

ORDINANCE NO. 2008-09

AN ORDINANCE AMENDING THE CRIME FREE HOUSING ORDINANCE (ORDINANCE NO. 2007-12)

WHEREAS, on March 27, 2007, the Village of Riverdale passed Ordinance No. 2007-12, the Crime Free Housing Ordinance; and

WHEREAS, the Crime Free Housing Ordinance contained a section identified as SECTION SIX; and

WHEREAS, the Village of Riverdale by Ordinance Nos. 2007-17 and 2007-38 amended the language of SECTION SIX to clarify the first two (2) sentences of SECTION SIX; and

WHEREAS, Ordinance No. 2007-38 mistakenly deleted SECTION SIX and replaced SECTION SIX with two (2) sentences which were meant to clarify and become part of SECTION SIX; and

WHEREAS, in order to correct this mistake, SECTION SIX in its correct form is now being passed and added back to the Crime Free Housing Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Riverdale, Cook County, Illinois, as follows:

SECTION 1: That SECTION SIX is hereby deleted in its entirety and the following shall be inserted in lieu thereof:

SECTION SIX: Any owner, agent, or designee of residential rental property is required to utilize a crime free lease addendum or have a clause in the lease similar to a crime free lease addendum for any lease executed after the effective date of this Amendment. A dwelling unit shall be considered a rental unit if the dwelling is not owner occupied. The Community Support Officer shall provide at no cost, samples of the crime free lease addendum and shall review any clauses within actual leases with the Village Attorney to determine if the clause is similar to the crime free lease addendum. The clause is to make criminal activity (not limited to violent criminal activity or drug related criminal activity engaged by, facilitated by or permitted by the renter, member of the household, guest or other party under the control of the renter) a lease violation. The landlord shall have the authority under that clause to initiate an eviction proceeding as specified in the Illinois Compiled Statutes Forcible Entry and Detainer Statutes. Proof of criminal violation shall be by the preponderance of the evidence.

In addition to the crime free lease addendum, any owner, agent or designee of a residential rental property is also required to perform a criminal background check on all potential tenants.

SECTION 2: All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance be and the same are hereby repealed.

SECTION 3: This Ordinance shall be in full force and effect after passage, approval and publication in pamphlet form.

PASSED this 26th day of February, A.D., 2008.

Joyce C. Fisher
Village Clerk

APPROVED this 26th day of February, A.D., 2008.

Zenovia G. Evans
Village President

ATTEST:

Joyce C. Fisher
Village Clerk

RECORD OF THE VOTE	YES	NO	ABSTAIN	ABSENT
PRESIDENT ZENOVIA G. EVANS				
TRUSTEE FOY	✓			
TRUSTEE DEAN	✓			
TRUSTEE PEYTON	✓			
TRUSTEE RUSSELL	✓			
TRUSTEE SANDERS	✓			
TRUSTEE SMILEY	✓			

Published in pamphlet form this 28th day of February, 2008.

Joyce C. Fisher
Village Clerk