

ORDINANCE NO. 10-12-25

AN ORDINANCE ADDING CHAPTER 7, ENTITLED "REGULATION OF VACANT BUILDINGS", TO TITLE 4 OF THE RIVERWOODS VILLAGE CODE

WHEREAS, the Village of Riverwoods (the "Village") is a home rule municipality in accordance with the Constitution of the State of Illinois of 1970;

WHEREAS, the Village has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs that protect the health, safety and welfare of its citizens;

WHEREAS, unoccupied and vacant properties in the Village may become public nuisances, and the failure to properly maintain such properties has caused and is likely to cause a deteriorating and blighting effect upon nearby residential areas;

WHEREAS, a registry program is needed to make the Village aware of the location and identity of responsible persons owning or managing or in control of such unoccupied and vacant properties and to ensure that such responsible parties are held accountable to implement a plan to correct such violations as may from time to time exist on such properties, to protect the public health, safety and welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND THE BOARD OF TRUSTEES OF THE VILLAGE OF RIVERWOODS, as follows:

SECTION ONE: The facts, statements and findings contained in the preamble to this Ordinance are found to be true and correct, and are hereby adopted as part of this Ordinance.

SECTION TWO: Chapter 7 is hereby added to Title 4 of the Riverwoods Village Code to read as follows:

Chapter 7

REGULATION OF VACANT BUILDINGS

SECTION:

- 4-7-1: Declaration of Policy
- 4-7-2: Other Ordinances
- 4-7-3: Definitions
- 4-7-4: Inspections; Notice Designating Dangerous or Unsafe Building
- 4-7-5: Determination of Vacant Buildings

- 4-7-6: Appeal of Determination of Vacant Buildings
- 4-7-7: Obligation to Register Vacant Buildings
- 4-7-8: Requirement to Submit Action Plan
- 4-7-9: Standards for Approval of Plan
- 4-7-10: Authority to Modify Plan, Right of Appeal
- 4-7-11: Failure to Comply with Plan
- 4-7-12: Other Enforcement
- 4-7-13: Certification
- 4-7-14: Appeals
- 4-7-15: Notice of Foreclosure
- 4-7-16: Enforcement and Penalties
- 4-7-17: Severability

4-7-1: **DECLARATION OF POLICY:** The purpose of this chapter is to protect the public health, safety, and welfare by:

- A. Establishing a program for identification, registration, and regulation of buildings which are or become vacant on and after the effective date of this chapter, to prevent such buildings from becoming public nuisances;
- B. Determining the responsibilities of owners of vacant buildings; and
- C. Providing for administration, enforcement and imposition of penalties.

4-7-2: **OTHER ORDINANCES:** This chapter shall not be construed to prevent the enforcement of other applicable ordinances, codes, legislation, and regulations which prescribe standards other than are provided herein, and in the event of conflict, the most restrictive shall apply.

4-7-3: **DEFINITIONS:** Unless otherwise expressly stated or clearly indicated by the context, the following terms shall, for the purpose of this chapter, have the meanings indicated in this section:

BUILDING: As defined in the Section 9-2-3 of the Code.

CODE: The Riverwoods Village Code.

DANGEROUS OR UNSAFE BUILDING: All Buildings that are found to pose a danger to the life, health, property or safety of the public by not providing minimum safeguards to protect or warn the public in the event of a fire, or because such structure contains unsafe equipment, or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty or incomplete construction or unstable, that partial or complete collapse or systems failures are possible.

DIRECTOR: The Director of Community Services of the Village.

OWNER: Any person, agent, operator, firm, trust, or corporation having a legal or equitable interest in the Premises; or recorded in the official records of the state, county, or municipality as holding title to the Premises; or otherwise having control or possession of the Premises, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person, if ordered to take possession of real property by a court.

PERSON: Includes a corporation, limited liability company, partnership, trust, or other entity as well as an individual.

PREMISES: A lot, plot or parcel of land including any Building thereon.

