

Cook County Vacant Building Ordinance



“Vacant properties act as a significant fiscal drain on already strapped municipalities, requiring disproportionate municipal resources, while providing little or no tax revenue”

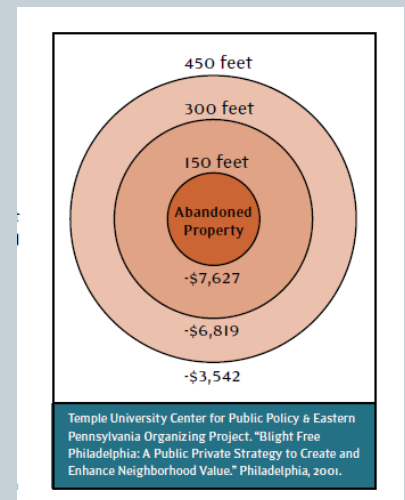
-National Vacant Properties Campaign

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Why Do We Need a Cook County Vacant Building Ordinance?

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- **Increase in costs to municipalities**
 - Saint Louis, over a five year period, spent \$15.5 million, or nearly \$100 per household on vacant buildings.
 - Detroit spends \$800,000 each year to just clean vacant lots.
- **Increase in crime in vacant buildings**
 - The City of Richmond, VA conducted an analysis of crime data and found that 41% of abandoned buildings could be entered without the use of force; of these open buildings, 83% showed evidence of illegal use by the sex trade, drug dealers, property criminals and homeless intruders.
 - Illegal activity in 7,157 vacant properties was reported to the City of Chicago through the city's 911 and 311 services.
- **Increase in public nuisances that may result in public health or safety issues**
 - According to the United States Fire Administration, more than 70% of fires in vacant buildings are arson.
 - The National Fire Protection Association estimates that 6,000 firefighters are injured each year in vacant building fires and these buildings cause \$642 million in direct property damage each year.
- **Decreases in property values**
 - In a 2001 study, researchers from Philadelphia found that houses within 150 feet of a vacant building experienced a net loss of \$7,627 in value.
- **Decreases in property tax revenue**
 - According to Frank Alexander, Interim Dean and Professor at Emory University Law School, "failure of municipalities to collect even two to four percent of property taxes because of delinquencies and abandonment translates into \$3 to \$6 billion in lost revenues to local governments."



Nationwide Reporting

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- A study done by the Brookings Institution found that in over half of the cities reporting vacant buildings, there were between three to eight vacant buildings per 1,000 residents.

Region	Number of Cities Reporting Abandoned Property Data	Average % of Vacant Land to Total Area	Average Number of Abandoned Structures per 1,000 Inhabitants
Northeast	7	8.3	7.47
Midwest	10	11.3	3.16
South	20	17.1	2.98
West	23	15.7	0.62
All Regions	60	14.8	2.63

Source: Pagano & Bowman p. 7

What the Cook County Vacant Building Ordinance Does

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- Requires vacant property in unincorporated Cook County to be registered either by Owner or Mortgagee (Lender, Servicer or other with a “financial interest”).
 - \$250 one time registration fee, reporting required annually
- Creates a uniform set of guidelines for the maintenance, enclosure and security of vacant properties throughout unincorporated Cook County and creates a template for surrounding municipalities to participate.
- Creates penalties for noncompliance for both owners and mortgagees (lenders & servicers).
- Creates a master registry of all vacant residential buildings throughout Cook County, allowing the City of Chicago and suburbs to maintain their own registries while populating a County-wide listing.
- Allows for participating municipalities throughout Cook County to enter into an IGA to enforce the Cook County Vacant Building Ordinance.
- Unincorporated Cook County and Participating Municipalities can use the Cook County Administrative Hearings Department to adjudicate noncompliance. The Administrative Hearings process will speed up adjudication for municipalities (3 – 6 weeks, instead of 6 months – 2 years) and is substantially less expensive than processing the same case in court.

Participating County Departments

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- **Community Development** – Engages in the outreach and planning functions with participating municipalities
- **Building and Zoning** - Receives and routes complaints regarding vacant buildings; performs inspections; enforces building code
- **Administrative Hearings** - Holds hearings for non-compliance of the Vacant Building Ordinance
- **State's Attorney**- Prosecutes VBO noncompliance violations in Circuit Court
- **Sheriff** – Assists with discovering, receiving and routing complaints regarding vacant buildings in unincorporated Cook County
- **Information Technology**– Maintains website for an online registry of vacant buildings
- **Revenue** – Collects registration fees and fines for noncompliance in unincorporated/participating municipalities

Building Requirements

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- **Owners must:**

- Maintain and secure the exterior of the building, ensuring the building is closed and secure.
- Maintain all grass below 10 inches, remove weeds, garbage, debris, dead trees or any fallen limbs.
- Clear and remove snow from walkways.
- Keep the property free from pests such as rats and other rodents.
- Maintain the roof, foundation, basements, crawlspaces, exterior walls, exterior windows and doors, roof, gutters, downspouts, scuppers, flashing, chimneys, flues outside stairs, steps, decks, verandas and balconies.
- Winterize or heat plumbing to prevent freezing.
- Maintain exterior and interior stairs, balconies, porches and risers in a safe, usable condition.
- Maintain continuous exterior lighting from dusk to dawn.
- Prohibit the accumulation of trash or junk for both the interior and exterior of the building.

- **Mortgagees must:**

- Maintain and secure the exterior of the building ensuring the building is closed and secure.
- Maintain all grass below 10 inches.
- Clear and remove snow from walkways.
- Abate the accumulation of trash.
- Reasonably maintain fences and gates as well as stairs leading to entrance of building.
- Winterize building.
- Mitigate major health or safety dangers to the public from the building.
- Keep the property free from pests such as rats and other rodents.

“Over 240 local governments throughout the Country have introduced some form of vacant property registration or ordinance in the last decade.”

Zoning and Planning Law Report, Vol. 34, No.8, Thomson Reuters

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How Cook County municipalities are addressing vacant buildings:

- 42 have no requirements regarding vacant buildings
- 51 have some level of requirements for vacant buildings
- The remaining did not know if they had requirements for vacant buildings
- Municipalities with similar/comprehensive Vacant Building Ordinances
 - Chicago
 - Glenview
 - Evanston
 - Maywood
 - Lansing
 - Wheeling
 - Oak Lawn
 - Berwyn
 - Des Plaines
 - Oak Park

In the City of Chicago:

- As of 9/29/2011 there were 15,006 vacant properties registered in the City of Chicago of which:
 - 31 registered in 2008
 - 433 registered in 2009
 - 6,194 registered in 2010
 - 8,348 registered in 2011