THE VILLAGE OF ROBBINS

COOK COUNTY, ILLINOIS

ORDINANCE

No. ____11-14-23 A_____

AN ORDINANCE REGULATING VACANT AND ABANDONED PROPERTIES FOR THE VILLAGE OF ROBBINS, COUNTY OF COOK, STATE OF ILLINOIS.

DARREN E. BRYANT, MAYOR

SHARON S. DYSON, VILLAGE CLERK

DAVID R. DYSON

THOMAS HARPER, JR.

TIFFANY S. ROBINSON

GREGORY N. JACKSON

MICHAEL COLLIER SR.

ERNEST MAXEY JR.

Board of Trustees

PASSED AND APPROVED BY THE MAYOR AND BOARD OF TRUSTEES

THIS __14TH__ DAY OF __NOVEMBER__, 2023

ORDINANCE NO. __11-14-23 A___

AN ORDINANCE REGULATING VACANT AND ABANDONED PROPERTIES FOR THE VILLAGE OF ROBBINS, COUNTY OF COOK, STATE OF ILLINOIS.

WHEREAS, the Village of Robbins (the "Village") is a duly organized and existing municipality and a home rule unit of government pursuant to Article VII, Section 6 of the 1970 Constitution of the State of Illinois, and as such may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, the Village Mayor (the "Mayor"), the Honorable Darren E. Bryant and the Village Clerk, the Honorable Sharon S. Dyson (the "Clerk"), and the Board of Trustees of the Village (the "Village Board"), the Honorable David R. Dyson, Thomas Harper, Jr., Tiffany S. Robinson, Gregory N. Jackson, Michael Collier, Sr. and Ernest Maxey, Jr. (together, the "Corporate Authorities"), constitute the duly elected, qualified and acting officials of the Village; and

WHEREAS, the Corporate Authorities have determined that the prevalence of vacant and abandoned properties has a deleterious impact on the Village; and

WHEREAS, vacant and abandoned properties reduce property values throughout the Village, attract and cause nuisances, prevent the economic revitalization of the Village, create conditions that invite criminal activity and are a threat to public health and safety; and

WHEREAS, the Corporate Authorities have already adopted property maintenance codes to regulate building standards for the exterior of structures and the condition of the properties as a whole; and

WHEREAS, the Corporate Authorities have determined and do hereby determine that it is advisable, necessary and in the best interest of the Village to enact standards for vacant and abandoned properties; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Robbins, Cook County, Illinois, by and through its Home Rule Powers, as follows:

Section 1: Incorporation. All of the recitals hereinbefore stated as contained in the preambles to this Ordinance are full, true, and correct, and the Village Board does hereby, by reference, incorporate and make them part of this Ordinance as legislative findings.

Section 2: Purpose. The purpose of this Ordinance is to regulate vacant and abandoned properties in the Village.

Section 3: Authority. This Ordinance is adopted pursuant to the authority granted to the Village by the Constitution of the State of Illinois and the Illinois Compiled Statutes.

Section 4: Amendment. Ordinance 8-14-18, as enacted June 27, 2017, wherever codified in the Code of Ordinances of the Village of Robbins, is stricken in its entirety.

Article XI of the Code of Ordinances of the Village of Robbins, Illinois is hereby enacted by adding and the following language (additions underlined, deletions ~~stricken~~):

Article XI: VACANT PROPERTY ORDINANCE

Section. 5-501. PURPOSE AND INTENT

It is the purpose and intent of the MAYOR AND BOARD OF TRUSTEES to establish a process to address the deterioration, crime, and decline in value of the VILLAGE OF ROBBINS neighborhoods caused by property with defaulted mortgages located within the VILLAGE OF ROBBINS, and to identify, regulate, limit and reduce the number of these properties located within the VILLAGE OF ROBBINS. It has been determined that Owner-occupied structures are generally better maintained when compared to vacant structures, even with a diligent off-site property Owner. Vacant structures or structures owned by individuals who are economically strained and unable to meet their mortgage obligations are often not properly or diligently maintained, which contribute to blight, declined property values, and have a negative impact on social perception of the residential areas where they are located. It is the MAYOR AND BOARD OF TRUSTEES further intent to establish a registration program as a mechanism to help protect neighborhoods from becoming blighted through the lack of adequate maintenance of properties that are in Default or Defaulted, and to provide a mechanism to avert foreclosure actions through timely intervention, education, or counseling of property Owners.

