



APPLICATION FOR RESIDENTIAL DWELLING UNIT RENTAL LICENSE

VILLAGE OF BLOOMINGDALE
201 S. BLOOMINGDALE ROAD
(630) 671-5660 FAX: (630) 893-1596

buildingandzoning@vil.bloomington.il.us

IT WILL BE UNLAWFUL TO OCCUPY THE PREMISES STATED BELOW UNTIL FINAL INSPECTION HAS BEEN PERFORMED, APPROVED AND LICENSE HAS BEEN ISSUED.

LICENSE NO.:
PROPERTY ID#:
ZONING DISTRICT:
SUBDIVISION:
INSPECTOR:

"Growth with Pride"

RESIDENTIAL BUILDING / DWELLING UNIT RENTAL PROPERTY INFORMATION:

ADDRESS OF PROPERTY: _____

PERMANANET PARCEL NUMBER (PIN): _____ BUILDING OR UNIT SQUARE FOOTAGE: _____

NUMBER OF BEDROOMS: _____ FINISHED BASEMENT ON PREMISES (CHECK ONE): (Y) (N)

ATTACH DWELLING UNIT FLOOR PLAN ON SEPARATE SHEET, SHOW ALL ROOMS AND INCLUDE DIMENSIONS

PROPERTY OWNERSHIP AND LICENSE HOLDER INFORMATION:

OWNER(S) NAME: _____

OWNER ADDRESS: _____ OWNER PHONE CONTACT: _____

OWNER EMAIL: _____

LICENSEE NAME: _____

LICENSEE ADDRESS: _____ LICENSEE PHONE CONTACT: _____

CONTACT IN CASE OF EMERGENCY: _____ 24 HR. PHONE CONTACT: _____

LICENSEE EMAIL: _____

TENANT INFORMATION: LIST ALL ADULTS OVER THE AGE OF 18 (Attach sheet with additional tenant names)

TENANT NAME(S) LISTED ON THE LEASE: _____

TENANT PHONE CONTACT: _____

TENANT EMAIL: _____

NUMBER OF MINORS RESIDING AT THE PROEPRTY, UNDER AGE OF 18: _____

The undersigned hereby applies to the Village of Bloomingdale, Illinois for RESIDENTIAL DWELLING RENTAL UNIT LICENSE herein described and if granted, the owner shall comply with all requirements of the Village Code and applicable Ordinances relating thereto and pay the fees required including any past due monies due to the Village, including, but not limited to any water and sewer rate charges associated with the above Address of Property. Licenses are valid for one year, or until change in tenant occupancy. No error or omission in the application for license, whether or not the license application has been approved by the Building Commissioner, shall relieve the applicant from maintaining the premises in any other manner than that provided for in the Village Code and applicable Ordinances of this Village relating thereto.

ANY MONIES PAID ARE NOT RETURNABLE. INSPECTION APPROVAL AND LICENSE ISSUANCE SHALL BE REQUIRED PRIOR TO ANY OCCUPANCY OF A RESIDENTIAL DWELLING UNIT.

SIGNATURE OF OWNER OR AGENT

LICENSE ISSUED BY: 
VILLAGE ADMINISTRATOR

PRINT NAME

DATE LICENSE APPROVED: _____

LICENSE FEES: \$ **125.00** PAID

****24-HOUR NOTICE REQUIRED FOR ALL INSPECTIONS****

RECEIPT NO.: _____

IF APPROVED LICENSE IS VALID FOR 1 YEAR CHANGE OF TENANT AUTOMATICALLY VOIDS A LICENSE

THE APPLICANT FOR THIS LICENSE AGREES TO PAY ALL FEES WHETHER THEY RECEIVE APPROVAL OR NOT.

VILLAGE OF BLOOMINGDALE

BUILDING DEPARTMENT RENTAL UNIT INSPECTION RECORD



"Growth with Pride"

THIS FIELD INSPECTION CHECKLIST PROVIDES A SUMMARY OF MINIMUM CODE REQUIREMENTS TO BE EVALUATED BY INSPECTORS DURING THE INSPECTION OF A RESIDENTIAL DWELLING UNIT. IT IS UNLAWFUL TO OCCUPY THE PREMISES UNTIL INSPECTION HAS BEEN PERFORMED, APPROVED AND THE RESIDENTIAL DWELLING UNIT RENTAL LICENSE HAS BEEN ISSUED.

ADDRESS:

APT. UNIT NO:

LICENSE NO:

PAGE 1

INSPECTION ITEMS	DATE-PASS/FAIL-INSPECTOR
<u>KITCHEN</u>	
1. GFCI receptacle outlets required at all countertop surfaces & within 6' of water (test)	
2. Sink water supply faucet, piping & valves, sink drain piping, all accessible and in good repair	
3. Dishwasher does not drain into garbage disposal	
4. Cabinets, countertops, walls, ceiling, floor, surfaces all in good repair	
5. Cooking Appliances in good repair. Anti-tip on stove. Gas shut-off valve at appliances / accessible	
<u>BATHROOMS</u> NUMBER OF BATHROOMS: _____	
6. GFCI receptacle outlets required (test)	
7. Exhaust fan vents to building exterior/operational	
8. Sink water supply faucet, piping & valves, sink drain piping, all accessible and in good repair	
9. Cabinets, countertops, walls, ceiling, floor, shower & tub enclosure surfaces all in good repair	
10. Plumbing fixtures operational and in good repair	
<u>LAUNDRY</u>	
11. GFCI receptacle outlets required at all countertop surfaces & within 6' of water (test)	
12. Sink/Washing Machine water supply, faucets, piping & valves, drain piping / accessible and in good repair. Vacuum breaker if faucet threaded	
13. Dryer vent-flex metallic duct connected from dryer to rigid metallic 4" duct at wall to exterior, no screws at any vent ductwork connections	
14. Dryer gas shut-off valve and flex connector visible, accessible, and in good repair	
15. Cabinets, countertops, walls, ceiling, floor, surfaces all in good repair	
<u>WATER HEATER</u>	
16. Pressure Relief Valve / metallic discharge pipe down to within 6" of floor or safety pan	
17. Dielectric unions at water piping connections	
18. Water shut-off valve accessible	
19. Gas shut-off valve / rigid metal gas piping	
20. Flue piping pitched, secured, and in good repair	
21. Water piping and connections per Illinois Plumbing Code	

