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**SUBSTITUTE
ORDINANCE**

02024-00 13637

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. Section 4-13-240 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, and by deleting the language struck through, as follows:

4-13-240 Data and reports – Required.

(a) *Departmental report – Required.* Each licensee under this Article II shall submit to the Department, ~~every two months,~~ a monthly report, in a form approved by the Commissioner, that contains the following information about each of the short term residential rentals listed through the intermediary's platform during the applicable reporting period: (i) the total number of short term residential rentals listed on the platform during the applicable reporting period; (ii) the license or registration number of each short term residential rental listed on the platform during the applicable reporting period; (iii) the address, including the unit number if applicable, of each short term residential rental listed on the platform during the applicable reporting period; (iv) the exact number of nights that each short term residential rental listed on the platform was rented to guests during the applicable reporting period; (v) the amount of rent paid by guests in connection with the rental of each short term residential rental listed on the platform during the applicable reporting period; (vi) the total amount of tax paid by the intermediary to the city under Section 3-24-030 in connection with the rental of each short term residential rental listed on the platform during the applicable reporting period; ~~and~~ (vii) a cumulative tally to date of the number of nights that each short term residential rental listed on the platform is booked for rental during the remaining months of the applicable calendar year; (viii) a current telephone number for the host and local contact person, as applicable, for each short term residential rental listed on the platform during the applicable reporting period; and (ix) the ward in which each short term residential rental is located.

(Omitted text is unaffected by this ordinance)

(c) *Aldermanic report – Required.* ~~Each licensee under this Article II shall have a duty to The Department shall submit to each alderman and to the Department, every two months, a quarterly report, in a form approved by the Commissioner, that contains, on a ward specific basis for the respective ward, the following for each of the short term residential rentals included on any reports submitted under subsection (a) of this section during the applicable reporting period: (1) the information set forth in items (i) through (vii) of subsection (a) of this section; (2) the number and type of all citations, violations, or other disciplinary actions during the applicable reporting period; and (3) whether any Commissioner's adjustments have been authorized pursuant to Section 4-14-100, about each of the short term residential rentals listed on the intermediary's platform during the applicable reporting period.~~

(Omitted text is unaffected by this ordinance)

SECTION 2. Section 4-13-260 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, and by deleting the language struck through, as follows:

4-13-260 Ineligibility – Listing on platform by a provider prohibited when.

(a) *Conditions of ineligibility for listing.* A short term residential rental shall be ineligible for registration with the Department as a shared housing unit or for licensure as a bed-and-breakfast establishment or vacation rental, and shall not be listed by a provider on a platform, under the following conditions:

(Omitted text is unaffected by this ordinance)

~~(7) *Rental caps exceeded.* If the short term residential rental is a shared housing unit, when Unlawful or prohibited acts. When any unlawful or prohibited act set forth in Section 4-6-290(g)(2)-(3), Section 4-6-300(g)(4), (5), (7), or (8), Section 4-14-050, or Section 4-14-060, as applicable, occurs; or~~

(Omitted text is unaffected by this ordinance)

SECTION 3. Section 4-14-020 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, as follows:

4-14-020 Shared housing unit registration – Registration fee – Required.

(Omitted text is unaffected by this ordinance)

(b) *Registration application – Form and contents.* The registration application required under subsection (a)(1) of this section shall be in a form and manner prescribed by the commissioner, and shall be accompanied by the following information:

(Omitted text is unaffected by this ordinance)

(5) whether the dwelling unit identified in the registration application is the shared housing host's primary residence, and, if the applicant is the owner of such dwelling unit, evidence of a Cook County homeowner exemption for such dwelling unit or any other documentation the Department may accept, as established by rule;

(Omitted text is unaffected by this ordinance)

SECTION 4. Section 4-14-040 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, and by deleting the language struck through, as follows:

4-14-040 Legal duties.

(a) *Descriptive information on listing – Required.* Each shared housing host shall include the following information in every listing of a shared housing unit on a platform:

(1) the shared housing host's cancellation and check-in and check-out policies;

(2) a statement on: (i) whether the shared housing unit is wheelchair or ADA accessible; (ii) whether the shared housing unit has any parking availability or restrictions; and (iii) the availability of, or restrictions on, the use of any recreational facilities or other amenities applicable to guests;

(3) a description of the shared housing unit, including the number of sleeping rooms and bathrooms, and whether the entire dwelling unit, or only a portion thereof, is available for rent; and

(4) the maximum occupancy limit under Section 4-14-050(b); and

(5) the registration number assigned by the department to the shared housing unit.

(b) *Operating requirements.* Each shared housing host shall comply with the following operating requirements:

(Omitted text is unaffected by this ordinance)

SECTION 5. Section 4-14-050 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, and by deleting the language struck through, as follows:

4-14-050 Unlawful acts.

(Omitted text is unaffected by this ordinance)

(b) *Exceeding maximum occupancy – Prohibited.* It shall be unlawful for any shared housing host to exceed the maximum occupancy limit of: (i) two persons, not including a guest's children under the age of 18, per guest room within the shared housing unit; or (ii) ~~no more than one person per 125 square feet of floor area of the shared housing unit; or (iii)~~ the actual allowed capacity of the shared housing unit based on the applicable provisions of the building code, ~~whichever is less.~~ As used in this subsection (b), the term "guest room" means a room used or intended to be used for sleeping purposes. The term "guest room" does not include bathrooms, toilet rooms, kitchens, closets, halls, incidental storage or utility spaces, or similar areas. In addition to any other penalty provided by law, any person who violates this subsection (b) shall be subject to a fine of not less than \$5,000.00 nor more than \$10,000.00 for each offense. Each day that a violation continues shall constitute a separate and distinct offense. Upon issuance of a registration number under this chapter, the Commissioner shall notify the shared housing host of the applicable maximum occupancy limit under clause (i) of this subsection.

