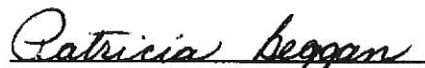


**BOARD OF TRUSTEES
VILLAGE OF THIRD LAKE, ILLINOIS**

10-06-05

**AN ORDINANCE REQUIRING THE REGISTRATION OF RESIDENTIAL
RENTAL BUILDINGS WITHIN THE VILLAGE OF THIRD LAKE AND
REPEALING ORDINANCE NO. 09-06-02**

This 21st Day of June, 2010


Patricia Beggan, Village Clerk

**Published in pamphlet form by the authority of the Board of Trustees of the Village of
Third Lake, Lake County, Illinois this
21st Day of May, 2010**

ORDINANCE NO. 10-06-05

AN ORDINANCE REQUIRING THE REGISTRATION OF RESIDENTIAL RENTAL BUILDINGS WITHIN THE VILLAGE OF THIRD LAKE AND REPEALING ORDINANCE NO. 09-06-02

WHEREAS, the corporate authorities of the Village of Third Lake, in order to promote the general health, safety and welfare of the public, deem it to be in the best interest of the Village to require the registration of residential rental buildings within the Village so as to provide for more efficient notice to the property owner in the event of an emergency or safety issue with said buildings.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Third Lake, Lake County, Illinois:

Section 1. Definitions.

For the purpose of this Ordinance, unless the context requires otherwise, the following terms shall have the following meanings:

BUILDING: A structure, or part thereof, enclosing space designed or used for dwelling units offered for rent.

DWELLING UNIT: A single unit of one or more contiguous rooms containing individual cooking, sleeping, and sanitary facilities for one or more persons.

OWNER: Any person, agent, operator, firm or corporation having a legal or equitable interest in real property or recorded in the official records of the state, county, or municipality as holding the title to the real property; or otherwise having control of the real property, including the guardian of any such person, or the executor or administrator of the estate of any such person. Throughout this Ordinance, the singular shall include the plural.

Section 2. Registration Required.

(A) The owner of any building shall file a registration statement for each such building with the Village on forms provided by the Village for such purpose. Any such registration statement shall be deemed prima facie proof of the statements contained therein in any administrative enforcement proceeding or court proceeding instituted by the Village against the owner of the building. For purposes of this Ordinance, a post office box does not suffice as a street address. The registration statement shall include the following information:

1. The name, street address, telephone number, and e-mail address of each owner of the building. If the owner is a partnership, corporation, or voluntary unincorporated association, the statement shall further include the name, street address, telephone number, and e-mail address, and position of a responsible partner or officer. If the owner is a corporation, the statement shall also include the name, street address, telephone number, and e-mail address of the registered agent thereof; and

2. The street address(es) and property index number(s) of the building, and the number of dwelling units therein.

(B) Notwithstanding the foregoing, no registration shall be required for:

1. Buildings licensed and inspected by the State of Illinois, including, but not limited to, nursing homes, retirement centers and rest homes; or
2. Buildings owned by government agencies.

Section 3. Registration; Receipt.

(A) The owner of a building shall register the building with the Village within thirty (30) days of the building first being offered for rent. For buildings already in existence on the date of passage of this Ordinance, the owner shall register the building with the Village no later than sixty (60) days from the date hereof. Thereafter, the owner of a building shall register the building with the Village no later than May 1st of each year. The owner shall certify that the information provided on the registration statement is true and correct.

(B) Upon registration, the Village Clerk shall issue a receipt to the owner as proof that the owner has registered the building in compliance with the terms of this Ordinance.

Section 4. Amended Registration. The owner of a building required to register with the Village pursuant to the terms of this Ordinance shall notify the Village, within twenty (20) days, of any change in the registration information by filing an amended registration statement on a form provided by the Village for such purpose.

Section 5. Enforcement. The Village shall enforce the terms of this Ordinance by any lawful means, including, but not limited to, proceedings in the circuit court. The Village may refuse to issue any permit(s) required by the Village's ordinances for any construction, alteration, installation, razing or other work done in or on any building, as defined herein, or any certificate of occupancy required by the Village's ordinances for such a building, unless the owner or other applicant for such permit(s) or certificate(s) presents proof of registration for the building.

