ORDINANCE NO. 606

AN ORDINANCE ADOPTING A REGISTRATION PROGRAM FOR RESIDENTAL PROPERTIES BEING RENTED OR LEASED WITHIN THE VILLAGE OF BELLEVUE

WHEREAS, the Village Board of Trustees ("Trustees") finds there are a growing number of residential rental properties within the Village of Bellevue ("Village"), and that many of these properties are in a declining state of maintenance;

WHEREAS, inadequate maintenance directly affects the health, life, safety and welfare of the citizens of the Village and impacts the health and vitality of the surrounding neighborhood and the Village as a whole;

WHEREAS, the Village promotes the use of community policing efforts and cooperation with property owners and residents to help ensure the safety of the entire community, including residential rental properties;

WHEREAS, the regular collection and maintenance of accurate, up-to-date information about residential rental properties and the identification of responsible persons for the property who are easily accessible will assist the Village in the systematic inspections of these properties to ensure their safety and compliance with relevant property maintenance codes; and

WHEREAS, the Trustees, after several public hearings and extensive deliberation, concludes that a rental registration program is the most reasonable method of insuring suitable housing, safe and viable neighborhoods and a healthy Village.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF BELLEVUE, PEORIA COUNTY, ILLINOIS, as follows:

Section 1. Purpose. It is the purpose of the Village of Bellevue Rental Registration Program ("Program") adopted herein to assure that rental housing in the Village is maintained in a good, safe, and sanitary condition and does not create a nuisance or blighted conditions to its surroundings. To ensure these conditions and to aid in the enforcement of the other Village ordinances, the Trustees hereby establish the Program for all residential rental units within the Village.

Section 2. Scope. This Ordinance applies to any dwelling unit and its accessory units that are leased as rental units located within the Village of Bellevue.

Section 3. Definitions. The following words and phrases, when used in this Ordinance, shall have the meanings respectively ascribed to them in this section, except where the context otherwise requires.

Building Official means the Mayor for the Village.

Duplex means a building with two (2) Rental Units.

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Multi-Family Building means a structure that contains three (3) or more Rental Units.

Owner means one (1) or more persons, jointly, severally or in common, or any organization, in whom is vested all or part of the legal title to real property, or all or part of the beneficial ownership and right to present use and enjoyment of real property. As used herein, an organization shall include but not be limited to a corporation, trust, estate, partnership, association bank, financial institution or any other legal or commercial entity. The term shall not include a lessee who previously occupied a Rental Unit and who is subleasing the Rental Unit for the remaining part of his or her lease.

Owner Agent means one or more persons who has charge, care, or control of a building or part thereof, in which Rental Units are maintained.

Rental Property means a structure with one or more residential units which are leased for occupancy. However, it does not include property excluded in Section 2.

Rental Agreement means all agreements, written or oral, and rules and regulations embodying the terms and conditions concerning the use and enjoyment of rented premises. It shall also include subleases.

Rental Unit means one (1) or more rooms in a structure arranged, designed and used as a residence or living quarters by one (1) or more persons who are not its owner(s), and contained within a Rental Property as defined herein.

Rent, Rented or Rental means any payment made to an Owner or an Owner's agent pursuant to a Rental Agreement.

Single Family Dwelling means a structure with one (1) Rental Unit.

Section 4. Registration of Rental Property.

a)   After the effective date of this Ordinance, it shall be unlawful for any Owner, as defined herein, to lease or operate a Rental Property without registering it with the Village and complying with the provisions of this Ordinance, together with other applicable codes and ordinances of the Village. Registration of rental properties required herein shall expire on December 31 of each year.

b)   No owner shall be allowed to register any Rental Property if the Owner has outstanding fees or fines due and owing the Village.

Section 5. Registration Requirements. Registration forms shall be filed with the Village Clerk. Such registration forms shall be made at least thirty (30) days prior to the expiration of the current registration, and shall include the following information:

a)   Name, address and telephone number of the Owner of the rental unit.

b)   Name, address, and telephone number of the Owner's agent responsible.

c)   The management of the Rental Unit.

d)   Legal address of the Rental Unit.

e)   Number of units in each building of the Rental Property.

f)   Occupancy as permitted under the Village's zoning ordinance, or as specified in any certificate of occupancy.

g)   Signed statement of Owner and Owner's agent indicating that he/she is aware of the Village's building safety ordinances and zoning ordinances and the legal ramifications for knowingly violating said ordinances.

h)   The name and address of the registered agent, if the Owner is a corporation.

i)   The name and address of the mortgage holder, if there is a mortgage on the Rental Property.

j)   The name and address of any buyer on a contract for deed.

Section 6. Registration Renewal. If there are no changes in ownership or agent representation, renewals of the registration may be made by filling out the Registration Renewal form furnished by the Village.

Section 7. Changes in Ownership Within thirty (30) days of any change of ownership of Rental Property, the new Owner shall register the Rental Property by filing the registration information set forth in Section 5 with the Village. A change of ownership shall include any change in ownership rights, including execution of a contract for deed, whether recorded or not.

Section 8. Intentionally Left Blank

Section 9. Intentionally Left Blank

Section 10. Violations. Violations of this Ordinance shall be punishable by a fine of not less than One Hundred Dollars ($100) and not more than Seven Hundred Fifty Dollars ($750) for each violation. Each day shall constitute a separate and continuing violation. The Village may seek remedies which include corrective action or other prohibitions as part of its relief. In the event of conviction of three (3) or more offenses, the Village shall be entitled to recover its costs and reasonable attorney's fees in addition to fines imposed by the Court.

Section 11. Notices. Any written notice required to be given to the Owner of a Rental Property under this Ordinance shall be addressed to such Owner at the address provided for such Owner in the application for registration or the address as reported at the Peoria county Recorder of Deeds concerning the real property in question.

Section 12. Intentionally Left Blank

Section 13. Severability. If any section, provision, or part of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, the remainder of this

Ordinance shall remain in full force and effect and the application thereof to other persons, entities, or circumstances shall not be affected thereby.

Section 14. Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval and publication as is hereby authorized to be done by the Village.

PASSED AND APPROVED THIS 12th DAY OF NOVEMBER, 2007

_6_ AYES

_0_ NAYS

_0_ ABSENT

VILLAGE OF BELLEVUE, ILLINOIS

By: _Ralph E Wilson_
Ralph E. Wilson, President

Attest: _Carol S. Howard_
Carol A. Howard, Village Clerk