

101-O-24

AN ORDINANCE

Amending Title 5, Chapter 8 of the City Code

WHEREAS, in order to promote the public health, safety, and welfare, the City of Evanston requires registration and inspection of buildings within the City of Evanston that contain dwelling units, and

WHEREAS, the City of Evanston requires annual renewal registrations of all dwelling units continuing to be rented in order to protect the health, safety, and welfare of the residents of Evanston; and

WHEREAS, to offset the administrative costs of registrations and inspections of buildings containing dwelling units, the City of Evanston assesses an initial, and annual renewal, registration fee to the owners of such buildings; and

WHEREAS, the City of Evanston does not currently assess a fee for routine rental inspections or for re-inspections to check whether cited property maintenance violations have been cured, and the registration fees alone are not sufficient to cover the costs of performing such inspections; and

WHEREAS, simply raising the registration fees imposed on all owners in order to cover costs would not be equitable, because it would not account for properties that are not as well-maintained and require more frequent inspections; and

WHEREAS, the Evanston City Council finds that it is in the best interest of the City of Evanston residents to amend the City Code to amend the registration and inspection fee schedule.

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
EVANSTON, COOK COUNTY, ILLINOIS:**

SECTION 1: Title 5, Chapter 8 of the Evanston City Code of 2012, as amended, is hereby further amended as follows:

**TITLE 5
HOUSING REGULATIONS**

...

5-8-3.- INITIAL INSPECTION AND REGISTRATION REQUIRED.

- (A) The owner of any dwelling unit being registered for permanent rental for the first time shall file a registration statement for each such dwelling unit with the Department on forms provided by the Department for such purposes; provided, however, that the registration of a vacant building pursuant to Title 4, Chapter 20 of the City Code shall satisfy the registration requirement of this Chapter. Any such registration statement shall be deemed prima facie proof of the statements therein contained in any administrative enforcement proceeding or court proceeding instituted by the City against the owner of the building. For purposes of this Chapter, a post office box does not suffice as a street address. For addresses with multiple dwelling units owned by separate and distinct owners, each owner shall register separately. The registration statement shall include the following information:

....

7. The owner of ~~a dwelling unit~~ one or more dwelling units in a single building being rented for the first time shall pay an initial registration and inspection fee ~~of two hundred dollars (\$200.00)~~ per the fee schedule adopted by, and updated from time to time by, the City Manager or the City Manager's designee ~~for each existing dwelling~~

~~unit being rented for the first time.~~ New rental construction is exempt from this fee and inspection, as the Certificate of Occupancy determines that the unit meets current building standards for safe and sanitary housing.

...

5-8-4.- ANNUAL REGISTRATION; REGISTRATION FEE; CERTIFICATE OF REGISTRATION.

...

- (B) The owner of a building or, if multiple owners own dwelling units within the same building, each unit owner, shall pay an annual registration fee for each building so registered at the time the owner files the annual registration renewal statement, per the fee schedule adopted by, and updated from time to time by, the City Manager or the City Manager’s designee, ~~as per the table below.~~ The registration fee shall not be prorated. If the owner of a building that contains no more than two (2) dwelling units is a person sixty-five (65) years of age or older, resides in one (1) of the two (2) dwelling units in the building, and furnishes proof with the application that he/she has qualified for the State of Illinois Circuit Breaker program, he/she shall be required to pay fifty percent (50%) of the registration fee.

Building Type	Registration Fee
Single-Family	\$20.00
Condominiums	\$20.00 per owner of rental dwelling unit(s) per building
Multifamily with:	
2-4 Dwelling Units	\$30.00
5-12 Dwelling Units	\$50.00
13-24 Dwelling Units	\$100.00
25-50 Dwelling Units	\$150.00
51-100 Dwelling Units	\$300.00
101+ Dwelling Units	\$500.00

5-8-5.- ROUTINE INSPECTION AND VIOLATION RE-INSPECTION FEES.

- (A) The owner of a building or, if multiple owners own dwelling units within the same building, the owner of each dwelling unit, shall pay an inspection fee per the fee schedule adopted by, and updated from time to time by, the City Manager or the City Manager's designee, for each dwelling unit so registered for each routine inspection done pursuant to Title 5, Chapter 1 of this Code. Such routine inspection fee shall be assessed in the year it is performed and added to the annual registration renewal statement for the registration year immediately following the routine inspection.
- (B) If the owner of a building or, if multiple owners own dwelling units within the same building, the owner of any dwelling unit within the building, violates Title 5, Chapter 1 of this Code, the owner will be given an opportunity to cure such violation prior to a re-inspection of the property. Such initial re-inspection of the property will be done without charge to the owner. If, however, the owner has not cured the violation by the time of the initial re-inspection of the property, and additional re-inspections are necessary to ensure compliance with Title 5, Chapter 1 of this Code, the owner shall be assessed a fee for each re-inspection of each dwelling unit requiring said re-inspection, per the fee schedule adopted by, and updated from time to time by, the City Manager or the City Manager's designee. Such re-inspection fee(s) shall be assessed in the year they are performed and added to the annual registration renewal statement for the registration year immediately following the inspection(s).
- (C) Any property owner who fails to provide the City with at least twenty-four (24) hours' notice prior to cancelling an inspection appointment shall be assessed a fee per dwelling unit, up to a maximum fee per building per appointment, according to

the fee schedule adopted by, and updated from time to time by, the City Manager or the City Manager's designee. For purposes of this section, "cancelling" includes failure to appear at the scheduled appointment time and place for the inspection. Each such cancellation fee shall be assessed in the year of the cancellation and shall be added to the annual registration renewal statement for the registration year immediately following the cancellation.

(D) Certificates of registration will not be issued until all assessed registration and inspection fees have been paid.

SECTION 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: If any provision of this Ordinance or application thereof to any person or circumstance is held unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid application or provision, and each invalid application of this Ordinance is severable.

SECTION 4: This Ordinance shall be in full force and effect beginning January 1, 2025.

SECTION 5: The findings and recitals contained herein are declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

Introduced: _____ December 09, 2024

Approved:

Adopted: _____ December 09, 2024

_____ December 09, 2024

Daniel Biss

Daniel Biss, Mayor

Attest:

Approved as to form:

Stephanie Mendoza

Alexandra B. Ruggie

Stephanie Mendoza, City Clerk

Alexandra B, Ruggie, Corporation Counsel