PUBLIC NUISANCE: Includes the following:

1. The physical condition, or uses of any Premises regarded as a public nuisance at common law, under the Illinois Compiled Statutes, or under this code; or
2. Any physical condition, use or occupancy of any Premises or its appurtenances that is likely to attract children to danger or harm thereby constituting an attractive nuisance, including, but not limited to, abandoned wells, shafts, basements, excavations, and unsafe fences or structures; or
3. Any Building which has unsanitary sewerage or plumbing facilities; or
4. Any Building found to be unsafe for human habitation or use; or
5. Any Building which, from inspection, is found to have physical conditions that create an obvious fire hazard or render the building so unsafe or insecure as to endanger life, limb or property; or
6. Any Premises which is unsanitary, is exhibiting rodent harborage or infestation, or which is littered with rubbish or garbage, or which has an uncontrolled growth of weeds; or
7. Any Building that is: dangerous; in a state of dilapidation, deterioration or decay; improperly constructed; unsecured; vacant with the doors, windows, or other openings 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; damaged by fire to the extent that it no longer provides shelter; in danger of collapse or structural failure; and dangerous to anyone on or near the Premises; or

8. Any Building designated as a Dangerous or Unsafe Building as defined in this chapter; or a public nuisance anywhere in this code, as it may be amended.

UNOCCUPIED BUILDING: A Building or portion thereof which lacks the habitual presence of human beings who have a legal right to occupy the Building, including Buildings ordered vacated by the Director pursuant to authority granted by this code. In determining whether a Building is “unoccupied”, the Director may consider one or more of the following factors:

1. Substantially all lawful residential or business activity in the Building has ceased.
2. The Building is substantially devoid of contents. The condition and value of fixtures or personal property in the Building are relevant to this determination.
3. The Building’s utility services, such as water, electric or natural gas, have been shut off.

VACANT BUILDING: Any Unoccupied Building that has not been legally occupied for a consecutive period of at least 60 days by any lawful occupant or occupants unless one of the following is true:

1. The Building is the subject of an active building permit for repair or rehabilitation and the Owner is progressing diligently to complete the repair or rehabilitation; or
2. The Building meets all codes, is not in a state of disrepair or deterioration, is actively being maintained and monitored by the Owner, and is ready for occupancy or is actively being offered for sale, lease or rent.

4-7-4: INSPECTIONS; NOTICE DESIGNATING DANGEROUS OR UNSAFE BUILDING:

- A. Inspections Authorized: The Director shall have authority to inspect the condition of Buildings located within the Village for the purpose of safeguarding the health and safety of all occupants and of the general public; provided, however, that such inspections must be made at reasonable times and upon reasonable notice to, and with the consent of, the Owner and occupants, except when an existing emergency requires immediate action.
- B. When Legal Process Required: If the Owner or occupant refuses entry, then an order of court, subpoena and other legal process shall be

necessary to any entry, examination or survey in connection with the inspections authorized by this section.

- C. **Inspection Upon Warrant:** Whenever the Director, after presentation of proper credentials and request for entry to inspect, is refused access to any Building, the Village is authorized to petition any judge for the issuance of a search warrant authorizing the inspection of such Building, for the purpose of making such inspections as shall be necessary to the enforcement of the provisions of this chapter.
- D. **Owner's Right Of Entry:** Every occupant of a Building shall give the Owner thereof, or his or her agent access to any part of such Building, for the purpose of making such repairs or alterations as are necessary to effect compliance with the provisions of this chapter or with any lawful rule or regulation adopted or any lawful order issued pursuant to the provisions of this chapter. Entry pursuant to this subsection shall be made only at reasonable times and after reasonable notice to the Owner and occupant unless an existing emergency requires immediate action.
- E. **Notice Required:** Whenever in the opinion of the Director, any violation of the provisions of this chapter is found to exist, the Director shall, within 15 days after his determination of such violation, serve written notice of such alleged violation upon the Owner. A copy of such notice shall be kept by the village clerk.
- F. **Method Of Service:** Notice shall be given either by personal service or by mailing a copy thereof to the Owner by first-class United States mail, with proper postage prepaid, certified mail, return receipt requested, at the last known address of the owner listed by the Lake County Recorder of Deeds. Any person making such service shall execute an affidavit attesting to the facts of service. If neither personal service nor delivery by mail is effective to actually notify the Owner or the identity or whereabouts of the Owner cannot be ascertained, then notice mailed to the person or persons in whose name the premises were last assessed on the Lake County tax roll shall be sufficient notice.
- G. **Required Contents:** Such notice may include more than one alleged violation, shall demand compliance with this chapter and shall specify a period of time for compliance, which shall be such time as, in the opinion of the Director, is reasonably required to effect changes necessary for compliance.
- H. **Permissible Contents:** Such notice may contain an outline of remedial action which, if taken, will effect compliance with the provisions of this chapter and with any rules and regulations adopted pursuant thereto.

