



VILLAGE OF
SCHILLER PARK

PAMPHLET

PUBLICATION OF

ORDINANCE NO. 18-4109

AN ORDINANCE OF THE VILLAGE OF SCHILLER PARK, COOK COUNTY,
ILLINOIS, AMENDING CHAPTER 120 OF TITLE ELEVEN OF THE
NEW MILLENNIUM CODE OF THE VILLAGE OF SCHILLER PARK
TO PROHIBIT SHORT TERM RENTAL UNITS

An Ordinance of the Village of Schiller Park, Cook County,
Illinois, Amending Chapter 120 of Title Eleven of the
New Millennium Code of the Village of Schiller Park
to Prohibit Short Term Rental Units

**following passage and approval on December 20, 2018
for the inspection, use, and examination by the public.**

**Filed in the Office of:
Rosa Jos, Clerk
Village of Schiller Park**

ORDINANCE NUMBER 18-4109

**AN ORDINANCE OF THE VILLAGE OF SCHILLER PARK, COOK COUNTY,
ILLINOIS, AMENDING CHAPTER 120 OF TITLE ELEVEN OF THE
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TO PROHIBIT SHORT TERM RENTAL UNITS**

WHEREAS, the Village of Schiller Park, Cook County, Illinois (the “*Village*”) is a home rule municipality pursuant to Section 6(a), Article VII of the 1970 Constitution of the State of Illinois, and as such may exercise any power and perform any function pertaining to its government and affairs (the “*Home Rule Powers*”); and

WHEREAS, the President and Board of Trustees of the Village of Schiller Park (the “*Corporate Authorities*”) are charged with the responsibility of protecting the health, safety and welfare of the residents of the Village; and

WHEREAS, the Corporate Authorities may from time to time amend the text of the New Millennium Code of the Village of Schiller Park when it is determined to be in the best interests of the residents of the Village; and

WHEREAS, the Corporate Authorities determined that it is necessary to address short term rentals of residential properties located within the Village due to the significant negative impacts that short term rentals have on adjacent neighbors and other nearby properties; and

WHEREAS, the Corporate Authorities find that short term rentals of residential properties are not in harmony with the character of surrounding properties and neighborhoods due to the high intensity of transient guests who have little, if any, connection to nearby properties and that said rentals have the potential to reduce the availability of on-street parking for adjacent residents due to a lack of suitable on-sight parking or other parking arrangements; and

WHEREAS, the Corporate Authorities find that numerous short term rentals of residential properties are likely to decrease the values of other properties in the neighborhood, unnecessarily burden Village services and reduce the availability of affordable long-term rental housing; and

WHEREAS, the Corporate Authorities find that short term rentals of residential properties lead to overcrowding in residential structures not properly equipped with the necessary health, safety and building code requirements needed to safeguard and protect residents and further increases the risk of excessive noise, litter, light pollution, criminal activity, and other nuisance activities occurring in the Village due to the nature of said rentals; and

WHEREAS, the Corporate Authorities find that prohibiting short term rentals of residential properties will not interfere with the ability of transient guests and travelers to find lodging in the Village as numerous motels and hotels are located in the Village's non-residential zoning districts, which have ample rooms constructed for such activities and services available for short term rental purposes; and

WHEREAS, the Corporate Authorities have further determined that it is in the best interest of the health, safety and welfare of the residents of the Village to prohibit short term rentals of residential properties as herein specified.

NOW, THEREFORE, BE IT ORDAINED by the Village President and Board of Trustees of the Village of Schiller Park, Cook County, Illinois, by and through its Home Rule Powers, as follows:

Section 1. That the above recitals and legislative findings are found to be true and correct and are hereby incorporated herein and made a part hereof, as if fully set forth in their entirety.

Section 2. Chapter 120 (“*Lodging*”) of Title XI (“*Business Regulations*”) of the New Millennium Code of the Village of Schiller Park is hereby amended by inserting the following underlined language to read, as follows:

SHORT TERM RENTAL UNITS

§ 120.100 PURPOSE.

The purpose of this subchapter is to protect and preserve the quiet enjoyment of residential properties and neighborhoods within the Village and to mitigate or eliminate adverse secondary effects the Village and its residents may experience by reason of short term rentals of residential structures in the Village, including, but not limited to, excessive noise, litter, and light pollution; overcrowded parking; and criminal activity.