Section 5-502. DEFINITIONS

The following words, terms, and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Default shall mean that the mortgagor has not complied with the terms of the mortgage on the property, or the promissory note, or other evidence of the debt, referred to in the mortgage.

Enforcement Officer shall mean any law enforcement officer, building official, zoning inspector, code enforcement officer, fire inspector, building inspector, or other person authorized by the VILLAGE OF ROBBINS to enforce-applicable VILLAGE OF ROBBINS code(s).

Evidence of Vacancy shall mean any condition that on its own, or combined with other conditions present, would lead a reasonable person to believe that the property is vacant. Such conditions may include, but are not limited to: lacking habitual presence of human beings who have a legal right to be on the premises; cessation of lawful business or construction operations or residential occupancy; the presence of rental or for sale signs on the property; buildings or facilities in disrepair; overgrown and/or dead vegetation; past due Utility notices and/or disconnected Utilities; accumulation of trash junk or debris; abandoned vehicles, auto parts and/or materials; the absence of furnishings and/or personal items consistent with habitation or occupancy; the presence of an unsanitary, stagnant swimming pool or

other receptacles filled with water; the accumulation of newspapers, circulars, flyers and/or mail; statements by neighbors, passers-by, delivery agents or government agents; and/or the presence of boards over doors, windows or other openings in violation of applicable code.

Foreclosure or Foreclosure Action shall mean the legal process by which a Mortgagee, or other lien holder, terminates or attempts to terminate a property Owner's equitable right of redemption to obtain legal and equitable title to the Real Property pledged as security for a debt or the Real Property subject to the lien. The legal process is not concluded until the properly obtained by the Mortgagee, lienholder, or their designee, by certificate of title, or any other means, is sold to a non-related bona fide purchaser in an arm's length transaction to satisfy the debt or lien.

Mortgagee shall mean the creditor, including but not limited to, trustees; mortgage servicing companies; lenders in a mortgage agreement; any agent, servant, or employee of the creditor; any successor in interest; or any assignee of the creditor's rights, interests or obligations under the mortgage agreement; or any other person or entity with the legal right to foreclose on the Real Property, excluding governmental entities.

Owner shall mean every person, entity, or Mortgagee, who alone or severally with others, has legal or equitable title to any Real Properly as defined by this Chapter; has legal care, charge, or control of any such property; is in possession or control of any such property; and/or is vested with possession or control of any such property. The Property Manager shall not be considered the Owner.

Property Manager shall mean any party designated by the Owner as responsible for inspecting, maintaining and securing the property as required in this Chapter.

Real Property shall mean any residential, industrial or commercial land and/or buildings, leasehold improvements and anything affixed to the land, or portion thereof identified by a property parcel identification number, located in the VILLAGE OF ROBBINS limits.

Registrable Property shall mean:

(a) Any Real Property located in the VILLAGE OF ROBBINS, whether vacant or occupied, that is encumbered by a mortgage in Default, is subject to an ongoing Foreclosure Action by the Mortgagee or Trustee, has been the subject of a Foreclosure Action by a Mortgagee or Trustee and a Judgement has been entered, or has been the subject of a Foreclosure sale where the title was transferred to the beneficiary of a mortgage involved in the Foreclosure and any properties transferred under a deed in lieu of foreclosure/sale. The designation of a

"default/foreclosure" property as "registrable" shall remain in place until such time as the property is sold to a non-related bona fide purchaser in an arm's length transaction or the Foreclosure Action has been dismissed and any Default on the mortgage has been cured; or

(b) Any property that is vacant or abandoned for more than thirty (30) days or any cancellation of Utility or Service, whichever occurs first.

Registry shall mean a web-based electronic database of searchable Real Property records, used by the VILLAGE OF ROBBINS to allow Mortgagees and Owners the opportunity to register properties and pay applicable fees as required in this Chapter.

Semi-Annual Registration shall mean six (6) months from the date of the first action that requires registration, as determined by the VILLAGE OF ROBBINS, or its designee, and every subsequent six (6) months. The date of the initial registration may be different than the date of the first action that required registration.

Utilities and Services shall mean any utility and/or service that is essential for a building to be habitable and/or perform a service necessary to comply with all VILLAGE OF ROBBINS codes. This includes, but is not limited to, electrical, gas, water, sewer, lawn maintenance, pool maintenance, and snow removal.

