THE VILLAGE OF ROBBINS

COOK COUNTY, ILLINOIS

ORDINANCE

No. ____6-12-23 A_____

AMENDING ORDINANCE 12-13-16 AN ORDINANCE DEFINING AND REGULATING NUISANCES WITHIN THE VILLAGE OF ROBBINS, COOK COUNTY, ILLINOIS

DARREN E. BRYANT, MAYOR

SHARON S. DYSON, VILLAGE CLERK

DAVID R. DYSON

ERNEST MAXEY JR

TIFFANY S. ROBINSON

GREGORY N. JACKSON

MICHAEL COLLIER SR.

THOMAS HARPER JR.

Board of Trustees

PASSED AND APPROVED BY THE MAYOR AND BOARD OF TRUSTEES

THIS ___12TH____ DAY OF __JUNE_, 2023

ORDINANCE NO. 6-12-23 A

AMENDING ORDINANCE 12-13-16 AN ORDINANCE DEFINING AND REGULATING NUISANCES WITHIN THE VILLAGE OF ROBBINS, COOK COUNTY, ILLINOIS

Be it ORDAINED by the Village Board of the Village of Robbins, Cook County, Illinois, as follows:

SECTION 1: NUISANCES GENERALLY

A. DEFINITIONS.

For the purpose of this Ordinance, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

"CHRONIC NUISANCE PROPERTY" means property upon which three (3) or more events of nuisance activities have occurred within a one-month period.

"CONTROL" means the ability or authority to regulate, restrain, dominate, counteract, or govern conduct that occurs on that property.

"INOPERABLE MOTOR VEHICLE" means any motor vehicle which for a period of 7 days cannot be driven upon public streets for any reason including but not limited to being unlicensed, in a state of disrepair or dismantled or from which the engine, wheels or other parts have been removed, altered, damaged or otherwise so treated that the vehicle is incapable of being driven under its own motor power, excluding the following: a motor vehicle which has been rendered temporarily incapable of being driven under its own motor power in order to perform ordinary service or repair operations; a motor vehicle that is kept within a building when not in use; operable historic vehicles over 25 years of age; and a motor vehicle on the premises of a place of authorized business engaged in the repair, wrecking or junking of motor vehicles.

"NOXIOUS WEEDS." Canada thistles, and all of its varieties, perennial sow thistles, European bindweed, leafy spurge, Russian knapweed, Johnson grass, giant foxtail, hoary cress and ragweed.

"NUISANCE" or "NUISANCE ACTIVITY" means the doing of an unlawful act, or omitting to perform a duty, or suffering or permitting any condition or thing to be or exist as defined or prohibited herein, which act, omission, condition or thing either: injures or threatens the health, morals, safety, comfort, convenience, or welfare of members of the community; offends decency; is offensive to the senses; unlawfully interferes with, obstructs or tends to obstruct or renders dangerous for passage any public or private street, highway, sidewalk, stream, ditch or drainage; in any way renders other persons insecure in life or the use of property; interferes with the comfortable enjoyment of life and property; or tends to depreciate the value of the property of others.

"NUISANCE PROPERTY" means any building or other structure which is in such a dilapidated condition that it is unfit for human habitation, or kept in such an unsanitary condition that it is a menace to the health of people residing in the vicinity thereof, or presents a more than ordinary fire hazard in the vicinity where it is located.

"OWNER" means any person, partnership, land trust, or corporation having any legal or equitable interest in or control of property. Owner includes, but is not limited to:

1. A mortgagee in possession in who is vested with all or part of the legal title to the property or, all or part of the beneficial ownership and the rights to the present use and enjoyment of the premises.

2. An occupant who can control what occurs on the property.

3. Any person acting as an agent of an owner.

4. Tax payer of record as shown on the county tax rolls.

"PERMIT" means to suffer, allow, consent to, and acquiesce by failure to prevent, or expressly assent or agree to the doing of an act.

"PERSON" means any natural person, association, partnership, corporation, trust, or other entity capable of owning, occupying, or using property in the Village.

"PERSON IN CHARGE" means any person in actual or constructive possession of a property, including but not limited to, an owner, occupant of property under his or her ownership or control.

"PROPERTY" means any real property, including land and that which is affixed, incidental, or pertinent to land, including but not limited to, any premises, room, house, building, or structure, or any separate part or portion thereof, whether permitted or not.

"PUBLIC WAY" means all streets, alleys, sidewalks, boulevards, public parking lots and other public rights-of-way.

B. NUISANCES PROIDBITED

It shall be unlawful for any person to cause, permit, maintain or allow the creation, existence, or maintenance of a nuisance, a nuisance activity or nuisance property as set forth in this Ordinance or any other ordinance of the Village of Robbins.

C. ABATEMENT NOTICES.

(1) *Notice to abate.* Whenever a nuisance is found to exist within the Village or within the Village's extraterritorial jurisdiction, a duly designated officer or employee of the

Village shall give written notice to the owner or occupant of the property upon which such nuisance exists or upon the person causing or maintaining the nuisance.

(2) *Recurring nuisance.* Only one (1) notice shall be required to be provided during any calendar year for a particular category of nuisance violation, and additional notice beyond the initial notice shall not be required if the same type of nuisance recurs on the property during that calendar year (a "recurring nuisance violation"). Recurring nuisance violations shall be subject to immediate abatement and/or fines without additional notice to the violator, the owner of the property or the occupant thereof.

