
PROCEEDINGS OF THE BOARD OF TRUSTEES OF THE TOWN OF CICERO

The Board of Trustees of the Town of Cicero met Tuesday, August 13, 2024 at 10:00 A.M., in the Town Hall Council Chambers, Town of Cicero.

On roll call there were present:

President: Dominick

Town Clerk: Punzo-Arias

Trustees: Cava, Cundari, Garcia, Porod, Reitz, Vargas, Virruso.

Thereupon, President Dominick declared a quorum present and the meeting duly convened and requested that all present in attendance stand and join in the Pledge of Allegiance to the Flag.

On motion of Trustee Porod seconded by Trustee Garcia, the minutes of the Regular Meeting held Tuesday, July 23, 2024 at 10:00 o'clock A.M., were approved, the reading being dispensed with, each member having received a copy.

APPROVAL OF BILLS

(124-24)

On motion of Trustee Virruso seconded by Trustee Porod, the list of bills itemized in Warrant #15, dated August 8, 2024, in the total amount of \$3,179,465.11; the list of manual checks dated July 19, 2024 thru August 5, 2024 in the total amount of \$1,006,856.38, and list of online payments dated July 19, 2024 thru August 6, 2024 in the total amount of \$122.70, were accepted, placed on file and approved for payment; action taken by the following vote:

Ayes: Cava, Cundari, Garcia, Porod, Reitz, Vargas, Virruso.

Nays: None.

(125-24)

On motion of Trustee Garcia seconded by Trustee Vargas, payroll (*Estimated Corporate \$1,828,075.10 & Library \$23,684.37*) was approved for the active employees listed on the printout dated 8-05-24; action taken by the following vote:

Ayes: Cava, Cundari, Garcia, Porod, Reitz, Vargas, Virruso.

Nays: None.

(126-24)

By Trustee Garcia:

RESOLVED, that the list of medical claims and the stop loss insurance policy premium for the month of July/2024, prepared by Blue Cross & Blue Shield of Illinois, in the total amount of \$1,424,878.14, be accepted, placed on file and approved for payment.

Which was on motion of Trustee Garcia seconded by Trustee Cava, approved by the following vote:

Ayes: Cava, Cundari, Garcia, Porod, Reitz, Vargas, Virruso.

Nays: None.

(127-24)

By Trustee Virruso:

RESOLVED, that the list of HMO medical claims insurance policy premium for the month of August/2024, prepared by Blue Cross & Blue Shield of Illinois, in the total amount of \$45,984.48, be accepted, placed on file and approved for payment.

Which was on motion of Trustee Virruso seconded by Trustee Vargas, approved by the following vote:

Ayes: Cava, Cundari, Garcia, Porod, Reitz, Vargas, Virruso.

Nays: None.

(128-24)

By Trustee Porod:

RESOLVED, that the life and accidental death & dismemberment insurance premium for the month of August/2024, prepared by Blue Cross & Blue Shield of Illinois, in the total amount of \$6,014.77, be accepted, placed on file and approved for payment.

Which was on motion of Trustee Porod seconded by Trustee Vargas, approved by the following vote:

Ayes: Cava, Cundari, Garcia, Porod, Reitz, Vargas, Virruso.

Nays: None.

BLOCK PARTY PERMIT

On motion of Trustee Vargas seconded by Trustee Garcia, the following (2) two block party permits were approved at the following locations contingent upon compliance of Town Ordinances:

FILE NO.	LOCATION	DATE
(129-24)	1900 block of 55 th Court	Saturday, August 17, 2024
(130-24)	3200 block of 52 nd Court	Saturday, August 24, 2024

PERMIT

(131-24)

On motion of Trustee Vargas seconded by Trustee Garcia, permission was granted to Church on Fire International to conduct their annual “Back-to-School Bash” on Saturday, August 17th from 11:00 AM to 4:00 PM in the church parking lot.

(132-24)

On motion of Trustee Garcia seconded by Trustee Vargas, the request submitted by Emmanuel Presbyterian Church to conduct a block party on the 6100 block of 21st Street, was tabled to the next board meeting for further information. Town Clerk Punzo-Arias noted that her office had not received a block party petition as required per town ordinance.

(133-24)

On motion of Trustee Garcia seconded by Trustee Virruso, permission was granted to Good Shepherd Church to conduct an outdoor movie night on Saturday, September 7, 2024 from 7:00 PM to 10:00 PM in the church yard.

(134-24)

On motion of Trustee Porod seconded by Trustee Vargas, permission was granted J. Sterling Morton High School to conduct their annual Homecoming Parade, Saturday, October 26th, 2024 at 10:00 AM on designated route as agreed.

(135-24)

On motion of Trustee Vargas seconded by Trustee Garcia, permission was granted St. Mary Frances of the Five Wounds to conduct their Fall Fest, which include food & alcoholic beverage sales, games for small children, music on church property and the blocking of 15th Street from 59th Court to alley.

(The street closure may begin at Friday, September 27th at 6:00 AM for set up only and will remain closed until 12:00 AM on Sunday, September 29th for shutting down and clean up only.)

Starting	Friday, September 27 th , 2024	Times: 5:00 PM to 10:00 PM
	Saturday, September 28 th , 2024	Times: 1:00 PM to 10:00 PM
Ending	Sunday, September 29 th , 2024	Times: 1:00 PM to 10:00 PM

ORDINANCES

(“O” 48-24)

On motion of Trustee Virruso seconded by Trustee Vargas, the Ordinance amending Chapter 94, Section 94-182 of the Code of Ordinances of the Town of Cicero, Illinois regarding stop signs at various locations for the Town, was accepted, placed on file and approved for passage by the following vote:

Ayes: Cava, Cundari, Garcia, Porod, Reitz, Vargas, Virruso.

Nays: None

(Purpose of Ordinance)

(The purpose of this ordinance is to amend Chapter 94, Section 94-182 of the Town Code to add the Intersections to the list of stop streets for the Town to regulate traffic and to ensure the proper installation and maintenance of the corresponding stop signs)

Section 94-182: Stop Streets Generally; Schedule XII.

In accordance with section 94-278 and when properly signposted, the following streets or parts of streets are stop streets as designated in the following manner:

[. . .]

21st Street and 57th Court, all eastbound traffic on 21st Street shall come to a complete stop at 57th Court.

[. .]

55th Avenue and 18th Street, all northbound and southbound traffic on 55th Avenue shall come to a complete stop at 18th Street.

[. .]

