TOWN OF CORTLAND
DEKALB COUNTY, ILLINOIS

TOWN OF CORTLAND
ORDINANCE NO. 2022-__

AN ORDINANCE AMENDING THE CORTLAND TOWN CODE TO CREATE A NEW CHAPTER 11, ADMINISTRATIVE ADJUDICATION

ADOPTED BY THE
MAYOR AND BOARD OF TRUSTEES
OF THE TOWN OF CORTLAND

This ____ day of _____, 2022

Effective date: January 1, 2023

Published in pamphlet form by the authority of the Mayor and Board of Trustees of the Town of Cortland, DeKalb County, Illinois, this ____ day of _____, 2022.

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AN ORDINANCE AMENDING THE CORTLAND TOWN CODE TO CREATE A NEW CHAPTER 11, ADMINISTRATIVE ADJUDICATION

WHEREAS, the Board of Trustees of the Town of Cortland, Illinois, has determined that it is in the best interest of the citizens of the Town of Cortland to modify the provisions of the Town Code in order to provide a new Chapter 11 regarding Administrative Adjudication.

NOW THEREFORE BE IT ORDAINED by the Board of Trustees of the Town of Cortland, Illinois, as follows:

Section 1. That the Town Code shall be amended to provide a new Chapter 11 Administrative Adjudication, as follows:

CHAPTER 11

ADMINISTRATIVE ADJUDICATION

SECTION:

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11-1-1: **PURPOSE:**
The stated purpose of this chapter is to provide for fair and efficient enforcement of Town ordinances as may be allowed by law and directed by ordinance, through an administrative adjudication of violations of such Town ordinances and establishing a schedule of fines and penalties, and authority and procedures for collection of unpaid fines and penalties.

11-1-2: **CREATION:**
There is hereby established an administrative department of the municipal government to be known as the Town of Cortland Ordinance Enforcement Department and to have the power to enforce compliance with all municipal ordinances as from time to time are authorized by the Town Board and any offense under the Town Building Code, but not any offense under the Illinois Vehicle Code or a similar offense that is a traffic regulation governing the movement of vehicles and except for any reportable offense under Section 6-204 of the Illinois Vehicle Code. The establishment of the Town Ordinance Enforcement Department does not preclude the Mayor and Town Board from using any other method to enforce ordinances of the Town.

11-1-3: **ADMINISTRATIVE COMPOSITION:**
The Town Ordinance Enforcement Department shall be composed of a hearing officer, and such other personnel hereinafter appointed to effectively and efficiently conduct the business necessary to carry out the purpose of this ordinance ("support personnel"), with the power and authority as hereinafter set forth. The Mayor is hereby authorized to appoint all hearing officers of this Town with the advice and consent of the Town Board. The Mayor or Chief of Police are hereby authorized to appoint all other persons to hold the positions hereinafter set forth below, and such other personnel as needed. Other than the hearing officer, one person may hold and fulfill the requirements of one or more of the positions, and compensation for each of the hereinafter stated positions shall be as approved by the Mayor and Town Board.

A. Hearing officer.

1. The hearing officer shall preside over all adjudicatory hearings and shall have the following powers and duties:
   i. Preside at an administrative hearing called to determine whether or not a code violation exists;
   ii. Hear testimony and accept evidence that is relevant to the existence of the Town code violation;
   iii. Administer oaths and to secure by subpoena both the attendance and testimony of witnesses and the production of relevant books and papers;
   iv. Preserve a recording of the hearing and authenticate the record of the hearing and all exhibits and evidence introduced at the hearing;
   v. Issue and sign a written finding, decision and order stating whether a Town code violation exists; and

vi. Impose penalties, sanctions or such other relief consistent with applicable Town code provisions and assess costs upon finding a party liable for the charged violation, except however, that in no event shall the hearing officer have authority to impose a penalty of incarceration.

vii. The hearing officer shall have the authority to increase or decrease fines set forth in the Code where evidence of aggravating or mitigating circumstances is presented. Enforcement costs are hereby determined to be $50.00 per citation and said costs shall be imposed for every violation that shall be determined to exist at hearing, regardless of the size or imposition of any fine for such violation. The monetary fine hereunder, and any limitations upon the same, shall be exclusive of enforcement costs or other reasonable costs incurred by the village to secure compliance with the Code, including the costs incurred to bring a property into compliance or incurred to protect the public's safety.