(3) *Contents of notice.* Notice to abate shall contain:

a) The location of the nuisance, if the same is stationary.

b) A description of what constitutes the nuisance or reference to the applicable ordinance provisions.

c) A statement that the nuisance shall be corrected within 72 hours.

(4) *Service of notice.* The notice to abate a nuisance shall be served by either: certified mail with return receipt or first-class mail, postage prepaid, addressed to the owner or occupant of premises or person responsible for nuisance as indicated in Village records, property tax records or records of the county recorder of deeds. Notice shall also be posted at the location of the nuisance. Notwithstanding the above, notice may be provided by any manner in which legal process may be served pursuant to law.

D. ENFORCEMENT.

(I) *Failure to comply.* Any failure to comply with a notice or failure to abate a nuisance shall result in the issuance of a citation which may include fines and penalties.

(2) *Abatement by the Village.*

(a) In addition to any other methods provided by law, whenever any nuisance exists or is found on any premises within the Village after proper notice to abate, Village officials are authorized to cause the same to be summarily abated in such manner as he or she directs and at the expense of the party permitting or maintaining the nuisance.

(b) Any building, structure, or appurtenances thereto, which is not constructed or kept in a sanitary condition, or in conformity with the requirements of this code or any other ordinances of the Village, is deemed a nuisance and that nuisance may be abated in the manner herein, elsewhere or by law provided.

E. PENALTIES, COSTS AND LIENS.

(1) Upon the failure of the person upon whom notice to abate a nuisance was served pursuant to the provisions of this section to abate the same, a duly designated officer or employee of the Village shall proceed to abate such nuisance pursuant to 65 ILCS 5/11-60-2 and 65 ILCS 5-11-20, et seq. He or she shall prepare a statement of costs incurred in the abatement thereof.

(2) Any and all costs incurred by the Village in the abatement of a nuisance under the provisions of this article shall constitute a lien against the property upon which such nuisance existed, which lien shall be filed, proven and collected pursuant to 65 ILCS 5/11-20-15 or as provided for by law. Notice of such lien shall be to all persons from the time of its recording, and shall bear interest at the legal rate thereafter until satisfied.

~~(3) Any person violating any provisions of this Ordinance shall be fined not less than $50.00 and no more than $750 for each offense.~~

Any person violating any provisions of this Ordinance shall be fined as follows:

Section 2: Noise nuisances- $300
Section 3: Health, Safety, and Sanitation Nuisances - $300
Section 4: Buildings and Land- $500
Section 5: Motor Vehicles : $750
Section 6: False Alarm- $750
Section 7: Village Property and Public Way- $300, Construction Materials- $750
Section 8: Prohibited Acts and Objectionable conditions; Deleterious Impact- $500
Section 9: Public Nuisances; Business and Liquor licensees- $300
Section 10: Other Nuisances - $300

A separate offense shall be deemed committed on each day during or on which a nuisance occurs or continues.

F. RELEASE AND ENFORCEMENT OF LIEN.

(1) Upon payment of the cost and expense by the owner of, or other persons interested in such real estate after notice of such lien has been filed, the lien shall be released by the Village to the person paying such costs and expense, or otherwise filed of record as in the case of filing notice of lien.

(2) The lien hereinabove provided for shall be enforced in the manner now provided by law for the enforcement of mechanics liens.

SECTION 2: NOISE

A. CERTAIN NOISES PROHIBITED.

(A) Excessive noise endangers physical and emotional health and well-being, interferes with legitimate business and recreational activities, depresses property values, offends the senses, and in other respects reduces the quality of the community and environment; as such the following noise nuisances are declared and prohibited:

(a) No person shall sound any horn or audible signal device of any motor vehicle of any kind while not in motion, nor shall such horn or signal be sounded under any circumstances except as required by law, nor shall it be sounded for any unnecessary or unreasonable period of time.

(b) No person shall operate any motor vehicle subject to registration that will, at any time or under any condition of grade, load, acceleration or deceleration, operate in such a manner as to offend senses of those in the immediate area of such operation.

(c) No person shall operate or permit to be operated any device used to receive broadcast sound, or reproduce any recorded sound if the device is located:

(i) On the public way; or

(ii) In any motor vehicle on the public way; and the sound can be heard from seventy-five (75) feet or more from the device. This section does not apply to authorized emergency vehicles. This section does not apply when the device is being operated solely to request assistance or warn of a hazardous condition.

(d) No person shall use any hammer or power-operated tool for repair or construction purposes between the hours of 9:00 p.m. and 7:00 a.m. within six hundred (600) feet of any building used for residential or hospital purposes if such noise is audible from any adjacent property used for residential or hospital purposes. Repairs to public service utilities shall be exempted from this section.

(e) No person shall operate any power-driven lawn or garden maintenance equipment between the hours of 9:00 p.m. and 7:00 a.m. within six hundred (600) feet of any building used for residential or hospital purposes if such noise is audible from any adjacent property used for residential or hospital purposes.

(f) No person shall operate the following equipment between the hours of 9:00 p.m. and 7:00 a.m. outdoors within six hundred (600) feet of any building used for residential or hospital purposes or indoors if such equipment is audible from any adjacent property used for residential or hospital purposes:

(i) Power-operated models including automobiles, boats, and aircraft;

(ii) Sound trucks and public address systems;

(iii) Factory time whistles; and

(iv) Church bells and carillons.

(g) No person shall conduct garbage, yard waste or recycling collection between the hours of 9:00 p.m. and 6:00 a.m. anywhere within the limits of the Village.

