

ORDINANCE NO. 1600

**AN ORDINANCE AMENDING ARTICLE IX, OF CHAPTER 7 OF THE CITY OF
BREESE MUNICIPAL CODE SECTION 7-9-9 RELATING TO
RENTAL PROPERTY INSPECTION**

WHEREAS, the City Council desires to amend Article IX of Chapter 7 of the Breese Municipal Code relating to Residential Rental Property Inspections to add a provision requiring Landlords who retain Utilities in their name to have annual property inspections;

WHEREAS, the purpose behind the amendment is to ensure that residential rental properties are inspected on a regular basis;

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF
THE CITY OF BREESE, ILLINOIS**, as follows:

That Chapter 7, Article IX Section 7-9-9 of the City Of Breese Municipal Code shall be amended, as follows:

Section 7-9-9 shall be amended to read, in its entirety, as follows:

7-9-9 Health Safety Inspections.

(A) Unless otherwise provided herein, at each change in tenancy, a Health Safety Inspection Certificate of Compliance must be obtained by every owner and/or landlord, or the agent or representative of the owner and/or landlord of residential rental property. A change of tenant(s) requires all residential rental property be brought into compliance with City Code. If the residential rental structure or residential rental property is found to be in violation of The Code, the deficiencies must be corrected, and the property reinspected and approved, prior to being let for occupancy. If the residential rental real estate has a Health Safety Inspection Certificate of Compliance that has been issued less than one year earlier, the owner and or Landlord will not require another inspection until he or she enters into a new lease with residential tenant;

(B) A change in ownership of residential rental property requires that all rental units be brought in to compliance with The City Code and that the owner/Landlord shall have obtained a Health Safety Inspection Certificate of Compliance prior to entering into any residential lease. If the residential rental structure or residential rental property is found to

be in violation of The Code, the deficiencies must be corrected, and the property re-inspected and approved prior to being let for occupancy. If the acquired real estate has a Health Safety Inspection Certificate of Compliance that has been issued less than one year earlier, the new owner will not require another inspection until he or she enters into a new lease with residential tenant;

(C) Before any residential rental property can be let for occupancy, the owner or the agent or representative of the owner must submit the required application for a Health Safety Inspection and pay an inspection fee of \$80.00. The inspection fee shall be applicable to each residential unit;

(D) The required inspection fee of \$80.00 allows for the initial inspection and one follow-up inspection for each residential rental property that has failed the initial inspection.

(E) The application and fee for the Health Safety Inspection can be submitted to the City as soon as the residential property is available for a new tenant; the City shall make every effort to have the inspection completed within 48 hours (exclusive of weekends and holidays);

(F) The owner and/or Landlord, or the agent or representative of the owner and/or Landlord shall make an appointment at City Hall with the Residential Rental Inspector for an inspection of the residential rental property to determine compliance with the City Code;

(G) When the residential rental property inspection process is completed, the Residential Rental Inspector will notify the owner and/or Landlord, or the agent or representative of the owner and/or Landlord;

(H) If the Residential Rental Inspector determines that the residential rental property that is subject to the inspection complies with the City Code, a Health and Safety Inspection Certificate of Compliance will be issued from the City;

(I) If, however, the residential rental property is not in compliance with the City Code, it will not be approved for a Health Safety Inspection Certificate of Compliance and the owner and/or Landlord, or the agent or representative of the owner and/or Landlord, will receive a violation notice describing the violations and the corrections to be made.

(J) A Health Safety Inspection Certificate of Compliance shall remain valid until the sooner of any of the following:

(1) The City revokes or suspends the Health Safety Inspection Certificate of Compliance due to a violation of the City Code related to the residential rental structure or residential rental property at issue;

(2) Change in tenancy at the residential rental property, unless the change in tenancy occurs within one year of the issuance of the previous Certificate of Compliance;

(3) Change in tenancy after change in ownership of residential rental property or short term rental property, unless a certificate of Compliance was issued less than one year prior;

(4) the residential rental property is damaged or destroyed to the extent it is no longer habitable.

(K) If the Owner and/or Landlord, or the agent or representative of the Owner and/or Landlord retains the utilities in the owner , Landlord or agent/representative's name, then the City shall require an annual inspection of the residential rental property

(L) A Health Safety Inspection Certificate of Compliance may not be transferred from one residential rental property to another;

(M) In the event an owner and/or landlord, or representative of the owner and/or landlord or the tenant/occupant of a residential rental property refuses to allow the Residential Rental Inspector to inspect a residential rental property, schedule a time to inspect the residential rental property or otherwise fails to comply with The City Code, the City reserves all remedies to secure compliance with this section including, with out limitation, issuing continuing fines, seeking a search warrant to conduct an inspection, seeking all available fines and penalties, or suspending or revoking a Health Safety Inspection Certificate of Compliance for the real estate at issue.

(N) Residential Rental Inspector shall complete as many re-inspections as are necessary to ensure that appropriate corrective action has been taken to bring the residential rental property in to compliance The City Code.

(O) The owner and/or landlord, or the agent or representative of the owner and/or landlord, shall be charged \$80.00 for the initial inspection and one follow-up inspection of the residential rental property to ensure compliance with this section. After the initial inspection and follow-up inspection, the owner and/or landlord or the agent, or representative of the owner and/or landlord, shall be charged \$80.00 for each inspection deemed necessary by the City to bring the residential rental property into compliance with The City Code.

Passed this 19th day of August, 2025

APPROVED:

By: 
Kevin Timmermann, Mayor

ATTEST:

By: 

Jackie Hummert, City Clerk

Voting "aye": Gary Usselman, Jason Davinroy, Luke Essenpreis, Steve Hellige, Jeff Jung, Carl Ratermann, Dan Robben, Tim Schleper.

Voting "nay": None.

Absent: None.

CERTIFICATION

I **Jackie Hummert**, City Clerk of the City Of Breese, Clinton County, Illinois, do hereby certify the foregoing Ordinance No. 1600 is the true and correct original Ordinance passed and approved by the Breese City Council at a regular meeting duly convened on August 19, 2025.



Jackie Hummert, City Clerk