57th Court and 18th Street, all northbound traffic on 57th Court shall come to complete stop at 18th Street.

(“O” 49-24)

On motion of Trustee Garcia seconded by Trustee Vargas, the Ordinance amending Chapter 2, Article IV of the Code of Ordinances of the Town of Cicero, Illinois regarding the Building Department of the Town, was accepted, placed on file and approved for passage by the following vote:

Ayes: Cava, Cundari, Garcia, Porod, Reitz, Vargas, Virruso.

Nays: None

(Purpose of Ordinance)

(The purpose of this ordinance is to amend Chapter 2, Article IV of the Town Code to the powers and duties of certain members of the Building Department, and to authorize the President to take any and all action necessary to effectuate the intent of this Ordinance)

Chapter 2: Administration

Article IV: Departments and Divisions

Division 21: Building Department

Section 2-772.100: Established.

There is established the Building Department of the Town of Cicero. The department shall embrace the Building Commissioner, Field Director, and such subordinates and assistants as the Board of Trustees may by ordinance provide.

Section 2-772.101: Building Commissioner.

(a) There is created the office of Building Commissioner. The Commissioner shall be appointed by the Town President by and with the advice and consent of the Board of Trustees. The Commissioner shall serve until a successor is appointed and qualified.

(b) The Commissioner shall be responsible for the administration of the Building Department and such other duties as required of the Commissioner by the Corporate Authorities.

Section 2-772.102: Powers.

The Building Commissioner shall be the head of the Building Department and shall have the management of all branches of the municipal service placed under the supervision, direction or control of the department.

Section 2-772.103: Field Director.

There is created the office of Field Director. The Field Director shall be appointed by the Town President by and with the advice and consent of the Board of Trustees. In conjunction with the Building Commissioner, the Field Director shall have oversight and management of Building Department employees whose duties require them to periodically work outside of Town Hall. The Field Director's duties shall include, but not be limited to, the management of employee schedules, workload, and employee accountability for those Building Department employees who perform field work. The Field Director shall report to the Building Commissioner, and shall have such other managerial duties as may be assigned by the Building Commissioner.

Section 2-772.104: Assistants; appointment; removal; duties.

(a) The Town President shall appoint and remove all subordinates and assistants in the Building Department. All subordinates and assistants shall perform such duties as may be required of them by the Building Commissioner or the ordinances of the Town and shall be subject to such rules and regulations as shall be prescribed by the Commissioner. The salaries of such subordinates and assistants shall be such as the Town President may prescribe or approve.

(“O” 50-24)

On motion of Trustee Porod seconded by Trustee Garcia, the Ordinance amending Chapter 22, Article X of the Code of Ordinances of the Town of Cicero, Illinois regarding vacant property registration for the Town, was accepted, placed on file and approved for passage by the following vote:

Ayes: Cava, Cundari, Garcia, Porod, Reitz, Vargas, Virruso.

Nays: None

(Purpose of Ordinance)

(The purpose of this ordinance is to amend Chapter 22, Article X of the Town Code to update and clarify the Existing Regulations to ensure that vacant land and buildings located within the Town are properly registered, maintained, and secured and to ensure that nuisances related to vacant properties are efficiently and economically abated)

Section 22-611: Declaration of Policy.

The purpose of this Article is to establish a process to address the deterioration, crime, and decline in value of Town neighborhoods caused by property that is vacant or with foreclosing or foreclosed mortgages located within the Town, and to identify, regulate, limit and reduce the number of these properties located within the Town. 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 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 vacant, in Foreclosure or Foreclosed, and to provide a mechanism to avert foreclosure actions through timely intervention, education, or counseling of property Owners.

The purpose of this Article is to protect the public health, safety and welfare by the enactment of this Article, which:

- (a) Establishes a program for the identification, registration and regulation of Buildings that are vacant or that become vacant on and after the effective date of this Article; and
- (b) Determines the responsibilities of Owners of Vacant Buildings; and
- (c) Provides for the administration, the enforcement, which includes abating Public Nuisances, and the imposition of penalties for violations of this Article.

This Article shall be liberally construed to carry out its intended purposes.

Section 22-612: Other Ordinances.

This Article shall not be construed to prevent the enforcement of other applicable ordinances, codes, statutes, laws, orders, rules or regulations that prescribe standards for the subject matter of this Article. In the event of a conflict between the provisions of this Article and any other ordinance, code, statute, law, order, rule or regulation, the most restrictive shall apply.

Section 22-613: Definitions.

The words and terms used in this Article shall have the meanings ascribed to them in this Section, unless the context clearly indicates a different meaning. The use of any term in the present tense shall include the future and past tense of the term, when applicable, and all terms used in the singular shall include the plural and all words used in the masculine gender shall extend to and apply to the feminine gender, when applicable.

Boarded Building shall mean a Building that has, in a manner intended to be temporary or permanent, some material (whether said material is opaque, solid or transparent) affixed to any or all openings, windows or doors that were present for the purpose of light, ventilation or egress, from the interior or exterior of the Building, for the purpose of securing or preventing access or damage to the Building or its components.

Building shall mean any structure occupied or intended for supporting or sheltering any occupancy.

Dangerous Building shall mean all Buildings or structures that have any or all of the following defects:

- (a) Those Buildings or structures that have improperly distributed loads upon the floors or roof or on which the same are overloaded, or which have insufficient strength to be reasonably safe for the purposes used, imposed loads or for the intended design load.
- (b) Those Buildings or structures that have been damaged by fire, wind or other causes so as to have become dangerous to life, limb or property of the occupants or others.
- (c) Those Buildings or structures that have parts thereof that are so attached that they may suddenly fall and injure persons or damage property.
- (d) Those Buildings or structures that are in a state of dilapidation, deterioration or decay; have faulty construction; lack ventilation; are overcrowded; are open, vacant or abandoned; are in danger of collapse or failure; or are dangerous to anyone on or near the Premises.
- (e) Those Buildings or structures that have sewerage or plumbing facilities that are backed up or otherwise unsanitary.

- (f) Those Buildings or structures that have been designated by the Town as unsafe for human habitation.
- (g) Those Buildings or structures that are fire hazards, lack code compliant means of ingress and egress or lack required operational smoke detectors.
- (h) Those Buildings or structures that are visibly unsafe or unsecured so as to endanger life, limb or property.
- (i) Those Buildings or structures from which the electrical, plumbing, heating or other facilities that are required by this Code or other applicable codes, laws, statutes, orders, rules or regulations have been removed, disconnected, destroyed or which cannot safely perform their intended purpose.
- (j) Those Buildings or structures to which the utility services have been removed, disconnected, tampered with, destroyed or interrupted.
- (k) Those Buildings or structures that have become unsanitary, are vermin infested or insect infested or are littered with refuse.
- (l) Those Buildings or structures that endanger life or property by the presence of toxic or flammable fumes, gases, vapors or materials.

