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COMMITTEE MEMBERSHIPS:
HOUSING AND REAL ESTATE
(CHAIRMAN)
COMMITTEES, RULES AND ETHICS
(VICE-CHAIRMAN)
AVIATION
BUDGET AND GOVERNMENT OPERATIONS
FINANCE
TRANSPORTATION AND PUBLIC WAY
WORKFORCE DEVELOPMENT AND AUDIT
ZONING, LANDMARKS AND BUILDING STANDARDS

FOR IMMEDIATE RELEASE

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July 28, 2011

**Alderman Ray Suarez Co-Sponsors Vacant Building Ordinance –
Making Mortgage Holders More Accountable for Abandoned Buildings**

Alderman Ray Suarez (31st Ward) signed on as co-sponsor of the Vacant Buildings Ordinance introduced by Alderman Pat Dowell (3rd Ward), the chief sponsor.

The substitute ordinance amends the term “owner” to include “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.”

Addressing the downturn in housing and the increase in foreclosed properties, the ordinance seeks to provide great accountability for vacant properties. Under the ordinance, the “owner,” now defined to include a bank and other mortgagees, is required to actively maintain, monitor and keep secure all their vacant buildings.

Throughout the City, there is a major concern with properties that are ill-maintained or exhibit nuisance conditions, such as graffiti, garbage, dead animals, high weeds, accumulated snow, etc. Nuisance conditions raise health and safety issues on many of our city blocks and the City is forced to secure the properties and cover the high cost associated with board-up, demolition, waste removal, etc.

Chairman Suarez, of the Committee on Housing and Real Estate states, “These changes need to be made to ensure owners of vacant buildings are responsible for registering and securing their property. With open entrances and high weeds, many of the properties become a haven for crime and other illegal activities. Unkempt property is a public safety issue.”

The substitute ordinance passed the Joint Committee on Housing and Real Estate and Committee on Zoning, Landmarks and Buildings Standards on July 20, 2011 and passed unanimously in City Council on July 28, 2011.

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PARA DIFUSION INMEDIATA

PARA MÁS INFORMACION

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28 de julio de 2011

Concejal Ray Suarez, co-patrocina La Ordenanza de Edificios Vacios – haciendo a los Dueños de Hipoteca Más Responsables de Edificios Abandonados

El Concejal Ray Suarez (Distrito 31) firmo como co-patrocinador de la Ordenanza de Edificios Vacios introducida por el Concejal Pat Dowell (Distrito 3), el patrocinador principal.

La ordenanza substituye el termino "dueño" a incluir "cualquier persona ya sea sola, junta o con varios siendo acreedor hipotecario o es un beneficiario o agente hipotecario de la propiedad.

Concerniente al bajón en vivienda y el aumento en Perdidas de Derecho de Hipoteca, la ordenanza busca en proveer gran responsabilidad por propiedades vacías. Bajo la ordenanza, el "dueño," ahora especifica a incluir el banco y otros acreedores Hipotecarios, es requerido en conservar, supervisar, y mantener los edificios vacantes seguros.

Por toda la ciudad, una de las mayores preocupaciones son las propiedades que no son mantenidas o muestran malas condiciones, como grafiti, basura, animales muertos, mala hierba, nieve, etc. Estas condiciones, aumentan los problemas de salud y seguridad en muchas de nuestras cuadras y la Ciudad es forzada a asegurar las propiedades y cubrir los altos costos asociados con el mantenimiento, vigilancia y seguridad del edificio vacio.

Presidente del Comité De Vivienda Y Bienes Raíces Suarez dijo. "Estos cambios son necesarios para asegurar que dueños de propiedades vacías sean responsables en registrar y asegurar sus propiedades. Con entradas abiertas y hierba, muchas de estas propiedades llegan a ser refugio para el crimen y otras actividades ilícitas. Propiedades descuidadas son una seguridad pública.

La ordenanza substituta paso el Comité de Vivienda y Bienes Raíces, y el Comité de Zona, Edificios y Monumentos Históricos el 20 de julio 20, 2011 y paso unánimemente el Concilio el 28 de Julio, 2011.

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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 Code of Chicago is hereby amended by adding the language underscored as follows:

13-12-125 Vacant buildings – Owner required to act – Enforcement authority.

(a) (1) The 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. The registration shall remain valid for six months from the date of registration. The 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. The 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. 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 city against the owner or owners of the building. Registration 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. After 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) For 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.

Amey Pinner 47
Ray Amey
312 W. 4th

Walters 5, 27th
Michael P. Panto 36th
Samuel McMillan 38th
Lois Lane 18th
James Balcer 11
Galeen Thompson 16
W. J. R. (4)

Pat Dowell
Pat Dowell
Alderman, 3rd Ward

Joe Mans 137
Mary O'Connor 41
Paul Jacobs 2nd
John A. Pope 10th
Ronald W. Frost 2nd
Scott J. Pugh 50
45
45
50
46
7th

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