

ORDINANCE

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

SECTION 1. Section 4-13-220 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, and by deleting the language struck through, as follows:

4-13-220 Legal Duties.

(Omitted text is unaffected by this ordinance)

(f) *Descriptive listing information – Required.* Each licensee under this Article II shall require ~~post a notice on its platform informing Providers that every listing on the intermediary's platform must include the information required to be disclosed on any listing or advertisement under Section 4-6-290, Section 4-6-300, or Section 4-14-040, as applicable. (a)(1) through (a)(4), inclusive.~~

(Omitted text is unaffected by this ordinance)

SECTION 2. Section 4-13-235 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, and by deleting the language struck through, as follows:

4-13-235 Intermediaries – Prohibition on booking service transactions – Applicable when.

It shall be unlawful for any licensee under this Article II to process or complete any booking service transaction for any: (1) shared housing unit or portion thereof, unless such unit has first been registered with the Department within the meaning of Section 4-13-230(a); ~~or~~ (2) vacation rental, bed-and-breakfast establishment or hotel, or any portion thereof, unless such establishment is properly licensed under Chapter 4-6 of this Code; or (3) short-term residential rental unless the listing for such short term residential rental includes all of the information required to be disclosed on such list under Section 4-6-290, Section 4-6-300, or Section 4-14-040, as applicable.

SECTION 3. 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, Section 4-6-300, Section 4-14-050, or Section 4-14-060, as applicable, occurs; or

(7.5) Failure to include required descriptive information. When the listing for a short term rental does not include any information required to be disclosed on any listing or advertisement under Section 4-6-290, Section 4-6-300, or Section 4-14-040, as applicable; or

(Omitted text is unaffected by this ordinance)

SECTION 4. Section 4-13-270 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, and by deleting the language struck through, as follows:

4-13-270 Departmental duties.

(a) *Duty to maintain a database of short term residential rentals.* The Commissioner shall maintain a map and a database, by address, of all short term residential rentals currently licensed by or registered with the Department under the applicable provisions of this Code. Such map and database shall be accessible to the public, searchable by address, and such database shall, at a minimum, include: (i) the address of the short term residential rental; (ii) the applicable license or registration number; (iii) the contact information for the host or local contact person; (iv) the applicable maximum occupancy; and (v) whether the short term residential rental received a Commissioner's adjustment under Section 4-6-300 or Section 4-14-100, as applicable.

(Omitted text is unaffected by this ordinance)

SECTION 5. Section 4-14-020 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, and by deleting the language struck through, as follows:

4-14-020 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, including, if applicable, evidence of a Cook County homeowner exemption for such dwelling unit;

(Omitted text is unaffected by this ordinance)

SECTION 6. 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 total price of renting or booking the shared housing unit and all fees or charges required to complete the booking or stay, including any fees charged to the guest by the shared housing host or an intermediary; and

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

(6) 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)

(4) *Registration number in advertisements, listings, rental agreements and bookings for future rental – Required.* Each shared housing host shall conspicuously display in legible type the shared housing unit's registration number in: (i) every advertisement of any type in connection with the rental of the shared housing unit, (ii) every listing of the shared housing unit on any platform, and (iii) every rental agreement for, and booking for future rental of, any shared housing unit. Failure to comply with this requirement shall create a rebuttable presumption that the shared housing unit is being operated without the proper registration.

(4.5) *Disclosure of occupancy limits, price, fees, and charges in advertisements, listings, rental agreements, and bookings for future rental – Required.* Each shared housing host shall include the following information in every advertisement, listing, rental agreement for, and booking for future rental of, a shared housing unit: (i) the maximum occupancy limit under Section 4-14-050(b); and (ii) the total price of renting or booking the shared housing unit and all fees or charges required to complete the booking or stay, including any fees charged to the guest by the host or an intermediary.

(5) *Smoke alarms and carbon monoxide detectors – Required.* Each shared housing host shall ensure that the shared housing unit is in compliance with applicable laws regarding the installation and maintenance of functioning smoke alarms and carbon monoxide detectors.

(6) *Posting contact information – Posting evacuation diagram – Required.* Each shared housing host shall post in a conspicuous place, with letters plainly legible from the public way, near the exterior entrance of the building in which the shared housing unit is located: (i) the name ~~and telephone number~~ of a local contact person if such local contact person is not an individual; (ii) the telephone number of a local contact person; (iii) the registration number assigned by the Department to the shared housing unit; and (ii)-(iv) an evacuation diagram identifying all means of egress from the shared housing unit and the building in which it is located.

(Omitted text is unaffected by this ordinance)

SECTION 7. 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 this subsection.

(Omitted text is unaffected by this ordinance)

SECTION 8. 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, including, if applicable, evidence of a Cook County homeowner exemption for such dwelling unit. 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, including, if applicable, evidence of a Cook County homeowner exemption for such dwelling unit; 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.

(4.5) Disclosure of occupancy limits, price, fees, and charges in advertisements, listings, rental agreements, and booking for future rental - Required. Each licensee engaged in the business of vacation rental shall include the following information in every advertisement, listing, rental agreement for, and booking for future rental of a vacation rental: (i) the maximum occupancy limit under subsection (g)(5); and (ii) the total price of renting or booking the vacation rental and all fees or charges required to complete the booking or stay, including any fees charged to the guest by the licensee or an intermediary, as defined in Chapter 4-14.

(Omitted text is unaffected by this ordinance)

(7) *Posting – License number – Local contact person – Required.* Each licensee engaged in the business of vacation rental shall post in a conspicuous place, with letters plainly legible from the public way, near the exterior entrance of the building in which the vacation rental is located, the vacation rental license, and the name of the local contact person if such local contact person is not an individual, and the telephone number of the local contact person.

(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 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; and (E) the total price of renting or booking the vacation rental and all fees or charges required to complete the booking or stay, including any fees charged to the guest by the licensee or an intermediary, as defined in Chapter 4-14;

(Omitted text is unaffected by this ordinance)

SECTION 9. This ordinance shall take effect 10 days after passage and publication.

BENNETT R. LAWSON
Alderman, 44th Ward