Dangerous Buildings are hereby declared Public Nuisances.

Building Commissioner shall mean the Building Commissioner, the Deputy Building Commissioner or a designee of the same.

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 or deed of trust.

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 Town to enforce the applicable 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: 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; 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 process by which a property, placed as security for a real estate loan, is sold at public sale to satisfy the debt if the borrower defaults. A Foreclosure or Foreclosure Action is deemed commenced upon a Mortgagee's filing of a Notice of Lis Pendens or similar evidence of Default.

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 as the assignee or owner.

Owner shall mean any person, agent, Mortgagee, operator, firm, corporation or entity, who alone or severally with others: (a) having a legal or equitable interest in the property; (b) recorded in the official records of the state, county or Town as holding title to the property; or (c) otherwise having control of the property. The term Owner

shall include the guardian of an estate of any such person and the executor or administrator of an estate of such person if ordered to take possession of real property by a court of competent jurisdiction. The Property Manager shall not be considered an Owner.

Person shall include a corporation, partnership or other entity as well as an individual.

Premises shall mean a lot, plot or parcel of land, including any structure or Building located thereon.

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

Public Nuisances shall include the following:

- (a) Any Real Property Building that would be declared a public nuisance at common law, under the Illinois Compiled Statutes or under this Code due to its physical condition or the use thereof;
- (b) Any Real Property Building or appurtenance that would be declared an attractive nuisance to children due to the physical condition, use or occupancy of the Building or the appurtenance. The foregoing shall include, without limitation, abandoned wells, shafts, basements, excavations and unsafe fences and structures;
- (c) Any Building that has unsanitary sewerage or plumbing facilities;
- (d) Any Building designated by the Building Commissioner as unsafe for human habitation or use;
- (e) Any Building that is clearly capable of being a fire hazard or noticeably unsafe or insecure so as to endanger life, limb or property;
- (f) Any Real Property Building that is unsanitary, is littered with rubbish or garbage or that has an uncontrolled growth of weeds;
- (g) Any Building that: (i) is dangerous, in a state of dilapidation, deterioration or decay; (ii) has faulty construction; (iii) is open or vacant and the doors, windows or other openings are boarded up or secured, by any means other than conventional methods used in the design of the Building or permitted for new construction of similar type; or (iv) is damaged by fire to the extent as not to provide shelter, is in danger of collapse or failure and is dangerous to anyone on or near the Premises; or
- (h) Any Building defined as a Dangerous Building in this Section, as the same may be amended.

Real Property shall mean any residential 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 Town limits.

Registrable Property shall mean:

- (a) Any Real Property located in the Town, whether Vacant or occupied, that is (i) subject of a Foreclosure Action; (ii) has been the subject of a Foreclosure Action and a judgment has been entered but the property has not yet been sold; (iii) has been the subject of a Foreclosure sale and title was transferred to the Mortgagee or an affiliate entity of the Mortgagee; or (iv) transferred to the Mortgagee or an affiliated entity of the Mortgagee under a deed in lieu of Foreclosure or Foreclosure sale. The designation of a Real Property as a Registrable Property pursuant to this subsection 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; or
- (b) Any property that is vacant 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 Town to allow Mortgagees and Owners the opportunity to register properties and pay applicable fees as required in this Article.

Semi-Annual Registration shall mean six (6) months from the date of the first action that requires registration, as determined by the Town, 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.

Unoccupied Building shall mean a Building or portion thereof that lacks the habitual presence of human beings who have a legal right to be on the Premises, including Buildings ordered vacated by the Building Commissioner pursuant to authority granted to him or her by this Code or any other applicable ordinance, code, statute, law, order, rule or regulation.

In determining whether a Building is “unoccupied” the Building Commissioner may consider, among other things, the following factors:

- (a) Whether substantially all lawful residential or business activity has ceased at the Building;
- (b) The percentage of the overall square footage of occupied to unoccupied space or the overall number of occupied to unoccupied units;
- (c) Whether the Building is substantially devoid of contents and the condition and value of fixtures or personal property located within the Building;
- (d) Whether the Building lacks utility services including, without limitation, water, sewer, electric and/or natural gas services;
- (e) Whether the Building is the subject of a foreclosure action;
- (f) Whether the Building is actively for sale as part of a contractual agreement and whether the Building lacks or displays "for sale," "for rent" or similar signage; and
- (g) The presence or recurrence of uncorrected code violations.

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 Town codes. This includes, but is not limited to, electrical, gas, water, sewer, trash service, lawn maintenance, and pool maintenance.

Vacant Building shall mean any Building or portion of a Building that is:

- (a) Unoccupied and unsecured;
- (b) Unoccupied and secured by boards or other similar means;
- (c) Unoccupied and meets the definition of a Dangerous Building;
- (d) Unoccupied and condemned by the Building Commissioner pursuant to the applicable provisions of this Code or other applicable ordinances, codes, statutes, laws, orders, rules and/or regulations;
- (e) Unoccupied and has multiple code violations;

- (f) Unoccupied and the Building has or its Premises have been the site of unlawful activity within the previous six (6) months;
- (g) Condemned by the Building Commissioner and unlawfully occupied;
- (h) Unoccupied for over one hundred eighty (180) calendar days and during which time the Building Commissioner has issued an order to correct Public Nuisance conditions and the same have not been corrected in compliance with the provisions of this Code; or
- (i) Unoccupied for thirty days or more, ~~over two (2) years~~.

Vacant Buildings shall not include Unoccupied Buildings that are undergoing construction, renovation or rehabilitation and are in compliance with all applicable ordinances, codes, statutes, laws, orders, rules and regulations, and for which the construction, renovation or rehabilitation is proceeding diligently to completion.

Vacant Land shall mean any parcel of land within the Town that shows Evidence of Vacancy, including, but not limited to:

- (a) Multiple code violations;
- (b) Accumulation of trash or debris;
- (c) Overgrown or dead vegetation;
- (d) The presence of abandoned vehicles, or vehicles illegally parked on soft ground; or
- (e) Fencing in a state of disrepair.