I. Designation of Dangerous or Unsafe Building: If any alleged violation, of which notice has been given in conformity with this section, is not corrected or eliminated within the time specified in such notice (which shall allow at least 15 days for compliance except in the event of any condition posing an imminent danger to life or property), then in addition to exercising such other remedies as may be provided in this chapter, where the alleged violations are of such a nature or extent that, in the opinion of the Director, they render the building a dangerous or unsafe building, the Director shall make written findings that declare and designate the building as a Dangerous or Unsafe Building and a Public Nuisance. Notice of such findings shall be given in compliance with the following procedures:

1. Notice and Placarding: The Director shall serve notice of the designation of the building as a Dangerous or Unsafe building and a Public Nuisance, upon the Owner of the Building in the manner required by section 4-7-4-F and shall post a placard at the main entrance of the affected Building. Where the identity or whereabouts of the Owner cannot be ascertained, notice mailed to the person or persons in whose name the Premises were last assessed on the Lake County tax roll shall be sufficient notice in addition to posting a placard.

2. The notices and placards required by this subsection shall state that the affected Building is by such notice or placard declared to be a Dangerous or Unsafe Building and a Public Nuisance in accordance with the provisions of this chapter; shall state the specific alleged uncorrected violations of this chapter deemed sufficient to justify such designation; and shall further state that such designation may result in an order for demolition. Such notice shall require the party to appear before the building code official designated by the Village at a hearing to be held at a specified place and time, not less than 10 days following the date of the notice, to show cause why the designated Building or part thereof, should not be vacated and repaired or demolished in accordance with the provisions of this chapter.

3. No person shall deface or remove the placard required by this subsection from any Building or part thereof, which has been designated as Dangerous or Unsafe Building and a Public Nuisance, except as provided in this chapter.

4-7-5: DETERMINATION OF VACANT BUILDINGS:

A. The Director shall evaluate all Buildings in the Village appearing to be Unoccupied Buildings and make a determination for each as to whether the Building is a Vacant Building within the meaning of this chapter. Using the exemptions provided in such definition, the director may determine that a Building is not Vacant Building to be regulated under this chapter for

a stated period, if upon consideration of reliable, substantiated and sufficient evidence, the Director determines that regulation of the Building under this chapter would not serve the public health, welfare, and safety and makes written findings in support of this decision. The determination shall be in writing and shall state the factual basis for the determination.

- B. Within 15 days after the Director determines any building to be a Vacant Building, the Director shall serve notice of his written determination and factual findings upon the Owner and any mortgagees holding liens of record against the Premises. Notice given to the Owner shall be served in the manner required by section 4-7-4-F. Failure of delivery shall not excuse a person from complying with this chapter. The Director 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 Director shall maintain an affidavit of such mailing for each notice of determination sent. The Director shall also furnish notice to each mortgage lien holder by first-class United States mail, with proper postage prepaid, certified mail, return receipt requested, at the last address furnished for such purpose by the mortgage lien holder to the Village, or if such address has not been furnished, then notice mailed to the person or persons in whose name the premises were last assessed on the Lake County tax roll shall be sufficient notice to the lien holder. The Director shall maintain an affidavit of such mailing for each notice of determination sent.
- C. The notice shall specify a date and time on which the Owner may voluntarily allow for a code compliance inspection of the interior of the Vacant Building and surrounding land to determine the extent of compliance with applicable property maintenance, building, health, fire, and plumbing codes.
- D. The fees payable to the Village for code compliance inspections and re-inspections, as set forth from time to time in the annual fee schedule, will be the responsibility of the Owner. Such unpaid costs and fees, if not paid within 30 days after demand by the Village, shall constitute a lien upon the Premises in favor of the Village.
- E. The notice shall contain a statement of the obligations of the Owner to register the Vacant Building and submit an action plan, a copy of the registration form the Owner is required to file pursuant to section 4-7-7, and a notice of the Owner's right to appeal the Director's determination to the Village President.

