

DIVISION 8– MULTI-FAMILY RENTAL OCCUPANCY LICENSE**SEC. 11.8-1 MULTI-FAMILY RENTAL OCCUPANCY LICENSE.**

1. **LICENSE REQUIRED.** It shall be unlawful for any person, firm, corporation, trust, partnership, or other legal entity, to conduct, keep, manage, or operate, or cause to be conducted, kept, managed or operated any bed and breakfast establishment, apartment, rooming house, multiple-use dwelling, duplex (except the owner-occupied side of the duplex), hotel or motel without the premises having a rental occupancy license issued by the Building Commissioner.

1. **DURATION OF LICENSE.** Licenses shall run from January 1 through December 31 of a given year unless sooner terminated or revoked. Licenses shall be specific to one owner and one property and are not transferable without payment of a transfer fee and a completed application from the new owner.

1. **LICENSE APPLICATION.** A written application for a license required by this section shall be submitted to the Building Commissioner on forms provided by the Building Commissioner. The application shall include the address of the property, type of building and number of units, name, street address, mailing address and telephone number of the owner of the property. If the owner is an entity other than a natural person, the application must also include the name, street address and telephone number of the agent of the owner upon whom service of process can be affected, and the name, address and telephone number of any agent responsible for maintenance of the property. Rooming houses which are licensed for 10 or more occupants must also provide a resident agent's name, street address and telephone number. A resident agent is any competent person over 25 years of age residing in McLean County. Notice to an agent or resident agent shall be notice to the owner for all purposes of Chapter 11 of this Code. An owner of property shall include in all lease agreements, a provision which allows the Town access to the premises upon reasonable notice to the tenant for the purpose of the inspections required by this Code.

1. **INSPECTIONS.**
 1. Prior to the issuance of any license pursuant to this section, the Building Commissioner shall cause an inspection to be made of the property, including all public and private areas of the building. The owner shall be responsible for notifying tenants of the inspection and providing the Town of Normal with access to the property including the interior of all dwelling units and all other public and private spaces. Rooming houses which are licensed for 10 or more occupants shall be inspected three times annually.

The Building Commissioner may reduce the number of inspections of rooming houses licensed for 10 or more occupants if the Building Commissioner finds that the building or property has passed three (3)

consecutive inspections and has not had more than three (3) violations of Town ordinances regarding Fire Safety, Building, Property Maintenance, or Zoning codes in a twelve (12) month period. After the Building Commission has reduced the number of inspections of rooming houses licensed for ten (10) or more occupants, the Building Commissioner may increase the number of inspections to three (3) per year if the Building Commissioner finds that the Building or property has failed an inspection or has had more than three violations of Town ordinances regarding Fire Safety, Building, Property Maintenance, or Zoning codes within a twelve (12) month period.

1. No license shall be issued until the building is approved by the Building Commissioner as being in compliance with Town of Normal Fire Safety, Building, Zoning, and Property Maintenance Codes.
1. If a tenant or owner refuses access for purpose of inspection pursuant to this Section, the Town of Normal may seek a search warrant for the purpose of this inspection.

E. FEES. Fees shall be paid and collected as set forth in Chapter 25 of this Code.

1. REVOCATION. The Building Commissioner may revoke a license by notifying the owner. A license may be revoked upon the occurrence of any of the following events:

1. A violation of Town Code which remains on the property after notice to the owner. The Building Commissioner may assume that a violation remains on the premises if the owner does not arrange for a reinspection and pay a reinspection fee.
1. A change of owner.
1. Discovery of a falsehood on an application.
4. A serious violation of Town Code on the property which causes an immediate and present danger to the occupants or public at large.

1. APPEALS.

1. Appeals to the Building Commissioner. An owner may appeal a refusal to issue a license or a revocation of a license, by filing a written appeal to the Building commissioner within 30 days of the notice of revocation or refusal to issue a license. The Building Commissioner shall make due inquiry into the matter and shall respond to the appeal in writing in a final decision within 30 days of the appeal to the Commissioner.

- G. Appeals to the Building Board of Appeals. An owner may appeal a final decision of the Building Commissioner to the Building Board of Appeals in the manner provided in SEC. 11.2-5 of the Municipal Code of the Town of Normal, 1969, as amended, except no appeal may be taken after the Town of Normal has initiated legal or administrative proceedings seeking compliance with this Chapter or a fine for violation of this Chapter.
- H. PENALTIES. Any person or entity found guilty of violating this Section shall be punished by a fine of not less than \$25.00 nor more than \$200.00 for a first offense and not less than Fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00) for the second or subsequent offense. A separate and distinct offense shall be regarded as committed each day upon which said violation occurs.