No parcel of land owned by the Town or any other unit of local government shall be deemed Vacant Land or a Vacant Building, and are excluded from the definitions of the same for purposes of this Article.

Section 22-614: ~~Determination. Applicability.~~

This Article applies to all Real Property within the Town, except Real Property owned by the Town or any other unit of local government.

~~Within sixty (60) calendar days after the effective date of this Article, the Building Commissioner shall evaluate all Buildings in the Town that he or she believes to be unoccupied as of the effective date of this Article and shall make a determination for each as to whether the Building is a Vacant Building as defined in Section 22-613 of this Code. The Building Commissioner may determine that a Building that meets any of the criteria set forth in Section 22-613 of this Code is not to be regulated under this Article for a stated period if, upon consideration of reliable, substantiated and sufficient evidence, he or she determines that regulation of the Building under this Article would not serve the public health, welfare and safety. The determination shall be in writing and shall contain written findings in support of his or her decision, including the factual basis for the determination. For Buildings the Building Commissioner determines to be Vacant Buildings, he or she shall, within ten (10) business days of making that determination, send notice of his or her written determination, containing the factual findings, to the last taxpayer of record listed on the most recent Cook County tax roll. Said notice of determination shall be sent via first class United States mail, with proper postage prepaid. Failure of delivery shall not excuse a Person from complying with this Article. The Building Commissioner may personally serve or cause personal service of the notice of determination. Any Person making such service shall execute an affidavit attesting to the facts of service. The Building Commissioner shall maintain an affidavit of such mailing for each notice of determination sent.~~

~~The notice shall specify a date and time on which the Owner shall allow for a code compliance inspection of the interior of the Vacant Building to determine the extent of compliance with this Code and other applicable ordinances, codes, statutes, laws, orders, rules and regulations, including Town and state building, health, fire,~~

~~water and sewer codes. The Owner shall pay the five hundred and no/100 U.S. dollar (\$500.00) inspection fee to the Town within thirty (30) calendar days of the inspection. All unpaid fees shall be liens upon the Premises.~~

~~The notice shall contain a statement of the obligations of the Owner of the Vacant Building, a copy of the registration form the Owner is required to file pursuant to Section 22-616 of this Code, and a notice of the Owner's right to appeal the Building Commissioner's determination.~~

Section 22-615: Appeal of Determination.

- (a) An Owner of a ~~Building~~ Real Property determined by the Building Commissioner to be a Vacant Building or Vacant Land may appeal that determination to the Vacant Building Appeals Committee. Such appeal shall be in writing and shall be filed with the Vacant Building Appeals Committee within fifteen (15) calendar days of the date of the mailing of the notice of determination. The filing of an appeal states the Owner's obligation to register his or her Building as required by Section 22-616 of this Article. The appeal shall contain a complete statement of the reasons the Owner disputes the Building Commissioner's determination, shall set forth specific facts in support thereof and shall include all evidence the Owner relies upon to support the appeal. The Vacant Building Appeals Committee shall decide the appeal on the basis of facts presented by the Owner in his or her written appeal and the Building Commissioner's written determination.
- (b) The burden is upon the Owner to present sufficient evidence to persuade the Vacant Building Appeals Committee that if the evidence had been known to the Building Commissioner at the time the Building Commissioner made the determination, the Building Commissioner would more likely than not have determined that the subject Building was not a Vacant Building.
- (c) The Vacant Building Appeals Committee shall send written notice of its decision to the Owner within ten (10) business days of its receipt of the appeal. The Vacant Building Appeals Committee may, but is not required to, seek additional information from the Owner. The Vacant Building Appeals Committee may, upon written notice thereof to the Owner, take ten (10) additional business days to decide the appeal if it determines that such additional time is required for consideration of the appeal.
- (d) An Owner who wishes to challenge applicability of this Article to his or her Building Real Property without the Building Commissioner's determination having been made, shall set forth specific facts to support the non-applicability in writing to the Building Commissioner. In the event the Building Commissioner determines that the subject Building Real Property is a Vacant Building or Vacant Land, the Owner shall have the right to appeal the Building Commissioner's determination to the Vacant Building Appeals Committee, as provided for herein.

Section 22-616: ~~Establishment of Registry. Obligation to Register.~~

Pursuant to the provisions of this Article, the Town, or its designee, shall establish a registry cataloging each Registrable Property within the Town, containing the information required by this Article.

~~The Owner of a Building who knows or from the facts and circumstances should know that his or her Building is or has become a Vacant Building after the effective date of this Article, the Owner of a Building that the Building Commissioner determines at any time to be a Vacant Building or the Owner of a Building whose appeal from the Building Commissioner's determination has been denied by the Vacant Building Appeals Committee shall take the actions provided for in this Section within 15 calendar days after the date of the Building Commissioner's notice of determination, the occurrence of the facts that would cause a reasonable person to believe that the Building is a Vacant Building or a denial of an appeal, whichever is applicable. Registration does not exonerate the Owner from compliance with all applicable provisions of this Code and all other applicable ordinances, codes, statutes, laws, orders, rules and regulations, nor does it preclude any of the actions the Town is authorized to take pursuant to this Article or elsewhere in this Code.~~

~~(a) Registration Requirements.~~

~~(1) The Owner of a Vacant Building must register the Building with the Building Commissioner, on a form provided by the Building Commissioner, and pay the \$200.00 annual nonprorated Vacant Building registration fee. The form shall minimally include the name, street address and telephone number of the Owner; the case name and number of any litigation pending concerning or affecting the Building, including bankruptcy cases; and the name, street address, and telephone number of all Persons with any legal interest in the Building or the Premises. The form shall require the Owner to identify a natural person 21 years of age or older who maintains a permanent address in Cook County, Illinois, to accept service on behalf of the Owner with respect to any notices the Town sends pursuant to this Article or service of process in any proceeding commenced to enforce any provision of this Article, and file with the Building Commissioner on the registration form, the name, address and telephone number of said person. A street address is required. A post office box is not an acceptable address.~~

~~The form shall state that the Owner, by affixing his or her signature, is advised that the Town will not issue real estate transfer tax stamps prior to the Building Department having conducted an interior inspection of the Building to ensure compliance with all applicable ordinances, codes, statutes, laws, orders, rules and regulations.~~

~~(2) The Owner of a Vacant Building must renew the Vacant Building registration each year on the anniversary date of the first filing for the time the Building remains vacant and pay the required \$200.00 annual fee; and~~

~~(3) The Owner of a Vacant Building must file an amended registration within 15 calendar days of any change in the information contained in the annual registration. A new registration is required for any change in ownership whatsoever.~~

