

**PAMPHLET**  
**FRONT OF PAMPHLET**

**ORDINANCE NO. 2012-O-033**

**AN ORDINANCE AMENDING CHAPTER 129F  
OF TITLE 11 OF THE TINLEY PARK MUNICIPAL CODE  
REGARDING RESIDENTIAL RENTAL LICENSING**

Published in pamphlet form this 21<sup>st</sup> day of August, 2012, by Order of the Corporate Authorities of the Village of Tinley Park, Cook and Will Counties, Illinois.

By:

  
PATRICK REA  
Village Clerk

STATE OF ILLINOIS     )  
COUNTY OF COOK       ) SS  
COUNTY OF WILL       )

**CLERK'S CERTIFICATE**

I, **PATRICK REA**, the duly elected and qualified Village Clerk of the Village of Tinley Park, Cook and Will Counties, Illinois, do hereby certify that attached hereto is a true and correct copy of the Ordinance now on file in my office, entitled:

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which was passed by the Board of Trustees of the Village of Tinley Park at a regular meeting held on the 21<sup>st</sup> day of August, 2012, at which meeting a quorum was present, and approved by the President of the Village of Tinley Park on the 21<sup>st</sup> day of August, 2012.

I further certify that the vote on the question of the passage of the said Ordinance by the Board of Trustees of the Village of Tinley Park was taken by the Ayes and Nays and recorded in the Journal of Proceedings of the Board of Trustees of the Village of Tinley Park, and that the result of said vote was as follows, to-wit:

AYES:           Seaman, Hannon, Maher, Staunton, Grady

NAYS:           None

ABSENT:        Leoni

I do further certify that the original Ordinance, of which the attached is a true copy, is entrusted to my care for safe-keeping, and that I am the lawful keeper of the same.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the Village of Tinley Park, this 21<sup>st</sup> day of August, 2012.

  
\_\_\_\_\_  
Village Clerk

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**WHEREAS**, the Village of Tinley Park, Cook and Will Counties, Illinois, (hereinafter sometimes referred to as the "Village") pursuant to the provisions of the Constitution of the State of Illinois of 1970, particularly Article VII, Section 6(a), is a home rule unit and as such may exercise any power and perform any function pertaining to its government and affairs; and

**WHEREAS**, the Village has adopted a Residential Rental Licensing Ordinance which is contained in Chapter 129F of the Tinley Park Municipal Code, and which, when originally adopted, exempted single family homes and rental properties with two or fewer units; and

**WHEREAS**, the Village of Tinley Park desires to amend the Tinley Park Municipal Code to expand the coverage of the Residential Rental Licensing Ordinance to single family homes and rental properties with two or fewer units; and

**WHEREAS**, the Village of Tinley Park finds that it is in the best interests of its residents to amend Chapter 129F of the Tinley Park Municipal Code as set forth below.

**NOW, THEREFORE, BE IT ORDAINED** by the President and Board of Trustees of the Village of Tinley Park, Cook and Will Counties, Illinois, as follows:

**SECTION 1:** That the Whereas clauses set forth above are hereby incorporated as substantive provisions of this Ordinance.

**SECTION 2:** That Title 11, Chapter 129F, Section 129F.02 of the Tinley Park Municipal Code is hereby amended to read in its entirety as follows:

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 requirement 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 chapter. 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.

**SECTION 3:** That Title 11, Chapter 129F, Section 129F.04 of the Tinley Park

Municipal Code is hereby amended to read in its entirety as follows:

The annual fee for a residential rental lease license shall be paid at the time of application as follows:

<b><u>(A)</u></b> 1-2 units	=	\$50;
<b><u>(B)</u></b> 3 – 10 units	=	\$100;
<b><u>(C)</u></b> 11-20 units	=	\$200;
<b><u>(D)</u></b> 21-30 units	=	\$300; and
<b><u>(E)</u></b> 31-40 units	=	\$500.

**SECTION 4:** That Title 11, Chapter 129F, Section 129F.06 of the Tinley Park

Municipal Code is hereby amended to read in its entirety as follows:

No Residential Rental License shall be issued or renewed unless the building in connection with which the license is sought is found after inspection to meet all applicable laws and regulations. The inspection required by this Section shall be an inspection of the exterior and public areas of the building only and shall not include the inspection of the interior of any dwelling unit. 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) follow-up inspections are required to determine compliance, the applicant shall pay an additional noncompliance inspection service charge

of \$100.00 for each additional inspection. Payment must be made in full prior to issuance of the license. Inspections pursuant to this Section shall not be required for single family homes or rental properties with two (2) or fewer units.

**SECTION 5:** That Title 11, Chapter 129F, Section 129F.08 of the Tinley

Park Municipal Code is hereby amended to read in its entirety as follows:

Every lease or other agreement for rental of any residential property entered into after the effective date of this chapter shall include a "Crime-Free Lease Addendum" in substantially the following form, unless otherwise prohibited by law:

**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.
  - d) Shall not engage in any act intended to facilitate any violation of local municipal ordinances or codes or any other violation 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 appurtenances.
  - e) 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.

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 6:** That Title 11, Chapter 129F, Section 129F.14 of the Tinley Park

Municipal Code is hereby amended to read in its entirety as follows:

**§129F.14    DENIAL, SUSPENSION OR REVOCATION OF LICENSE; HEARING; APPEAL.**

No license shall be revoked unless the license holder has been given the opportunity to attend an informal meeting with representatives of the village to discuss activity at any rental premises which is or may be a violation of this chapter. The license holder will be given a reasonable amount of time after this informal meeting to resolve any problems or issues that may result in the suspension or revocation of the license holder's license. If the problems or issues are not resolved, to the satisfaction of the village, formal license suspension or revocation proceedings may be commenced pursuant to §110.10. In the event an applicant has been denied a license the applicant shall have the right to appeal the denial under the provisions of §110.10.

**SECTION 7:** This ordinance shall be in full force and effect from and after its adoption and publication in pamphlet form as provided by law.

**SECTION 8:** Any and all ordinances, sections or subsections of ordinances in conflict herewith are hereby repealed.

**SECTION 9:** In the event any part or parts of this Ordinance shall be found to be unconstitutional by a court of competent jurisdiction, such unconstitutionality shall not affect the validity of the remaining parts of this Ordinance.

**ADOPTED** this 21<sup>st</sup> day of August, 2012, pursuant to a roll call vote as follows:


**AYES:** Seaman, Hannon, Maher, Staunton, Grady

**NAYS:** None

**ABSENT:** Leoni

**APPROVED** by me this 21<sup>st</sup> day of August, 2012.

ATTEST:

  
Village Clerk

  
Village President

**PAMPHLET**  
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