

Repealed by 9394-58

ORDINANCE NO. 8182-67

AN ORDINANCE
AMENDING CHAPTER 12.5 OF THE URBANA CITY CODE
TO ADD PROVISIONS FOR SECURITY DEPOSITS ON RESIDENTIAL LEASES

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
URBANA, ILLINOIS, as follows:

1. That Chapter 12.5, entitled "Landlord—Tenant Rights and Duties", of the Code of Ordinances of the City of Urbana, Illinois, be and the same is hereby amended by adding the following sections thereto under a separate article to be numbered Article II, which such Article II shall be entitled "Security Deposits on Residential Leases":

ARTICLE II. SECURITY DEPOSITS
ON RESIDENTIAL LEASES

Sec. 12.5-21. Interest to be paid by lessor on
security deposits—rate.

Any lessor of residential real property, except such real property containing three (3) or fewer units which is occupied by a lessor, who receives a security deposit in an amount greater than One Hundred Dollars (\$100.00) from a lessee to secure the payment of rent or compensation for damage to property shall pay interest to the lessee computed from the date of the deposit at a rate of five percent (5%) per year on any such deposit held by the lessor for more than six (6) months.

Sec. 12.5-22. Time for payment—penalty for refusal
to pay.

The lessor shall, within thirty (30) days after the end of each twelve (12) month rental period, pay to the lessee any interest, by cash or credit to be applied to rent due, except when the lessee is in default under the terms of the lease.

A lessor who willfully fails or refuses to pay the interest required by this Article shall, upon a finding by a circuit court that he/she has willfully failed or refused to pay, be liable for an amount equal to the amount of the security deposit, together with court costs and reasonable attorneys fees. The remedy

provided by this section is exclusively civil in nature and in no event shall the violation of any provision of this Article be deemed to constitute a violation punishable by a fine or penalty under this Article or Section 1-10 of this code.

Sec. 12.5-23. Application of article.

This Article does not apply to any deposit made with respect to any of the following:

- (1) Residence at an institution, public or private, if incidental to detention or the provision of medical, geriatric, educational, counseling, religious or similar service;
- (2) Occupancy under a contract of sale of a dwelling unit or the property of which it is a part, if the occupant is the purchaser or a person who succeeds to his/her interest;
- (3) Occupancy by a member of a fraternal or social organization in the portion of a structure operated for the benefit of the organization;
- (4) Transient occupancy in a hotel, motel, tourist home or tourist court;
- (5) Occupancy by an employee of a landlord whose right to occupancy is conditional upon employment in and about the premises;
- (6) Occupancy by an owner of a condominium unit or a holder of a proprietary lease in a cooperative;
- (7) Occupancy with respect to any public housing.

Sec. 12.5-24. Effective date.

This Article shall take effect on June 1, 1982, and shall not affect or abrogate any lease entered into before that date.

2. That Sections 12.5-1 through and including Section 12.5-10 of Chapter 12.5, entitled "Landlord—Tenant Rights and Duties", shall be made a portion of a new Article I of said Chapter, said Article I to be entitled "Remedies for Landlords and Tenants

for Code Violations", and that all references to the word "chapter" in such sections shall be amended to read as "article".

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a regular meeting of said Council on the 5th day of April, 1982.

PASSED by the City Council this 5th day of April, 1982.

Ruth S. Brookens
Ruth S. Brookens, City Clerk

APPROVED by the Mayor this ____ day of _____, 1982.

Jeffrey T. Markland, Mayor

CERTIFICATE OF PUBLICATION

I, Ruth S. Brookens, City Clerk, City of Urbana, Illinois, do herewith certify that I caused the above Ordinance to be duly published in the Champaign-Urbana News-Gazette on the 23rd day of April, 1982.

Ruth S. Brookens
Ruth S. Brookens, City Clerk

Mayor did NOT sign Ordinance. Returned to
Clerk's Office 4-12-82.
DKE

AN ORDINANCE
AMENDING CHAPTER 12.5
OF THE URBANA
CITY CODE

TO ADD PROVISIONS FOR SECURITY DEPOSITS ON RESIDENTIAL LEASES

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

1. That Chapter 12.5, entitled "Landlord-Tenant Rights and Duties", of the Code of Ordinances of the City of Urbana, Illinois, be and the same is hereby amended by adding the following sections thereto under a separate article to be numbered Article II, which such Article II shall be entitled "Security Deposits on Residential Leases":

ARTICLE II. SECURITY DEPOSITS ON RESIDENTIAL LEASES

Sec. 12.5-21. Interest to be paid by lessor on security deposits — rate.

Any lessor of residential real property, except such real property containing three (3) or fewer units which is occupied by a lessor, who receives a security deposit in an amount greater than One Hundred Dollars (\$100.00) from a lessee to secure the payment of rent or compensation for damage to property shall pay interest to the lessee computed from the date of the deposit at a rate of five percent (5%) per year on any such deposit held by the lessor for more than six (6) months.

Sec. 12.5-22. Time for payment — penalty for refusal to pay.

The lessor shall, within thirty (30) days after the end of each twelve (12) month rental period, pay to the lessee any interest, by cash or credit to be applied to rent due, except when the lessee is in default under the terms of the lease.

A lessor who willfully fails or refuses to pay the interest required by this Article shall, upon a finding by a circuit court that he/she has willfully failed or refused to pay, be liable for an amount equal to the amount of the security deposit, together with court costs and reasonable attorneys fees. The remedy provided by this section is exclusively civil in nature and in no event shall the violation of any provision of this Article be deemed to constitute a violation punishable by a fine or penalty under this Article or Section 1-10 of this code.

CERTIFICATE OF PUBLICATION IN The News-Gazette

The undersigned, THE CHAMPAIGN NEWS-GAZETTE, INCORPORATED, by

M. J. Deuca, its controller, does hereby

certify that said Corporation is the publisher of The News-Gazette and that the same is a daily secular newspaper of general circulation published in Champaign County, Illinois, and which said newspaper had been regularly published for more than six months prior to the first publication of the annexed notice; said publisher further certifies that the annexed notice was published once each week for _____ consecutive weeks in said newspaper, namely on the following dates:

Apr 23, A. D. 1988

, A. D. 19

, A. D. 19

, A. D. 19

, A. D. 19

Said publisher further certifies that the date of the first paper containing the said notice was on the first date hereinabove set forth, and that the date of the last paper containing the said notice was on the last date hereinabove set forth.

The Champaign News-Gazette, Incorporated

By [Signature]

Controller

PUBLISHER OF THE NEWS-GAZETTE

Publisher's fee \$ 60.48

CITY OF URBANA, ILL.
RECEIVED

APR 26 1982

CITY CLERK'S OFFICE