2. Prior to conducting administrative adjudication proceedings under this chapter, the hearing officer shall have successfully completed a formal training program which includes the following:
   i. Instruction on the rules of procedure of the administrative hearings over which the hearing officer shall preside;
   ii. Orientation to each subject area of the code violations that he or she will adjudicate;
   iii. Observation of administrative hearings; and
   iv. Participation in hypothetical cases, including ruling on evidence and issuing final orders.

3. A hearing officer must be an attorney licensed to practice law in the State of Illinois for at least three years.

B. Support Personnel

The support personnel are authorized and directed to:

1. Operate and manage the system of administrative adjudication of Town ordinance violations as may be permitted by law and directed by ordinance.

2. Adopt, distribute, and process all notices as may be required under this chapter or as may be reasonably required to carry out the purpose of this chapter.

3. Collect monies paid as fines and/or penalties assessed after a final determination of liability.

4. Certify copies of final determinations of an ordinance violation adjudicated pursuant to this chapter, and any factual reports verifying the final determination of any violation liability which was issued in accordance with this

chapter, the laws of the State of Illinois, including 625 ILCS 5/11-208.3, as from time to time amended.

5. Promulgate rules and regulations reasonably required to operate and maintain the administrative adjudication system hereby created.

6. Collect unpaid fines and penalties through private collection agencies and pursuit of all post-judgment remedies available by current law.

7. Input of violation notice information.

8. Establishing court dates and notice dates.

9. Record fine and penalty assessment and payments.

10. Issue payment receipts.

11. Issue succeeding notice of hearing dates and/or final determination of liability; issue notice of immobilization; issue notice of impending impoundment; issue notice of impending driver's license suspension, as directed by the support personnel in accordance with the provisions hereinafter set forth.

12. Keep accurate records of appearances and nonappearances at administrative hearings, pleas entered, judgments entered, sanctions imposed, if any, fines and penalties assessed and paid.

11-1-4: **NOTICE OF VIOLATION:**
The system of administrative adjudication of any Town ordinance violation authorized to be adjudicated hereunder, shall be in accordance with the following procedures:

A. Violation notice of any ordinance violation including violations of the Town motor vehicles and traffic code, other than any offense under the Illinois Vehicle Code or a similar offense that is a traffic regulation governing the movement of vehicles and except for any reportable offense under Section 6-204 of the Illinois Vehicle Code (hereinafter the "Town motor vehicle code"), shall be issued by the persons authorized under this ode and shall contain information and shall be certified and constitute prima facie evidence of the violation cited as hereinafter set forth.

B. All full time, and part time officers, as well as other specifically authorized individuals of any Town department shall have the authority to issue violation notices.

C. Any individual authorized hereby to issue violation notices and who detects an ordinance violation authorized to be adjudicated under this chapter or a violation of any section of any Town ordinance, is authorized to issue a notice of violation thereof and shall make service thereof as is hereinafter set forth.

D. The violation notice shall contain, but shall not be limited to, the following information:

1. The name and address of the party violating the ordinance, if known.
2. The date, time, and place of the violation (date of issuance).
3. The type and nature of the ordinance violated.
4. Vehicle make and state registration number (if applicable).
5. The penalty which may be assessed for failure to appear.
6. The names and witnesses of the violation.
7. The signature and identification number of the person issuing the notice.
8. The date, and location of the adjudicating hearing of ordinance violations, if applicable, other than violations of the Town motor vehicle code, the legal authority and jurisdiction under which the hearing is to be held, and the penalties for failure to appear at the hearing.

E. The date of the hearing shall not be less than 30 nor more than 60 days after the violation is reported.

11-1-5: **SERVICE AND NOTICE OF HEARING:**

A. Service of any violation notice shall be made by the person issuing such notice.

1. In the case of violation of the Town motor vehicle code, service shall be made by:
   i. Affixing the original or a facsimile of the notice to an unlawfully standing or parked vehicle,un-stickered vehicle, or vehicle violating any compliance regulation;
   ii. Handing the notice to the registered owner, operator, or lessee of the vehicle, if present; or mailing the notice by first class mail to the person responsible for the ordinance violation, along with a summons or notice to appear commanding the individual to appear at the hearing.

2. In the case of violation of the building code, service shall be made by:
   i. First class mail on the owner of the structure, along with a summons or notice to appear commanding the owner to appear at the hearing;
   ii. If the name of the owner of the structure cannot be ascertained or if service on the owner cannot be made by mail, service may be made on the owner by posting or nailing a copy of the notice on the front door of the structure where the violation is found, not less than 20 days before the hearing is scheduled.