4-7-6: APPEAL OF DETERMINATION OF VACANT BUILDINGS:

- A. An Owner of a Building determined to be a Vacant Building may appeal that determination to the Village President. Such appeal shall be in writing and shall be filed with the Village Clerk within 15 days after the date of the director's notice of determination. The filing of an appeal stays the Owner's obligation to register the Building under section 4-7-8. The appeal shall contain a complete statement of the reasons the Owner disputes the vacant building determination, shall set forth specific facts in support thereof, and shall include all evidence the owner relies upon to support the appeal. The Village President shall decide the appeal on the basis of evidence presented by the Owner's written appeal and in the Director's written determination.
- B. The burden is upon the Owner to present sufficient evidence to persuade the Village President that had the evidence been known to the Director at the time the Director made the determination, the Director would more likely than not have determined that the subject Building was not a Vacant Building within the meaning of this chapter.
- C. The Village President shall send written notice of a decision to the Owner within ten days of his or her receipt of the appeal. The Village President may, but is not required to, seek additional information from the Owner. The Village President may, upon written notice thereof to the Owner, take no more than ten additional days, to decide the appeal if he or she determines that such additional time is required for consideration of the appeal.
- D. Upon request of any Owner, the Director may review the circumstances and condition of an Unoccupied Building and issue a written determination that, as of the date of such letter, the provisions of section 4-7-8 do not apply to such Building. If the director concludes that section 4-7-8 is applicable, then the Owner shall have the right to appeal the Director's determination to the Village President as provided herein.

4-7-7: OBLIGATION TO REGISTER VACANT BUILDINGS:

- A. Any Owner who knows, or from all the facts and circumstances should know, that his or her Building is a Vacant Building within the meaning of this chapter, or the Owner who is provided a written determination from the Village that his or her Building is a Vacant Building, shall take the following actions within 7 days after the earlier of (i) the date of Director's notice of determination that the Building is a Vacant Building or (ii) the occurrence of the facts that would cause a reasonable person to believe that the Building was a Vacant Building, whichever is applicable, except otherwise provided herein:

1. Register the Building with the Village, by submitting a form provided by the Director accompanied by the annual non-prorated Vacant Building registration fee as provided in the annual fee schedule then in effect. The form shall include, as a minimum, the name, street address, and telephone number of the Owner (with a responder or emergency operator on call on a 24-hour basis); 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 the name, street address (post office box is not acceptable), and telephone number of a natural person 21 years of age or older who maintains a permanent address in Lake County, Illinois, to accept service on behalf of the Owner with respect to any notices the Director sends pursuant to this chapter or service of process in any proceeding commenced to enforce any provision of this chapter. 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 chapter, by posting on the building if the owner fails to renew the registration, if required, or maintain as current with the Director the information required regarding the person designated to accept notice and service of process.
2. Renew the vacant building registration each year on the anniversary date of the first filing for the time the Building remains a Vacant Building and pay the annual fee as provided in the annual fee schedule.
3. File an amended registration within 15 days of any change in the information contained in the annual registration. A new registration is required for any change in ownership whatsoever.
4. Allow for a code compliance inspection of the interior of the Vacant Building. Such inspection will determine the extent of compliance with all applicable property maintenance, building, electrical, plumbing, fire and similar codes.
5. Pay all costs and fees due to the Village as provided in the annual fee schedule, including those resulting from code compliance inspection within 30 days of the inspection.
6. Obtain public liability insurance insuring against loss arising from bodily injury or property damage occurring on or about the Premises and maintain such insurance for as long as the building is a Vacant Building, and file evidence of such insurance with the Director. Such insurance shall have a minimum limit of liability of \$1,000,000.00.

7. On written notice from the Village, provide bonded, licensed, and insured security guard service at the Vacant Building between the hours of 3:00 p.m. and 8:00 a.m. Such service to remain in place until the Village gives written notice that the service is no longer required. The Village President may require such service when the Director 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 securing the Building without fencing would be insufficient to prevent the actual or threatened harm.
- B. Registration does not exonerate the Owner from compliance with all applicable codes and ordinances, including this chapter, nor does it preclude any of the actions the Village is authorized to take pursuant to this chapter or elsewhere in this code.
- C. If the Owner's obligation to register a Vacant Building is stayed pending an appeal to the Village President, then the Owner shall comply with the provisions of this chapter within 7 days after the appeal under section 4-7-6 is denied by the Village President.

4-7-8: REQUIREMENT TO SUBMIT ACTION PLAN

- A. At the time a Vacant Building is registered as required herein and in any event not more than 7 days after requested by the Village, the Owner shall submit to the Village an action plan for approval by the Village. The Village may prescribe a form for the action plan. If the Owner fails to submit the required action plan when required by this chapter, the Village President may direct the Director to determine the contents of the action plan. An action plan shall contain the following as a minimum:
1. Actions to repair any doors, windows, or other openings which 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 or 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 board removed. 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 Director may waive the requirement of an enclosure.
 2. For Premises that the Director determines as being or containing public nuisances, as defined in this chapter, then the action plan shall

identify actions to remedy such public nuisances and, if necessary, to secure the Premises from harboring attractive nuisances.