~~(b) *Notice; Inspection.* The form shall require the Owner to indicate his or her "acceptance of notice by posting" consenting to service of notices sent or required to be sent, pursuant to this Article, by posting on the Building if the Owner fails to renew the registration if required or fails to maintain up-to-date information regarding the person designated to accept notice and service of process with the Building Commissioner.~~

~~The Owner shall allow for a code compliance inspection of the interior of the Vacant Building and shall pay an inspection fee as set forth in [Section 22-286](#) of this Code at the time that the inspection is scheduled. Such inspection will determine the extent of compliance with applicable ordinances, codes, statutes, laws, orders, rules and regulations, including Building codes, health, fire, water and sewer codes. The Town shall send the inspection report to the Owner within 30 calendar days. Inspection fees paid prior to March 27, 2013 are non-refundable.~~

~~(e) *Insurance.* The Owner shall obtain liability insurance and maintain such insurance for as long as the Building is vacant, and file evidence of such insurance with the Building Commissioner. The insurance policy shall be in the following amounts: \$500,000.00 for a vacant residential Building containing one to three units; \$750,000.00 for a vacant residential Building containing four to 11 units; \$1,000,000.00 for a vacant residential Building containing 12 to 48 units; \$2,000,000.00 for a vacant residential Building containing more than 48 units; and \$2,000,000.00 for a vacant manufacturing, industrial, storage or nonresidential commercial Building.~~

~~(d) *Vacant Building Plan.* At the time a Building is registered as required herein, the Owner shall submit a Vacant Building plan. The Building Commissioner may prescribe a form for the plan. If the Owner fails to submit the plan as provided for by this Article, the Building Commissioner may determine the plan. The plan shall minimally contain the following:~~

~~(1) A plan of action to repair any doors, windows or other openings that are boarded up or otherwise secured by any means other than conventional methods used in the design of the Building or permitted for new construction of similar type. The proposed repair shall result in openings being secured by conventional methods used in the design of the Building or by methods permitted for new construction of similar type with boards being removed. Boarding shall be accomplished with materials and methods prescribed by the Building Commissioner and available in the Building Department. The Owner shall maintain the Building in an enclosed and secure state until the Building is reoccupied or made available for immediate occupancy. If the Owner demonstrates that securing of the Building will provide adequate protection to the public, the Building Commissioner may waive the requirement of an enclosure;~~

~~(2) For Buildings and Premises that are determined by the Building Commissioner to be or contain Public Nuisances, as defined in [section 22-613](#) of this Article, then the Vacant Building plan shall contain a plan of action to remedy such Public Nuisance(s);~~

~~(3) A time schedule identifying a date of commencement of repair and date of completion of repair for each improperly secured opening and nuisance identified by the Building Commissioner;~~

~~(4) When the Owner proposes to demolish the Vacant Building, then the Owner shall submit a plan and time schedule for such demolition;~~

~~(5) A plan of action to maintain the Building and Premises thereof in conformance with this Article;~~

~~(6) A plan of action, with a time schedule, identifying the date the Building will be habitable and occupied or offered for occupancy or sale. The time schedule shall include date(s) of commencement and completion of all actions required to achieve habitability. No plan that provides for compliance with this Article or, which will not, as determined by the Building Commissioner, achieve such compliance, within six months, in the case of a vacant Boarded Building, and two years, in the case of a vacant, unboarded, and code compliant Building will be approved;~~

~~(7) All Premises upon which Unoccupied Buildings or Vacant Buildings are located, and their exteriors, shall at all times be maintained in compliance with this Code; and~~

~~(8) Exterior lighting according to standards established by the Building Commissioner and available from the Building Commissioner or from the Building Department.~~

~~(e) *Security Guard Service.* On written notice of the Building Commissioner, an Owner shall provide bonded, licensed and insured security guard service at the Building between the hours of 3:00 p.m. and 8:00 a.m. Such service shall remain in place until the Building Commissioner gives written notice that the service is no longer required. Such service shall be required when the Building Commissioner makes a written determination that the Vacant Building constitutes a fire hazard, is otherwise dangerous to human life or the public welfare or involves illegal or improper use, occupancy, or maintenance, under such conditions that boarding and securing the Building are insufficient to prevent the actual or threatened harm.~~

~~(f) *Signage.* Signage shall be affixed to every Building that is boarded up. Such signage shall be no smaller than two feet by two feet, shall comply with the Town's sign regulations and shall contain the following information: the name, address and telephone number of the Owner and, for Buildings that are the subject of a foreclosure action, the name, address and telephone number of the plaintiff and the plaintiff's attorney handling the foreclosure action, if any. The sign must be placed so that its message is legible from the public way.~~

Section 22-616(a): Inspection And Registration Of Real Property Under Foreclosure.

- (a) Any Mortgagee who holds a mortgage on Real Property located within the Town shall perform an inspection of the property upon Default by the mortgagor as evidenced by the filing of a Foreclosure Action, Lis Pendens, or Notice of Trustee's Sale. Inspection means a careful examination of the property to determine occupancy and if it is in compliance with all applicable building, maintenance, and housing codes
- (b) Property inspected pursuant to subsection (a) above that remains in Foreclosure 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 files a Foreclosure Action, the Mortgagee shall register the Real Property with the Town 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 under a Foreclosure Action. A separate registration is required for each property under a Foreclosure Action, regardless of whether it is occupied or vacant.
- a. Mortgagees who have existing registrable property on the effective date of this ordinance have 30 calendar days from the effective date to register the property as indicated in this section. A separate registration is required for each property, whether it is vacant or occupied.
- (d) Registration pursuant to this section shall contain the name of the mortgagee and the mortgage servicer, the direct mailing address of both parties, a direct contact name and telephone number for both parties, a facsimile number and/or e-mail address for both parties, the folio or tax number, and the name and 24-hour contact telephone number of the property management company responsible for the security and maintenance of the property.
- (e) At the time of initial registration each registrant shall pay a non-refundable Semi-Annual Registration fee as follows for each parcel:
- (1) \$250.00 per parcel of Vacant Land
 - (2) \$350.00 for a single family residence
 - (3) \$500.00 for a multi-family residence
 - (4) \$1,000.00 for mixed use, commercial, or industrial
- (f) Subsequent non-refundable Semi-Annual renewal registrations of properties and fees in the same amounts as set forth in subsection (e) based on property classification 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 Article. None of the funds provided for in this section shall be utilized for the legal defense of Foreclosure Actions.
- (g) If the mortgage and/or servicing on a Registrable Property is sold or transferred, the new Mortgagee / Servicer is subject to all the terms of this Article. Within ten (10) days of the transfer, the new Mortgagee shall register the property, if not already registered, or update the existing registration. The previous Mortgagee(s) / Servicer(s) will not be released from the responsibility of paying all previous unpaid fees, fines, and penalties accrued during their involvement with the Registrable Property.
- (h) If the Mortgagee sells or transfers the Registrable Property in a non-arm's length transaction to a related entity or person, the transferee is subject to all the terms of this Article. 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 Foreclosed Property.

