

**66-O-18**

**AN ORDINANCE**

**Adding City Code Subsection 5-4-5-6,  
“Examination of Records by Unit Owners”**

**NOW BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF  
EVANSTON, COOK COUNTY, ILLINOIS, THAT:**

**SECTION 1:** Subsection 5-4-5-6, “Examination of Records by Unit Owners” is hereby added to the Evanston City Code of 2012, as amended, and shall read as follows:

**5-4-5-6. - EXAMINATION OF RECORDS BY UNIT OWNERS.**

- (A) Pursuant to the Illinois Condominium Property Act, 765 ILCS 605/19, any person with custody or control of the records described in this Subsection (A) must, within ten (10) business days of a unit owner’s written request, provide for inspection a condominium association’s:
1. The association's declaration, bylaws, and plats of survey, and all amendments of these;
  2. The rules and regulations of the association, if any;
  3. If the association is incorporated as a corporation, the articles of incorporation of the association and all amendments to the articles of incorporation;
  4. Minutes of all meetings of the association and its board of managers for the immediately preceding seven (7) years;
  5. all current policies of insurance of the association;
  6. all contracts, leases, and other agreements then in effect to which the association is a party or under which the association or the unit owners have obligations or liabilities; and
  7. ballots and proxies related to ballots for all matters voted on by the members of the association during the immediately preceding twelve (12) months, including but not limited to the election of members of the board of managers; and the books and records of account for the association's current and ten (10) immediately preceding fiscal years, including but not limited to itemized and detailed records of all receipts, and expenditures, and accounts.
- (B) The board of managers of every association must maintain at the association’s principal office a current listing of each unit owner’s personal information, including the names, addresses, email addresses, telephone numbers, and weighted vote of all members entitled to vote.

- (C) No unit owner, with the exception of the board of managers of the association, has the right to inspect, examine, or make copies of the unit owners' email addresses and telephone numbers from records described in Subsection (B). A condominium association may choose to opt out of this Subsection by a 2/3 vote of all unit owners, in which case the pertinent provisions of Section 19 of the Illinois Condominium Property Act, 765 ILCS 605/19, apply.
- (D) Nothing in this subsection may be construed to prohibit the board of managers of the association from allowing unit owners to inspect, examine, or make copies of the records of the association containing the names, addresses, weighted vote of members entitled to vote, or ballots and proxies pursuant to Section 19 of the Illinois Condominium Property Act, 765 ILCS 605/19, provided that unit owners' email addresses and telephone numbers are redacted from such documents. Provided however, such redaction is not required if a condominium association chooses to opt out of Subsection (C) as provided in that subsection.

**SECTION 2:** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 3:** If any provision of this ordinance or application thereof to any person or circumstance is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this ordinance is severable.

**SECTION 4:** The findings and recitals contained herein are declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.


**SECTION 5:** This ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

Introduced: May 29, 2018

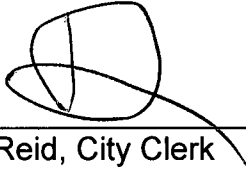
Approved:

Adopted: May 29, 2018

July 9, 2018

  
 Stephen H. Hagerty, Mayor

Attest:



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Devon Reid, City Clerk

Approved as to form:



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Michelle L. Masoncup, Interim Corporation  
Counsel