§ 120.101 DEFINITIONS.

For the purposes of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

SHORT TERM RENTAL UNIT. All or part of a residential principal structure or residential dwelling unit located in a residential zoning district, being leased, rented, loaned, offered for rent, hired out, licensed, or otherwise let as an accessory use or occupancy to a person or persons other than the owner of the subject property or a family member of the owner thereof, whether or not the permission of such occupancy is in exchange for consideration therefore, for a period or term that is less than thirty (30) consecutive days. The term “short term rental unit” shall also include a dwelling unit, temporary structure, or accessory structure, or part thereof, used for overnight accommodation that is available for rent by transient guests for a period or term that is less than thirty (30) consecutive days. The term “short term rental unit” shall not include a hotel or motel located in a commercial zoning district licensed by the Village.

§ 120.102 SHORT TERM RENTAL UNITS RESTRICTED; EXCEPTIONS.

(A) Except as otherwise provided herein, leasing, renting, loaning, hiring out, licensing, or letting; offering or inviting the leasing, renting, loaning, hiring out, licensing, or letting; or otherwise permitting a short term rental unit or occupancy thereof for a period or term that is less than thirty (30) consecutive days shall be prohibited, and such conduct shall be prohibited, whether engaged in or participated in by the owner of the property, one or more agents of the property owner, or by any person leasing, or seeking to lease as a lessor, or renting or seeking to rent as lessee or otherwise occupy a premises, or part thereof, as tenant or temporary occupant thereof.

(B) Dwellings, or parts thereof, shall not be leased, rented, loaned, hired out, licensed, let, or otherwise permitted to be occupied more than two (2) times during any consecutive twelve

(12) month period other than by the same tenant unless the rental agreement therefore has been terminated by reason of a tenant default.

(C) Whether or not consideration is exchanged for the lease, rental, loan, hiring out, licensing, or letting of a premises shall not affect the fact that the occupancy thereof is treated as a short term rental unit for the purposes of this subchapter if the definition thereof is otherwise applicable to such activity.

(D) The term of any lease or occupancy agreement which has satisfied the minimum term required by this subchapter may be extended on a month-to-month basis on the condition that the tenant or tenants remain the same.

(E) The prohibition on short term rental units shall not apply when the immediately preceding owner of a property maintains possession of the dwelling unit after closing on a real estate transaction for the sale thereof and leases said property back from the successor owner for a period of time pursuant to a written agreement.

§ 120.103 PENALTIES.

(A) Notwithstanding anything otherwise provided in this Code to the contrary, any person found guilty of violating any provision of this subchapter shall be subject to a mandatory fine of not less than one hundred dollars (\$100.00) per day, nor more than seven hundred fifty dollars (\$750.00) per day. Unless exempted by this subchapter, each day a residential principal structure, residential dwelling unit, temporary structure, or any accessory structure, or part thereof, is offered for rent as a short term rental unit; is leased, rented, loaned, hired out, licensed, or let as a short term rental unit; or is occupied as a short term rental unit shall constitute a separate violation of this subchapter. Without any limitation on the foregoing, each day a violation of this subchapter occurs or continues shall be a separate offense, and each such offense shall be subject to not less than the minimum mandatory daily fine.

(B) The restrictions contained in this subchapter shall be interpreted as minimum standards, and shall be in addition to any other applicable Village ordinances and requirements that apply to short term rental units or the properties on which they are located.

Section 3. The prohibition against short term rental units as set forth in Section 2 shall not take effect until ninety (90) days after the effective date of this Ordinance.

Section 4. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any other provision of this Ordinance.

Section 5. All ordinances, resolutions, motions or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 6. This Ordinance shall be in full force and effect upon its passage, approval and publication as provided by law.

(Intentionally Left Blank)

ADOPTED by the Board of Trustees of the Village of Schiller Park, Cook County, Illinois this 20th day of December 2018, pursuant to a roll call vote, as follows:

AYES: Trustees Diaz, Klug, Golembiewski, Deegan, Lima, and Gorzynski

NAYES: None

ABSENT: None

APPROVED by the President of the Village of Schiller Park, Cook County, Illinois on this 20th day of December 2018.



NICK CAIAFA
VILLAGE PRESIDENT

ATTEST:


ROSA JOS
VILLAGE CLERK

(SEAL)