3. In the case of any ordinance violation other than a violation of the Town motor vehicle code or building code, service shall be made by mailing the notice by first class mail to the person responsible for the ordinance violation, along with a summons or notice to appear commanding the individual to appear at the hearing.

B. The correctness of facts contained in any violation notice shall be verified by the person issuing said notice by:

1. Signing his or her name to the notice at the time of issuance; or
2. In the case of a notice produced by a computer device, by signing a single certificate, to be kept by the support personnel, attesting to the correctness of all notices produced by the device while under his or her control.

C. The original or a facsimile of the violation notice shall be retained by the support personnel and kept as a record in the ordinary course of business.

D. Any violation notice issued, signed, and served in accordance herewith, or a copy of the notice, shall be prima facie correct and shall be prima facie evidence of the correctness of the facts shown on the notice.

11-1-6: **ADMINISTRATIVE HEARINGS:**

A. An administrative hearing shall be granted for the following:

1. To adjudicate any alleged ordinance violation on its merits.
2. To contest the validity of a notice of impending immobilization or impending impoundment, or the validity of a notice of impending driver's license suspension. The hearing shall be granted to the registered owner or operator of the "cited vehicle", pursuant to 625 ILCS 5/11-208.3 or the lessee of the "cited vehicle", 625 ILCS 5/11-1306, incorporated herein by reference, and at the date, time and place as is set forth by the support personnel and served upon the registered owner, operator, or lessee for hearings contesting the validity of notices of impending immobilization or impending impoundment or driver's license suspension.

B. No continuances shall be authorized by the hearing officer at the hearing except upon good cause shown. Lack of preparation does not constitute cause for a continuance. No continuance may be granted for more than 30 days.

C. All administrative hearings shall be recorded and shall culminate in a determination of liability or non-liability, made by the hearing officer, who shall consider facts and/or testimony without the application of the formal or technical rules of evidence. Evidence including hearsay, may be admitted only if it is of a type commonly relied upon by reasonably prudent persons in the conduct of their affairs. The hearings are civil in nature and the Town’s burden of proof is to prove by a preponderance of the evidence the occurrence or existence of a Code violation.

D. The hearing officer shall, upon a determination of liability, assess fines and penalties in accordance with Section 1-4-1 of the Town's Code. Persons appearing to contest the alleged violation on its merits may be represented by counsel at their own expense. The burden of proof shall be on the alleged offender to refute the prima facie case set forth in the verified notice of violation.

11-1-7: **FINAL DETERMINATION OF LIABILITY:**

A. An administrative hearing shall be granted for the following:

1. To adjudicate any alleged ordinance violation on its merits.
2. To contest the validity of a notice of impending immobilization or impending impoundment, or the validity of a notice of impending driver's license suspension. The hearing shall be granted to the registered owner or operator of the "cited vehicle", pursuant to 625 ILCS 5/11-208.3 or the lessee of the "cited vehicle", 625 ILCS 5/11-1306, incorporated herein by reference, and at the date, time and place as is set forth by the support personnel and served upon the registered owner, operator, or lessee for hearings contesting the validity of notices of impending immobilization or impending impoundment or driver's license suspension.

B. No continuances shall be authorized by the hearing officer at the hearing except upon good cause shown. Lack of preparation does not constitute cause for a continuance. No continuance may be granted for more than 30 days.

C. All administrative hearings shall be recorded and shall culminate in a determination of liability or non-liability, made by the hearing officer, who shall consider facts and/or testimony without the application of the formal or technical rules of evidence. Evidence including hearsay, may be admitted only if it is of a type commonly relied upon by reasonably prudent persons in the conduct of their affairs. The hearings are civil in nature and the Town's burden of proof is to prove by a preponderance of the evidence the occurrence or existence of a Code violation.

D. The hearing officer shall, upon a determination of liability, assess fines and penalties in accordance with Section 1-4-1 of the Town's Code. Persons appearing to contest the alleged violation on its merits may be represented by counsel at their own expense. The burden of proof shall be on the alleged offender to refute the prima facie case set forth in the verified notice of violation.

11-1-8: **JUDICIAL REVIEW:**
Any final decision by a hearing officer that a code violation does or does not exist shall constitute a final determination for purposes of judicial review under the Illinois Administrative Review Law, 735 ILCS 5/3-101 *et seq.*, as amended.