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INSPECTION ITEMS	DATE-PASS/FAIL-INSPECTOR
BEDROOM NUMBER OF BEDROOMS: _____	
1. Smoke detector required in each bedroom (test). Date of installation to be indicated on each detector. After 10/13/97, bedroom smoke detectors to be hardwired & interconnected	
2. Carbon monoxide detector required within 15' outside of bedrooms (test). Date of installation to be indicated on each detector. After 6/24/13, carbon monoxide detectors to be hardwired & interconnected	
3. Bedrooms compliant with minimum dimensions, light and ventilation, life safety egress	
4. Walls, ceiling, floor, surfaces, doors in good repair	
5. Electrical receptacle & lighting outlets accessible and in good repair (test)	
CLOSETS	
6. No exposed bare bulb lighting fixtures (test)	
HALLWAYS	
7. Smoke detector required within 15' of bedrooms and at each level of dwelling unit (test). Date of installation to be indicated on each detector. After 1/01/88, smoke detectors at hallways and on each level to be hardwired & interconnected	
8. Carbon monoxide detector located within 15' outside of bedrooms (test). Date of installation to be indicated on the detector. After 6/24/13, carbon monoxide detectors to be hardwired & interconnected	
9. Electrical receptacle & lighting outlets accessible and in good repair (test)	
FURNACE	
10. Gas shut-off valve/rigid metallic piping per code	
11. Flue piping pitched, secured, and in good repair	
ELECTRICAL SERVICE CIRCUIT PANEL	
12. Circuit panel accessible. Panel cover/door in place	
13. Circuit breakers labeled/no openings	
WATER METER	
14. Bonding Jumper Wire (Minimum #6 wire)	
15. Water Meter, MXU, shut-off valves accessible	

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INSPECTION ITEMS	DATE-PASS/FAIL-INSPECTOR
<u>ELECTRICAL GENERAL</u>	
1. No open wiring, uncovered junction boxes. Receptacle outlet and light switch cover plates in place	
2. No extension cord use	
3. Receptacle outlets grounded and correctly wired (3 prong outlet devices - test)	
4. All electrical wiring in metallic conduit (EMT), "Romex" and "BX" wiring prohibited	
5. Electrical light switches operate a ceiling light fixture or receptacle outlet in each room (test)	
<u>BASEMENT</u> FINISHED: YES / NO	
6. Receptacle outlets GFCI protected (test)	
7. Stairway in good repair, lighting with 3-way wall switch at each floor level.	
8. Smoke detector (test). Date of installation to be indicated on each detector. After 1/01/88, smoke detectors at hallways and on each level to be hardwired & interconnected	
9. Emergency egress window accessible/operational	
10. Walls, ceiling, floor, surfaces, doors in good repair	
11. If finished, record of permit/code compliance	
<u>SUMP PUMP (GROUNDWATER)</u>	
12. Cover in place, check valve on discharge piping. Dedicated receptacle outlet, no extension cord	
13. Exterior piping discharges to grade away from adjacent properties	
<u>SANITARY EJECTOR SUMP PUMP</u>	
14. Sealed cover in place, 2" sanitary discharge into sanitary sewer with check valve. Dedicated receptacle outlet, no extension cord	
<u>GARAGE</u>	
15. Receptacle outlets to be GFCI protected. No extension cord use	
16. Ceiling GFCI receptacle for overhead door opener	
17. 20 minute rated/solid door with self-closing device between living space and garage	
18. Walls, ceiling, floor, surfaces, doors in good repair	

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INSPECTION ITEMS	DATE-PASS/FAIL-INSPECTOR
<u>COMMON AREA / HALL / STAIRWAY ELEMENTS</u>	
1. Doors, windows, insect screens in place (functional / operational)	
2. Egress door locks only keyable from the exterior. Key type interior lock not allowed for means of egress to exit a dwelling unit or common space	
3. Smoke detector (test). Date of installation to be indicated on each detector. After 1/01/88, smoke detectors at hallways and on each level to be hardwired & interconnected	
4. Walls, ceiling, floor, surfaces in good repair	
5. Lighting fixture(s), emergency & exit lighting fixtures operational (test)	
6. Stairways, guardrails & handrails in place and secure, in compliance with safety regulations	
7. Receptacle outlets GFCI protected. No extension cord use	
<u>DWELLING UNIT / BUILDING EXTERIOR</u>	
8. Building / Unit address numbers visible from public right-of-way, minimum 4" high and 1/2" wide, contrasting color from building surface	
9. Doors, windows, insect screens in place (functional / operational)	
10. Emergency egress doors / windows accessible	
11. Egress door locks only keyable from the exterior. Key type interior lock not allowed for means of egress to exit a dwelling unit or common space	
12. Exterior building surfaces / roofing in good repair	
13. Exterior lighting fixtures operational (test)	
14. Exterior receptacle outlets GFCI protected with in use covers	
15. Sump pump piping and gutter downspouts directed away from adjacent properties	
16. Hose bibs operational with vacuum breaker	
17. Window well covers / 250 lb. load capacity	
18. Stairways, guardrails & handrails in place and secure, in compliance with safety regulations	
19. Walkway / driveway surfaces in good repair	
20. Grass maintained at less than 10", no weeds	
21. Premises clear of garbage / debris	