- (i) If the Foreclosing or Foreclosed Property is not registered, or the registration fee is not paid within thirty (30) days of when the registration or renewal is required pursuant to this section, the Town may place a lien on the property for the amount of the registration or renewal.
- (j) 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 Registrable Property.
- (l) Any person or corporation that has registered a property under this section must report any change of information contained in the registration within ten (10) days of the change to the Town.
- (m) 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 Article and shall be subject to enforcement by any of the enforcement means available to the Town.
- (n) If any property is in violation of this Article, the Town 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.

Section 22-616(b): Inspection And Registration Of Real Property That Is Not Subject To A Mortgage In Foreclosure.

- (a) Any Owner of Vacant Real Property located within the Town shall within ten (10) days after the property becomes Vacant, register the Real Property with the Town Registry. Structures that are vacant property at the time of the adoption of this ordinance must register within fifteen (15) days of the date this ordinance takes effect.
- (b) Initial registration pursuant to this section shall contain at a minimum the name of the Owner, the mailing address of the Owner, e-mail 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 as follows for each parcel:
 - 1. \$250.00 per parcel of Vacant Land
 - 2. \$350.00 for a single family residence
 - 3. \$500.00 for a multi-family residence
 - 4. \$1,000.00 for mixed use, commercial, or industrial
- (d) Vacant property. Subsequent non-refundable Semi-Annual renewal registrations of Vacant properties and fees in the same amounts as set forth above 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 Vacant properties, and (3) for any related purposes as may be adopted in the policy set forth in this Article. Said fees shall be deposited to a special account in the Town's Department dedicated to the cost of implementation and enforcement of this Ordinance, and fulfilling the purpose and intent of this Article.

- (e) If the property is sold or transferred, the new Owner is subject to all the terms of this Article. Within ten (10) days of the transfer, the new Owner shall register the Vacant property, if not already registered, 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.
- (f) 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, the Town may place a lien on the property for the amount of the registration or renewal. This section shall apply to the initial registration and registrations required by subsequent Owners of the Vacant property.
- (g) 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.
- (h) 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 Article and shall be subject to enforcement by any of the enforcement means available to the Town.
- (i) If any property is in violation of this Article the Town 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.
- (j) Properties registered as a result of this section are not required to be registered again pursuant to the Foreclosure mortgage property section.

Section 22-617: Maintenance Requirements. Approval of Plan.

- (a) Properties subject to this Article shall be kept free of weeds, overgrown brush, dead vegetation, trash, junk, debris, building materials, vehicles, any accumulation of newspaper circulars, flyers, notices, except those required by federal, state or local law, discarded personal items including, but not limited to, furniture, clothing, large and small appliances, printed material, or any other items that give the appearance that the property is abandoned.
- (b) Registrable Property shall be maintained free of graffiti or similar markings by removal or painting over with an exterior grade paint that matches the color of the exterior structure.
- (c) Front, side, and rear yards, including landscaping, of Registrable Property shall be maintained in accordance with the applicable code(s) at the time registration is required.
- (d) Registrable yard maintenance shall include, but not be limited to, grass, ground covers, bushes, shrubs, hedges or similar plantings, decorative rock or bark or artificial turf/sod. Acceptable maintenance of yards and/or landscape shall not include weeds, gravel, broken concrete, asphalt or similar material.
- (e) Maintenance shall include, but not be limited to, watering, irrigation, cutting and mowing of required ground cover or landscape and removal of all trimmings.
- (f) Pools and spas of shall be maintained so the water remains free and clear of pollutants and debris and shall comply with the regulations set forth in the applicable code(s).
- (g) Failure of the Mortgagee, Owner, and transferees to properly maintain the property as required by this Article may result in a violation of the applicable code(s) and issuance of a citation or notice of violation in accordance with the applicable code of the Town. Pursuant to a finding and determination by the Town Sheriff, Magistrate or a court of competent jurisdiction, the Town may take the necessary action to ensure compliance with this section.

(h) In addition to the above, the property is required to be maintained in accordance with the applicable code(s) of the Town.

~~(a) Review of the Building Plan. The Building Commissioner shall review the proposed Vacant Building plan in accordance with the standards set forth below. The Building Commissioner shall send notice to the Owner of his or her determination regarding whether or not the Building is a Vacant Building.~~

~~(b) Standards For Plan Approval. In considering the appropriateness of a Vacant Building plan, the Building Commissioner shall include the following in his or her consideration and shall make written findings as to each of the following:~~

~~(1) The purposes of this Article and goals of the Town Board to minimize the time Buildings located within the Town are boarded up or otherwise left vacant;~~

~~(2) The impact that the Building and the proposed plan have on adjoining property;~~

~~(3) The length of time the Building has been vacant;~~

~~(4) The presence of Public Nuisances on the property; and~~

~~(5) The likelihood that the plan or portion(s) thereof will prevent or ameliorate the condition(s) it is designed to address.~~

Section 22-618: Security; Insurance. Authority to Modify Building Plans, Right to Appeal.

(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, fencing, 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 re-glazing 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 Article, 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 Town.

(e) When a property subject to this Article 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 Town 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. _____.
THE PROPERTY MANAGER CAN BE CONTACTED _____.
BY TELEPHONE AT _____.
OR BY EMAIL AT _____.