(h) No person within a residential property, or building used for such purposes, shall play music, musical instruments, radios, television sets or phonographs outside at any time using an intercom system between the hours of 9:00 p.m. on weekdays (11:00 p.m. on Friday and Saturday nights) and 7:00 a.m. on any given day, on any property abutting or across the street from property zoned and used for residential purposes, if such music is audible more than ten (10) feet from the property from which the noise is emitting.

(i) It shall be unlawful to engage in yelling, shouting, or hooting between the hours of 9:00 p.m. and 7:00 a.m. within six hundred (600) feet of any building used for residential or hospital purposes or indoors if such noise is audible from any adjacent property used for residential or hospital purposes.

(A) It shall be unlawful to cause or create any unnecessary or unusual noise at any time which annoys, injures, or endangers the comfort, repose, health or safety of others unless such noise is necessary for the protection or preservation of property or of the health, safety, or life of some person. No person shall make or cause, permit or allow to be made upon a public way, or in such proximity to a public way, as to be distinctly and loudly audible upon such public way, such noises.

(A) No person owning or in possession or control of any building or premises shall use the same, permit the use of the same, or rent the same to be used for any business or employment or residential use, or for any purpose of pleasure or recreation, if such use shall, by its boisterous nature, disturb or destroy the peace of the neighborhood in which such building or premises is situated, or be dangerous or detrimental to health.

(A) The following are exempt from the noise regulations contained herein:
- (a) Sirens and bells on emergency vehicles;
- (b) Fire and burglar alarms;
- (c) Emergency management warning systems;
- (d) Train whistles and horns;
- (e) Authorized fireworks displays; and
- (f) Concerts, block parties and parades authorized or permitted by the Village.

B. MUFFLERS ON MOTOR VEHICLES REQUIRED; CUTOUTS PROHIBITED.

No motor vehicle shall be operated upon any public way in the Village unless the same is provided with a muffler in efficient and actual working condition, the use of a cutout is forbidden, and no person shall operate any motor vehicle in such a manner so as to cause the same to make unusually loud or unnecessary noise.

C. WHISTLING OF LOCOMOTIVE ENGINES.

No railroad company shall cause or allow the whistle of any locomotive engine to be sounded within the Village, except necessary brake signals and such as may be absolutely necessary to prevent injury to life and property, or as otherwise permitted by law.

D. SIRENS OR GONGS ON VEHICLES RESTRICTED.

No person shall use, or cause to be used, or permit use of, or operate any motor vehicle, wagon or other vehicle upon the streets or other public places of the Village when the motor vehicle, wagon or other vehicle is equipped with the kind of siren or gong with which the vehicles belonging to the Police Department or Fire Department of the Village are equipped.

SECTION 3: HEALTH, SAFETY AND SANITATION

A. WATER AND WATER WAYS.

It is hereby declared that the following constitutes a nuisance activity: pollution of public waterways, water supply, well or cistern, stream, lake, canal, or body of water by sewage, dead animals, creamery, industrial wastes, or other substances; and any accumulation of stagnant water permitted or maintained on any lot or piece of ground.

B. DISEASE.

It shall be unlawful for any person to keep diseased animals or malarial ponds.

DEPOSITING FOUL OR NOXIOUS SUBSTANCES AND ODORS.

In order to suppress disease and to protect and promote the public health, it is declared to be a public nuisance for any person who owns, rents, controls occupies or possesses any land or lot within the Village or within one-half mile of the Village corporate limits:

(1) To cause the carcass of any animal or any offal, filth or noisome substance to be collected, deposited or to remain in any such place to the prejudice of others.

(2) To erect, continue or use any building or other place for the exercise of any trade, employment or manufacture which, by occasioning noxious exhalations, offensive smells or otherwise, is offensive or dangerous to the health of individuals or the public.

(3) To create, cause or permit disagreeable, offensive or obnoxious odors and stenches, as well as the conditions, substances or other causes which give rise to the emission or generation of such odors and stenches.

(4) To create, cause or permit dense smoke, noxious fumes, gas, soot or cinders, in unreasonable quantities.

(5) To keep or confine livestock or fowl so situated that foul odors are emitted onto the property of others.

D. UNSANITARY CONDITIONS; ANIMALS AND VERMIN.

(A) Any condition which provides harborage for rats, mice, snakes, and other vermin is declared a public nuisance.

(B) The failure to dispose of the carcasses of animals or fowl within a reasonable time after death constitutes a nuisance.

(C) The placing or spreading poisons upon any real estate for the purpose of killing vermin, except by certified or licensed individuals or companies employed to perform the same, is hereby declared a nuisance activity.

E. GARBAGE AND RUBBISH.

The following activities or conditions are hereby declared to be nuisances and are prohibited:

(1) Accumulation of rubbish, trash, refuse, junk and other abandoned materials, metals, lumber, or oilier things.

(2) Allowing, causing or permitting garbage, rubbish, or waste materials to be set out

in containers which are not covered or which permit or allow the contents of such containers to be accessible to rodents or animals or that permit the contents thereof to be scattered, blown about, carried, or deposited.

(D) Dumping, depositing, storing, or placing by any person of any garbage, rubbish, trash or refuse upon property within the Village, except in covered containers.