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 Director.
 4. When the Owner proposes to demolish the Vacant Building, then the Owner shall submit a plan and time schedule for such demolition.
 5. Actions to maintain the Building and Premises and the exteriors in compliance with this code.
 6. Actions to ready the Building for human habitation, 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 action required to achieve habitability.
 7. Exterior safety lighting approved by the Director.
 8. All existing automatic fire sprinkler systems, alternative automatic fire extinguishing systems, standpipe systems, and fire alarm and detection systems, including monitoring by the fire protection district for the portion of the Village in which the Premises are located, shall be maintained and remain in service.
- B. No action plan shall provide for the boarding of the exterior of any Building to achieve security or enclosure from the elements except if needed on an emergency, temporary basis when approved by the Director. It is the policy of the Village 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 15 days unless an extension of that time is part of a plan approved by the Director.
- C. The Owner of a Vacant Building shall initiate and perform all remedial actions in good faith necessary to cure all outstanding code violations and bring such Vacant Building into compliance with the approved action plan. The Village shall send inspection reports to the Owner within 30 days after each inspection takes place. Periodic re-inspections shall take place, as necessary, until code compliance is achieved and annually thereafter. Unpaid inspection fees shall be a lien upon the Premises. The certificate of occupancy for the Vacant Building shall be revoked when, based upon any inspection, the Director determines the Vacant Building is unfit for

occupancy, does not meet minimum requirements for safety and occupancy or is a public nuisance, as defined in this chapter.

4-7-9: STANDARDS FOR APPROVAL OF PLAN:

- A. The Director shall review the proposed action plan in accordance with the standards below. The action plan shall achieve compliance with this chapter, as determined by the Director, within 45 days of submission, with such extensions as weather or circumstances beyond the reasonable control of the Owner, as determined by the Director, shall warrant; provided, that any violations which could lead to imminent loss of life or material damage to property shall be corrected forthwith. Based upon the report of the Director, the Village President shall send notice to the Owner of the Vacant Building of the Village's determination whether to approve the action plan. In considering the appropriateness of the action plan, the Director shall include the following in his or her consideration and shall make written findings as to each:
1. The purposes of this chapter and intent of the Village to minimize the time a Building is temporarily boarded or otherwise vacant.
 2. The effect of the Building and the proposed action plan on adjoining property.
 3. The length of time the Building has been vacant.
 4. The presence of any Public Nuisances on the Premises.
 5. The likelihood that the action plan thereof will prevent or ameliorate the condition it is designed to address.
- B. The Village reserves the right to elect to have and enforce a lien upon the Premises for all of the Village's costs and expenses, which lien shall be superior to all other liens and encumbrances as permitted by 65 ILCS 5/11-20-15.1, and nothing in this chapter or in connection with the review or approval of an action plan shall be construed as a limitation or waiver by the Village of such lien rights.

4-7-10: AUTHORITY TO MODIFY PLAN, RIGHT OF APPEAL: The Village shall, upon notice to the Owner, have the right to modify the action plan by modifying the dates of performance, the proposed methods of action, or by imposing additional requirements consistent with this chapter as may be deemed necessary or advisable to protect the public health, safety, or welfare.

4-7-11: FAILURE TO COMPLY WITH PLAN: Failure to comply with the approved action plan shall constitute a violation of this chapter subjecting the

Owner of the Vacant Building to penalties as provided in this chapter and to any remedies the Village may avail itself of as provided for herein and elsewhere in this Code, including, but not limited to, an action to compel correction of property maintenance violations.

4-7-12: **OTHER ENFORCEMENT:** The registration of a Vacant Building shall not preclude action by the Village to demolish or to take other action against the Building pursuant to other provisions of this chapter, this Code, or other applicable legislation.

4-7-13: **CERTIFICATION:** A certificate of occupancy for Vacant Buildings issued by the Director and payment in full of all fees, fines, water bills, and other financial obligations imposed pursuant to this Code are required prior to any occupancy of a Vacant Building which was required to file and implement an action plan.