(Omitted text is unaffected by this ordinance)

SECTION 6. Section 4-6-300 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, and by deleting the language struck through, as follows:

4-6-300 Vacation rentals.

(Omitted text is unaffected by this ordinance)

(b) *Application – Additional information required.* In addition to the requirements set forth in Section 4-4-050, an application for, and, if requested, a renewal of, a regulated business license authorizing the owner of a dwelling unit to rent or lease such dwelling unit as a vacation rental shall be accompanied by the following information:

(Omitted text is unaffected by this ordinance)

(8) if the dwelling unit is a single family home, an attestation that such home is the applicant's or licensee's primary residence, and, if the applicant is the owner of such dwelling unit, evidence of a Cook County homeowner exemption for such dwelling unit or any other documentation the Department may accept, as established by rule. Provided, however, that if the owner of the single family home is on active military duty, the affidavit shall include a statement attesting to such fact and to whether the owner has appointed a designated agent or employee to manage, control and reside in the single family home during such owner's absence while on military duty. If the single family home is not the applicant's or licensee's primary residence, an attestation as to whether: (a) the applicable commissioner's adjustment under Section 4-6-300(l) permitting otherwise has been obtained; or (b) the applicant or licensee, as applicable, held a valid vacation rental license, as of June 22, 2016, for the single family home;

(9) if the dwelling unit is located in a building containing two to four dwelling units, inclusive, an attestation that such dwelling unit: (i) is the applicant's or licensee's primary residence, and, if the applicant is the owner of such dwelling unit, evidence of a Cook County homeowner exemption for such dwelling unit or any other documentation the Department may accept, as established by rule; and (ii) is the only dwelling unit in the building that is or will be used as a vacation rental or shared housing unit, in any combination. Provided, however, that if the owner of the single family home is on active military duty, the affidavit shall include a statement attesting to such fact and to whether the owner has appointed a designated agent or employee to manage, control and reside in the single family home during such owner's absence while on military duty. If the dwelling unit is not the applicant's or licensee's primary residence or is not the only dwelling unit in the building that is or will be used as a vacation rental or shared housing unit, in any combination, an attestation as to whether: (a) a commissioner's adjustment under Section 4-6-300(l) permitting otherwise has been obtained, or (b) the applicant or licensee, as applicable, held a valid vacation rental license, as of June 22, 2016, for the dwelling unit;

(Omitted text is unaffected by this ordinance)

(f) *Legal duties.*

(Omitted text is unaffected by this ordinance)

(4) *License number in advertisements – Required.* Each licensee engaged in the business of vacation rental shall print or cause the licensee's license number to be printed, in legible type: (i) in every advertisement or listing of any type for any vacation rental that the licensee or the licensee's agent places or causes to be placed in connection with a vacation rental; (ii) on every application for a building permit made by or on behalf of the licensee; and (iii) if the licensee advertises the vacation rental on a primary website established, operated or maintained by such licensee, on such website. Failure to comply with the requirements of this subsection (f)(4) shall create a rebuttable presumption that the business of vacation rental is being operated without a license.

(Omitted text is unaffected by this ordinance)

(g) *Prohibited acts.*

(Omitted text is unaffected by this ordinance)

(5) *Exceeding maximum occupancy – Prohibited.* It shall be unlawful for any licensee engaged in the business of vacation rental to exceed the maximum occupancy limit of: (i) two persons, not including a guest's children under the age of 18, per guest room within the vacation rental; or (ii) ~~no more than one person per 125 square feet of floor area of the dwelling unit for which the license is issued; or (iii)~~ the actual allowed capacity of the dwelling unit based on the applicable provisions of the building code, ~~whichever is less.~~ As used in this subsection (g)(5), the term "guest room" means a room used or intended to be used for sleeping purposes. The term "guest room" does not include bathrooms, toilet rooms, kitchens, closets, halls, incidental storage or utility spaces, or similar areas. In addition to any other penalty provided by law, any person who violates this subsection (g)(5) shall be subject to a fine of not less than \$5,000.00 nor more than \$10,000.00 for each offense. Each day that a violation continues shall constitute a separate and distinct offense. Upon issuance of a license under this section, the Commissioner shall notify the licensee of the applicable maximum occupancy limit under clause (i) of this subsection;

(Omitted text is unaffected by this ordinance)

(h) *Vacation rentals listed on a platform.* If a vacation rental is listed on any platform, a licensee under this section shall have the following duties:

(Omitted text is unaffected by this ordinance)

(3) *Descriptive information on listing – Required.* Such licensee shall include in any listing on such platform(s), the following information about the vacation rental: (A) the licensee's cancellation and check-in and check-out policies; and (B) a statement on: (i) whether the vacation rental is wheelchair or ADA accessible; (ii) whether the vacation rental has any parking availability or restrictions; and (iii) the availability of, or restrictions on, the use of any recreational facilities or other amenities applicable to guests; and (C) a description of the vacation rental, including the number of sleeping rooms, ~~and bathrooms, and the maximum occupancy limits under subsection (g)(5) of this section;~~ and (D) the applicable license number;

(Omitted text is unaffected by this ordinance)

SECTION 7. This ordinance shall take effect 10 days after passage and publication.