
VILLAGE OF HARWOOD HEIGHTS
COOK COUNTY, ILLINOIS

ORDINANCE NO. 10-10

AN ORDINANCE AMENDING THE HARWOOD HEIGHTS CODE OF ORDINANCES
TO REPEAL THE OWNER-OCCUPANCY REQUIREMENT FOR ALL EXISTING
AND NEW CONDOMINIUM DEVELOPMENTS AND CONDOMINIUM
CONVERSIONS

Passed by the Board of Trustees, April 8, 2010

Printed and Published, April 8, 2010

Printed and Published in Pamphlet Form
By Authority of the Village Board of Trustees

VILLAGE OF HARWOOD HEIGHTS
COOK COUNTY, ILLINOIS

ARLENE C. JEZIERNY, MAYOR
MARCIA L. POLLOWY, VILLAGE CLERK

MARK DOBRZYCKI
MICHAEL J. GADZINSKI
DEMETRIOS MOUGOLIAS
THERESE SCHUEPFER
LAWRENCE STEINER
LESTER SZLENDAK

I hereby certify that this document was
properly published on the date stated above.


Village Clerk

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WHEREAS, the Village of Harwood Heights (hereinafter, “the Village”) is a home rule unit of government pursuant to Section 6(a), Article VII of the 1970 Illinois Constitution; and

WHEREAS, pursuant to its home rule power, the Village may exercise any power and perform any function relating to its government and affairs; and

WHEREAS, the Corporate Authorities have found and determined that the Village’s one-year owner-occupancy requirement for condominium owners restricts the saleability of condominium units and places an additional burden on condominium owners and developers during this period of falling real estate values, and that the Village does not wish to discourage investment in condominium properties within the Village; and

WHEREAS, in exercise of its home-rule authority, the Village, through its President and Board of Trustees, has found and determined that, repealing the Village’s one-year owner-occupancy requirement for condominium units is in the best interest of the public health, safety, and welfare of Village citizens;

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Harwood Heights, Cook County, Illinois, as follows:

SECTION 1. RECITALS. The foregoing recitals shall be and are hereby incorporated into and made a part of this Ordinance as if fully set forth in this Section 1.

SECTION 2. TITLE. This Ordinance shall be known and may hereafter be referred to as the *Condominium Owner-Occupancy Repealer Ordinance*.

SECTION 3. REPEALER. A portion of Title 17 (“Zoning”), Chapter 17.24 (“Condominiums”), Section 17.24.050(B)(8) of the Harwood Heights Village Code, shall be, and hereby is, repealed, with the clause specified below eliminated. Any and all sections or subsections not explicitly noted herein shall remain unchanged, and in full force and effect:

SECTION 17.24.050(B)(8)

(8)... *Bylaws must require condominium owners to live in their unit for at least one year before renting the unit.* [Repealed.]

As amended herein, Section 17.24.050(B)(8) shall read as follows in its entirety:

SECTION 17.24.050(B)(8).

A description of limitations upon uses permitted in individual condominium units as contained in the declaration and bylaws of the condominium association and applicable zoning provisions. Such description shall state whether or under what conditions the condominium units may be rented together by the condominium owner.

SECTION 4. STATEMENT OF INTENT.

Nothing in this repealer ordinance shall be construed to force any amendments to condominium declarations or bylaws already existing and in effect. Individual condominium associations may enact owner-occupancy requirements that they deem advisable.

SECTION 5. RESOLUTION OF CONFLICTS.

All Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 6. SAVING CLAUSE:

If any section, paragraph, clause, or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance, which are hereby declared to be separable.

SECTION 7. EFFECTIVE DATE.

This Ordinance shall be in full force and effect from after its passage, approval and publication as provided by law.

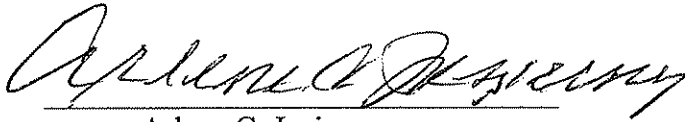
ADOPTED on this 8th day of April, 2010, pursuant to a roll call vote as

follows:

	YES	NO	ABSTAIN	ABSENT	PRESENT
DOBRZYCKI	X				X
GADZINSKI	X				X
MOUGOLIAS	X				X
SCHUEPFER	X				X
STEINER	X				X
SZLENDAK	X				X
Mayor Jezierny					X
TOTAL	6				7

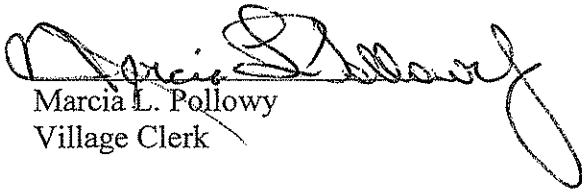
Ordinance No. 10-10

APPROVED by the Mayor on this 8th day of April, 2010.



Arlene C. Jezierny
MAYOR

ATTEST



Marcia L. Pollowy
Village Clerk