(D) Causing or permitting any premises within the Village to become or remain littered with tin cans, glass jars, bottles, scrap glass, paper cartons, scraps of paper, boxes, ashes, iron, old hot water tanks, oil storage tanks, tin or other metal materials, refuse, rubbish, junk, waste, manure, straw, piles of grass clippings, lumber, old bricks, concrete blocks, chunks of broken concrete, plaster board, discarded furniture, household appliances, mattresses, bed springs, portable swimming pools in disrepair, or other like matter or things.

E. DEPOSIT OF OFFENSIVE SUBSTANCES PROHIBITED.

(E) No still, brine, urine or fecal matter of animals or other offensive animal substance, nor any stinking noxious liquid or other filthy matter or substance of any kind, shall, by any person, be allowed to run or fall from out of any building, vehicle or erection into or upon any street or public place, or be taken or put therein, save as herein elsewhere provided.

(E) No person shall draw off, or allow to run off into any ground, street or place of the Village, the contents (or any part thereof) of any vault, privy, cistern, cesspool or sink or for any owner, tenant or occupant of any building to which any vault, sink, privy or cesspool shall appertain or be attached, permit the contents or any part thereof to flow therefrom or to rise within two feet of any part of the top or the contents to become offensive nor shall any privy or other erection in this section mentioned be filled with or covered with dirt until its contents shall be emptied.

(E) No person shall throw into or deposit in any vault, sink, privy or cesspool any offal, ashes, meat, fish, garbage or other substance, except that of which any such place is the appropriate receptacle nor shall any slops of kitchen waste be permitted to run into any privy or cesspool, except the same be connected with the sewer, when there is a sewer in the street on which such person's premises abut.

(E) No person shall remove any part of the contents of any privy, vault, sink or cesspool, except substances other than excrement insoluble in water or any accumulation of any offensive fluid, liquid or semi-liquid substance or material, being in any excavation, cellar or place within the limits of the Village or any offal or butcher's refuse therefrom, nor shall the same be transported through any of the streets or avenues of the Village unless and except the same shall be removed and transported by means of an air-tight apparatus or in such a manner as shall prevent entirely the escape of any noxious or offensive odors therefrom, and according to a permit from the Building Department.

(E) No person shall throw or deposit or allow to run or, having the right or power to prevent the same, permit to be thrown or deposited in any public waters, river, canal, creek, slip or into any sewer therewith connected, or into any street or public place, any gas, tar or refuse matter of or from any gashouse, works, refinery or manufactory nor shall any such person allow any substance or odor to escape from a house, works, refinery or factory or make any gas of such ingredients or quality that any substances shall escape therefrom or be found in the process of burning of any gas which shall be offensive or dangerous or prejudicial to life or health nor shall any such person fail to use the most approved or all reasonable means for preventing the escape of odors.

(E) No person shall throw, deposit or place any part of the contents of or any substances from any sink, privy or cesspool or any manure, ashes, garbage, offal, rubbish, dirt or any refuse or waste or thing, which its decomposition could or would become offensive to human beings or detrimental to health or create or tend to create a nuisance upon any street, alley or public place in the Village or upon any vacant land or lot in the Village, nor shall the same be thrown, deposited or placed by any person or allowed to run or fall from the premises occupied by such person save through the proper underground connection and it shall be the duty of every person !mowing of the violation to report the same and the name of the person violating it (if known), together with the residence of such person and the facts concerning such violation to the Building Department , within 48 hours after the knowledge of the violation.

F. PREVENTING ESCAPE OF GASES FROM SEWERS.

It shall be considered a public nuisance where any person constructs in the Village any water closet, sink, vat or other structure having connection with or by any sewer or underground passage without providing for adequate means for preventing gases and other offensive currents, substances and smells from passing up or out through such connection from such sewer or passage nor shall any water closet or privy be constructed.

SECTION 4: BUILDINGS AND LAND

A. WEEDS AND VEGETATION.

(1) No owner of real estate within the Village shall knowingly permit the growth of noxious weeds on the real estate.

(2) No owner of real estate within the Village shall permit any weeds or grass in the front or side lawn area, parkway or rear of the property which is visible from the street to grow thereon to a height in excess of six inches. Trees, flowers, Illinois prairie plants or other ornamental plants are exempt from this provision.

B. GROWTH OF COMMON BARBERRY PROHIBITED.

(1) It is declared a nuisance for any person, firm or corporation to plant or permit the growth of, upon any premises, the bush of the species of tall, common, or European Barberry, further known as Berbis Vulgaris, and its horticultural varieties, within the corporate limits of the Village.

(2) A notice in writing shall be served upon the owner, agent, occupant or person in possession, charge or control of any lot, building or premises, in or upon which, this bush may be found, requiring them to remove, destroy and carry the same away and off such premises within two days.

(3) If the person so notified shall refuse or neglect to comply with such order within the time and in the manner specified, the Village shall cause the abatement of the nuisance at the expense of the party or parties responsible for or permitting the same.

C. BARBED WIRE FENCES PROHIBITED; REMOVAL.

(1) No person shall build, construct, use or maintain any fence or barrier consisting or made of barbed wire or of which barbed wire is a part within the Village: along the line of, in or upon any street, alley or public walk or drive; through, along or around any public park; or in and about or along any land or lots or park owned or controlled by the Village.

(2) Wherever in the Village in barbed wire is found in use, in part or in whole, for a fence or barrier, the same shall forthwith be removed by the Village.