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INSPECTION ITEMS	DATE-PASS/FAIL-INSPECTOR
ACCESSORY STRUCTURES	
1. Deck structures in good repair, in compliance with code regulations (verify permit)	
2. Fencing in good repair and in compliance with code regulations (verify permit)	
3. Shed structure(s) in good repair and in compliance with code regulations (verify permit)	
4. Swimming Pool and related equipment in compliance with code regulations (verify permit)	
5. Patio structure(s) in good repair and in compliance with code regulations (verify permit)	
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22.	

CHAPTER 11

RESIDENTIAL DWELLING RENTAL CODE

SECTION:

4-11-1: Purpose And Scope

4-11-2: Applicability, Interpretation And Implementation Of Regulations

4-11-3: Definitions

4-11-4: Residential Dwelling Subject To Rental License

4-11-5: Residential Rental License Requirements

4-11-6: Other Requirements

4-11-7: Tenant Responsibilities

4-11-8: Taxes And Fees

4-11-9: Administration

4-11-10: Violations; Penalties

4-11-1: PURPOSE AND SCOPE:

The purpose of this chapter is to protect the public life, health, safety and welfare, to insure against the potential hazards of inadequate, defective or unsafe residential dwelling units offered for lease or rental, with or without compensation. The regulations adopted hereunder establish a program for identification, licensing, regulation and inspection of residential rental unit(s) and related premises on and after the effective date of these regulations. This chapter, including any and all regulations adopted hereunder, shall hereinafter be referred to and cited as the "Residential Rental Code", so as to protect the public health, safety and welfare of the people of the Village of Bloomingdale, including:

A. To protect the public health and safety by ensuring residential rental units comply with minimum housing standards of Village ordinances;

B. To protect the character and stability of residential areas, to prevent congestion of population, to facilitate the suppression of disorder and to ensure the quiet enjoyment of property by all people of the Village, particularly in residential areas;

C. To correct and prevent housing conditions and situations that adversely affect or are likely to adversely affect the life, safety, and general welfare and health, including the physical, mental and social well-being of persons occupying dwellings in residential areas, including the neighboring residents;

D. To facilitate the enforcement of minimum standards for the maintenance of existing residential buildings and thus to prevent slums, blight and disregard of Village codes;

E. To preserve the value of residential land and buildings throughout the Village. (Ord. 2020-36, 12-14-2020; Ord. 2024-45, 11-11-2024)

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 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 rental 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, the licensing requirement, as provided by this 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, that are constructed as part of an apartment complex or condominium building, that is wholly occupied by a tenant and is not further sublet, if property ownership provides the building commissioner with:

1. Notarized documentation evidencing the existence of twenty-four (24) hour seven (7) days per week site management and maintenance service; and

2. The contact information for the parties responsible for the services provided for in the immediately aforementioned subsection 1. (Ord. 2020-36, 12-14-2020; amd. Ord. 2021-22, 6-28-2021; Ord. 2021-39, 9-27-2021; Ord. 2024-45, 11-11-2024)

4-11-3: DEFINITIONS:

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

RESIDENTIAL DWELLING: Any permanent structure identified by a unique street address consisting of one (1) or more rooms which are arranged, designed or used for human occupancy and provides code-compliant independent living facilities for one (1) or more persons that includes permanent provisions for living, bathing, sleeping, eating, cooking and sanitation.

RESIDENTIAL RENTAL UNIT: Any residential dwelling not occupied by the owner of record and whereby the owner allows or causes to allow quiet enjoyment and occupancy by any tenant(s), together with all land appurtenances, accessory buildings or structures related thereto.

TENANT: A person who has exercised agreement, either written or oral, or other mutual understanding with the owner of record, or authorized agent, for possession and occupancy of a residential dwelling irrespective of whether the consideration provided in exchange for such property rights is monetary in nature. (Ord. 2020-36, 12-14-2020; Ord. 2021-22, 6-28-2021)

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, whether vacant or occupied, without first having obtained a current Village of Bloomingdale Residential Rental 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. For purposes of this chapter, after meeting the criteria set forth herein, a residential dwelling holding a valid residential rental license shall be deemed a "Residential Rental Unit."

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

Thereafter, all residential rental units shall be inspected annually and a new Residential Rental License issued upon satisfactory completion of requirements. A Residential 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 chapter 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 Rental License shall state that the premises and occupancy thereof comply with all the provisions of the Village Code at all times. Individual rooming unit(s) located within a larger residential dwelling shall not be independently eligible for a residential rental license. (Ord. 2020-36, 12-14-2020; Ord. 2021-22, 6-28-2021; Ord. 2024-45, 11-11-2024)

4-11-5: RESIDENTIAL RENTAL LICENSE REQUIREMENTS:

A. Residential Rental Unit License required:

1. Rental Unit License required. Any person operating a residential rental unit or advertising any property within the Village as available for residential rental use must apply for and obtain a valid license for the rental property with the Village. A license holder must include the Residential Dwelling Unit Rental Unit License number in all advertisements for a residential rental unit, including all online listings.

2. Pre-existing Residential Rental Units. Notwithstanding the foregoing, residential rental units that were lawfully operated prior to the adoption of this Chapter may continue in operation, provided that:

- a. The operator must apply for a Residential Rental License no later than ninety (90) days after the adoption of this Chapter, and must be approved for the license.
- b. The operator of the Residential Rental Unit must meet the eligibility requirements for an applicant for a Residential Rental Dwelling Unit License as established in this chapter.
- c. The residential rental unit must meet the eligibility requirements established in this chapter.