- (f) 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. For Vacant Land, the posting shall be affixed to the fence facing both the street and the alley, if applicable. Exterior posting shall be constructed of and printed with weather-resistant materials.
- (g) Failure of the Mortgagee and/or property Owner of record to properly inspect and secure a property subject to this Article, 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 Town. The Town may take the necessary action to ensure compliance with this section, and recover costs and expenses in support thereof.
- (h) Security Guard Service. On written notice of the Building Commissioner, an Owner shall provide bonded, licensed and insured security guard service at the Building between the hours of 3:00 p.m. and 8:00 a.m. Such service shall remain in place until the Building Commissioner gives written notice that the service is no longer required. Such service shall be required when the Building Commissioner makes a written determination that the Vacant Building constitutes a fire hazard, is otherwise dangerous to human life or the public welfare or involves illegal or improper use, occupancy, or maintenance, under such conditions that boarding and securing the Building are insufficient to prevent the actual or threatened harm.
- (i) The Owner shall obtain liability insurance and maintain such insurance for as long as the Real property is vacant, and file evidence of such insurance with the Building Commissioner. The insurance policy shall be in the following amounts: \$500,000.00 for a vacant residential Building containing one to three units; \$750,000.00 for a vacant residential Building containing four to 11 units; \$1,000,000.00 for a vacant residential Building containing 12 to 48 units; \$2,000,000.00 for a vacant residential Building containing more than 48 units; and \$2,000,000.00 for a vacant manufacturing, industrial, storage or nonresidential commercial Building. The Building Commissioner shall, upon notice to the Owner of a Vacant Building, have the right to modify the Vacant Building plan by modifying the dates of performance, the proposed methods of action or by imposing additional requirements consistent with this Article as he or she deems necessary to protect the public health, safety or general welfare.

Section 22-619: Failure to Comply with a Building Plan. 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 Town.

Failure to have an approved Building plan within thirty (30) calendar days of filing the registration form or failure to comply with an approved Building plan shall constitute a violation of this Article and subject the Owner of the Building to the penalties set forth in this Article and to any and all remedies that the Town may avail itself of including, without limitation, an action to compel correction of property maintenance violations.

Section 22-620: Other Enforcement.

- (a) The registration of a Vacant Building shall not preclude action by the Town to demolish or to take other action against the Building pursuant to other provisions of this Article, this Code or any other applicable ordinance, code, statute, law, order, rule or regulation.
- (b) If the Enforcement Officer has reason to believe that a property subject to the provisions of this Article 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 as soon as possible to address the conditions of the property. Nothing herein shall limit the Town from abating any nuisance or unsafe condition by any other legal means available to it.
- (c) The Building Commissioner 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.
- (d) 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 Building Commissioner may direct the Town to abate the violations and charge the Mortgagee or Owner with the cost of the abatement.
- (e) If the Mortgagee or Owner does not reimburse the Town for the cost of temporarily securing the property, or of any abatement by the Building Commissioner or other Town official within thirty (30) days of the Town sending the Mortgagee or Owner the invoice then the Town may lien the property with such cost, along with an administrative fee as determined in the Town's fee ordinance to recover the administrative personnel services. In addition to filing a lien the Town may pursue financial penalties against the Mortgagee or Owner.
- (f) The Town may contract with an entity to implement this Article, and, if so, any reference to the Enforcement Officer herein shall include the entity the Town contract with for that purposes.
- (g) 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 Article shall be punishable as provided in the applicable code(s) or a court of competent jurisdiction.
- (h) Any Enforcement Officer or any person authorized by the Town 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 Article.

Section 22-621: Real Estate Transfer Stamps.

Any Premises where a Vacant Building is located and for which inspection fees or registration fees imposed pursuant to this Article have not been paid in full is not eligible for Town real estate transfer tax stamps. Unpaid fees shall be a lien upon the property.

Section 22-622: Certification.

Prior to occupying any Vacant Building, a person must obtain a certificate of code compliance for Vacant Buildings from the Building Department and pay, in full, all fees imposed pursuant to this Article.

Section 22-623: Boarding of Buildings.

It is the policy of the Town that boarding is a temporary solution to prevent unauthorized entry into a Vacant Building and that Boarded Buildings are a Public Nuisance. A Vacant Building may not remain boarded longer than six (6) months, unless an extension of that time is part of a plan approved by the Building Commissioner.

A Vacant Building that is not boarded, is in compliance with this Code and all other applicable ordinances, codes, statutes, laws, orders, rules and regulations and for which boarding is determined by the Building Commissioner,

based on police reports, resident complaints and other information of a type considered reliable by reasonable persons, to not require boarding to prevent unauthorized entry may not remain vacant for more than two (2) years without an approved plan for the occupancy, sale, demolition or other disposition of the Building.

Section 22-624: Enforcement and Penalties.

- (a) Any Person found to have violated any provision of this Article shall be subject to a fine of not less than one hundred and no/100 U.S. dollars (\$100.00) per day, per violation and not more than seven hundred fifty and no/100 U.S. dollars (\$750.00) per day, per violation, in addition to any other legal or equitable remedies available to the Town. Such other remedies include, but are not limited to, injunctive relief, application to a court of competent jurisdiction for a receiver, instituting demolition proceedings, instituting a condemnation action, contracting for the repair or the purchase of the Premises and/or foreclosure of any lien the Town may have on the Building or Premises.
- (b) Each day that any violation of this Article continues shall constitute a separate and distinct offense.
- (c) The Town may enforce this Article through its administrative adjudication system or through the court system.
- (d) Nothing contained herein shall prohibit the Town from immediately condemning a Building or taking other immediate action upon a determination that the Building is a Public Nuisance or poses an imminent danger to the occupants of the Building or the public health, safety and welfare in accordance with the provisions of this Code or any other applicable ordinance, code, statute, law, order, rule or regulation.

Section 22-625: Severability.

If any Section, Subsection, sentence, clause, phrase or portion of this Article is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

(“O” 51-24)

On motion of Trustee Virruso seconded by Trustee Vargas, the Ordinance authorizing and approving an intergovernmental agreement between the Board of Education of Cicero School District 99 and the Town of Cicero (*For the administration and funding of the School Crossing Guard Program*), was accepted, placed on file and approved for the passage by the following vote:

Ayes: Cava, Cundari, Garcia, Porod, Reitz, Vargas, Virruso

Nays: None

RESOLUTIONS

(“R” 75-24)

On motion of Trustee Garcia seconded by Trustee Cava, the Resolution authorizing and approving certain invoices from Rehrig Pacific Company for equipment provided to the Town (*Purchase of seven hundred and two (702) navy blue toters in the total amount of*

\$37,816.00) & (Purchase of seven hundred and two (702) navy blue totes in the total amount of \$37,836.00) was placed on file and approved for adoption by the following vote:

Ayes: Cava, Cundari, Garcia, Porod, Reitz, Vargas, Virruso

Nays: None

(“R” 76-24)

On motion of Trustee Virruso seconded by Trustee Reitz, the Resolution authorizing the Town President to enter into an agreement with Joanna Klonsky Communications Strategies, Inc. to provide communications services to the Town (*To provide communication strategy services to the Town*) was accepted, placed on file and approved for adoption by the following vote:

Ayes: Cava, Cundari, Garcia, Porod, Reitz, Vargas, Virruso.

