

Ordinance No. 2019- 02

**AN ORDINANCE AMENDING ORDINANCE NO. 2013-02, WHICH ESTABLISHED
VACANT PROPERTY REGULATIONS AND PRIORITY LIEN PROCEDURES,
TO ELIMINATE BUILDING USED FOR STORAGE IN VACANT BUILDING
DEFINITION**

WHEREAS, on January 7, 2013, the Village of Winnebago Board of Trustees previously passed Ordinance No. 2013-02 entitled "An Ordinance Establishing Vacant Property Regulations and Priority Lien Procedures" to regulate the maintenance of properties and buildings within the Village in order to protect the public health, safety, and welfare of its citizens; and

WHEREAS, On August 12, 2013, the Village Board of Trustees passed Ordinance No. 2013-11 to amend Ordinance No, 2013-02 to amend the liability insurance requirement for single-family residential dwellings covered by the ordinance; and

WHEREAS, "Vacant Building" is defined in the definitions section of Ordinance No. 2013-02, and certain buildings are exempted from this definition; and

WHEREAS, the Board of Trustees believes that in order to further the intent of the ordinance without placing an undue burden on property owners, it would be in the best interest of the citizenry of the Village of Winnebago to include a building used for storage in the list of exempted buildings for purposes of said ordinance, provided certain criteria are met, and the building is still registered with the Village, but with the registration fee and proof of insurance requirement being waived.

NOW, THEREFORE, BE IT ORDAINED by the President and the Board of Trustees of the Village of Winnebago, Illinois as follows:

ARTICLE I

The definition of "Vacant Building" in Ordinance No. 2013-02 is amended to read as follows:

VACANT BUILDING: A building or portion of a building which is:

1. Unoccupied and unsecured; or
2. Unoccupied and secured by boarding or other similar means; or
3. Unoccupied and a dangerous structure; or
4. Unoccupied and condemned by the Village Building Official pursuant to applicable provisions of this ordinance; or
5. Unoccupied and has multiple code violations; or
6. Unoccupied and the building or its premises has been the site of unlawful activity within the previous six (6) months; or
7. Condemned by the Village Building Official and unlawfully occupied; or
8. Unoccupied for over one hundred eighty (180) days and during which time the Village Building Official has issued an order to correct public nuisance conditions and the same have not been corrected in a code compliant manner; or
9. Unoccupied for over two (2) years.
10. An "abandoned residential property," as defined in 65 ILCS 5/11-20-15.1 as a residential dwelling unit that has been unoccupied by any lawful occupant or occupants for at least 90 days, and for which after such 90 day period the Village has made good faith efforts to contact the legal owner or owners of the property or, if known, the agent of the owner, and no contact has been made.

But not including:

Unoccupied buildings which are undergoing construction, renovation, or rehabilitation and which are in compliance with all applicable ordinances, codes, legislation, and regulations, and for which construction, renovation, or rehabilitation is proceeding diligently to completion. Also exempt are unoccupied buildings used for storage, provided it can be proven by the building owner, to the satisfaction of the Village Building Official, or designee, that the building is actually being used as a storage facility. With the exemption of an unoccupied building being

used for storage, there shall still be a requirement that the building be registered, and the name, address, and telephone number of the owner and contact person be provided, but the registration fee shall be waived, and there shall be no requirement that proof of insurance of the building be provided to the Village Building Official.

ARTICLE II

EFFECTIVENESS OF OTHER PROVISIONS

All other provisions of Ordinance No. 2013-02, as amended, not in conflict with the provisions herein shall remain in full force effect.

ARTICLE III

EFFECTIVE DATE

This Ordinance shall be in full force and effect from and after the date of its passage, approval, and publication in pamphlet form, as provided by law.

APPROVED:



Franklin J. Eubank, Jr., President of the Board of Trustees
of the Village of Winnebago, Illinois

ATTEST:



Sally Jo Huggins, Village Clerk

PASSED:

2-11-2019

APPROVED:

2-11-2019

PUBLISHED IN PAMPHLET FORM: _____

PREPARED BY:

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VILLAGE OF WINNEBAGO

ORDINANCE NO. 2019-02

**AN ORDINANCE AMENDING ORDINANCE
NO. 2013-02, WHICH ESTABLISHED VACANT
PROPERTY REGULATIONS AND PRIORITY LIEN
PROCEDURES, TO ELIMINATE BUILDING USED FOR
STORAGE IN VACANT BUILDING DEFINITION**

**ADOPTED BY THE
BOARD OF TRUSTEES**

VILLAGE OF WINNEBAGO

THIS 11th DAY OF FEBRUARY, 2019

Published in pamphlet form by authority of the Village
Board of Trustees of the Village of Winnebago, Illinois, this 12th
day of February, 2019.

STATE OF ILLINOIS)
)
COUNTY OF WINNEBAGO)

SS

PAMPHLET PUBLICATION CERTIFICATION FORM

I, Sally Jo Huggins, certify that I am the duly elected and acting Village Clerk of the Village of Winnebago, Winnebago County, Illinois.

I further certify that on 2-11, 2019, the Corporate Authorities of the above municipality passed and approved Ordinance No. 2019-02, entitled "An Ordinance Amending Ordinance No. 2013-02, Which Established Vacant Property Regulations and Priority Lien Procedures, To Eliminate Building Used for Storage in Vacant Building Definition," which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 2019-02, including the ordinance and a cover sheet thereof, was prepared, and a copy of the ordinance was posted in the Village office located at 108 West Main Street, Winnebago, Illinois, commencing on February 12, 2019, and continuing for at least ten (10) days thereafter. Copies of the ordinance were also available for public inspection upon request in the office of the Village Clerk located at the above Village office address.

DATED at Winnebago, Illinois, this 12th day of MARCH, 2019.

(SEAL)



Sally Jo Huggins, Village Clerk