
THE VILLAGE OF BLOOMINGDALE
DUPAGE COUNTY, ILLINOIS

ORDINANCE
NUMBER 2021 - 22

**AN ORDINANCE AMENDING TITLE 4 (BUSINESS AND LICENSE REGULATIONS)
CHAPTER 11 (RESIDENTIAL DWELLING RENTAL REGULATIONS) OF THE
VILLAGE OF BLOOMINGDALE CODE OF ORDINANCES**

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PAMELA HAGER, Village Clerk

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Village Board

Published in pamphlet form by authority of the
President and the Board of Trustees of the Village of Bloomingdale
on this the 28th day of June, 2021

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CHAPTER 11 (RESIDENTIAL DWELLING RENTAL REGULATIONS) OF THE VILLAGE
OF BLOOMINGDALE CODE OF ORDINANCES**

WHEREAS, the Village of Bloomingdale, DuPage County, Illinois (hereinafter referred to as the “Village”) is a home rule unit of local government with authority granted pursuant to the Illinois Constitution of 1970, to exercise certain powers and perform certain functions pertaining to its local government and affairs;

WHEREAS, the Illinois Constitution of 1970 provides that a Home Rule Unit may exercise any power and perform any function pertaining to its government and affairs, including but not limited to the power to regulate for the protection of the public health, safety, morals and welfare; to license, to tax; and to incur debt;

WHEREAS, The Village has in full force and effect a codified set of those ordinances of the Village which are of a general and permanent nature, which said codified set is known and designated as the Village Code of the Village of Bloomingdale, as amended;

WHEREAS, on December 14th, 2020, the Village adopted Ordinance No. 2020-36 which Adopted Regulations to establish a licensing program for residential dwelling rentals within the Village of Bloomingdale;

WHEREAS, Title 4 (Business and License Regulations) Chapter 11 (Residential Dwelling Rental Regulations) of the Village’s Code of Ordinances provides for the Village’s licensing program for residential dwelling rentals;

WHEREAS, since the licensing program’s adoption Village Staff has raised certain questions related to the procedures therein, thus the Village now desires to amend the Village Code to clarify the original intent of the Corporate Authorities;

WHEREAS, the Village finds it necessary and proper pursuant to its Home Rule Powers to amend said Code and Chapter providing for the regulation and licensing of residential dwelling rental units, and

reasonable safeguards to protect the public health, safety and welfare to insure against the potential hazards of inadequate or unsafe residential dwelling units offered for lease or rental, with or without compensation;

WHEREAS, the Corporate Authorities of the Village of Bloomingdale are of the opinion that the aforementioned amendment to the Village's Code of Ordinances is in the best interest of the public health, safety and welfare of the residents of the Village of Bloomingdale.

NOW, THEREFORE, BE IT ORDAINED, in an open meeting assembled, by the Village President and Board of Trustees of the Village of Bloomingdale, DuPage County, Illinois pursuant to the Village's home rule powers as follows:

Section One - Recitals

The Corporate Authorities hereby find that all of the recitals hereinbefore stated as contained in the preamble to this Ordinance are full, true and correct and do hereby, by reference, incorporate and make them part of this Ordinance as legislative findings.

Section Two – Amendment Title 4

Title 4 (Business and License Regulations); Chapter 11 (Residential Dwelling Rental Code), of the Village Code as amended, are is hereby further amended as follows:

TITLE 4, CHAPTER 11: RESIDENTIAL DWELLING RENTAL CODE

4-11-2: APPLICABILITY, INTERPRETATION AND IMPLEMENTATION OF REGULATIONS:

The Building and Zoning Department shall be charged with the enforcement of these regulations, and the Building Commissioner shall be known as the code enforcement official charged with the application, interpretation, and implementation of these regulations.

These regulations shall be applicable to all residential properties in the Village that are leased or rented, which shall be defined as any residential dwelling rental unit wherein the owner or owner's agent allows an individual or individuals to possess and occupy the premises whether or not payment is provided for occupancy. All areas of the residential dwelling unit to which a tenant has the right of use or access shall be subject to inspection for compliance with the applicable codes and ordinances of the Village. Further, this ~~section~~ Chapter shall not apply to:

- (a) any land contract, contract for sale or any other property transaction wherein the new occupant has legally committed to acquire legal title to the property and has occupied the premises within sixty (60) days of the date of the contract; or

(b) Residential Dwelling Units, as hereinafter defined, including an Apartment or Condominium Unit that is not sublet, if Property ownership provides the Building Commissioner with: (i) notarized documentation evidencing the existence of 24-hour 7 days per week site management and maintenance service; and (ii) the contact information for the parties responsible for the services provided for in the immediately aforementioned subsection (i).

4-11-3: DEFINITIONS

The following words and phrases shall have the meanings, and are hereby defined, as follows:

RESIDENTIAL DWELLING RENTAL UNIT:

A residential dwelling unit as defined herein, intended to be leased or rented with or without compensation, to tenants inclusive of family members, together with all land appurtenances, accessory buildings or structures.