D. PONDS ON PRIVATE PROPERTY A NUISANCE.

(1) For the purposes of this section, the term *POND* shall be considered to mean any exposed surface of water not less than 100 square feet in area which has accumulated either by natural or artificial means in any depression or connected series of depressions or excavations, whether existing naturally or created aitificially.

(2) Allowing water to accumulate and remain in a pond or ponds, either wholly or partly within the limits of any private property, for a period of more than ten consecutive days is declared to be a nuisance and shall be abated as such.

E. PROIDBITED PROPERTY CONDITIONS.

Structures which are unfit for human occupancy, unsafe structures, or unlawful structures as defined respectively in the Village Property Maintenance Code are declai·ed public nuisances.

F. BURNING OF LEAVES OR REFUSE.

Burning of leaves or other refuse at an out.door location within the Village is prohibited, except fires set and supervised or authorized by the chief of the fire department of the Village for public safety, training or recreational purposes. Not.withstanding anything herein to the contrary, this subsection shall not prohibit the use of outdoor fireplaces, charcoal bumers, and the like for cooking food or recreation.

SECTION 5: MOTOR VEIDCLES

A. ABANDONED VEIDCLES; REMOVAL.

(1) The presence of an abandoned, wrecked, dismantled, inoperative, rusted, junked or partially dismantled vehicle or parts thereof on private property is hereby declared a public nuisance and shall be abated.

(2) No person shall park, store, leave or permit the parking, storing or leaving of any vehicle or motor vehicle of any kind in view of the general public, regardless of whether on public or private property, and which is in an abandoned, wrecked, dismantled, inoperative, rusted, junked or partially dismantled condition, whether attended or not, upon any property within the Village for a period of time in excess of seven ~~(7) days~~ 3days.

SECTION 6: FALSE ALARMS

A false alarm or false fire alarm is hereby declared a public nuisance endangering the public health, safety and welfare in that nuisance (false) alarms:

(1) Generate calls to the police and fire departments that are false in the sense that no actual or attempted illegal entry to the building protected by the alarm has actually occun-ed or that no fire or threat of fire exists, and such alarms divert emergency responders away from legitimate emergencies or actual threats to public health and safety which could lead to loss of life;

(2) Cause occupants unnecessary panic or cause occupants to develop alarm fatigue whereby such alarms are ignored under the mistaken belief that such alarm is a false alarm thereby increasing tl1e risk of loss of life in a real emergency;

(3) Unduly disturb the peace and comfort of neighboring persons or property by tl1eir audible signal; and

(4) Disturb the peace by causing the police or fire department to respond with lights and sirens, thereby uunecessarily disturbing neighboring persons and property and increasing the risk of accidents to the motoring public.

SECTION 7: VILLAGE PROPERTY AND PUBLIC WAY

A. PLACEMENT OF THINGS IN PARK.WAY.

The placement or causing or permitting any tangible thing to be placed upon or permitted to remain upon any parkway within the Village, except for the purpose of being picked up by a regularly scheduled service; or upon any parkway sooner than one (1) day before the regularly scheduled day for pickup; or allowing or permitting containers or other tangible things to remain upon any parkway beyond the day following the regularly scheduled day for pickup is prohibited.

B. LEAVES AND GRASS CLIPPINGS. To be placed upon any public street or sidewalk either leaves or grass clippings is prohibited, except that leaves or grass clippings contained in plastic bags or other containers suitable for disposal of garbage may be placed in the parkway for pickup by a regularly scheduled service.

C. SOLICITATION.

Using or occupying any part of a street, parkway, alley or sidewall, of the Village for the purpose of carrying on, soliciting or promoting any trade, business or other commercial enterprise which impedes, interferes with, or malces dangerous, travel thereon; or causing or permitting the storage of any product, supplies for or equipment incidental to the operations of such business or enterprises, upon any street, parkway, alley or sidewalk within the Village is prohibited.

D. CONSTRUCTION MATERIALS.

(1) Creating or permitting to be created or remain upon any premises within the Village for a period of more than fourteen (14) days the storing, piling, scattering, accumulating, heaping, amassing or collecting of bricks, concrete block, straw, lumber, structural iron, pipe, roofing materials or any building materials, where the same is in public view and may or does constitute a safety hazard to children playing in the area, or that may or does become an attraction to or haven for vermin or rodents, is prohibited.

(2) Building material stored outdoors on any site for construction authorized by a building permit shall be used or incorporated into proposed building within fourteen (14) days of arrival upon the site unless otherwise approved by the building department.

SECTION 8: PROHIBITED ACTS AND OBJECTIONABLE CONDITIONS: DELETERIOUS IMPACT

A. FIREWORKS OR EXPLOSIVES.

Unauthorized shooting fireworks or storing explosives within the Village limits is declared a public nuisance.

B. CERTAIN OPERATIONS PROHIBITED.

It shall be unlawfi.il for any person or corporation to operate houses of prostitution, illegal liquor establishments, gaming houses, and unlicensed prizefights.

C. RENTAL PROPERTIES; TENANT ACTS PROHIBITED.

(I) It shall be unlawful to allow ot permit any property owner, agent or manager to rent any residential unit, or a single-family dwelling or residential building or a dwelling unit in an apartment complex, or a multifamily residence whether or not governed by a homeowners' association, to a tenant who allows any of the following offenses to occur relating to the tenant, member of the tenant's

The replacement or causing t

household, guest, invitee or any party under control of the tenant: Murder, kidnapping, aggravated kidnapping, prostitution, solicitation of prostitution, pandering, obscenity, child pornography, sale of obscene publication, possession of explosives, unlawful

(II) use of weapons, unlawful possession of weapons, sale of firearms, gambling, keeping a gambling place, concealing a fugitive, violation of the Illinois Controlled Substances Act, violation of the Cannabis Control Act, or commission of any felony or class A misdemeanor under the State of Illinois or under federal laws, roles or regulations not specifically listed above.

