.

public, including the rental of a single family residence, rental dwelling or dwelling unit, rooming house or rooming unit, and including any Residential real property that is not owner occupied, unless a valid Residential Rental License has been issued by the Village Clerk to the owner for the 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.

Section 16.357. Application for License

Application for a Residential Rental License shall be made in the name of the legal owner of the premises to be rented, submitted to the Village Clerk on forms dispensed by the Building Department. The application shall identify the location of the property; the name, address and telephone of the owner; the name, address and 24-hour telephone(s) of the manager or custodian of the property; the owner's agent for service of process; and such other information as the Clerk may reasonably require.

Each property address must have a separate application.

Section 16.358. License Fee

The annual fee for a Residential Rental License shall be paid at the time of application as follows:

\$100.00 per year/per building, single unit/\$25.00 for each additional unit in the building.

Section 16.359. Term of License; Transfer Prohibited; Renewal

A Residential Rental License shall be issued for a period of one calendar year. All licenses shall expire on December 31 next after issuance, unless previously revoked. Annual license fees must be paid to the Village Clerk no later than January 31st of each year and shall not be prorated. A \$25.00 late fee will be added to each late payment received after January 31st. The license shall not be transferable. Each new owner of the rental dwelling unit must obtain a license. Application for renewal shall be made in the same manner as for a new license. Once a rental unit has been registered and receive a license to operate, renewal applications for the following year will be issued a temporary license to operate after the renewal fees are paid. The temporary license will become permanent once the property passes inspection for that calendar year and all registration requirements have been met.

If ownership of a rental unit or building changes after the yearly license fees have been paid, the fees will be considered paid for the calendar year for that property once the new owner files a new license form and submits a \$25.00 processing fee (per building) to the village clerk.

Section 16.360. Inspection Required

All property manager/landlords shall be required to have their units inspected by the Lansing Building and Fire Departments prior to obtaining a license. Village inspectors will schedule inspections with the property owners. If property owners fail to complete the required inspection after two attempts, the property will be considered in violation of the ordinance and a citation will be issued subjecting the owner to a fine not to exceed \$750.00. No Residential Rental License shall be issued or renewed unless the dwelling unit(s) and common area(s) in connection with which the license is sought are found after inspection to meet all applicable laws and regulations. These inspections are for the purpose of insuring structural integrity and safety, and sanitary conditions, and to maintain compliance with the 2006 International Building Codes. These inspections will be conducted by the Village of Lansing Building, and/or Fire Departments. Rental dwelling units that change ownership shall be required to be inspected before a new license can be issued. The owner will be provided with an inspection report describing any condition which constitutes a violation of any applicable law or regulation, and shall be afforded a reasonable opportunity to correct any such conditions. In the event that more than two (2) inspections are required to determine compliance, subsequent, re-inspections of properties shall include re-inspection fees of \$150.00 per inspection. Payment must be made in full prior to issuance of the license. An itemized list of the items to be inspected is attached hereto as Exhibit "A" and made a part hereof.

The owner or owner's agent must accompany the inspector from the Village of Lansing during the inspection.

Failure to maintain a scheduled inspection, or to accompany the Village's inspection personnel during an inspection will be considered a failed inspection.

Once a rental unit has passed such inspections, a license must be obtained from the Village Clerk's office within 30 days.

Any property owner not obtaining a license from the Village clerk's office within 30 days will be issued a citation.

Section 16.361. Crime-Free Housing Seminar Required

All persons applying for a Residential Rental License and all persons administering, managing or controlling the operation of any rental dwelling unit must attend a Crime-Free Multi-Housing Seminar, administered by the Lansing Police Department, prior to issuance of the license. Licensees are only required to attend one seminar.

Section 16.362. Crime-Free Lease Addendum

Every lease or other agreement for residential rental property is required to utilize a crime free lease addendum or have a clause in the lease similar to a crime free lease addendum for any leases executed after the date of enactment of this Ordinance. The Police Department shall provide at no cost samples of the Crime Free Lease Addendum. The addendum is to make criminal activity (not limited to violent criminal activity or drug related criminal activity engaged by, facilitated by or permitted by the renter, member of the household, guest or other party under the control of the renter) a lease violation. The landlord shall have authority under the addendum to initiate an eviction proceeding as specified in the Illinois Compiled Statutes Forcible Entry and Detainer statutes. Proof of criminal violation shall be by a preponderance of the evidence. A copy of each lease shall be provided to the program administrator. The lease must contain the names, age and gender of each person allowed to reside in the rental unit.