11-1-9: **ENFORCEMENT OF JUDGMENT:**
A. Any fine, other sanction, or costs imposed, or part of any fine, other sanction, or costs imposed, remaining unpaid after the exhaustion of, or the failure to exhaust, judicial review procedures under the Illinois Administrative Review Law are a debt due and owing the Town and may be collected in accordance with applicable law.

B. After expiration of the period in which judicial review under the Illinois Administrative Review Law may be sought for a final determination of a code violation, the Town may commence a proceeding in the circuit court of the county for the purpose of obtaining a judgment on the findings, decision, and order.

C. In any case in which a hearing officer finds that an individual has failed to comply with a judgment ordering an individual to correct a code violation or imposing any fine or other sanction as a result of a code violation, any expenses incurred by a municipality to enforce the judgment including, but not limited to, attorney fees, court costs, and costs related to property demolition or foreclosure after they are fixed by the hearing officer, shall be a debt due and owing the Town and may be collected in accordance with applicable law.

D. A lien shall be imposed on the real estate or personal estate, or both, of the individual in the amount of any debt due and owing the municipality under this chapter. The lien may be recorded and enforced in the same manner as a judgment lien pursuant to a judgment of a court of competent jurisdiction. No lien may be enforced under this chapter until it has been recorded in the manner provided by Article XII of the Code of Civil Procedure or by the Uniform Commercial Code.

E. A hearing officer may set aside any judgment entered by default and set a new hearing date upon a petition filed within 21 days after the issuance of the order of default if the hearing officer determines that the petitioner's failure to appear at the hearing was for good cause or at any time if the petitioner establishes that the Town did not provide proper service of process.

11-1-10: **SCHEDULE OF FINES/PENALTIES:**

A. Fines and penalties shall be imposed in accordance with this code, or where no fine or penalty is expressed in this code, the hearing officer may impose a fine or penalty according to his or her judgment. However, in no case may the fines imposed by the hearing officer exceed $750 per violation per day, or a maximum of $2,500 for all building code violations.

B. Any person who pleads guilty or liable or is found guilty or liable, in addition to a fine shall be responsible to pay the costs of adjudication of $50. If a fine is imposed for a continuing violation for each day constitutes a separate offense, the costs of adjudication shall also be assessed for each day of the continuing offense.

C. In addition to or in lieu of a fine and costs, the hearing officer may also require a person who pleads guilty or is found guilty or liable for an offense to perform community service of not more than 250 hours per offense.

11-1-11: **FAILURE TO APPEAR:**

A. Upon failure of the person receiving a notice of a violation of a Town ordinance, other than a Town motor vehicle code violation, to appear at the time and date designated for a hearing, or, in the case of a violation of the Town motor vehicle code, the registered owner, operator, or lessee of the cited vehicle to pay the fine in full as stated on said notice, the support personnel shall send or cause to be sent notices by first class mail, postage prepaid to the person who received the notice of an ordinance violation; or, in the case of the violation of the Town motor vehicle code, the registered owner or operator of the cited vehicle at the address as is recorded with the Secretary of State, and shall be

sent to the lessee of the cited vehicle at the address last known to the lessor of the cited vehicle at the time of the lease. Service of notices sent in accordance herewith shall be complete as of the date of deposit in the United States mail.

B. The notices sent in accordance herewith shall be in the following sequence and contain, but not be limited to, the following information:

1. Upon the failure of the person receiving notice of an ordinance violation or, in the case of a notice of a violation of the Town motor vehicle code, the registered owner, operator, or lessee of the cited vehicle to pay the fine in full as stated on said notice, a notice shall be sent, as above set forth, and shall contain, but not be limited to, the following information:
   i. Date and location of violation cited in the violation notice.
   ii. Particular ordinance violated.
   iii. Vehicle make and state registration number (if applicable).
   iv. Fine and any penalty that may be assessed for late payment.
   v. Date, time, and place of the administrative hearing at which the alleged violation may be contested on its merits.
   vi. Statement that failure to either pay the fine and any applicable penalty or failure to appear at the hearing on its merits on the date and at the time and place specified will result in a final determination of liability for the "cited" violation in the amount of the fine and penalty indicated.
   vii. Statement that upon the occurrence of a final determination of liability for the failure, and the exhaustion of, or the failure to exhaust, available administrative or judicial procedures for review, any unpaid fine or penalty will constitute a debt due and owing the Town.

