



## Vacant Residential Dwelling Registration Requirements

### 15.03 VACANT DWELLINGS; OWNER REQUIRED TO ACT; ENFORCEMENT AUTHORITY.

#### (A) *Notification of village.*

(1) The owner of record or any person or entity with an interest of record (hereafter, collectively "owner") of or in any residential dwelling that has become **vacant** shall within 30 days after the dwelling becomes **vacant**, or within 30 days after the effective date of this chapter, whichever is later, file a registration statement for each such dwelling with the Village Clerk on forms provided by the Village Clerk for such purposes. The registration shall remain valid for one year from the date of registration. The owner shall be required to annually renew the registration as long as the dwelling remains **vacant** and shall pay an annual registration fee of \$100 for each registered dwelling; provided, however, that, eleemosynary, religious, educational, benevolent or charitable associations and all governmental agencies shall be exempt from the payment of the annual registration fee. The owner shall notify the Village Clerk within 20 days of any change in the registration information by filing an amended registration statement on a form provided by the Village Clerk for such purposes. The registration statement shall be deemed prima facie proof of the statements therein contained in any administrative enforcement proceeding or court proceeding instituted by the village against the owner of the dwelling. Registration of a dwelling in accordance with this section shall be deemed to satisfy the registration requirements set forth in the village ordinances and the notification requirement set forth in the village ordinances.

(2) In addition to other information required by the Village Clerk, the registration statement shall include the name, street address and telephone number of a natural person 21 years of age or older designated by the owner as the authorized agent for receiving notices of code violations and for receiving process, in any court proceeding or administrative enforcement proceeding, on behalf of such owner in connection with the enforcement of this code. This person must maintain an office within a 75- mile radius of the municipal limits of the village. An owner who is a natural person and who meets the requirement of this section as to location of residence or office may designate himself or herself as agent. By designating an authorized agent under the provisions of this section the owner is consenting to receive any and all notices of code violations concerning the registered dwelling and all process in any court proceeding or administrative enforcement proceeding brought to enforce code provisions concerning the registered dwelling by service of the notice or process on the authorized agent. Any owner who fails to register a **vacant** dwelling under the provisions of this section shall further be deemed to consent to receive, by posting at the dwelling, any and all notices of code violations and all process in the administrative proceeding brought to enforce code provisions concerning the dwelling.

(B) *Responsibilities of owner or manager.* The owner of any dwelling that has become **vacant**, and any person maintaining, operating or collecting rent for any dwelling that has become **vacant** shall, within 30 days, do the following:

(1) Enclose and secure the dwelling; and

(2) Maintain the dwelling in a secure and closed condition sign until the dwelling is again occupied or until repair or completion of the dwelling has been undertaken.

(C) *Liability insurance.* The owner of any dwelling that has become **vacant** shall, within 30 days, acquire or otherwise maintain liability insurance, in an amount of not less than \$300,000 covering any damage to any person or any property caused by any physical condition of or in the dwelling. Any insurance policy acquired after the dwelling is **vacant** shall provide written notice to the Village Clerk within 30 days of any lapse, cancellation or change in coverage. The owner and the owner's authorized agent for service of process shall provide evidence of the insurance, upon request, to the Village Clerk within 30 days of any lapse, cancellation or change in coverage. The owner and the owner's authorized agent for service of process shall provide evidence of the insurance, upon request, to the Village Clerk or his or her designee.

(D) *Rules and regulation to be promulgated.* The Village Clerk may issue rules and regulations for the administration of this section. These rules may designate board-up materials and methods which must be used when securing a dwelling so that the boarding is reasonably incapable of being removed by trespassers or others acting without the dwelling owner's consent.

(E) *Definition.* For the purpose of this section, the following definition shall apply unless the context clearly indicates or requires a different meaning.

**VACANT.** A dwelling 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 operations or residential occupancy has ceased, or which is substantially devoid of content. In determining whether a dwelling is **vacant**, it is relevant to consider, among, other factors, the percentage of the overall square footage of the dwelling 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 five or more dwelling units shall be considered **VACANT** when substantially all of the dwelling units are unoccupied.

(F) *Registration required.* The owner of any dwelling shall file a registration statement for each such dwelling with the Village Clerk on forms provided by the Village Clerk for such purposes; provided, however, that, the registration of a **vacant** dwelling pursuant to the village regulations shall satisfy the registration requirement of this section. Any such registration statement shall be deemed prima facie proof of the statements therein contained in any administrative enforcement proceeding or court proceeding instituted by the village against the owner of the dwelling. A registration form shall be prepared by the Village Clerk.

(G) *Penalty.* Any person who violates any provision of this section shall be subject to a fine of not less than \$50, nor more than \$750, for each offense, unless specified otherwise within this chapter. A separate offense shall be deemed committed on each day that a violation continues. All violations of this section are hereby determined to be a nuisance which may be abated or enjoined by the village. Nothing in this section shall exempt the village or any person from seeking civil remedies against any person who is in violation of this section.

(Ord. 09-O-14, passed 7-9-2009)



**VACANT PROPERTY/BUILDING REGISTRATION FORM**

All vacant properties/buildings must register with the Village of Lakemoor in accordance with the Vacant Dwelling Ordinance – Section 15.3 of the Village of Lakemoor Municipal Code. Please complete this form for each property vacant for over 30 days or more. Temporary exemptions for disaster-affected properties, structures actively under construction, properties listed with a licensed realtor in the State of Illinois, or a vacant property that is being marketed for rent may be approved upon written request.

**Section I: Address(es) of Vacant Property/Building (Required)**

Street Address(es): \_\_\_\_\_

**Section II: Property Owner Information (Required)**

*(P.O. Boxes are NOT permitted; must provide a building address.)*

**Owner, Partnership, Corporation, Trust, or Other, please complete the following:**

Property Owner's Name: \_\_\_\_\_

Owner's Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Email Address: \_\_\_\_\_ Fed Tax ID Number: \_\_\_\_\_

**Owner and Designated Local Agent/Contact person (if owner is outside of local area), please complete the following:**

Designated Agent or Contact Person: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

**Section III: Attach Vacant Building Plan (Required)**

I hereby submit an attached plan of (Please Circle): Demolition | Secure Vacancy | Rehabilitation

I, \_\_\_\_\_ hereby request to register the vacant property/building listed above and acknowledge that the information above is complete and accurate. I have read and understand Ordinance Section 15.03 for owning a vacant property in the Village of Lakemoor and agree to comply with these requirements. In accordance with this ordinance, I agree to notify any future owner of this vacant building registration.

\_\_\_\_\_

\_\_\_\_\_  
**Applicant's Signature**

\_\_\_\_\_  
**Date**