4-11-4: RESIDENTIAL DWELLING UNIT SUBJECT TO RENTAL LICENSE

It shall be unlawful for any person, owner, firm, partnership, association, corporation, managing agent, property agent, or other legal entity to knowingly permit, operate, maintain or offer for lease or rent within the Village any residential dwelling unit, whether vacant or occupied, without first having obtained a current Village of Bloomingdale Residential Dwelling Rental Unit License as provided in this chapter, so long as such regulation does not conflict with the provisions contained in Title 3 (Finance and Taxation) Chapter 3 (Hotel and Motel Use Taxes) of the Village Code.

Tenant occupancy, for lease or rent of a residential dwelling unit with or without compensation, shall not take place for any purpose until a Residential Dwelling Unit Rental License has been issued for the residential dwelling rental unit.

Thereafter, all residential dwelling rental properties shall be inspected annually and a new Residential Dwelling Unit Rental License issued upon satisfactory completion of requirements. A Residential Dwelling Unit Rental License shall not be issued to any owner, manager, or agent thereof, if such an owner, manager, or agent is indebted to the Village and until all violations of this article and all other applicable codes and ordinances of the Village have been brought into compliance. The possession of a Code Compliance Report in and of itself does not authorize occupancy of said property. The Residential Dwelling Unit Rental License shall state that the premises and occupancy thereof comply with all the provisions of the Village Code at all times.

4-11-5: RESIDENTIAL DWELLING RENTAL UNIT LICENSE REQUIREMENTS

B. Application for license requirements.

An application for a new Residential Dwelling Rental Unit License shall be on forms provided by the Building and Zoning Department and must include:

5. A floor plan, drawn to scale, showing:

- a. The structure containing the proposed residential dwelling rental unit;
- b. The rooms to be used by residential rental tenants for sleeping;
- c. All other rooms and indoor areas to be used by residential rental tenants;
- d. The location of windows, doors, and smoke and carbon monoxide detectors; and

e. The evacuation route in case of fire or other emergency.

6. Photographs taken from each property line, showing views of the structure where the proposed residential dwelling rental unit is located.

7. An affidavit signed by the applicant and notarized, stating:

- a. All information provided by the applicant is true and accurate; and
- b. The applicant has reviewed, understands, and agrees to comply with the requirements of this chapter.
- c. The applicant is at least 21 years of age, provide date of birth.

8. Any additional information determined by the Building Commissioner to be necessary for processing the application and verifying the eligibility of the applicant, tenant(s) and the proposed residential dwelling rental unit.

9. Payment of an application fee in the amount of \$125.00.

G. Transfers and assignments.

2. Payment of a license application fee in the amount of \$125.00.

H. License renewal.

2. Renewal application. An application for renewal of a Residential Dwelling Rental Unit License must include:

- a. All of the same information required for an application for a new license under Section 4-11-5 B., provided that no floor plan, site plan, or photographs are required if the license holder affirms that no changes have been made or are proposed to be made to the residential rental dwelling unit or the property containing the residential dwelling rental unit.
- b. Updated proof of liability insurance, consistent with the requirements of Section 4-11-5 C.
- c. Proof that all other licenses, permits, registrations, and approvals required by any government entity to lawfully engage in the business of residential rentals are current.

d. Payment of a renewal application fee in the amount of \$125.00.

4-11-6: OTHER REQUIREMENTS:

A. Rental periods; Minimum individual stay. No property owner may rent or lease a residential dwelling rental unit to a tenant for a period of less than thirty (30) days.

Section Three – Codification

The title, chapter(s) and section(s) adopted by this Ordinance shall be numbered and placed in an appropriate title, chapter(s), and sections(s) sections when and during the codification of the Bloomingdale Municipal Code.

Section Four – Home Rule Preemption

This Ordinance represents an exercise of the home rule powers conferred upon the Village of Bloomingdale by the Constitution of the State of Illinois. This Ordinance is specifically intended to preempt state law pertaining to the extent permitted under the Constitution of the State of Illinois.

Section Five – Effective Date:

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

Section Six - Publication

This Ordinance shall be published in book or pamphlet form as provided by the Illinois Municipal Code.

Section Seven - Conflict Clause

That all ordinances or parts of ordinances in conflict with the terms of this Ordinance shall be repealed to the extent of said conflict.

Section Eight – Saving Clause

If any section, paragraph, clause or provision of this Ordinance is declared by a court of law to be invalid or unconstitutional, the invalidity or unconstitutionality thereof shall not affect the validity of the remaining provisions of the Village’s Municipal Code, which are hereby declared to be separable.

Section Nine - Recording

This Ordinance shall be entered into the minutes and upon the journals of the Board of Trustees of the Village of Bloomingdale.

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DECIDED pursuant to a roll call vote as follows:

	YES	NO	ABSENT	PRESENT
Vince Ackerman	X			
William Belmonte	X			
Bill Bolen	X			
Frank Bucaro	X			
Patrick Shannon			X	
Judi Von Huben	X			
Franco A. Coladipietro (only if necessary)				
TOTAL	5	0	1	

PASSED AND APPROVED by the Village of Bloomingdale Board of Trustees on the 28th day of June, 2021.



Franco A. Coladipietro
Village President

ATTEST:



Pamela S. Hager
Village Clerk