3. Applicant. An applicant for a Residential Rental License:

a. Must be a natural person who is at least twenty-one (21) years old and has the legal right to occupy the residential dwelling and operate a residential rental unit.

b. May not be a person who has had a license for operation of a residential rental unit or other guest accommodation revoked within the previous twenty-four (24) months, either within the Village or at any other location.

4. Expansions. A Residential Rental License is valid only for the residential rental unit as depicted in the application for license. A residential rental unit may not be enlarged or expanded to include other rooms unless a new license is obtained.

5. Tenants. A Residential Rental License is valid only for the tenant(s) as depicted in the application for license. A residential rental unit may not be occupied by tenants other than those listed on the application for license unless a new license is obtained. At least one (1) of the tenants proposed to occupy the residential dwelling must be a natural person who is at least twenty-one (21) years old.

6. Expiration. A Residential rental permit shall expire one (1) year after the date of issuance unless there is a change in tenancy or it is renewed prior to expiration.

B. Application for license requirements. An application for a new Residential Rental License shall be on forms provided by the Building and Zoning Department and must include:

1. The address of the proposed residential rental unit.

2. The name, mailing address, street address (if different from the mailing address), telephone number, and e-mail address of:

a. The applicant;

b. The record owner of the property, if the applicant is not the record property owner;

3. A statement signed by the property owner, if the applicant is not the property owner, authorizing the applicant to submit the application.

4. A statement verifying that:

a. The applicant has confirmed that the proposed residential dwelling rental use will not violate any covenants, homeowner's association rules, bylaws, condominium agreement terms, rental agreement terms, or other restrictions applicable to the property.

b. No license for operation of a residential rental unit or other guest accommodation, either within the Village or at any other location, has been revoked in the twenty-four (24) month period preceding the date of the application, either from the applicant or the property owner if the two are not one in the same.

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

a. The structure containing the proposed residential 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 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 twenty one (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 one hundred twenty-five dollars (\$125.00).

C. Requirements to be completed prior to license issuance.

1. Inspection; notice to interested parties. Within thirty (30) days of the date of notification by the Building and Zoning Department that it has determined a Residential Rental Unit application for license to be complete and all prerequisite conditions and criteria to have been met, the applicant must:
 - a. Contact the Building and Zoning Department to schedule an inspection to verify that:
 - (1) The property complies with all applicable building and fire codes.
 - (2) The floor plan and site plan provided with the application accurately reflect the property.
 - b. Provide proof that the applicant has given written notice to the owners and occupants of all properties within two hundred fifty (250) feet of the proposed residential rental unit. Acceptable forms of proof shall be as determined by the Building and Zoning Department. The Building and Zoning Department shall also post the notice on the Village's website. The notice shall:
 - (1) Be in a format approved by the Building and Zoning Department.
 - (2) Inform each such owner or occupant of the pending application, the Building and Zoning Department's intent to issue the permit, and the owner's or occupant's right to appeal issuance of the permit.
 - (3) Include a map showing the location of the proposed residential rental unit.
 - (4) Provide contact information for the Building and Zoning Department and the applicant for obtaining further information.
2. Failure to pass inspection. If a proposed Residential rental unit fails to pass the inspection required under this section, the applicant may request a re-inspection, provided the re-inspection request is submitted within sixty (60) days of the first inspection. The application will be voided, and no permit will be issued if the proposed Residential rental unit fails to pass re-inspection.
3. Insurance; other legal requirements. If no appeal contesting issuance of a Residential Rental Unit License is filed with the Village Board within the applicable deadline, or if the Village Board, upon hearing an appeal, has decided in favor of an applicant for a Residential Rental License, the applicant must within thirty (30) days:
 - a. Provide proof that the applicant has obtained or applied for all other licenses, permits, registrations, and approvals required by any government entity to lawfully engage in the business of Residential Rentals.
 - b. Provide proof of liability insurance with a company authorized to do business in the State of Illinois, insuring against personal injury (including death) and property damage claims related to the Residential rental use, with coverage limits of no less than two million dollars (\$2,000,000) per occurrence. Said insurance coverage must remain in effect the entire time a residential rental unit is made available for rent or lease.
4. Failure to complete required measures. An application for a Residential Rental License will be voided and no license will be issued if the applicant fails to complete any of the measures required under this section

within the required timeframe.

D. Denial of permit. If the Building and Zoning Department determines that a proposed residential rental unit or the person applying for a license to operate the unit fails to meet any requirement, condition, or criteria established by this chapter, the license will be denied, subject to the applicant's right to appeal the denial as provided in this chapter.

E. Issuance of permit.

1. Building Commissioner approval. The Building Commissioner shall approve the issuance of a Residential Rental License to an applicant if:

a. The Building Commissioner determines that the applicant and the proposed residential rental unit meet the requirements, conditions, and criteria established by this chapter.

b. The proposed residential rental unit has passed inspection or re-inspection and the applicant has completed all other measures as required under Section 4-11-5 , B and C.

c. No appeal contesting issuance of a Residential Rental License has been filed with the Village Board within the applicable deadline.

2. Special conditions. The Building Commissioner may make the issuance of a Residential Rental License subject to special conditions established to mitigate the impact of the residential rental on surrounding properties and nearby residents. Such conditions may include, but are not limited to:

a. Designation of dedicated parking locations for tenants or guests.

b. Prohibition of tenant use of certain outdoor areas, or limited hours for use of outdoor area.