Vacant shall mean any parcel of land in the VILLAGE OF ROBBINS that contains any building or structure that is not lawfully occupied.

Section 5-503. APPLICABILITY AND JURISDICTION

This Chapter applies to Defaulted and Vacant property within the VILLAGE OF ROBBINS.

Section 5-504. ESTABLISHMENT OF A REGISTRY

Pursuant to the provisions of Section 5-504 the VILLAGE OF ROBBINS, or its designee, shall establish a registry cataloging each Registrable Property within the VILLAGE OF ROBBINS, containing the information required by this Chapter.

Section 5-505. INSPECTION AND REGISTRATION OF DEFAULTED MORTGAGE

(a) Any Mortgagee who holds a mortgage on Real Property located within the VILLAGE OF ROBBINS shall perform an inspection of the property upon it being in Default or Defaulted by the mortgagor or prior to the issuance of a notice of Default.

(b) Property inspected pursuant to subsection (a) above that remains in Default or Defaulted, shall be inspected every thirty (30) days by the Mortgagee or Mortgagee's designee. If an inspection shows a change in the property's occupancy status the Mortgagee shall, within ten (10) days of that inspection, update the occupancy status of the property registration.

(c) Within ten (10) days of the date any Mortgagee declares its mortgage to be in Default or Defaulted, the Mortgagee shall register the Real Property with the VILLAGE OF ROBBINS Registry, and, at the time of registration, indicate whether the property is Vacant, and if so shall designate in writing a Property Manager to inspect, maintain and secure the Real Property subject to the mortgage in Default or Defaulted. A separate registration is required for each Defaulted Property.

(d) Initial registration pursuant to this section shall contain at a minimum the name of the Mortgagee, the mailing address of the Mortgagee, e-mail address, telephone number and name of the Property Manager and said person's address, e-mail address, and telephone number.

(e) At the time of initial registration each registrant shall pay a non-refundable Semi-Annual Registration fee of $400 for each Defaulted Property. Subsequent Semi-Annual Registrations of Defaulted properties and fees in the amount of $400 are due within ten
(10) days of the expiration of the previous registration. Said fees shall be used to offset the costs of: (1) registration and registration enforcement, (2) code enforcement and mitigation related to Defaulted properties, (3) post-closing counseling and Foreclosure intervention limited to Owner-occupied persons in Default, which may not include cash and mortgage modification assistance, and (4) for any related purposes as may be adopted in the policy set forth in this Chapter. Said fees shall be deposited to a special account in the VILLAGE OF ROBBINS's Department dedicated to the cost of implementation and enforcement of this Ordinance and fulfilling the purpose and intent of this Chapter. None of the funds provided for in this section shall be utilized for the legal defense of Foreclosure Actions.

(f) Each individual property on the Registry that has been registered for twelve (12) months or more prior to the Effective Date shall have thirty (30) days to renew the registration and pay the $400 Semi-Annual Registration fee. Properties registered less than twelve
(12) months prior to the Effective Date shall renew the registration every six (6) months from the original registration date and shall pay the $400.

(g) If the Defaulted mortgage and/or servicing on a property is sold or transferred, the new Mortgagee is subject to all the terms of this Chapter. Within ten (10) days of the transfer, the new Mortgagee shall register the

property or update the existing registration. The previous Mortgagee(s) will not be released from the responsibility of paying all previous unpaid fees, fines, and penalties accrued during that Mortgagee's involvement with the Defaulted Property.

(h) If the Mortgagee sells or transfers the Defaulted Property in a non-arm's length transaction to a related entity or person, the transferee is subject to all the terms of this Chapter. Within ten (10) days of the transfer, the transferee shall register the property or update the existing registration. Any and all previous unpaid fees, fines, and penalties, regardless of who the Mortgagee was at the time registration was required, including but not limited to unregistered periods during the Foreclosure process, are the responsibility of the transferee and are due and payable with the updated registration. The previous Mortgagee will not be released from the responsibility of paying all previous unpaid fees, fines, and penalties accrued during that Mortgagee's involvement with the Defaulted Property.

(i) If the Defaulted Property is not registered, or the registration fee is not paid within thirty
(30) days of when the registration is required pursuant to this section, a late fee equivalent to ten percent (10%) of the Semi-Annual Registration fee shall be charged for every thirty-day-period (30), or portion thereof, the property is not registered and shall be due and payable with the registration. This section shall apply to the initial registration and registrations required by subsequent transferees, Owners and Mortgagees of the Defaulted Property.