The aforementioned "Crime-Free Lease Addendum" shall be written in substantially the following form:

Crime-Free Lease Addendum

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

1. The Tenant, any member of the Tenant's household, any guest or any other person associated with the Tenant on or near the leased premises:

a) Shall not engage in criminal activity, including drug-related criminal activity, on or near the leased premises. "Drug related criminal activity" means the illegal manufacture, sale, distribution, use, or possession of any illegal or controlled substance as defined in 21 U.S.C. 802.

b) Shall not engage in any act intended to facilitate criminal activity.

c) Shall not permit the dwelling unit to be used for or to facilitate any criminal activity.

2. ANY ACTIVITY PROHIBITED BY THIS AGREEMENT SHALL CONSTITUTE A SUBSTANTIAL VIOLATION OF THE LEASE, MATERIAL NONCOMPLIANCE WITH THE LEASE, AND GROUNDS FOR TERMINATION OF TENANCY AND EVICTION.

Section 16.363. Periodic Inspection

Every residential rental property is subject to periodic generally one inspection per year. Crime Free Multi-Housing (CFMH) inspection by the Village of Lansing at reasonable times and in a reasonable manner to ensure continuing compliance with all applicable laws and regulations. The property owner or owner's agent will be given prior notice of the CFMH inspection. Whenever it appears by inspection that conditions or practices exist which are in violation of the provisions of this chapter or of any applicable laws and regulations, the Village shall serve the owner or operator with notice of such violation, stating what action is required to correct the violation and the time period allowed for correction. Such notice shall state that unless the violations cited are corrected within the time allowed, the Residential Rental License may be suspended or revoked.

Section 16.364. Violation of "Crime Free Lease Addendum" Prohibited

It is the responsibility of the Lansing Police Department to notify the property owner of any criminal activity which falls within the scope of the "Crime Free Lease Addendum" that occurs on or near the property. It shall be the responsibility of the landlord to initiate appropriate action when the Crime Free Lease Addendum is violated. If the situation is not addressed by the landlord to the satisfaction of the Lansing Police Department, the Lansing Police Department will notify the Village Clerk to initiate Residential Rental License revocation procedures.

Section 16.365. Suspension or Revocation of License; Hearing; Appeal

The Village Clerk may suspend or revoke any Residential Rental License, on not less than five (5) days notice to the licensee and after affording the licensee an opportunity for a hearing, whenever the Clerk finds that the licensee has failed or refused to correct any violation of any law or regulation applicable to the property, after reasonable notice and opportunity to take corrective action. Any person whose license has been suspended or revoked by the Village Clerk shall be entitled to an appeal to the Mayor. Each day that the building remains occupied without a valid license in effect may result in fines up to \$750.00 per day. Each day constitutes a separate violation.

Section 16.366. Nuisance

It is hereby declared a nuisance and unlawful for any property owner, agent or manager to permit the following: (a) rental of a residential unit or residential building within an apartment community or governed by a homeowner's association to a tenant, member of the tenant's household, guest, or other party under control of the tenant, who permits any of the following offenses to occur: murder, kidnapping, aggravated kidnapping, prostitution, solicitation of prostitution, pandering, obscenity, child pornography, harmful materials, sale of obscene publication, 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 two or more of any other crimes defined by the State of Illinois or the United States Government, not specifically listed above; (b) rental of a residential unit, or residential building within an apartment community or governed by a homeowner's association to a tenant, including a member of the tenant's household, guest, or other party under control of the tenant, who allows any of the following offenses to occur: commission of 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.

Section 3: The Clerk of the Village of Lansing is authorized and directed to note that the fact of the amendment hereby adopted in the Code.

Section 4: If any provision of this ordinance or application thereof to any person or circumstance shall be held invalid, such invalidity shall not affect the other portions or applications of this ordinance which can be given effect without the invalid provision or application and, to this end, the provisions of this ordinance are declared to be severable.

Section 5: All ordinance or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 6: This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form, as provided by law.

PASSED this 16th day of November, 2011

AYES: 6 Trustees: Lyzenga, Kapteyn, Stole, DeLaurentis, Butler and Skrbina


NAYS: 0

ABSENT: 0

APPROVED this 16th day of November, 2011.


Village President

ATTEST:


Village Clerk

PREPARED BY AND APPROVED AS TO FORM:

Village Attorney