

## **CHAPTER 745 GUEST HOME LICENSE ORDINANCE**

**1.1 Purpose and Applicability:** The purpose of this ordinance shall be to control and regulate the use of property for transient lodging when said property cannot otherwise be permanently zoned with a lodging use. This ordinance removes guest homes as a special use within Chapter 700 and replaces it with a license requirement that allows lodging when the conditions herein can be met and maintained. The control shall be an attempt to mitigate unwanted nuisance activities, ensure safe clean locations for guests as well as simplifying the process of application for residents seeking to offer guest homes to the public. This ordinance shall apply to all areas under the jurisdiction of Carroll County, IL.

**1.2 Definitions:** The following words and terms shall, for the purposes of this Chapter, have the meanings shown:

**"GUEST HOME"** - A residential dwelling that is offered to guests for lodging on a transient basis.

**"GUEST"** - A guest is a member of the public who is paying for the use of lodging.

**"TRANSIENT"** - A period of time for the use of lodging that is less than a consecutive 30 days.

**"LODGING"** - a transient living or sleeping place provided to a guest in exchange for payment.

**2. License and Registration Required:** A yearly license and registration is required of all owners seeking to use property for guest home lodging. No guest home shall be installed or maintained on a property without a valid and current license issued from Carroll County, IL. All new license applications must be approved by county board action. Renewal applications will not require county board action. Existing licenses must be renewed every year by April 1st to maintain the license renewal status. All applications shall include the following information, or other information as requested:

\*Information on file may be used to aid in renewal.

- i. Owner name and contact information
- ii. Property Site Address
- iii. A copy of the lodging listing, including all policies, quiet hour requirements, ADA accessibility requirements, parking restrictions, facilities or amenities with restrictions thereto, a general description of the rental including the number of sleeping units and bathrooms as well as a completed emergency plan with contact information.
- iv. Proof of Liability Insurance.
- v. Documentation of approved well, water and septic infrastructure. An applicant seeking a guest home license must obtain approval from the health department or other testing facility for the water, well and septic systems that will be used at the guest home location. Inspections may be required. Documentation on file with the Carroll County Health Department may be used to satisfy these requirements.

**3. Inspection/Onsite Requirements:** Owners or their designated agent are required to show proof of compliance and/or submit to an inspection of the property. If an inspection is needed it will be scheduled for a convenient time with the owner or their agent as needed. The following list of onsite requirements are to be maintained at all times. Failure to maintain any of these requirements may constitute a violation, fine, suspension, revocation and/or disqualification.

- i. Prominently displayed or easily located working fire extinguisher.
- ii. Smoke and Carbon Monoxide Alarms in common areas
- iii. Carroll County Guest Home License Document
- iv. Emergency Plan and Contact Information.
- v. All below grade sleeping areas must meet the Emergency Escape & Rescue Opening Code for below grade bedrooms.

**4. Hotel/Motel Tax.** For each license and location granted approval, the owner is required to file and pay applicable hotel and motel tax to the Carroll County, IL Treasures Office.

**5. Application Fees.** The cost to apply for a new license is \$250 (two hundred and fifty dollars). License renewal and registration is available on a yearly schedule, ending April 1<sup>st</sup> of every year. The cost to renew an existing license is \$100 (one hundred dollars). Failure to renew a license within the renewal period ending April 1<sup>st</sup> of every year will forfeit the application as a renewal and require a new license application; Including but not limited to notification, county board action and new license fee.

**6. List of active licenses.** The zoning department shall keep a complete record of all active licenses; and shall furnish the list by request as a public document.

**7. Neighbor Notification.** It shall be the responsibility of the zoning department to make notification by regular mail to all property owners of record located within 250 of a subject property applying for a new license. No such notification will be required for a license renewal.

**8. No Change of Location.** No change of location shall be allowed for any license issued and each property will be required to have its own guest home license.

**9. Transition of Guest Home Special Use Permit to License.** Locations that have a current guest home special use will be allowed to use that permit for the remainder of the 5-year period that has been issued. Special use permits for guest homes will be provided the chance to continue as a renewal license application at the end of that renewal period. Locations that exceed or have exceeded their 5-year renewal period will be required to complete a new license application. All other requirements set forth herein will apply to guest home special use permits on the effective date of this ordinance.

**10. Fines, violations and severability.** A person who violates, disobeys, neglects or refuses to comply with the provisions of this ordinance may be fined up to one thousand dollars (\$1,000.00) for each offense and each week of non-compliance. Ongoing or repetitive offenses and/or nuisance activities, including but not limited to: excessive late hour noise, unkept trash, improper parking, disorderly conduct or failure of an onsite requirement listed in #3 may constitute a violation. Upon evidence that a violation has been committed the Zoning Administrator will conduct the following:

- i. Notify the property owner of the violation, giving a reasonable time frame determined by the Zoning Administrator in which to pay a fine and/or take corrective action(s).
- ii. The Zoning Officer is authorized to serve upon any person in violation of this ordinance a uniform non-traffic citation which shall require a fine and/or the violator's appearance before the circuit court.
- iii. The State's Attorney may bring suit seeking to permanently enjoin any ongoing violation of this ordinance that cannot otherwise be resolved.
- iv. The county board may act to suspend, revoke or disqualify a license and/or license holder after an attempt has been made to correct a violation and after notification of such action has been made to the license holder.

**Effective Date.** This Ordinance shall be in full force and effect upon its passage and approval.

ADOPTED THIS 19th day of May, 2022.

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KEVIN REIBEL  
County Board Chairman