G) This section shall also apply to properties that have been the subject of a foreclosure sale where title is transferred to the Mortgagee as well as any properties transferred to the Mortgagee under a deed in lieu of foreclosure or by any other legal means.

(k) Properties subject to this section shall remain subject to the Semi-Annual Registration requirement, and the inspection, security, and maintenance standards of this section as long as the property remains Defaulted.

(l) Failure of the Mortgagee and/or property Owner of record to properly register or to modify the registration to reflect a change of circumstances as required by this ordinance is a violation of this Chapter and shall be subject to enforcement by any of the enforcement means available to the VILLAGE OF ROBBINS.

(m) If any property is in violation of this Chapter, the VILLAGE OF ROBBINS may take the necessary action to ensure compliance with and/or place a lien on

the property for the cost of the outstanding obligation and any additional cost incurred to the property into compliance.

(n) Properties registered as a result of this section are not required to be registered again pursuant to the Real Property that is not subject to a mortgage in the Default section.

Section 5-506. INSPECTION AND REGISTRATION OF REAL PROPERTY THAT IS NOT SUBJECT TO A MORTAGE IN DEFAULT

(a) Any Owner of Vacant property located within the VILLAGE OF ROBBINS shall within ten (10) days after the property becomes Vacant, or within ten (10) days after assuming ownership of the property, whichever is later, register the Real Property with the VILLAGE OF ROBBINS Registry.

(b) Initial registration pursuant to this section shall contain at a minimum the name of the Owner, the mailing address of the Owner, email address, and telephone number of the Owner, and if applicable, the name and telephone number of the Property Manager and said person's address, e-mail address, and telephone number.

(c) At the time of initial registration each registrant shall pay a non-refundable Semi-Annual Registration fee of $400 for each Vacant property. Subsequent Semi-Annual Registrations of Vacant properties and fees in the amount of $400 are due within ten (10) days of the expiration of the previous registration. Said fees shall be used to offset the costs of: (I) registration and registration enforcement, (2) code enforcement and mitigation related to Vacant properties, and (3) for any related purposes as may be adopted in the policy set forth in this Chapter. Said fees shall be deposited to a special account in the VILLAGE OF ROBBINS's Department dedicated to the cost of implementation and enforcement of this Ordinance and fulfilling the purpose and intent of this Chapter.

(d) Each individual property on the Registry that has been registered for twelve (12) months or more prior to the Effective Date shall have thirty (30) days to renew the registration and pay the $400 Semi-Annual Registration fee. Properties registered less than twelve
(12) months prior to the Effective Date shall renew the registration every six (6) months from the original registration date and shall pay the $400.

(e) If the property is sold or transferred, the new Owner is subject to all the terms of this Chapter. Within ten (10) days of the transfer, the new Owner shall register the Vacant property or update the existing registration. The previous

Owner(s) will not be released from the responsibility of paying all previous unpaid fees, fines, and penalties accrued during that Owner's involvement with the Vacant property.

(a) If the Vacant property is not registered, or either the registration fee or the Semi-Annual Registration fee is not paid within thirty (30) days of when the registration or Semi-Annual Registration is required pursuant to this section, a late fee shall be equivalent to ten percent (10%) of the Semi-Annual Registration fee shall be charged for every thirty (30) day-period, or portion thereof, the property is not registered and shall be due and payable with the registration. This section shall apply to the initial registration and registrations required by subsequent Owners of the Vacant property.

(b) Properties subject to this section shall remain subject to the Semi-Annual Registration requirement, and the inspection, security, and maintenance standards of this section as long as the property is Vacant.

(c) Failure of the Owner to properly register or to modify the registration to reflect a change of circumstances as required by this ordinance is a violation of this Chapter and shall be subject to enforcement by any of the enforcement means available to the VILLAGE OF ROBBINS.

(d) If any property is in violation of this Chapter, the VILLAGE OF ROBBINS may take the necessary action to ensure compliance with and place a lien on the property for the cost of the outstanding obligation and any additional cost incurred to the property into compliance.

(i) Properties registered as a result of this section are not required to be registered again pursuant to the Defaulted mortgage property section.