(III) (2) It shall be unlawful to allow or permit any property owner, agent or manager, to rent any residential unit, or a single-family dwelling or residential building or a dwelling unit in an apartment complex, or a multifamily residence whether or not governed by a homeowners' association, to a tenant who allows a member of the tenant's household, guest, invitee or any party under control of the tenant, any of the following to occur: commission of two (2) or more Village ordinance violations within a six-month period; or, more than two (2) calls for police service in a six-month period including, but not limited to calls that may fall within the descriptions listed above.

SECTION 5: MOTOR VEIDCLES

B. ABANDONED VEIDCLES; REMOVAL.

(1) The presence of an abandoned, wrecked, dismantled, inoperative, rusted, junked or partially dismantled vehicle or parts thereof on private property is hereby declared a public nuisance and shall be abated.

(2) No person shall park, store, leave or permit the parking, storing or leaving of any vehicle or motor vehicle of any kind in view of the general public, regardless of whether on public or private property, and which is in an abandoned, wrecked, dismantled, inoperative, rusted, junked or partially dismantled condition, whether attended or not, upon any property within the Village for a period of time in excess of seven ~~(7) days~~ 3days.

SECTION 6: FALSE ALARMS

A false alarm or false fire alarm is hereby declared a public nuisance endangering the public health, safety and welfare in that nuisance (false) alarms:

(5) Generate calls to the police and fire departments that are false in the sense that no actual or attempted illegal entry to the building protected by the alarm has actually occun-ed or that no fire or threat of fire exists, and such alarms divert emergency responders away from legitimate emergencies or actual threats to public health and safety which could lead to loss of life;

(6) Cause occupants unnecessary panic or cause occupants to develop alarm fatigue whereby such alarms are ignored under the mistaken belief that such alarm is a false alarm thereby increasing tl1e risk of loss of life in a real emergency;

(7) Unduly disturb the peace and comfort of neighboring persons or property by tl1eir audible signal; and

(8) Disturb the peace by causing the police or fire department to respond with lights and sirens, thereby uunecessarily disturbing neighboring persons and property and increasing the risk of accidents to the motoring public.

SECTION 7: VILLAGE PROPERTY AND PUBLIC WAY

E. PLACEMENT OF THINGS IN PARK.WAY.

The placement or causing or permitting any tangible thing to be placed upon or permitted to remain upon any parkway within the Village, except for the purpose of being picked up by a regularly scheduled service; or upon any parkway sooner than one (1) day before the regularly scheduled day for pickup; or allowing or permitting containers or other tangible things to remain

upon any parkway beyond the day following the regularly scheduled day for pickup is prohibited.

F. LEAVES AND GRASS CLIPPINGS.

The placement or causing to be placed upon any public street or sidewalk either leaves or grass clippings is prohibited, except that leaves or grass clippings contained in plastic bags or other containers suitable for disposal of garbage may be placed in the parkway for pickup by a regularly scheduled service.

G. SOLICITATION.

Using or occupying any part of a street, parkway, alley or sidewall, of the Village for the purpose of carrying on, soliciting or promoting any trade, business or other commercial enterprise which impedes, interferes with, or malces dangerous, travel thereon; or causing or permitting the storage of any product, supplies for or equipment incidental to the operations of such business or enterprises, upon any street, parkway, alley or sidewalk within the Village is prohibited.

H. CONSTRUCTION MATERIALS.

(1) Creating or permitting to be created or remain upon any premises within the Village for a period of more than fourteen (14) days the storing, piling, scattering, accumulating, heaping, amassing or collecting of bricks, concrete block, straw, lumber, structural iron, pipe, roofing materials or any building materials, where the same is in public view and may or does constitute a safety hazard to children playing in the area, or that may or does become an attraction to or haven for vermin or rodents, is prohibited.

(2) Building material stored outdoors on any site for construction authorized by a building permit shall be used or incorporated into proposed building within fourteen (14) days of arrival upon the site unless otherwise approved by the building department.

SECTION 8: PROHIBITED ACTS AND OBJECTIONABLE CONDITIONS; DELETERIOUS IMPACT

D. FIREWORKS OR EXPLOSIVES.

Unauthorized shooting fireworks or storing explosives within the Village limits is declared a public nuisance.

E. CERTAIN OPERATIONS PROHIBITED.

It shall be unlawfi.il for any person or corporation to operate houses of prostitution, illegal liquor establishments, gaming houses, and unlicensed prizefights.

F. RENTAL PROPERTIES; TENANT ACTS PROHIBITED.

(I) It shall be unlawful to allow ot permit any property owner, agent or manager to rent any residential unit, or a single-family dwelling or residential building or a dwelling unit in an apartment complex, or a multifamily residence whether or not governed by a homeowners' association, to a tenant who allows any of the following offenses to occur relating to the tenant, member of the tenant's household, guest, invitee or any party under control of the tenant: Murder, kidnapping, aggravated kidnapping, prostitution, solicitation of prostitution, pandering, obscenity, child pornography, sale of obscene publication, possession of explosives, unlawful use of weapons, unlawful possession of weapons, sale of firearms, gambling, keeping a gambling place, concealing a fugitive, violation of the Illinois Controlled Substances Act, violation of the Cannabis Control Act, or commission of any felony or class A misdemeanor under the State of Illinois or under federal laws, roles or regulations not specifically listed above.

