

ORDINANCE NUMBER 08 - 21

ORDINANCE AMENDING TITLE XV, LAND USAGE,  
CHAPTER 151, BUILDING REGULATIONS, BY ADDING  
A NEW SECTION 151.028, VACANT BUILDINGS.

WHEREAS, the Village of East Dundee is a home rule unit of local government under and pursuant to Section 6 of Article VII of the Constitution of the State of Illinois, has the authority to exercise any power and perform any function pertaining to its government and affairs, including but not limited to the power to regulate for the protection of the public health, safety, morals, and welfare; and

WHEREAS, the President and Board of Trustees of the Village of East Dundee having determined that it is in the best interests of the health, safety and welfare of the residents of the Village of East Dundee that Title XV, Land Usage, Chapter 151, Building Regulations, be amended by adding a new Section 151.028, Vacant Buildings.

NOW THEREFORE BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF EAST DUNDEE, COOK AND KANE COUNTIES, ILLINOIS, AS FOLLOWS:

Section One. That Title XV, Land Usage, Chapter 151, Building Regulations, of the Village of East Dundee Code of Ordinances is hereby amended by adding a new Section 151.028, Vacant Buildings, as follows:

§ 151.028 VACANT BUILDINGS

Section Two. Purpose. The purpose of this ordinance is to establish measures to abate the public nuisances, health and safety hazards, and other harmful effects that arise from vacant buildings in the Village of East Dundee.

Section Three. Definitions. For purposes of this ordinance, the following words and/or phrases shall apply.

(A) "Vacant Building." Any building or structure that is unoccupied by a person or

occupied by unauthorized persons for more than thirty (30) days, excepting any permitted warehouse, garage, vacation property, or building or structure used only on a seasonal basis. It includes any building condemned or does not have a valid certificate of occupancy or certificate of compliance from the Village.

**Section Four. Obligations of Vacant Building Owner.** A vacant building owner shall ensure the following:

(A) **Registration.** All owners of vacant buildings shall register with the Building Department of the Village of East Dundee on a form provided, their name, telephone number, email address, address(es) of all vacant structures owned, drivers license or state identification number, and date of birth.

(1) *Transfer.* Upon the transfer of ownership, the information required above shall be provided within 14 days of the change of ownership.

(2) *Compliance with East Dundee Municipal Code.* The designation of the individual in this Section is prima facie evidence of control of the building to be named as a defendant in any legal action to enforce compliance with the applicable provisions of the East Dundee Municipal Code, including those relating to the building maintenance and fire prevention.

(3) Each vacant building must be registered separately.

**Section Five. Registration Fee.** For each vacant building, the Village shall collect a fee determined by the Village as stated in the Fee Schedule dollars.

**Section Six.** As long as the building remains vacant, the registration shall be renewed on an annual basis, the fee for the renewal is equal to the fee contained in Section Five.

**Section Seven. Inspection.** Each vacant building registered herein shall be inspected periodically, but not less than annually. The building owner shall, at the owner's expense, submit the inspection report to the Village of East Dundee Building Department. The report shall be prepared by a duly licensed inspection company or individual and will provide information as follows:

(A) **Building Openings.** Doors, windows, areaways, and other openings shall be weather-tight and secured against entry by birds, vermin and trespassers. Missing or broken doors, windows, or other openings shall be secured.

(B) **Roofs.** The roof and flashings shall be sound and tight, not admit moisture, or have defects which might admit moisture, rain or roof drainage.

(C) **Drainage.** The building storm drainage system shall be functional and allow discharge in an appropriate manner.

(D) **Building Structure.** The building shall be maintained in good repair and be structurally sound. Structure members shall be free of deterioration and capable of safely bearing imposed dead and live loads.

(E) **Foundation Walls.** Shall be maintained structurally sound and in a sanitary condition so as not to pose a threat to public health and safety, shall be capable of supporting the load which normal use may cause to be placed thereon, and be free from other cracks and breaks, and free from leaks.

(F) **Exterior.** The property must comply with Appendix A- International Property Maintenance Code adopted by the Village.

**Section Eight. Penalty and Enforcement.** A violation of this ordinance shall be a civil matter which may be enforced in Circuit Court, or pursuant to any administrative adjudication procedure established by the Village of East Dundee.

(A) The penalty for violation of this code shall be in accordance with §151. 99.

**Section Nine. Other Laws.** This ordinance is in addition to all other ordinances of the Village of East Dundee and all applicable laws of the State of Illinois.

**Section Ten. Severability.** If any section, paragraph or provision of this ordinance shall be held to be invalid or unenforceable for any reason, the validity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this ordinance.

**Section Twelve. Repeal.** All ordinances, resolutions, motions or parts thereof in conflict herewith shall be and the same are hereby repealed.