11-1-12: **IMPENDING SUSPENSION OF DRIVER'S LICENSE; NOTICE:**
A notice of impending suspension of a person's driver's license shall be sent to any person determined to be liable for the payment of any fine or penalty that remains due and owing on ten or more vehicular standing or parking regulation violations:

A. The notice shall state that the failure to pay the fine or penalty owing within 45 days of the date of the notice will result in the Town notifying the Secretary of State that the person is eligible for initiation of suspension proceedings under 625 ILCS 5/6- 306.5, incorporated herein by reference.

B. The notice of impending driver's license suspension shall be sent by first class mail, postage prepaid, to the address recorded with the Secretary of State.

11-1-13: **IMMOBILIZATION/TOWING AND IMPOUNDMENT OF MOTOR VEHICLE:**
A. Any motor vehicle whose registered owner has been determined to be liable for ten or more vehicular standing or parking regulation violation(s), for which the fines or penalties assessed remain unpaid, may be immobilized, booted, or towed and impounded if:

1. The support personnel has determined that a person has been determined to be liable for ten or more ordinance violations, for which the fines or penalties remain unpaid and the person determined to be liable for ten or more violations is the registered owner of a motor vehicle located within the Town's geographical boundaries.
2. A seizure notice has been sent to the registered owner of the motor vehicle located within the geographical boundaries of the Town which contains, but shall not be limited to, the following:
   i. That a final determination has been made on ten or more ordinance violations, for which the fines and penalties remain unpaid.
   ii. A listing of the violations for which the person has been determined to be liable, which shall include for each violation:
      1. The ordinance violation notice number;
      2. Date of issuance; and
      3. Total amount of fines and penalties assessed.
   iii. That the motor vehicle owned by the person and located within the Town is subject to immobilization and/or towing and impoundment if the fines and penalties are not paid within 15 days of the date of the notice.
   iv. Date of immobilization.
   v. Date of impending towing and impoundment.
   vi. That the registered owner may contest the validity of the notice by appearing in person before the ordinance administrator within fifteen (15) days of the date of the notice and submitting evidence which would conclusively disprove liability, such as the following:
      1. That the registered owner was not the owner or lessee of the vehicle on the date or dates the notices of violation were issued; or
      2. That the fines or penalties for the violations cited in the notice were paid in full; or
      3. That the registered owner has not accumulated ten or more ordinance violation notices which are unpaid, not adjudicated or for which no appearance was made.

11-1-14: **REQUEST FOR HEARING IN THE CASE OF TOWING AND IMPOUNDMENT OF MOTOR VEHICLES:**

Upon the receipt of the request for hearing to contest the validity of the immobilization or towing and impoundment, the support personnel shall schedule an administrative hearing to contest the validity of the immobilization or towing and impoundment on the next scheduled hearing date or if sooner scheduled by the support personnel for good cause shown, but in no case shall the hearing be scheduled later than 45 days after the request for hearing is filed and shall serve notice of the hearing date upon the registered owner by first class mail, postage prepaid, to the address as is set forth on the request for hearing. Service of the notice shall be complete on the date it is placed in the United States mail.

11-1-15: **NOTICE AFFIXED TO VEHICLE IN CASE OF IMMOBILIZATION:**

Upon immobilization of an eligible vehicle, a notice shall be affixed to the vehicle in a conspicuous place. Such notice shall warn that the vehicle is immobilized and that any attempt to move the vehicle may result in its damage. The notice shall also state that the unauthorized removal of or damage to the immobilizing restraint is a violation of Sections 16-1 (the Theft statute) and 21-1 of the Illinois Criminal Code (the Criminal Damage to Property statute), 720 ILCS 5/1-1 *et seq.* The notice also shall provide the following information specifying that a release of the immobilizing restraint may be had by:

A. Paying all the fines and penalties, if any, on the outstanding complaints for which notice has been sent prior to the date of the immobilization; or

B. Completing appearance forms on all outstanding parking violation complaints for which notice had been sent prior to the date of the immobilization and depositing collateral in the amount of 50% of the total fines for these outstanding parking violation complaints, or $500, whichever is less.

11-1-16: **TOWING OF IMMOBILIZED VEHICLE:**
Except where the vehicle is otherwise subject to towing, if the immobilizing restraint has not been released as hereinabove provided, within 72 hours of its placement, the vehicle shall be towed and impounded.