Section 5-507: MAINTENANCE REQUIREMENTS

The owner of any building that has become vacant and any person maintaining, operating or collecting rent for any building that has become vacant shall, within 30 days, do the following to enclose and secure the building:

a) Secure building so that all building openings shall be closed and secured, using secure doors, windows without broken or cracked panes, commercial-quality steel security panels, filled with like-kind material as the surrounding wall, or boarded with plywood installed and secured in accordance with the rules. and regulations issues by the Department of Building and Zoning or appropriate enforcing authority, as applicable to prevent entry by unauthorized persons.

b) Secure the building so that at least one building entrance shall be accessible from the exterior and secured with a door that is locked to allow access only to authorized

persons. If two or more exit doors exist, a minimum of two exit doors shall be available to exit from the interior of the building, with at least one exit door available per 150 linear feet of horizontal travel at ground-floor level;

c) Maintain the building in a secure and closed condition and maintain the sign until the building is reoccupied or demolished, repaired or completed with all permits required by the enforcing authority. If during the registration period and following the initial boarding and securing of the property in compliance with this Section, the VILLAGE OF ROBBINS notifies the owner in writing that the property was found open or it has been judicially or administratively found to be open, in each case on two separate occasions at least 30 days apart, then the building shall thereafter be secured with only commercial- quality steel -security panels or a method deemed equivalent by the enforcing authority.

d) Foundations, basements, cellars, and crawlspaces shall be maintained in sound and watertight condition adequate to support the building, and protected against the entry of rodents or other animals;

e) Exterior walls shall be free of holes, breaks, loose or rotting boards or timbers, and any other conditions which might admit rain dampness to the interior portions of the walls or the interior spaces and shall be protected against the entry of rodents or other animals;

f) Exterior windows and doors shall be. maintained in sound condition, and good repair. Windows and doors shall fit tightly within their frames and the frames shall be constructed and maintained in such relation to the adjacent wall construction as to prevent rain from entering the building;

g) Exterior windows and doors shall be equipped with hardware for locking and the locking mechanism shall be maintained in properly functioning condition;

h) All points of possible ingress and egress including but not limited to exterior windows and doors shall be secured to prevent unauthorized entry;

i) Any window which is broken cracked or missing glass or glazing shall be replaced and maintained in good repair or the building opening shall otherwise be adequately secured pursuant to this section;

j) The roof shall be adequately supported, and shall be maintained in a weather tight condition; the gutters, downspouts, scuppers, and appropriate flashing shall be in good repair and adequate to remove the water from the building or structure;

k) Chimneys and flues shall be kept in sound, functional, weather tight condition and in good repair every porch, stoop, deck, veranda, balcony arid walk shall _be maintained in sound condition for its purpose;

l) Every outside stair or step shall be maintained in sound condition and in good repair, every porch stoop, deck, veranda, balcony, and walk shall be maintained in sound condition for its purpose;

m) All exit areas shall have continuous exterior lighting from dusk to dawn: normal intensity of lighting shall be not less than two foot-candles per square foot on the floor surfaces within an eight- foot radius around said exit. This requirement may be met by the use of battery-powered or solar-: powered lighting if such lighting meets the performance standards set by this paragraph;

n) It is prohibited to accumulate or permit the accumulation of junk, trash and debris, boxes, lumber, scrap metal, junk, vehicles or any other materials in such a manner that may produce any health, fire, or safety hazard, or provide harborage for rodents or other animals on the premises; materials stored by the owner or permitted to be stored by the owner shall be .stacked safely, and away from stairs or hallways, and any other places of ingress and egress;

o) Every foundation, roof, floor, wall, stair, ceiling and any other structural support shall be safe and capable of supporting the loads that normal use may cause to be placed thereon and shall be kept in sound condition and in good repair floors and stairs shall be free of holes, grooves and cracks that could be potentially hazardous;

p) Any plumbing fixtures shall either be winterized or heated to resist being frozen;

q) Every exit door shall be secured with an internal deadbolt lock, or with a locking mechanism deemed equivalent or better by the appropriate enforcing authority and every such exit door shall be capable of being opened from the inside easily and without the use of a key or special knowledge;

r) Interior stairs shall have treads and risers that have uniform dimensions, are sound, securely fastened, and have no rotting, loose, or deteriorating supports;

s) Every owner shall be responsible for the extermination of insects, rodents, and other vermin in or about the premises.

