

Topic:	State Land Use Law; Affordable Housing; Local Boards
Resource Type:	Regulations
State:	Illinois
Jurisdiction Type:	State
Municipality:	N/A
Year (adopted, written, etc.):	2004
Community Type – applicable to:	Urban; Suburban; Rural
Title:	State of Illinois Affordable Housing Zoning Ordinance
Document Last Updated in Database:	May 5, 2017

Abstract

Corporate municipal authorities are granted broad powers to provide for the development of affordable housing, pursuant to 65 ILL. COMP. STAT. 5/11-11.1-1 (2004). Municipal authorities may prescribe by ordinance fair and unfair housing practices, establish “Fair Housing Commissions” or “Human Relations Commissions,” prohibit discrimination based on “race, color, religion, sex, creed, ancestry, national origin, or physical or mental handicap” in transactions associated with residential occupancy, and establish penalties to enforce such ordinances. Furthermore, any regulation “which prohibits, restricts, narrows, or limits the housing choice of any person” is invalid. Commissions and municipal authorities may also conduct outreach to notify racial and ethnic groups of housing opportunities where other members of another racial group predominates residency.

Resource

65 ILL. COMP. STAT. 5/11-11.1-1 (2004)

Sec. 11-11.1-1.

The corporate authorities of any municipality may enact ordinances prescribing fair housing practices, defining unfair housing practices, establishing Fair Housing or Human Relations Commissions and standards for the operation of such Commissions in the administering and enforcement of such ordinances, prohibiting discrimination based on race, color, religion, sex, creed, ancestry, national origin, or physical or mental handicap in the listing, sale, assignment, exchange, transfer, lease, rental or financing of real property for the purpose of the residential occupancy thereof, and prescribing penalties for violations of such ordinances.

Such ordinances may provide for closed meetings of the Commissions or other administrative agencies responsible for administering and enforcing such ordinances for

the purpose of conciliating complaints of discrimination and such meetings shall not be subject to the provisions of "An Act in relation to meetings", approved July 11, 1957, as amended. No final action for the imposition or recommendation of a penalty by such Commissions or agencies shall be taken, except at a meeting open to the public.

To secure and guarantee the rights established by Sections 17, 18 and 19 of Article I of the Illinois Constitution, it is declared that any ordinance or standard enacted under the authority of this Section or under general home rule power and any standard, rule or regulation of such a Commission which prohibits, restricts, narrows or limits the housing choice of any person is unenforceable and void. Nothing in this amendatory Act of 1981 prohibits such a commission or a unit of local government from making special outreach efforts to inform members of minority groups of housing opportunities available in areas of majority white concentration and make similar efforts to inform the majority white population of available housing opportunities located in areas of minority concentration.

This amendatory Act of 1981 applies to municipalities which are home rule units. Pursuant to Article VII, Section 6, paragraph (i) of the Illinois Constitution, this amendatory Act of 1981 is a limit on the power of municipalities that are home rule units. (Source: P.A. 82-340.)