

ORDER OF THE COMMISSIONER OF HEALTH OF THE CITY OF CHICAGO

No. 2020-7

(REPORTING REQUIREMENTS FOR SHORT TERM RESIDENTIAL RENTAL INTERMEDIARIES)

Issued and Effective: May 8, 2020

WHEREAS, COVID-19 is a communicable disease that presents an extraordinarily severe and unprecedented threat to the residents of Chicago. It is necessary and appropriate for the Commissioner of Health to take immediate measures to protect the health, safety, and welfare of the City's residents; and

WHEREAS, After the implementation of Executive Order No. 32 issued by the Governor of Illinois ("the Stay At Home Order"), the City has responded to several large parties and other social gatherings held in residences rented through Airbnb, Homeaway, and other Short Term Residential Rental Intermediaries; and

WHEREAS, The Stay At Home Order does not limit the authority of the City of Chicago, a local government body, to enact provisions that are stricter than those in the Order, an example being provisions that require information from Short Term Residential Rental Intermediaries and prohibit illegal use of Shared Housing Units; and

WHEREAS, The Municipal Code of Chicago ("M.C.C.") authorizes the Commissioner of Health of the City of Chicago to implement emergency measures to stop the spread of communicable diseases, and to protect the health, safety, and welfare of the City's residents, and

WHEREAS, In order to stop the devastating spread of COVID-19, all Chicagoans must practice a strict and disciplined adherence to the Stay At Home Order's social distancing requirements, which includes observing the prohibitions on social gatherings; now, therefore,

The Commissioner of Health of the City of Chicago hereby orders as follows:

SECTION 1. Definitions. For purposes of this Order, the following definitions apply:

"Commissioner" means the Commissioner of the Department of Business Affairs and Consumer Protection or her designee(s).

"Shared Housing Unit" has the same meaning as provided in Section 4-13-100 of the M.C.C..

"Short Term Residential Rental Intermediary" and "Intermediary" have the same meaning as provided in Section 4-13-100 of the M.C.C..

"Stay At Home Order" means Executive Order No. 32 issued by the Governor of Illinois or any successor order issued by the Governor that imposes limits on gatherings.

SECTION 2. (a) Every Intermediary shall provide the following information to the Commissioner in such form(s) and format(s) that the Commissioner shall reasonably specify with regard to reservations of Shared Housing Units for upcoming use: the address of the Shared Housing Unit; the number of sleeping rooms and bathrooms; the number of people on the reservation; the city of origin of the person making the reservation, if available, as well as the city of origin of any other guests, if available; the duration of the reservation; and any other information that the Commissioner may reasonably require.

(b) The Intermediary shall provide the information required by this Section by close of business each Tuesday and Friday and shall supplement the report to identify any new or changed reservations occurring before the next reporting date. The Commissioner may require more frequent reporting if necessary to assist in stopping the spread of COVID-19.

(c) Upon an Intermediary's written request, and consistent with applicable law, the Commissioner shall treat the information that such Intermediary provides pursuant to this Section as confidential trade secrets, and shall provide the Intermediary with a copy of any appeal, received by the Commissioner, of the Commissioner's notice of denial provided to a third party seeking inspection and copies of such information.

SECTION 3. Every Intermediary shall include as a required element of each reservation within the City the full text of the Stay At Home Order and a feature in which the person making a reservation shall affirm that he or she understands that hosting or attending parties or other social gatherings in a Shared Housing Unit may be prohibited by the Stay At Home Order and M.C.C. Section 4-14-050, which may result in fines of up to \$3,000.00 and arrest.

SECTION 4. In addition to any other penalty provided by law, any Intermediary or person who violates this Order shall be subject to further action pursuant to the Commissioner of Health's exercise of the general police power of the City of Chicago under M.C.C. Section 2-112-080. Such actions may include financial penalties, arrest, or the closure of the Intermediary during the Order.

SECTION 5. This Order shall remain in effect until the Commissioner of Health makes a written determination that the threat to public health posed by COVID-19 has diminished to the point that this Order can be safely repealed.



Allison Arwady, M.D.,
Commissioner of Health of the City of Chicago

Dated: 5/8/20_____