Office of the Chicago City Clerk

SO2011-5547

Office of the City Clerk

City Council Document Tracking Sheet

Meeting Date:	7/6/2011
Sponsor(s):	Dowell, Pat (3) Fioretti, Bob (2) Suarez, Regner Ray (31) Pawar, Ameya (47) Burnett, Walter (27) Sposato, Nicholas (36) Cuilerton, Timothy M. (38) Lane, Lona (18) Balcer, James (11) Thompson, Joann (16) Burns, William D. (4) Reboyras, Ariel (30) Soils, Daniel (25) Moreno, Proco Joe (1) M. O'Connor, Mary (41) Jackson, Sandi (7) Pope, John (10) Waguespack, Scott (32) Arena, John (45) Silverstein, Debra L. (50) Cappleman, James (46) Beale, Anthony (9)
Type:	Ordinance
Title:	Amendment of Chapter 13-12 of Municipal Code concerning owner and minimum requirements for vacant buildings
Committee(s) Assignment:	Joint Committee on Housing and Real Estate and Zoning, Landmarks and Building Standards

SUBSTITUTE

ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. Sections 13-12-125 and 13-12-135 of the Municipal **C**ode of **C**hicago is hereby amended by adding the language underscored as follows:

13-12-125 **V**acant buildings – **O**wner required to act – **E**nforcement authority.

(a) (1) **T**he owner of any building that has become vacant shall within 30 days after the building becomes vacant or within 30 days after assuming ownership of the building, whichever is later, file a registration statement for each such building with the department of buildings on forms provided by that department for such purposes. **T**he registration shall remain valid for six months from the date of registration. **T**he owner shall be required to renew the registration for successive six-month periods as long as the building remains vacant and shall pay a registration or renewal fee in the amount prescribed in paragraph (3) of this subsection (a) for each registered building; provided, however, that all eleemosynary, religious, educational, benevolent or charitable associations organized on a not-for-profit basis and all governmental agencies shall be exempt from the payment of the registration fee. **T**he owner shall notify the department of buildings, within 20 days, of any change in the registration information by filing an amended registration statement on a form provided by the department of buildings for such purposes. **T**he registration statement shall be deemed prima facie proof of the statements therein contained in any administrative enforcement proceeding or court proceeding instituted by the city against the owner or owners of the building. **R**egistration of a building in accordance with this section shall be deemed to satisfy the registration requirement set forth in Section 13-10-030 and the notification requirement set forth in Section 13-11-030. **A**fter filing a registration statement the building owner shall provide access to the city to conduct an exterior and interior inspection of the building to determine compliance with the municipal code, following reasonable notice, during the period covered by the initial registration or any subsequent renewal.

(Omitted text is unaffected by this ordinance)

(e) **F**or purposes of this section, "vacant" means a building which is lacking habitual presence of human beings who have a legal right to be on the premises, or at which substantially all lawful business or construction operations or residential occupancy has ceased, or which is substantially devoid of content. In determining whether a building is vacant, it is relevant to consider, among other factors, the percentage of the overall square footage of the building or floor to the occupied space, the condition and value of any items in the building and the presence of rental or for sale signs on the property; provided that a residential property shall not be deemed vacant if it has been used as a residence by a person entitled to possession for a period of at least three months within the previous nine months and a person entitled to possession intends to resume residing at the property; and further provided that multi-family residential property containing ten or more dwelling units shall be considered vacant when ninety percent or more of the dwelling units are unoccupied.

For purposes of this section and section 13-12-135, "owner" has the meaning given to the term in Section 13-4-010, but also includes any person who alone, jointly or severally with others

is a mortgagee who holds a mortgage on the property, or is an assignee or agent of the mortgagee.

13-12-135 **Minimum** requirements for vacant buildings.

For purposes of this section the term terms "vacant" and "owner" shall be defined as provided in section 13-12-125. In addition to any other applicable code requirements each vacant building must be kept in compliance with the following requirements for as long as the building remains vacant:

(a) Lot maintenance standards – the lot the building stands on,. and the surrounding public way shall be maintained as follows:

(1) all grass and weeds on the premises including abutting sidewalks, gutters and alleys shall be kept below ten (10) inches in height, and all dead or broken trees, tree limbs or shrubbery shall be cut and removed from the premises;

(*Omitted text is unaffected by this ordinance*)

SECTION 3. This ordinance takes effect 10 days after its passage and publication.

Pat Dowell
Pat Dowell
Alderman, 3rd Ward