

ORDINANCE NO. 2189

**AN ORDINANCE
SUPPLEMENTING AND AMENDING SECTION 6.11.2.6 OF THE
VILLAGE OF RANTOUL CODE-1977, AS SUPPLEMENTED AND AMENDED,
IN CONNECTION WITH INSPECTIONS OF RENTAL RESIDENTIAL PROPERTY**

**VILLAGE OF RANTOUL
CHAMPAIGN COUNTY, ILLINOIS**

CERTIFICATE OF PUBLICATION

Published in pamphlet form this 14th day of July, 2009, by authority of the President and Board of Trustees of the Village of Rantoul, Champaign County, Illinois.

Village Clerk

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WHEREAS, the Village of Rantoul, Champaign County, Illinois (the “**Village**”) is a Home Rule Unit of Local Government under Section 6, Article VII of the Constitution of the State of Illinois; and

WHEREAS, as a Home Rule Unit of Local Government, the Village has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs, that protect the public health, safety and welfare of its citizens, that license, that tax and that incur debt; and

WHEREAS, the President and Board of Trustees (the “**Corporate Authorities**”) of the Village now find it necessary, desirable and appropriate to completely revise the provisions of Section 6.11.2.6, entitled “Inspection”, of Division 2, entitled “Rental Property Registration and Inspection”, of Article XI of Chapter 6 of the Village of Rantoul Code, 1977, as heretofore supplemented and amended, under and pursuant to its power and authority as a Home Rule Unit of Local Government and the Illinois Municipal Code (65 ILCS 5/1-1-1 et seq.), as supplemented and amended, in order to establish and provide revised procedures related to the inspection of rental residential premises and rental residential units.

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

Section 1. Adoption. Section 6.11.2.6, entitled “Inspection”, of Division 2, entitled “Rental Property Registration and Inspection”, of Article XI of Chapter 6 of the Village of Rantoul Code, 1977, as supplemented and amended, be and the same is hereby further supplemented and amended to provide as follows:

Section 6.11.2.6. Inspection.

(a) All Rental Residential Premises required to be registered under Section 6.11.2.4 of this Division shall be periodically inspected by the Inspection Department of the Village for the purpose of determining whether such Rental Residential Premises complies with the applicable provisions of the Property Maintenance Code.

(b) The Village Inspector shall establish a schedule of such periodic inspections by systematic zones throughout the Village. The Village Inspector may exempt the requirement for an inspection of any Rental Residential Premises under circumstances where a certificate of occupancy has been issued upon the new construction of any such Rental Residential Premises within the most previous five (5) year period.

(c) The Village Inspector shall send notice to the Owner and to the Occupant of each Rental Residential Unit within the Rental Registration Premises to be inspected of the date and time that the inspection is scheduled to take place at least fifteen (15) calendar days prior to the scheduled inspection date. Such notice shall be mailed by first class mail, postage prepaid, to the Owner at the address of the Owner or the manager or agent, if any, specified in the registration statement and to the Occupant at the address of the Rental Residential Unit. Any Owner who fails to register a Rental Residential Premises as provided in this Division shall be deemed to consent to receiving such notice by means of having a copy of such notice posted at the Rental Residential Premises. Any such notice to the Occupant may be addressed as being to the "Occupant", and notice to one (1) or multiple persons or legal entities as Owner or Occupant shall be effective as to all persons or legal entities as Owner or Occupant. The notice shall advise that any Owner or Occupant may object to any such inspection by mail, telephone, facsimile transmission, e-mail or in person at the office of the Village Inspector.

(d) If the Owner does not have the right to enter any Rental Residential Unit for the purposes of inspection under the terms of any applicable lease or other agreement, it shall be the responsibility of the Owner or the manager or agent on behalf of the Owner to obtain the consent of the Occupant of any such Rental Residential Unit to enter such Rental Residential Unit for the purposes of such inspection. The Owner, or any manager or agent on behalf of the Owner, shall be present at the time and date of any scheduled inspection to provide applicable access for such inspection. If any such Owner, or any manager or agent on behalf of the Owner, fails to be present at the time and date of any such scheduled inspection or fails to reschedule any such scheduled inspection at least five (5) calendar days prior to the date of any such scheduled inspection, such Rental Residential Premises shall be scheduled for another inspection and such Owner shall be subject to a reinspection fee in the amount specified in Section 6.11.2.8 of this Division. If the Owner, including any manager or agent on behalf of the Owner, or any Occupant objects to a scheduled inspection of any Rental Residential Premises or of any Rental Residential Unit within such Rental Residential Premises, or if the Owner does not have the right to enter the Rental Residential Premises under the terms of any applicable lease or other agreement or with the consent of the Occupant for the purposes of such inspection, the Village Inspector may apply to the Circuit Court for an administrative search warrant to conduct any such inspection.

Section 2. Effective Date. The provisions of this Ordinance shall become effective immediately upon its passage, approval and publication as required by law.

Section 3. Conflict. All ordinances or parts of ordinances which are in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed.

Section 4. Publication. The Village Clerk is hereby authorized and directed to cause this Ordinance to be published in pamphlet form.

This Ordinance is hereby passed, the "ayes" and "nays" being called, by the concurrence of a majority of the members of the Corporate Authorities then holding office on the date set forth below upon a roll call vote as follows:

"Ayes" _____

"Nays" _____

"Absent" _____

PASSED this 14th day of July, 2009.

Village Clerk

APPROVED this 14th day of July, 2009.

Village President