4-7-14: **APPEALS:** Appeals may be taken to the Board of Trustees of the Village by the following persons, at the following times, in the following manner, and with the following effects (provided, that appeal of the designation of a Vacant Building shall not be subject to this section, but shall be determined in accordance with section 4-7-6):

- A. **Scope Of Appeal:** Subject to the provisions of this section, an appeal may be taken from any written finding or decision issued by the Village or notice of violation issued pursuant thereto, which finds a violation of any provision of this chapter; designates any Building as a Dangerous or Unsafe Building or a Public Nuisance; orders the vacation, repair or demolition of any Building; or refuses to authorize the resumption of human occupancy in any Building.
- B. **Persons Entitled To Appeal:** Any person aggrieved by a decision within the scope of this section may appeal from such decision.
- C. **Time of Appeal:** An appeal shall be commenced within thirty five (35) days of the date of the receipt of notice of the decision appealed from. Appeals not commenced within such time shall be deemed waived.
- D. **Commencement of Appeal:** An appeal under this section shall be commenced by filing with the Village Clerk a notice of appeal, specifying the grounds thereof. The Village Clerk shall forthwith transmit to the Board of Trustees all of the papers constituting the records upon which the decision from which appeal has been taken was made. The notice of appeal and the appeal itself shall be filed in such number of copies, be in such form and contain such information as the Board of Trustees may provide from time to time by general rule.

- E. Stay Pending Appeal: An appeal shall stay any court proceedings in furtherance of the decision appealed from and all duties imposed thereby, unless the Director certifies to the Board of Trustees, after the notice of appeal has been filed, that by reason of facts stated in the certificate a stay would, in his opinion, cause immediate hazards to human life, health or safety, in which case the proceedings shall not be stayed otherwise than by order of the court of record upon due cause shown. Any stay in effect pursuant to this subsection shall continue until a decision on the appeal is rendered pursuant to subsection F of this section.
- F. Action on Appeal: The Board of Trustees shall select a reasonable time and place for a public hearing on the appeal, shall give due notice thereof to the parties having a known interest therein and shall render a written decision without unreasonable delay. Upon the concurring vote of a majority of its members then holding office, the Board of Trustees may reverse or affirm, in whole or in part, or may modify, the decision from which the appeal was taken, and to that end the board shall have all the powers of the Director with respect to such decision.

4-7-15: **NOTICE OF FORECLOSURE:** The Village shall maintain on its website at <http://www.riverwoods-il.net/> the address at which the Village is to be mailed a notice of foreclosure by any party who initiates, by complaint or counterclaim, a foreclosure of residential real estate located in the Village. Such party shall be obligated to send, by first class mail, postage prepaid, a notice of foreclosure to the Village within ten (10) days after the foreclosure is initiated. The notice of foreclosure shall comply with the requirements of 735 ILCS 15-1503(a). Any party initiating, by complaint or counterclaim, a foreclosure of residential real estate located in the village, who shall fail to provide the village with the notice of foreclosure as required by the Illinois Code of Civil Procedure and this section shall be subject to the penalty prescribed in section 4-5-16.

4-7-16: **ENFORCEMENT AND PENALTIES:**

- A. Any person violating the provisions of this chapter shall be fined not more than seven hundred fifty dollars (\$750.00) and each day's continued violation shall be deemed a separate offense in addition to any other legal or equitable remedies available to the Village. Such other remedies include, but are not limited to, injunctive relief, application to a court of competent jurisdiction for a receiver, demolition, or condemnation, contracting for the repair or purchase of the premises, or foreclosure of any lien the Village may have thereon.
- B. A separate and distinct offense shall be committed each day on which such person or persons shall violate the provisions of this chapter.

- C. The Village may enforce this chapter in its administrative adjudication system or through the court system.
- D. Nothing herein contained shall prohibit the Village from immediately condemning a Building or taking other immediate action upon a determination, as provided for in this Code or by other applicable law, 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.

4-7-17: **SEVERABILITY:** In the event any section of this chapter or any part of any section of this chapter is declared to be unconstitutional, such decision shall in no way affect the operation of any other section or part thereof the remainder of this chapter shall remain in full force and effect.

SECTION THREE: This Ordinance shall be in full force and effect after its passage, approval and publication in the manner provided by law.

AYES: Chamberlain, Graditor, Haber, Koomjian, Masterson, Svatik (6)

NAYS: None

PASSED AND APPROVED this 7th of December, 2010.

Village President

Attest:

Village Clerk