t) The lot the building stands on, and the surrounding public way shall be maintained as follows: All grass and weeds on the premises including abutting sidewalks, gutters and alleys shall be kept below 10 inches in height, and all dead or broken trees tree limbs or shrubbery shall be cut and removed from the premises;

u) The interior walkway leading to the main entry door, and any public sidewalk adjoining the lot shall be shoveled clear of snow;

v) Junk, rubbish, waste, and any material. that creates a health, safety or fire hazard including but not limited to any mail or flyers that have been delivered to the building shall not be permitted to accumulate on any portion of the exterior lot of the building;

w) No portion of the lot nor any structure, vehicle, receptacle or object thereon shall be maintained or operated in any manner that causes or produces any health or safety hazard or permits the premises to become a rodent harborage or is conducive to rodent harborage;

x) The lot shall be maintained so that water does not accumulate or stand on the ground;

y) All fences and gates shall be maintained in sound condition and in good repair.

Section 5-508: Security Requirements

(a) Properties subject to these Sections shall be maintained in a secure manner so as not to be accessible to unauthorized persons.

(b) A "secure manner" shall include, but not be limited to, the closure and locking of windows, doors, gates and other openings of such size that may allow a child to access the interior of the property or structure. Broken windows, doors, gates, and other openings of such size that may allow a child to access the interior of the property or structure must be repaired. Broken windows shall be secured by reglazing of the window.

(c) If a property is Registrable, and the property has become vacant or blighted, a Property Manager shall be designated by the Mortgagee and/or Owner to perform the work necessary to bring the property into compliance with the applicable code(s), and the Property Manager must perform regular inspections to verify compliance with the requirements of this Chapter, and any other applicable laws.

(d) In addition to the above, the property is required to be secured in accordance with the applicable code(s) of the VILLAGE OF ROBBINS.

When a property subject to this Chapter becomes Vacant, it shall be posted with the name and twenty-four (24) hour contact telephone number of the Property Manager. The Property Manager shall be available to be contacted by the VILLAGE OF ROBBINS Monday through Friday between 9:00 a.m. and 5:00 p.m., legal holidays excepted. The sign shall be placed in a window facing the street and shall be visible from the street. The posting shall be no less than eighteen (18) inches by twenty-four (24) inches and shall be of a font that is legible from a distance of forty-five (45) feet. The posting shall contain the following language with supporting information:

THIS PROPERTY IS MANAGED BY AND IS INSPECTED ON A REGULAR BASIS BY:

_____

_____

_____

THE PROPERTY MANAGER CAN BE CONTACTED BY TELEPHONE AT

_____

OR BY EMAIL AT

_____

_____

(e) The posting required in subsection (e) above shall be placed on the interior of a window facing the street to the front of the property so that it is visible from the street, or secured to the exterior of the building/structure facing the street to the front of the property so that it is visible from the street or if no such area exists, on a stake of sufficient size to support the posting in a location that is at all times visible from the street to the front of the property but not readily accessible to vandals. Exterior posting shall be constructed of and printed with weather-resistant materials.

(f) Failure of the Mortgagee and/or property Owner of record to properly inspect and secure a property subject to this Chapter, and post and maintain the signage noted in this section, is a violation and shall be subject to enforcement by any of the enforcement means available to the VILLAGE OF ROBBINS. The VILLAGE OF ROBBINS may take the necessary action to ensure compliance with this section and recover costs and expenses in support thereof.

Section 5-509: PROVISIONS SUPPLEMENTAL

The provisions of this Chapter are cumulative with and in addition to other available remedies. Nothing contained in this Chapter shall prohibit the VILLAGE OF ROBBINS from collecting on fees, fines, and penalties in any lawful manner; or enforcing its codes by any other means, including, but not limited to, injunction, abatement, or as otherwise provided by law or ordinance.

Section 5-510: PUBLIC NUISANCE

All Registrable Property is at risk of being a public nuisance and if vacant or blighted can constitute a public nuisance, the abatement of which pursuant to the police power is hereby declared to be necessary for the health, welfare, and safety of the residents of the VILLAGE OF ROBBINS.

(a) If the Enforcement Officer has reason to believe that a property subject to the provisions of this Chapter is posing a serious threat to the public health, safety, and welfare, the code Enforcement Officer may temporarily secure the property at the expense of the Mortgagee or Owner, and may bring the

violations before the code enforcement BOARD OF TRUSTEES or special magistrate as soon as possible to address the conditions of the property. Nothing herein shall limit the VILLAGE OF ROBBINS from abating any nuisance or unsafe condition by any other legal means available to it.