F. Appeals from issuance or denial of permits.

1. Filing an appeal. Pursuant to the procedures established under Section 4-1-1 7, an appeal may be filed with the Village Board by:

a. An applicant whose application for a Residential Rental License has been denied or who wishes to appeal any special conditions imposed by the Building Commissioner.

b. Any person aggrieved by the issuance of a Residential Rental License.

2. Reversal of decision to issue or deny permit. The Village Board may reverse the Building Commissioner's decision to issue or deny a Residential Rental License if it determines the Building Commissioner acted in error. If the Village Board finds in favor of the applicant whose application for a permit has been denied, the Building Commissioner shall approve the issuance of a Residential Rental License that is determined to be compliant with the Village Board's findings upon completion of any final measures remaining to be completed under Section 4-11-5 B. or C.

3. Special conditions. The Village Board may:

a. Impose special conditions on the issuance of a license which was previously denied by the Building Commissioner, consistent with the types of special conditions that may be imposed by the Building Commissioner under subsection (2) of Section 4-11-5 (E).

b. Remove or revise any special conditions imposed by the Building Commissioner.

G. Transfers and assignments. A Residential Rental License does not authorize any person, other than the person named on the license, to operate a residential dwelling rental. A license holder may not transfer or assign the license to another person or address. However, a new applicant may apply to assume operation of a licensed residential rental unit and may be granted a temporary license for the remainder of the original license period if the applicant meets all eligibility requirements for Residential Rental License holders and any specific requirements for the license for the property. An application for a temporary license under this section must include:

1. The same information as required for new licenses under Section 4-11-5 B. and C., except that no floor plan, site plan, or photographs are required if no changes have been made or are proposed to the residential rental unit or the property containing the residential rental unit.

2. Payment of a license application fee in the amount of one hundred twenty-five dollars (\$125.00).

3. Submittal of proof of liability insurance and compliance with all other applicable legal requirements, in accordance with Section 4-11-5 C.; provided that the applicant may opt to submit such documents after notification that the Building and Zoning Department has determined the application to be otherwise complete.

H. License renewal.

1. Renewal required upon expiration. A Residential Rental License must be renewed upon its expiration. It is a violation of this chapter to continue operating a residential rental unit after the license has expired.

2. Renewal application. An application for renewal of a Residential Rental 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 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 one hundred twenty-five dollars (\$125.00).

3. Floor plan and site plan revisions. A revised floor plan must be submitted if any changes have been made or are proposed to be made to the area included as part of the residential rental unit. A revised site plan must be submitted if the previous site plan no longer accurately depicts the property or there are proposed changes to the property as depicted in the previously approved site plan. Floor plan and site plan revisions are subject to the following provisions:

a. Renewal of the Residential Rental License is contingent upon approval of the revisions by the Building Commissioner. If the Building Commissioner denies approval of the revisions, the license holder may submit a revised renewal application without the revisions.

b. If the Building Commissioner determines that the revisions warrant notification to nearby property owners and occupants, the Building Commissioner may require the license holder to provide such notification, consistent with the notification requirements applicable to new license applications under Section 4-11-5 C.

c. The Building Commissioner may impose special conditions in conjunction with approval of the revisions, consistent with the Building Commissioner's authority under Section 4-11-5 E.

d. Pursuant to the procedures established under Section 4-1-17, the license holder or any other party aggrieved by the Building Commissioner's decision under this section may appeal the decision to the Village Board. On consideration of the appeal, the Village Board may:

(1) Affirm or reverse the Building Commissioner's decision to approve or deny approval of the revisions.

(2) Impose special conditions on the approval of revisions that were previously denied by the Building Commissioner, consistent with the types of special conditions that may be imposed by the Building Commissioner.

(3) Remove or revise any special conditions imposed by the Building Commissioner in conjunction with the Building Commissioner's approval of the revisions.

4. Inspection required for renewal. As a condition of renewal of a Residential Rental License, the applicant must schedule a new inspection with the Building and Zoning Department to verify that:

a. The property complies with all applicable building and fire codes.

b. The most recently approved floor plan and site plan accurately reflect the property.

5. Failure to pass inspection. If the residential rental unit fails to pass the inspection, the applicant may request a re-inspection, provided:

- a. The re-inspection request is submitted within sixty (60) days of the first inspection.
- b. The Building and Zoning Department may, at its discretion, suspend the Residential Rental License and order that no residential rental use take place at the premises unless the unit passes re-inspection.
- c. The application will be voided and the license will not be renewed if the proposed residential rental unit fails to pass re-inspection. (Ord. 2020-36, 12-14-2020; Ord. 2021-22, 6-28-2021; Ord. 2024-45, 11-11-2024)

4-11-6: OTHER REQUIREMENTS:

A. Rental periods; Minimum individual stay. Regardless of any other Section within this Chapter, under no circumstance shall a property owner be permitted to rent or lease, or allow the rental or leasing of, a Residential Rental Unit to a tenant for a period of less than thirty (30) days.

B. Tenant eligibility; discriminatory practices; accessibility.

1. Principal tenant requirements. The principal tenant of a residential rental unit must be at least twenty-one (21) years old and must be an overnight occupant of the unit during the entire time of the rental period.

2. Discriminatory practices prohibited. Except as allowed under subsection (1) of this section, it shall be unlawful for any person who owns, rents, leases, operates, manages, or in any manner controls a residential rental unit to withhold, deny, curtail, or limit the rental, lease or use of such unit because of an individual's race, color, national origin, ancestry, sex, gender identity, sexual orientation, age, religion, marital status, parental status, or military service status.

3. Accessibility. Listings for a residential rental unit must identify any accessibility features for persons with disabilities.