Nays: None.

(“R” 77-24)

On motion of Trustee Cava seconded by Trustee Vargas, the Resolution authorizing and approving a professional services agreement with HERA Property Registry, LLC for property registry services for the Town (*To locate owners of vacant properties, sends required notices to such owners, and provide an online property registration site*) was accepted, placed on file and approved for adoption by the following vote:

Ayes: Cava, Cundari, Garcia, Porod, Reitz, Vargas, Virruso

Nays: None

(“R” 78-24)

On motion of Trustee Porod seconded by Trustee Vargas, the resolution authorizing and approving an agreement between the Department of the Army and the Town of Cicero for design and construction assistance for the Town of Cicero, 2024 USACE Water Main Improvement Project for the Town of Cicero, was accepted, placed on file and approved for adoption by the following vote:

Ayes: Cava, Cundari, Garcia, Porod, Reitz, Vargas, Virruso

Nays: None

(“R” 79-24)

On motion of Trustee Cava seconded by Trustee Vargas, the resolution authorizing the Town President to execute and enter into an agreement with Burling Builders, Inc. for construction services for the Town (*To provide general construction services in connection with the All-Inclusive Park Project*) was accepted, placed on file and approved for adoption by the following vote:

Ayes: Cava, Cundari, Garcia, Porod, Reitz, Vargas, Virruso

Nays: None

(“R” 80-24)

On motion of Trustee Virruso seconded by Trustee Vargas, the Resolution authorizing and approving a professional services agreement with Great Lakes Urban Forestry, Inc. for a tree inventory and Urban Forestry Management Plan for the Town (*Funded by the United States Department of Agriculture Urban and Community Forestry Services and administered through the Morton Arboretum*) was accepted, placed on file and approved for adoption by the following vote:

Ayes: Cava, Cundari, Garcia, Porod, Reitz, Vargas, Virruso.

Nays: None.

(“R” 81-24)

On motion of Trustee Cava seconded by Trustee Vargas, the Resolution authorizing and approving a grant agreement with the State of Illinois Department of Public Health for vision and hearing screenings for the Town (*Seeking grant funding from IDPH for vision and hearing screenings for preschool aged children*), was placed on file and approved for adoption by the following vote:

Ayes: Cava, Cundari, Garcia, Porod, Reitz, Vargas, Virruso

Nays: None

(“R” 82-24)

On motion of Trustee Virruso seconded by Trustee Porod, the Resolution authorizing and approving a Firearm Revocation Enforcement Grant Agreement with the Illinois State Police for the Town (*Seeking grant funding from ISP for the enforcement operations against persons whose Firearm Owner’s Identification Cards (FOID Cards) that have been revoked or suspended*), was placed on file and approved for adoption by the following vote:

Ayes: Cava, Cundari, Garcia, Porod, Reitz, Vargas, Virruso

Nays: None

(“R” 83-24)

On motion of Trustee Garcia seconded by Trustee Reitz, a Resolution authorizing and approving the settlement of litigation and the execution of a certain settlement agreement in the case Ronald Gianakopoulos V. Town of Cicero for the Town (Case No. 2019WC023063, 2021WC002195, and 2021WC002196), was placed on file and approved for adoption by the following vote:

Ayes: Cava, Cundari, Garcia, Porod, Reitz, Vargas, Virruso

Nays: None

(“R” 84-24)

On motion of Trustee Cava seconded by Trustee Porod, a Resolution authorizing and approving the settlement of litigation in the case Mack Industries V. Town of Cicero for the Town (Case No. 2021L50251), was placed on file and approved for adoption by the following vote:

Ayes: Cava, Cundari, Garcia, Porod, Reitz, Vargas, Virruso

Nays: None

NEW BUSINESS

(136-24)

On motion of Trustee Virruso seconded by Trustee Vargas, the Board concurred with the recommendation by Novotny Engineering to award the lowest responsible bidder NxtWall LLC, the contract for Cicero Health Department – Office Remodeling Room #110, in the amount of \$17,258.20; action taken by the following vote:

Ayes: Cava, Cundari, Garcia, Porod, Reitz, Vargas, Virruso

Nays: None

A Public Bid Opening was held on 07/25/2024 for 2024 Green Alley Paving – TIF & ARPA. The following bids were received and reviewed by the Town Engineer:

<u>CONTRACTOR’S NAME</u>	<u>BID AMOUNT</u>
J. Nardulli Concrete, Inc.	\$820,345.50
Triggi Construction, Inc.	\$848,531.25
MYS Inc.	\$973,168.66
M&J Asphalt Paving and Concrete Co., Inc.	\$973,506.55

(137-24)

On motion of Trustee Porod seconded by Trustee Garcia, the Board concurred with the recommendation by Novotny Engineering to award the lowest responsible bidder J. Nardulli Concrete, Inc., the contract for 2024 Green Alley Paving TIF & ARPA, in the amount of \$820,345.50; action taken by the following vote:

Ayes: Cava, Cundari, Garcia, Porod, Reitz, Vargas, Virruso

Nays: None

President Dominick opened the meeting to the public for their comments.

Town Clerk Punzo-Arias thanked all the Departments, who participated in the National Night Out Event. She reported on an Animal Welfare event, where pet food was distributed to needy families and an incident where Public Works employees discovered a dog left in a garbage can. The dog was handed over to the Animal Shelter where it received medical attention and they will be seeking a forever home for it. Town Clerk Punzo-Arias encourage all those who are unable to care for and / or wish to no longer care for their animal(s) to please drop them off to the Cicero Animal Shelter at no cost to them and no questions asked.

Resident Ernestine Charles thanked the Senior Department and the Town Board for the Lake Geneva trip(s) and providing similar activities for Cicero seniors.

Trustee Vargas acknowledge Cicero Public School District 99 for hosting their Back to School fair where they handed out book bags with books to local children and noted they had approximately 3,000 attendees.

President Dominick announced celebrating his 64 year anniversary of residing in the Town of Cicero.

On motion of Trustee Virruso seconded by Trustee Garcia, the board then stood adjourned at 10:24 A.M. to meet on Tuesday, August 27, 2024 at 10:00 A.M., in the Town Hall, Town of Cicero.

MARIA A. PUNZO-ARIAS, TOWN CLERK