(b) The Sheriff, code enforcement BOARD OF TRUSTEES or special magistrate shall have the authority to require the Mortgagee or Owner affected by this section, to implement additional maintenance and/or security measures including, but not limited to, securing any and all doors, windows or other openings, employment of an on-site security guard or other measures as may be reasonably required to help prevent further decline of the property.

(c) If there is a finding that the condition of the property is posing a serious threat to the public health, safety, and welfare, then the Sheriff, code enforcement BOARD OF TRUSTEES or special magistrate may direct the VILLAGE OF ROBBINS to abate the violations and charge the Mortgagee or Owner with the cost of the abatement.

(d) If the Mortgagee or Owner does not reimburse the VILLAGE OF ROBBINS for the cost of temporarily securing the property, or of any abatement directed by the Sheriff, code enforcement officer, code enforcement BOARD OF TRUSTEES or special magistrate, within thirty (30) days of the VILLAGE OF ROBBINS sending the Mortgagee or Owner the invoice then the VILLAGE OF ROBBINS may lien the property with such cost, along with an administrative fee as determined in the VILLAGE OF ROBBINS's fee ordinance to recover the administrative personnel services. In addition to filing a lien the VILLAGE OF ROBBINS may pursue financial penalties against the Mortgagee or Owner.

Section 5-510: OPPOSING ENFORCEMENT OFFICER

Whoever opposes obstructs or resists any Enforcement Officer or any person authorized by the enforcement office in the discharge of duties as provided in this chapter shall be punishable as provided in the applicable code(s) or a court of competent jurisdiction.

Section 5-511: IMMUNITY OF ENFORCEMENT OFFICER

Any Enforcement Officer or any person authorized by the VILLAGE OF ROBBINS to enforce the sections here within shall be immune from prosecution, civil or criminal, for reasonable, good faith entry upon Real Property while in the discharge of duties imposed by this Chapter.

Section 5-512: Liability Insurance

The owner of any building that has become vacant shall, within 30 days, acquire or otherwise maintain liability insurance, or a homeowner's insurance policy provided that such policy continues to cover third party liability, even if the insured building becomes vacant, in an amount of not less than $300,000.00 for buildings designed primarily for use as residential units and not less than $1,000,000.00 for any other building, including, but not limited to, buildings designed for manufacturing, industrial, storage or commercial uses, covering any damage to any person or any property caused by any physical condition of or in the building and maintain coverage until the building is no longer vacant. Any insurance policy acquired after the building has become vacant shall provide for written notice to the VILLAGE OR ROBBINS within 30 days of lapse, cancellation or change in coverage. The owner and the owner's authorized agent for, service of process shall provide evidence of insurance, upon initial registration and all subsequent registration renewals, to the VILLAGE OF ROBBINS.

Section 5-513: OBLIGATION TO PERMIT ACCESS FOR PURPOSES OF INSPECTION

After registering a property under this Ordinance, the building owner shall provide for access to VILLAGE OF ROBBINS to conduct an exterior and interior inspection of the building to determine compliance with this ordinance, following reasonable notice, during the period covered by the initial registration or any subsequent renewal of the registration.

Section 5-514: OWNER OBLIGATION TO APPOINT AGENT

The registration statement filed with the VILLAGE OF ROBBINS shall contain the name, street address, telephone number and email address of an individual, eighteen years of age or older, designated by the owner or owners as the 'authorized agent for receiving notices of code violations and for receiving process, of any court proceeding or administrative enforcement proceeding, on behalf of such owner or owners in connection with the enforcement of this Code. This person must maintain an office in Cook County, Illinois, or must actually reside within Cook County, Illinois. An owner who is a natural person and who meets the requirements of this subsection as to location of residence or office may designate himself as agent. By designating an authorized agent under the provisions of this subsection the owner is consenting to receive any and all notices of code violations concerning the registered building and all process in any court proceeding or administrative enforcement proceeding brought to enforce code provisions concerning the registered building by service of the notice or process on the authorized agent. Any owner who has designated an authorized agent under the provisions of this subsection shall be deemed to consent to the continuation of the agent's designation for the purposes of this subsection until the owner notifies the VILLAGE OF ROBBINS of a change of authorized agent or until the owner files a new registration statement. Any owner who fails to register a vacant building under the provisions of this subsection shall further be deemed to consent to receive, by posting at the building and/or property, any and all notices of code violations and all process in an administrative proceeding brought to enforce concerning the building.