C. Guest health and safety.

1. Building safety. Each residential rental unit must meet all applicable building code and fire code requirements. Functioning smoke and carbon monoxide alarms meeting Underwriters Laboratory (UL) standards shall be required as follows:

a. Smoke detection/alarms are required to be installed inside and in the immediate area outside (within fifteen feet (15') of each separate sleeping area/bedroom and on each level occupied by the residential rental unit including a basement, in compliance with Village Code Section 10-3-1 [IRC Section R314], and the State of Illinois Fire Safety Smoke Detector Act [425 ILCS 60/]. Devices shall have primary power from the building wiring with battery back-up power. Multiple devices shall be interconnected so that activation of one device activates all devices.

b. Carbon monoxide detection/alarms are required to be installed inside and in the immediate area outside (within 15') of each separate sleeping area/ bedroom and on each level occupied by the residential rental unit including basement, in compliance with Village Code Section 10-3-1 [IRC Section R315], and the State of Illinois Public Safety Carbon Monoxide Alarm Detector Act [430 ILCS 135/]. Devices shall have primary power from the building wiring with battery back-up power. Multiple devices shall be interconnected so that activation of one device activates all devices.

D. Responding to nuisance, safety, and operational issues.

1. Response procedures. The license holder must:

a. Be available by telephone twenty-four (24) hours day, seven (7) days a week, to address problems associated with the residential rental unit, including operational and safety concerns and nuisance complaints.

b. Take action to resolve each complaint regarding the residential rental unit within twenty-four (24) hours of receiving the complaint.

c. Diligently pursue the resolution of each complaint until it is resolved to the fullest practical extent.

2. Violations of this section. Failure by the license holder, or the alternate contact person to comply with any of the requirements of this section will be treated as a violation by the license holder.

E. Right of Entry: In order to safeguard the safety, health and welfare of the public, the Building Commissioner is authorized as a condition of the license to attempt to obtain consent to enter at any reasonable time from the owner, license holder, or tenant in charge of a residential rental unit, structure or

property subject to this chapter for the purpose of making inspections and performing duties under this chapter. Such owner, license holder, or tenant shall be informed that entry by the Building Commissioner or his designee is sought for the purpose of making inspection and performing duties under this chapter. Failure to give consent to entry under this section shall be punishable by forfeiture of the Residential Rental License.

F. Search Warrant in Absence of Consent to Right of Entry: If the Building Commissioner, after a reasonable attempt to obtain consent, does not receive consent to enter a residential rental unit, structure or property subject to this chapter, the Building Commissioner may seek in the circuit court of DuPage County, a search warrant pursuant to 4-11-6 subsection G. of this chapter. An owner, license holder, or tenant in charge of a residential rental unit, structure or property subject to the provisions of this chapter, who is presented with a search warrant obtained pursuant to this section, shall not refuse, impede, inhibit, interfere with, restrict, or obstruct entry and free access to any part of the residential rental unit, structure or property where an inspection authorized by the search warrant is sought to be made.

G. Procurement of Search Warrants: A search warrant sought pursuant to subsection 4-11-6 F. shall be sought in the circuit court of DuPage County. The court may consider any of the following factors along with such other matters as it deems pertinent in its decision as to whether a warrant shall be issued:

1. Eyewitness account of violation.
2. Citizen complaints.
3. Tenant complaints.
4. Plain view violations.
5. Violations apparent from village records.
6. Property deterioration.
7. Age of property.
8. Nature of alleged violation.
9. Passage of time since last inspection.
10. Previous violations on the property.

H. Costs and Liens:

1. Any costs incurred by the village or a duly authorized contractor in abating a nuisance, violation or any other charge imposed by the village under this chapter shall be a lien upon the real estate in question as authorized under the Illinois municipal code and shall be superior to all other liens and encumbrances except tax liens; provided, that within sixty (60) days after such cost and expense is incurred, the village, or a contractor performing such services as authorized by the village, in his or in its own name, files notice of lien in the office of the county recorder. The notice shall consist of a sworn statement setting out: a) a description of the real estate sufficient for identification thereof; b) the amount of money representing the cost and expense incurred or payable for the service; and c) the date or dates when such cost and expense was incurred by the village. The lien shall not be valid as to any purchaser whose rights in and to such real estate have arisen subsequent to the weed cutting or property maintenance actions by the village and prior to the filing of the notice of lien. The lien shall not be valid as to any mortgagee, judgment creditor or other lienor whose right in and to such real estate arises prior to the filing of the notice.

2. Upon payment of the cost and expense by the owner or other persons interested in such property after notice of lien has been filed, the lien shall be released by the village or person in whose name the lien has been filed, and the release may be filed of record as in the case of filing notice of lien. (Ord. 2020-36, 12-14-2020; Ord. 2021-22, 6-28-2021; Ord. 2021-39, 9-27-2021; Ord. 2024-45, 11-11-2024)

4-11-7: TENANT RESPONSIBILITIES:

A. Compliance with regulations. Each tenant of a residential rental unit is responsible for abiding by all applicable statutes, ordinances, and regulations and respecting the character of the neighborhood in which the unit is located.