Section 6. Penalty.

(A) Each day that any building is not registered in accordance with the provisions of this Ordinance shall constitute a separate offense.

(B) In addition to any other penalty provide by this Ordinance, any person violating any of the provisions of this Ordinance shall, upon, conviction, be subject to a fine of not less than Fifty Dollars (\$50.00) nor more than Seven Hundred Fifty Dollars (\$750.00) for each offense.

(C) The intentional submission of false information on a registration statement or an amended registration statement filed pursuant to this Ordinance shall be an offense punishable by a fine of not less than One Hundred Dollars (\$100.00) nor more than Seven Hundred Fifty Dollars (\$750.00). Each day that such information remains uncorrected by the owner shall constitute a separate and distinct offense.

(D) Notwithstanding the foregoing, whenever any Village official is authorized to charge a person or arrest a person without a warrant for a violation of this Ordinance, the Village official may, in lieu of filing a complaint in court, issue the alleged violator a citation, which citation shall contain statements which in substance: advise the person that he has violated a specific Ordinance; request him to make payment as set forth herein as settlement of the violation claim; and inform him that upon failure to so settle, a complaint will be filed in the Circuit Court of Lake County, 19th Judicial Circuit Court, charging him with the violation. Pursuant to said citation, a person accused of the violation may settle the violation claim by paying to the Village the amount of Fifty Dollars (\$50) within a period to be specified in the citation, which period shall not be more than 10 days from the time the alleged violation was committed. The settlement payment shall be made in accordance with the instructions contained in the citation at the Office of the Village Clerk.

In the event that the person to whom the citation is issued fails to settle and pay the violation claim within 10 days of issuance of the citation, a second notice shall be issued. If payment of the prescribed amount plus Ten Dollars (\$10) is not made within 15 days of issuance of the second notice, a final notice shall be issued. If a final notice is issued, the settlement payment shall be Five Hundred Dollars (\$500), which settlement payment shall be due within 30 days of issuance of the final notice. If payment of the final settlement amount is not made within said 30 day period, then the Village President or his designee is authorized to cause a notice to appear to be served upon the alleged violator and the Village President or his designee is authorized to file a complaint and to prosecute the complaint in the 19th Judicial Circuit Court of Lake County.

For purposes of this Ordinance, "Village official" shall mean the Village President or his designee.

(E) Any fines or other amounts set forth above shall be debts due and owing to the Village that the Village may collect by any means allowed by law, including, but not limited to, filing a lien against the building.

Section 7. Repealer. All ordinances and resolutions, or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed. In addition, Ordinance No. 09-06-02 is hereby expressly repealed in its entirety.

Section 8. Effective Date. This Ordinance shall be in full force and effect ten (10) days from and after its passage, approval and publication in pamphlet form as provided by law.

AYES: Kotulla, Kowalke, Penny, Rogers and Van Zeyl

NAYS: None

ABSENT/NOT VOTING: Hoppe

PASSED: 21st June, 2010

APPROVED: 21st June 2010


Village President

ATTEST:

Patricia Beggs
Village Clerk

PUBLISHED: June 21st. 2010

STATE OF ILLINOIS)
) ss.
COUNTY OF LAKE)

I, Patricia Beggan, do hereby certify that I am the duly appointed, qualified and acting Village Clerk of the Village of Third Lake, Lake County, Illinois, and keeper of the records and seal of said Village, and that the attached and foregoing Ordinance is a true and correct copy of said Ordinance entitled:

10-06-05

AN ORDINANCE REQUIRING THE REGISTRATION OF RESIDENTIAL RENTAL BUILDINGS WITHIN THE VILLAGE OF THIRD LAKE AND REPEALING ORDINANCE NO. 09-06-02

This 21st Day of June, 2010

In Witness Whereof, I have hereunto set my hand and caused to be affixed the Corporate Seal of the Village of Third Lake, Lake County, Illinois.

**Done at Third Lake, Illinois this 21st
Day of June, 2010**

(SEAL)


Patricia Beggan
Village Clerk