(2) It shall be unlawful to allow or permit any property owner, agent or manager, to rent any residential unit, or a single-family dwelling or residential building or a dwelling unit in an apartment complex, or a multifamily residence whether or not governed by a homeowners' association, to a tenant who allows a member of the tenant's household, guest, invitee or any party under control of the tenant, any of the following to occur: commission of two (2) or more Village ordinance violations within a six-month period; or, more than two (2) calls for police service in a six-month period including, but not limited to calls that may fall within the descriptions listed above

G. CROWDS AND LOITERING.

(1) It is declared a public nuisance to permit, in connection with the operation of any business or in connection with any premises used in the operation of such business, any person to loiter in or upon or frequent such place of business or premises who is guilty of disorderly conduct, rowdiness, fighting, use of profanity, indecent or immoral conduct, intoxication, disturbing the peace and quiet of the neighborhood by unusual noises, unlawful assemblages or otherwise; or to permit any person to drive or ride iu or on any automobile or other motor vehicle on such premises in a careless, reckless or improper manner, or at such a rate of speed as to endanger persons or property.

(2) Collecting in crowds on public property, parkway, or sidewalks for unlawful purposes, or for any purpose, to the unreasonable annoyance or disturbance of other persons is prohibited.

(3) Loitering upon any street, sidewalk, alley or public place where such loitering unreasonably annoys or disturbs other persons is prohibited.

SECTION 9: PUBLIC NUISANCES: BUSINESS AND LIQUOR LICENSEES

A. DEFINITIONS.

The following definitions shall apply with respect to this subsection:

ILLEGAL ACTS. Any acts which concern felonies, chugs or weapons;

OBJECTIONABLE CONDITIONS. Acts concerning disturbance of the peace, public

drunkenness, drinking in public, harassment of passer-byer, gambling, prostitution, loitering, public mination, lewd conduct, chug trafficking or excessive loud noise, whereby a licensee fails to take reasonable steps to correct such conditions existing or occurring while the business is open or within one hom of opening or closing.

B. PUBLIC NUISANCE PETITION.

(1) Public nuisance cases concerning illegal acts or objectionable conditions may be initiated in the following manners: (a) Filing of petition with the Mayor's office and signed by five or more residents residing at different households within 500 feet of the subject licensed premises; (b) By request of the local liquor license commissioner or aldermen of the ward **in** which the premises is located based upon a reasonable belief that the sale of liquor at the particular location is a public nuisance; (c) By filing of constituent complaint or aldermanic request alleging three or more illegal or objectionable acts taking place within any 12 month period on the premises or adjacent property while the business is open or within one hour of it being opened or closed for business.

(2) Any complaints made pmsuant to this chapter must: (a) be in writing; (b) identify the complainant's full name and address; (c) identify the name and address of the licensed premises against which the complaint is filed; and (d) set forth facts giving rise to the complaint. Such complaint may take the form of a letter, e-mail, or other written communication to the Village Adtninistrator or Mayor's office.

C. HEARINGS AND PROCEEDINGS ON PETITION.

(1) All complaints will be reviewed by the Village Attomey to determine whether sufficient evidence exists to bring formal public nuisance charges. If it is determined tl1at sufficient evidence exists, a notice shall be sent to the licensee, informing them of the charges and providing a date for hearing on the charges. The notice shall also include the location for the hearing.

(2) Complaints relating to liquor licensees shall be heard by the local liquor control commissioner or designee. The local liquor license commissioner may also consolidate and hear petitions relating to business licenses where proceedings for both licenses are initiated. Complaints relating to business licensees shall be heard by the Board or its designated committee. If a complaint is initiated by a trustee, said trustee shall not participate in the proceedings in his or her capacity as Village trustee but may testify or present evidence as a complainant.

(3) At the conclusion of the hearing, if there is a determination that the operations of the licensee constitute a public nuisance or is otherwise in violation of this chapter, the licensee shall submit a plan of operation outlining the steps the licensee will talce to eliminate the scenario creating the public nuisance within 10 business days, unless otherwise agreed by the parties. A

subsequent hearing date may also be set. Failure to timely submit such a plan will result in suspension of the licensee by the commissioner or committee.

(4) Nothing herein shall be construed to limit or restrict the imposition of fines, sanctions or penalties allowable by local ordinance.

SECTION 10: OTHER NUISANCES

In addition to those activities prohibited as set forth in this Ordinance, performing,

maintaining, permitting, or allowing any of the following emunerated behaviors or activities on private or public property is also hereby declared to be and constitute a public nuisance.

ILLEGAL ACTS. Any acts which concem felonies, chugs or weapons;

OBJECTIONABLE CONDITIONS. Acts concerning disturbance of the peace, public drunkenness, drinking in public, harassment of passer-byer, gambling, prostitution, loitering, public mination, lewd conduct, chug trafficking or excessive loud noise, whereby a licensee fails to take reasonable steps to correct such conditions existing or occurring while the business is open or within one hom of opening or closing.