11-1-17: **POST IMPOUNDMENT NOTICE:**
Within ten days after a vehicle has been impounded, notice of impoundment shall be sent by certified mail, return receipt requested, to the registered owner of the vehicle. The notice shall state that the owner has the right to a post immobilization and post towing hearing as provided in this Chapter and that if the vehicle is not claimed within 30 days from the date of the notice, the vehicle may be sold or otherwise disposed of in accordance with the Illinois Vehicle Code.

11-1-18: **HEARING IN CASE OF VEHICLE IMMOBILIZATION:**
A. The owner of an immobilized vehicle or other interested person shall have the right to a hearing to determine whether the immobilization or any subsequent towing was erroneous or whether the vehicle was properly included on an immobilization list, if the owner files a written demand for a hearing before the ordinance enforcement administrator within 30 days after issuance of the notice specified in this Chapter or within 30 days of immobilization, whichever is later.

B. A hearing shall be conducted on any business day within 30 days of receipt of a written demand for hearing, unless otherwise mutually agreed by the parties. Failure to request or attend a scheduled hearing shall be deemed a waiver of the right to a hearing. In the event of such failure, any amount deposited pursuant to this Chapter shall be forfeited. A hearing provided by this section shall not determine the validity of or otherwise adjudicate any citation or notice of ordinance violation issued relative to the immobilized vehicle, but shall only relate to whether the vehicle was properly immobilized or towed by determining whether the owner previously submitted evidence required by this chapter.

11-1-19: **FINES FOR IMMOBILIZATION:**
The fine for immobilization shall be $60 and the fine for impoundment and towing shall be an amount not to exceed $500. The owner of the vehicle shall also be charged reasonable storage and towing fees should the vehicle be removed to a private storage facility, provided that no fees shall be assessed for any immobilization or tow which has been determined to be erroneous.

11-1-20: **TOWING SERVICES:**
The Chief of Police, or designee, shall appoint or retain the services of an individual, agency, or company to tow and impound vehicles in accordance herewith, provided that that individual, agency, or company is fully insured and licensed according to local or state law and has available a secured impound area within which to retain vehicles impounded hereunder. For the purpose of this section a "secured area" shall mean an area bounded by a fence, chain link or otherwise, of a sufficient height and with locking gates so as to minimize or prevent unauthorized entry into the impounded vehicles.

11-1-21: **EVICTION, RIGHTS OF OCCUPANTS:**
In the case of a building code violation, no action for eviction, abatement of a nuisance, forcible entry and detainer or other similar proceeding shall be threatened or instituted against an occupant of a dwelling solely because such occupant agrees to testify or testifies at a code violation hearing.

11-1-22: **DEFENSES TO BUILDING CODE VIOLATIONS:**
It shall be a defense to a building code violation if the owner, his or her attorney, or any other agent or representative proves to the hearing officer's satisfaction that:

A. The code violation alleged in the notice does not in fact exist, or at the time of the hearing the violation has been remedied or removed;

B. The code violation has been caused by the current property occupants and that in spite of reasonable attempts by the owner to maintain the dwelling free of such violations, the current occupants continue to cause the violations;

C. An occupant or resident of the dwelling has refused entry to the owner or his or her agent to all or a part of the dwelling for the purpose of correcting the code violation.

11-1-23: **SANCTIONS APPLICABLE TO THE BUILDING OWNER:**
The order to correct a building code violation and the sanctions imposed by a municipality as the result of a finding of a code violation shall attach to the property as well as to the owner of the property, so that a finding of a code violation against one owner cannot be avoided by conveying or transferring the property to another owner. Any subsequent transferee or owner of property takes subject to the findings, decision, and order of a hearing officer.

11-1-24: **FEDERAL GOVERNMENT CONTRACTS UNDER THE BUILDING CODE:**

A person who contracts with the federal government or any of its agencies, including, without limitation, the Department of Housing and Urban Development, to care for vacant residential real estate shall be responsible for maintaining the property to prevent and correct municipal health and safety code violations. A person who intentionally violates this section is guilty of a business offense and shall be fined not less than $501 and not more than $1,000.

Section 2. Severability and Repeal of Inconsistent Ordinances. If any section, paragraph, clause, or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance. All Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 3. Effective Date. This Ordinance shall be effective January 1, 2023.

PASSED BY THIS BOARD OF TRUSTEES of the Town of Cortland, Illinois, at a regular meeting thereof held on the _____ day of _____, 2022, and approved by me as Mayor on the same day.

AYE:
NAY:
ABSENT:

_____
Mark Pietrowski, Mayor

ATTEST:

_____
Cheryl Aldis, Town Clerk