

CHAPTER 745

GUEST HOME LICENSE ORDINANCE

745-1 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. 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 within the jurisdiction of Carroll County, except those municipalities that have enacted ordinances under the Hotel/Motel Tax under 65 ILCS 5/8-3-14.

745-2 Definitions

The following words and terms shall, for the purposes of this Ordinance, have the meanings shown:

GUEST HOME/HOUSE – A single-family dwelling rented out on a transient basis for the purpose of providing guest accommodations to the public for a charge.

GUEST – A guest is person(s) who is paying for the use of lodging.

TRANSIENT RESIDENT – Any person who occupies a Guest House/Home for less than thirty (30) consecutive days.

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

745-3 License and Registration Required

A yearly license and registration are 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 the Carroll County Board (Board). All new license applications must be filed with the Zoning Department and approved by Board action. Renewal applications will not require Board action. Existing licenses must be renewed every year through the Carroll County Zoning Department (Zoning Department) by April 1st to maintain the license renewal status. All applications shall include the following information, or other information as requested:

- A. Owner name and contact information.
- B. Property Site Address.
- C. 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.
- D. Proof of Liability Insurance.
- E. Documentation of approved well, water and septic infrastructure. An applicant seeking a guest home license must obtain approval from the Carroll County Health Department or other testing facility for the water, well and septic systems that will be used at the guest

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home location. Inspections may be required. Documentation on file with the Carroll County Health Department may be used to satisfy these requirements.

745-4 Inspection/Onsite Requirements

An Owner of a guest home 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 of this Ordinance and subject to fine, suspension, revocation and/or disqualification.

- A. Prominently displayed or easily located working fire extinguisher.
- B. Smoke and Carbene Monoxide Alarms in common areas.
- C. Carroll County Guest Home License Document.
- D. Emergency Plan and Contact Information.
- E. All below grade sleeping areas must meet the Emergency Escape & Rescue Opening Code for below grade bedrooms.

745-5 Hotel/Motel Tax

For each license and location granted approval, the owner is required to file and pay applicable Hotel/Motel Tax established under Carroll County Ordinance Chapter 440, to the Carroll County Treasurer.

745-6 Application Fees

The cost to apply for a new license is two hundred and fifty dollars (\$250). License renewal and registration is available on a yearly schedule through the Zoning Department, ending March 31st of every year. The cost to renew an existing license is one hundred dollars (\$100). Failure to renew a license within the renewal period ending March 31st of every year will forfeit the application as a renewal and require a new license application.

745-7 List of Active Licenses

The Zoning Department shall keep a complete record of all active licenses and shall post the list on the County website.

745-8 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 feet of the applying guest home property owner. No such notification will be required for a license renewal.

745-9 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.

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745-10 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.

745-11 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 Section #745-3 may constitute a violation. Upon evidence that a violation has been committed the Zoning Department will conduct the following:

- A. Notify the property owner of the violation, giving a reasonable time frame determined by the Zoning Department in which to pay a fine and/or take corrective action(s).
- B. The Zoning Department 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.
- C. The State's Attorney may bring suit seeking to permanently enjoin any ongoing violation of this Ordinance that cannot otherwise be resolved.
- D. The 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.

745-12 Effective Date

This Ordinance shall be in full force and effect upon its passage and approval by the Board.

AMENDED THIS 18th day of July, 2024.



Carroll County Board Chair

Attest

Amey R. Buss
Carroll County Clerk