B. Egregious and objectionable conduct. In addition to all other acts prohibited under this article or other applicable law, each tenant of a residential rental unit is prohibited from engaging in or allowing others on the

premises to engage in:

1. Egregious conduct, which for the purposes of this article includes:
 - a. Drug trafficking.
 - b. Prostitution, solicitation of prostitution, or human trafficking.
 - c. Gang-related activity.
 - d. Discharging a firearm.
 - e. Violent acts involving the death of, serious bodily injury to, or sexual assault of any person.
 - f. Child abuse or endangerment.
 - g. Violations of requirements for registered sex offenders.
 - h. Holding the unit out to members of the general public as the location of a party or other event.
 - i. Inviting persons to the unit under circumstances requiring the payment of an admission fee or other compensation, consideration, or revenue to gain entry.
 - j. Use of the residential rental unit for any other commercial purposes.
2. Objectionable conduct, which for the purposes of this article includes:
 - a. Disturbance of the peace.
 - b. Drunken behavior visible or audible from neighboring properties or dwelling units or to the public.
 - c. Lewd conduct.
 - d. Public urination.
 - e. Excessive loud noise.
 - f. Exceeding design loads, by placing loads on structural elements or components of buildings, including but not limited to porches, balconies, and roof decks, in excess of the minimum design loads required by the Village's adopted building code.
 - g. Violation of any applicable life safety codes, including but not limited to the fire code as adopted by the Village.

C. Notice to Tenants. The license holder for a residential rental unit must provide notice, in a form and by means prescribed by the Building and Zoning Department, to all residential rental unit tenants advising of:

1. Each tenant's responsibilities under this section.
2. The remedies available to the Village to address violations, including the imposition of individual fines in an amount up to one thousand dollars (\$1000) for each violation.

D. Supervision of tenants. A Residential Rental License holder must not allow residential rental unit tenants to violate any of the provisions of this section or to otherwise create a public nuisance or disobey applicable statutes, ordinances, and regulations. A license holder must immediately notify and cooperate with the Village's police department if the license holder knows or suspects that a residential rental unit or the premises of the unit is the location of:

1. Any egregious conduct prohibited under subsection (b) of this section.
2. Any other type of criminal activity.
3. Any public nuisance. (Ord. 2020-36, 12-14-2020; amd. Ord. 2024-45, 11-11-2024)

4-11-8: TAXES AND FEES:

Each Residential Rental License holder and host platform provider must comply with all applicable federal, state, and local laws and regulations regarding collection and payment of taxes and fees, including hotel

occupancy taxes provided by Section 3-3D-2 of the Village Code. (Ord. 2020-36, 12-14-2020; amd. Ord. 2024-45, 11-11-2024)

4-11-9: ADMINISTRATION:

A. Administrative guidelines, rules, and regulations. The Village Administrator may promulgate reasonable administrative guidelines, rules, and regulations to implement and enforce the provisions of this chapter. Any person operating or advertising a residential rental unit who fails to follow any rules or regulations established pursuant to this section is in violation of this chapter.

B. Delegation of administrative responsibilities. The Village Administrator may designate one (1) or more employees to:

1. Manage the licensing and license renewal process for residential rental units.
2. Educate residential rental licensees, operators, prospective operators, and the general public about the Village's Residential rental regulations and the responsibilities of license holders.
3. Serve as a liaison with host platform providers.
4. Monitor residential rental uses for compliance with regulations.
5. Coordinate enforcement of regulations and responses to violations.
6. Serve as a point of contact for persons to file complaints about residential rental units or otherwise seek information regarding residential rental unit operations.
7. Carry out other administrative responsibilities necessary for fulfilling the provisions of this chapter.

C. Use of outside contractors. Notwithstanding the foregoing, the Village Administrator may delegate any of the administrative responsibilities described in this section to an outside contractor, subject to the approval of a contract in compliance with Village requirements.

D. Complaint response procedures. If a complaint about a residential rental unit appears to involve an actual or potential violation of the provisions of this article, the person or persons designated to receive complaints shall:

1. Investigate the complaint and take appropriate measures to resolve it, or:
 - a. Forward the complaint to the appropriate staff member, person, department, or agency for investigation and/or direct the complainant to the appropriate staff member, person, department, or agency.
 - b. Maintain contact as needed with the appropriate staff member, person, department, or agency to determine the status of the complaint and how the complaint was resolved.
2. Maintain contact with the complainant, if requested by the complainant, to advise of the actions taken in response to the complaint.
3. Maintain records of complaints for each residential rental unit for the three (3) preceding years.
4. Provide the Village Administrator a monthly report summarizing the status of pending complaints and the resolution of complaints that have been closed since the previous report. (Ord. 2020-36, 12-14-2020; amd. Ord. 2024-45, 11-11-2024)

4-11-10: VIOLATIONS; PENALTIES:

A. Enforcement actions. In addition to any other penalties or remedies provided by law, the Building Commissioner may take any of the following actions against any person who violates any of the provisions of this chapter, without any requirement that the actions escalate in severity:

1. Issuance of a verbal warning.
2. Issuance of a notice of violation, which may include:
 - a. A deadline for remediating the violation; and
 - b. The potential consequences for failure to remediate the violation.

3. Imposition of a waiting period before a Residential Rental License may be applied for, as further provided in this section; or

4. A written order of suspension or revocation of a Residential Rental License, as further provided in this section.

B. Liability of License holder and revocation orders. In addition to any other penalty or remedy provided by law, the Building Commissioner may order that a Residential Rental License be revoked and the holder of such license be cited for applicable violation(s) and penalties when the Building Commissioner determines that:

1. Tenants renting or leasing a residential rental unit have engaged in or allowed others on the premises to engage in any egregious conduct as prohibited under this chapter.

2. On three (3) or more occasions within a twelve (12) month period, tenants renting or leasing a residential rental unit have engaged in or allowed others on the premises to engage in any objectionable conduct as prohibited under this chapter.

3. On three (3) or more occasions within a twelve (12) month period, tenants renting or leasing a residential rental unit have created a nuisance by violating the requirements of this chapter.