Section 5-515: Fines and penalties

Any owner who violates any provision of this ordinance or the rules and regulations issued hereunder shall be fined not less than $500.000 and not more than $1000.00 for each offense. Every day that a violation continues shall constitute a separate and distinct offense.

Section 5-516: Termination

a) The requirements of Sections 5-505 shall terminate with respect to a mortgagee upon the filing with the Cook County Clerk, Recorder of Deeds Division of a satisfaction or release of the mortgagee's mortgage;

b) The requirements of Sections 5-506 shall terminate with respect to a property subject to Sections, upon any of the following:

   a. the filing with the Cook County Clerk, Recorder of Deeds Division of a conveyance of title to the underlying real estate pursuant to a foreclosure proceedings or otherwise;
   b. the property ceases to be vacant; and/or
   c. the building is demolished with all permits required by the Village of Robbins.

Section 5: Headings. The headings for the articles, sections, paragraphs, and subparagraphs of this Ordinance are inserted solely for the convenience of reference and form no substantive part of this Ordinance nor should they be used in any interpretation or construction of any substantive provisions of this Ordinance.

Section 6: Severability. The provisions of this Ordinance are hereby declared to be severable and should any provision, clause, sentence, paragraph, subparagraph, section or part of this Ordinance be determined to be in conflict with any law, statute or regulation by a court of competent jurisdiction, said provision, clause, sentence, paragraph, subparagraph, section or part shall be excluded and deemed inoperative, unenforceable and as though not provided for herein, and all other provisions shall remain unaffected, unimpaired, valid and in full force and effect. It is hereby declared to be the legislative intent of the Village Board that this Ordinance would have been adopted had not such unconstitutional or invalid provision, clause, sentence, paragraph, subparagraph, section or part thereof been included.

Section 7: Superseder. All code provisions, ordinances, resolutions and orders, or parts thereof, in conflict herewith are, to the extent of such conflict, hereby superseded.

Section 8: Publication. A full, true and complete copy of this Ordinance shall be published in pamphlet form or in a newspaper published and of general circulation within the Village as provided by the Illinois Municipal Code, as amended.

Section 9: Effective Date. This ordinance shall be in full force and effect immediately upon its publication in pamphlet form.

ADOPTED this __14th_____ day of _November__, 2023, pursuant to a roll call vote as follows:

	AYES	NAYS	ABSENT	ABSTAIN
David R. Dyson	X			
Thomas Harper, Jr.	X			
Tiffany S. Robinson	X			
Gregory N. Jackson	X			
Michael Collier Sr.	X			
Ernest Maxey Jr.	X			
Mayor Darren E. Bryant				
Total	6	0	0	0

PASSED AND APPROVED on this ___14TH_____ day of __NOVEMBER___, 2023.

Darren E. Bryant

Darren E. Bryant, Mayor

ATTEST:

Sharon S. Dyson

Sharon S. Dyson, Village Clerk

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

CLERK'S CERTIFICATE

I, Sharon Dyson, Village Clerk of the Village Robbins, in the County of Cook and State of Illinois, certify that the attached document is a true and correct copy of that certain Ordinance now on file in my Office, entitled:

Ordinance No. _11-14-23 A____

AN ORDINANCE REGULATING VACANT AND ABANDONED PROPERTIES FOR THE VILLAGE OF ROBBINS, COUNTY OF COOK, STATE OF ILLINOIS.

which Ordinance was passed by a roll call vote of the Board of Trustees of the Village of Robbins, Illinois at their Regular Village Board Meeting on the _14th____ day of _November__, 2023, at which meeting a quorum was present, and approved by the President of the Village of Robbins on the __14th___ day of ___November___, 2023.

I further certify that the vote on the question of the passage of said Ordinance by the Board of Trustees of the Village of Robbins was taken by Ayes and Nays and recorded in the minutes of the Board of Trustees of the Village of Robbins, and that the result of said vote was as follows, to-wit:

AYES: _____6_____

NAYS: _____0_____

ABSENT: _____0_____

I do further certify that the original Ordinance, of which the foregoing is a true copy, is entrusted to my care for safekeeping, and that I am the lawful keeper of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Village of Robbins, this _14th__ day of __November___, 2023

Sharon S. Dyson
Sharon S. Dyson, Village Clerk

[SEAL]