



City of Zion Building Department  
2828 Sheridan Road  
847-746-4018

## City of Zion Vacant Building and Property Ordinance 10-179 Frequently Asked Questions

Please note that this is just an overview; please review the Ordinance in its entirety

### **1. What's the purpose of this Ordinance? Who cares if a structure is vacant?**

*Vacant buildings, and in particular those that remain boarded up or in a state of disrepair for more than six months, are unsightly and diminish neighboring property values and the City's sense of well-being, and are a public nuisance. All residential and commercial buildings are covered by this ordinance.*

### **2. What determines which structures have to be registered?**

*Per the ordinance all unoccupied buildings as follows:*

*Unoccupied Building means a Building or portion thereof which lacks the habitual presence of human beings who have a legal right to be on the Premises, including Buildings ordered vacated by the Director. In determining whether a Building is "unoccupied," the Director may consider these factors, among others:*

- (a) *A Building at which substantially all lawful residential or business activity has ceased.*
- (b) *The percentage of the overall square footage of occupied to unoccupied space or the overall number of occupied and unoccupied units shall be considered.*
- (c) *The Building is substantially devoid of contents. The condition and value of fixtures or personal property in the Building are relevant to this determination.*
- (d) *The Building lacks utility services, i.e., water, sewer, electric or natural gas.*
- (e) *The Building is not actively for sale as part of a contractual agreement to sell the Building, the Building lacks "for sale," "for rent" or similar signage.*
- (f) *The presence or recurrence of uncorrected code violations.*

*Vacant Building means a Building or portion of a Building which is:*

- (a) *Unoccupied (i.e., an "Unoccupied Building") and the subject of a mortgage foreclosure action; or*

- (b) *Unoccupied and unsecured; or*
- (c) *Unoccupied and meeting the Boarded Building definition of this chapter; or*
- (d) *Unoccupied and a Dangerous Building or Structure; or*
- (e) *Unoccupied and condemned by the Director pursuant to applicable provisions of this code; or*
- (f) *Unoccupied and has multiple code violations; or*
- (g) *Unoccupied and the Building or the Premises have been the site of unlawful activity within the previous ninety (90) days; or*
- (h) *Unoccupied for over ninety (90) days and during which time the Director has issued an order to correct Public Nuisance conditions and same have not been corrected in a code compliant manner; or*
- (i) *Unoccupied for over two (2) years.*

*A Vacant Building does not include Unoccupied Buildings which are actively 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.*

**3. How long do I have to register once a building becomes vacant and meets the criteria for a vacant or unoccupied building?**

*The property must be registered within 14 days of the vacancy and/or board-up. We encourage all vacant property owners to Register prior to a determination letter is sent to them.*

**4. What do I do if I do not agree with the determination that my building is vacant or unoccupied as described in the ordinance?**

*You may appeal to the City Council. The appeal must be in writing and shall be filed with the Building Director within 14 days of the date of the mailing of the determination letter.*

**5. Alright, I agree that my property meets the criteria as a vacant structure, how do I get started?**

*You must complete the registration form in its entirety and submit payment of \$175.00 non-proratable fee renewable each year on the anniversary of registration at \$175.00. Be advised one of the requirements is that the Owner must identify 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. In addition a Vacant Building Plan form must be completed and submitted no later than 30 days after registration date.*

**6. Are there any special requirements for commercial buildings?**

*Yes, Commercial buildings must maintain in working order all fire alarm and fire sprinkler systems, maintain the heat on and set at a minimum of 42 degrees, keep current all Building access keys in the Knox Box.*

## **7. How long can the structure stay vacant or boarded?**

*It is the policy of the City that boarding is a temporary solution to prevent unauthorized entry into a Building and that Vacant Buildings are a Public Nuisance. A Vacant Building may not remain boarded or vacant longer than six (6) months unless an extension of that time is part of a plan approved by the Director. At the end of the six (6) month period, the Owner must have taken one or more of the following steps:*

- (1) The boards shall be removed and windows, doors, and penetrations shall be in good repair; or*
- (2) A demolition permit has been obtained and work scheduled to begin within ten days; or*
- (3) A Building permit has been obtained to repair the structure with the work having been started; or*
- 4) The Building has been listed for sale or rent with a multiple listing services (MLS) real estate broker at a reasonable asking price and the Building shall be available for viewing by potential buyers. A reasonable price will be the assessed value or less. Note: Item #1 above must have taken place. The maximum amount of time a compliant structure will be allowed to remain vacant is two (2) years and only with Director Approval. A compliant structure that has been vacant longer than two (2) years and it is shown that a good faith effort to occupy the structure has been proven will be considered for extension beyond the two years. This regulation does not excuse the Owner from following all other provisions of the City Code regarding the care and upkeep of the property, including without limitation, maintaining the yard and keeping it junk and litter free.*

## **9. What happens to property owners that fail to meet the requirements of the ordinance?**

*For owners that fail to register the City will automatically register and invoice the owner and issue monetary citations as well as the following, In addition to any other statutory remedy, any person, firm, corporation or entity found guilty of violating the terms of this article shall be fined not more than \$750.00 nor less than \$100.00 per each day the violation(s) continues. Each day the violation(s) continues shall be a separate offense. In addition to the fine, the Owner, or his or her agent shall be ordered to bring the structure or Building into compliance with the requirements of this article within 15 days. In addition the registration of a Vacant Building shall not preclude action by the City to demolish or to take other action against the Building pursuant to other provisions of this chapter, the City Code, or other applicable legislation.*

## **10. How do I get more information or obtain the required forms?**

*The ordinance and all required forms are available online at [www.cityofzion.com](http://www.cityofzion.com) go to the Building Department portion of the web page and click on Vacant Property Registration or stop by the Building Department at City Hall or contact Angela Polson at 847-746-4021.*