D. PUBLIC NUISANCE PETITION.

(1) Public nuisance cases concerning illegal acts or objectionable conditions may be initiated in the following manners: (a) Filing of petition with the Mayor's office and signed by five or more residents residing at different households within 500 feet of the subject licensed premises; (b) By request of the local liquor license commissioner or aldermen of the ward in which the premises is located based upon a reasonable belief that the sale of liquor at the particular location is a public nuisance; (c) By filing of constituent complaint or aldermanic request alleging three or more illegal or objectionable acts taking place within any 12 month period on the premises or adjacent property while the business is open or within one hour of it being opened or closed for business.

(2) Any complaints made pmsuant to this chapter must: (a) be in writing; (b) identify the complainant's full name and address; (c) identify the name and address of the licensed premises against which the complaint is filed; and (d) set forth facts giving rise to the complaint. Such complaint may take the form of a letter, e-mail, or other written communication to the Village Adtninistrator or Mayor's office.

E. HEARINGS AND PROCEEDINGS ON PETITION.

(1) All complaints will be reviewed by the Village Attomey to determine whether sufficient evidence exists to bring formal public nuisance charges. If it is determined tl1at sufficient evidence exists, a notice shall be sent to the licensee, informing them of the charges and providing a date for hearing on the charges. The notice shall also include the location for the hearing.

(2) Complaints relating to liquor licensees shall be heard by the local liquor control commissioner or designee. The local liquor license commissioner may also consolidate and hear petitions relating to business licenses where proceedings for both licenses are initiated. Complaints relating to business licensees shall be heard by the Board or its designated committee. If a complaint is initiated by a trustee, said trustee shall not participate in the proceedings in his or her capacity as Village trustee but may testify or present evidence as a complainant.

(3) At the conclusion of the hearing, if there is a determination that the operations of the licensee constitute a public nuisance or is otherwise in violation of this chapter, the licensee shall submit a plan of operation outlining the steps the licensee will talce to eliminate the scenario creating the public nuisance within 10 business days, unless otherwise agreed by the parties. A

subsequent hearing date may also be set. Failure to timely submit such a plan will result in suspension of the licensee by the commissioner or committee.

(4) Nothing herein shall be construed to limit or restrict the imposition of fines, sanctions or penalties allowable by local ordinance.

SECTION 10: OTHER NUISANCES

In addition to those activities prohibited as set forth in this Ordinance, performing, maintaining, permitting, or allowing any of the following emunerated behaviors or activities on private or public property is also hereby declared to be and constitute a public nuisance.

(A) Disorderly conduct defined by 720 ILCS 5/26-1 and supported by complaining witness.
(B) Unlawful use of weapons as defined in 720 ILCS 5/24-1 et seq.
(C) Mob action as defined in 720 ILCS 5/25-1.
(D) Discharge of a firearm as defined in 720 ILCS 5/24-1.2 and 1.5.
(E) Unauthorized gambling as defined by 720 ILCS 5/28-1.
(F) Possession, manufucture, or delivery of controlled substances as defined by 720 ILCS 570/401 et seq.
(G) Public urination.
(H) Assault or battery or any related offense as defined in 720 ILCS 5/12-1 et seq.
(I) Sexual abuse or related offense as defined in 720 ILCS 5/12-15 et seq.
(J) Prostitution as defined in 720 ILCS 5/11-14 et seq.
(K) Criminal damage to property as defined in 720 ILCS 5/21-1 et seq.
(L) Possession, cultivation, manufacture, or delivery of cannabis as defined in 720 ILCS 550/1 et seq.
(M) Illegal consumption or possession of alcohol as defined in 235 ILCS 5/1 et seq.
(N) Criminal housing management defined in 720 ILCS 5/12-5.1.
(O) Any building, structure or other place or location where any activity which is in violation of local, state or federal law is conducted, performed or maintained
(P) Harboring of vicious animals constitutes a public nuisance
(Q) Obstructing a highway or creating a condition to make travel unsafe or highly disagreeable is prohibited.

SECTION 11: REPEAL, CONFLICT, SEVERABILITY, EFFECTIVE DATE

Ordinance No. 5-12-98 A is hereby repealed in its entirety. All ordinances or parts of ordinances in conflict herewith are hereby repealed. If any section of this ordinance is held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate and distinct provision and such holding shall not affect the validity of the remaining portions hereof.

This Ordinance shall be in full force and effect from and after its passage, approval and publications as required by law.

ADOPTED this 12th__ day of June _____, 2023pursuant to a roll call vote as follows:

	AYES	NAY	ABSENT	ABSTAIN
Harper Jr.	X			
Robinson	X			
Collier Sr.			X	
Dyson	X			
Jackson	X			
Maxey Jr.	X			
Mayor Bryant				
TOTAL	5	0	1	0

APPROVED by the Mayor and Board of Trustees on June 12th , 2023.

ATTEST:

Darren E. Bryant
Mayor
Darren E. Bryant

Sharon S. Dyson
Village Clerk
Sharon S. Dyson

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. _6-12-23 A__

AMENDING ORDINANCE 12-13-16, AN ORDINANCE DEFINING AND REGULATING NUISANCES

WITHIN THE VILLAGE OF ROBBINS, COOK COUNTY, 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 _12TH_ day of _JUNE_, 2023, at which meeting a quorum was present, and approved by the President of the Village of Robbins on the ___12TH day of __JUNE___, 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:_____5_____

NAYS:_____0_____

ABSENT:____1_____

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 _12TH__ day of _JUNE_, 2023.

Sharon S. Dyson
Sharon S. Dyson, Village Clerk

[SEAL]