

PUBLISHED IN PAMPHLET FORM THE FOLLOWING:

ORDINANCE NO. O-22-47

**BY THE AUTHORITY OF THE MAYOR AND THE
MEMBERS OF THE BOARD OF TRUSTEES OF THE
VILLAGE OF ADDISON, DUPAGE COUNTY, ILLINOIS,
This 3rd Day of October, 2022**

**AN ORDINANCE AMENDING CERTAIN PROVISIONS OF CHAPTER 12
OF THE VILLAGE CODE REGARDING SHORT-TERM RESIDENTIAL RENTALS**

PREPARED BY/RETURN TO:

Village of Addison
1 Friendship Plaza
Addison, IL 60101

PIN#

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**ORDINANCE AMENDING CERTAIN PROVISIONS OF CHAPTER 12 OF THE VILLAGE CODE
REGARDING SHORT-TERM RESIDENTIAL RENTALS**

WHEREAS, Section 6(a) of Article VII of the 1970 Constitution of the State of Illinois provides that any municipality which has a population of more than 25,000 is a home rule unit, and the Village of Addison, DuPage County, Illinois, with a population in excess of 25,000 is, therefore, a home rule unit and, pursuant to the provisions of said Section 6(a) of Article VII, may exercise any power and perform any function pertaining to its government and affairs, including, but not limited to, the power to tax and to incur debt; and

WHEREAS, the short-term rental of residential homes within the Village of Addison has negatively impacted residents and guests of the neighboring properties; and

WHEREAS, short-term residential rental properties have been the sites of criminal activity in neighboring municipalities; and

WHEREAS, the Mayor and Board of Trustees believe, and hereby declare, that in order to promote and preserve the public health, safety and welfare of the residents of the Village, it is in the best interests of the Village to amend Chapter 12 of the Village Code to include a prohibition on short-term residential rentals.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF ADDISON, DU PAGE COUNTY, ILLINOIS, IN THE EXERCISE OF ITS HOME RULE POWERS, AS FOLLOWS:

SECTION ONE: The foregoing recitals are hereby incorporated in this Section One as if said recitals were fully set forth herein.

SECTION TWO: Chapter 12 of the Village Code is hereby amended to add a new Article VII which shall be entitled "Short-Term Residential Rentals" and shall hereafter be and read as follows:

Sec. 12-41. Definitions.

Unless otherwise expressly stated or clearly indicated by the context, the following terms shall, for the purpose of this Article, have the meaning indicated in this section:

Residential Structure: A residential structure located in an R1, R2, R3, R4 and R5 zoning district within the Village of Addison, as defined in the Village of Addison Zoning Ordinance, as amended from time to time.

Short-Term Residential Rental: A Residential Structure, as defined herein, offered for rent on a daily or weekly basis for a period which does not exceed thirty (30) consecutive days.

Short-Term Residential Rental Property Owner: The individual or entity which has legal or beneficial title to the property which is the subject of a Short-Term Residential Rental.

Sec. 12-42. Short-Term Residential Rentals Prohibited

(A) It shall be unlawful for any person or entity to operate, use, offer for rent or use, or advise for rent or use, any property within the Village of Addison as a Short-Term Residential Rental, except as set forth in section 12-42(B) below.

(B) Notwithstanding the provisions set forth above in section 12-42(A), it shall not be considered a Short-Term Residential Rental when the preceding owner of a property maintains possession of a Residential Structure after closing for the sale thereof, but leases the property back from the successor owner for a period of less than thirty (30) days pursuant to a written agreement.

Sec. 12-43. Public Nuisance Declared

Operation of any Short-Term Residential Rental within the Village of Addison in violation of the provisions of this Article may be deemed a public nuisance and abated pursuant to all available remedies, including but not limited to injunctive relief. In addition to the penalties provided for herein, the Village of Addison shall be entitled to receive from the Short-Term Residential Rental Property Owner reimbursement for the cost of the Village's reasonable attorney fees, costs and expenses incurred by the Village of Addison to abate a Short-Term Residential Rental operating as a public nuisance.

Sec. 12-44. Violations

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or, who resist the enforcement of any provisions of this Article shall, shall be deemed guilty of a violation punishable by a fine not less than one hundred fifty dollars (\$150.00) or more than one thousand dollars (\$1,000.00) for each offense, and each day on which a violation continues shall constitute a distinct and separate offense.

SECTION THREE: All policies, resolutions, and ordinances of the Village of Addison which conflict with this ordinance shall be, and they are hereby, repealed.

SECTION FOUR: This ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law effective January 1, 2023.

PASSED THIS 3rd day of October, 2022.

AYES: Trustees Nell Posario, Hensley, Kuczy, Lynch, Taati & O'Brien
NAYS: None
ABSENT: None

APPROVED THIS 3rd day of October, 2022.



MAYOR

ATTEST:

Linville A. Zucchers
VILLAGE CLERK

PUBLISHED: 10/4/2022

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