4. The license holder has:

- a. Falsified information on an application for issuance or renewal of the license.
- b. Failed to file required reports with the Village or falsified information on such reports.
- c. Failed to pay required taxes or fees due in connection with the Residential Rental License.
- d. Failed to comply with any other requirement of this chapter.

C. Determination of appropriate action. In determining the most appropriate enforcement action for any of the circumstances described in subsection B of this section, the Building Commissioner shall consider:

1. The impact of the circumstances on neighboring properties and the area in which the residential rental unit is located.

2. The threat to public health, safety, or welfare caused by violations of the provisions of this chapter.

3. The license holder's timely response and good faith effort to resolve or mitigate the circumstances.

4. The history of violations of the provisions of this chapter by the license holder or in connection with the residential rental unit.

D. Notice of suspension or revocation to license holder. Upon determining that a Residential Rental License should be suspended or revoked, the Building Commissioner shall notify the license holder in writing of:

1. The Building Commissioner's intent to suspend or revoke the license.

2. The license holder's right to:

a. Request a hearing to appeal the suspension or revocation before Village Board, within ten calendar days of the date on which the notice was sent, in a form and manner prescribed by the Village Board.

b. Present to the Village Board any testimony, exhibits, or affidavits pertinent to the license holder's appeal.

E. Failure to request hearing. If the Building Commissioner orders that a Residential Rental License be suspended or revoked, and the license holder fails to timely request a hearing as allowed under this section, the order to suspend or revoke the license shall go into effect.

F. Immediate suspension. Notwithstanding the foregoing, the Building Commissioner may immediately suspend a Residential Rental License and prohibit the license holder from renting or leasing a residential rental unit for a period not to exceed thirty (30) calendar days if the Building Commissioner determines that continued rental of the residential dwelling will cause an imminent threat to public health, safety, or welfare. During such suspension period:

1. The Building Commissioner may act to:

a. Revoke the license or extend the suspension of the license, pursuant to the procedures established in this section.

b. Reduce the suspension period, if the conditions resulting in the suspension have been resolved and there appears to be no further threat.

2. The license holder may request a hearing before the Village Administrator, who shall conduct the hearing at the earliest practical time. The Village Administrator may reverse the suspension, reduce the suspension period, or allow the suspension to stand. If the license holder fails to request a hearing during the suspension period, any further actions taken by the Building Commissioner under this section shall go into effect.

G. Effect of suspension or revocation. At the time suspension or revocation of a Residential Rental License goes into effect:

1. The Building Commissioner shall notify the license holder and the host platform, if applicable, of the suspension or revocation and the effective dates.

2. The Building Commissioner may take action to seek injunctive relief against a license holder or host platform provider who fails to observe the suspension or revocation.

3. Rental and advertising of the residential rental unit must be ceased by the license holder, operator and the host platform provider until:

a. The suspension period is over and the license holder has met any conditions for resuming occupancy of the residential rental unit.

b. The Village has issued a new license for operation of the residential rental unit.

H. Duration of revocation. If a Residential Rental License is revoked, the revocation will remain in effect for a period of at least one (1) year from its effective date before any person may apply for a new license for a residential rental unit at the same location. Additionally, the license holder may not apply for a Residential Rental License for any other location for at least two (2) years from the effective date of the revocation.

I. Operating without a license. In addition to any other penalty or remedy provided by law, a penalty for operating or advertising property for residential rental use without a license in violation of this chapter shall be imposed according to the following procedures:

1. Upon a determination that property has been operated or advertised for residential rental use without a license, the Building Commissioner may impose a waiting period of up to twelve (12) months before any person may apply for a Residential Rental License for the property or the person operating or advertising the residential rental unit may apply for a Residential Rental License for any other location. The Building Commissioner shall determine the length of the waiting period, based on any of the following factors or combination of factors:

a. Statements made by the person operating or advertising the residential rental unit use indicating the person was aware or unaware of requirement to obtain a license.

b. Statements made by neighbors or others with knowledge of the residential rental unit use indicating the person operating or advertising the residential rental unit use was aware or unaware of requirement to obtain a license.

c. Other evidence that the person operating or advertising the residential rental unit was informed of the requirement to obtain a license and disregarded the requirement.

d. Evidence that the person operating or advertising the residential rental unit had looked into license requirements and believed a license was not required.

e. Prior violations of the provisions of this chapter by the person operating or advertising the residential rental unit.

f. Whether the person operating or advertising the residential rental unit, upon being informed of the Village's license requirements, continued to rent, lease or advertise the residential rental unit.

2. Any person affected by a waiting period imposed by the Building Commissioner under this section may request a hearing before the Village Board to appeal the length of the waiting period.

J. Special conditions. If a Residential Rental License is subject to any special conditions established pursuant to this chapter, a violation of any such conditions shall be subject to the enforcement and penalty provisions set forth in this section.

K. Hearing on suspension, revocation, or waiting period. If a license holder requests a hearing before the Village Board under this section, the hearing will be held in accordance with the procedures established under Section 4-1-17 .

L. Other remedies. In addition to or in lieu of any other penalty or remedy provided for in this chapter, the Village may take any of the following actions or combination of actions against any person who violates any of the provisions of this chapter:

1. Issuance of a citation and prosecution of the violation before the Village Board, provided further that each day a violation occurs or continues shall be considered a separate violation, for which a separate penalty may be imposed.

2. Legal action in a court of competent jurisdiction to:

a. Enjoin or abate a violation.

b. Recover damages in an amount adequate to compensate the Village for any costs incurred to enforce the provisions of this article.

3. Any other action available under applicable law. (Ord. 2020-36, 12-14-2020; amd. Ord. 2024-45, 11-11-2024)