
**THE CITY OF BLUE ISLAND
COOK COUNTY, ILLINOIS**

**ORDINANCE
NUMBER 2022-021**

**AN ORDINANCE OF THE CITY OF BLUE ISLAND, COOK
COUNTY, ILLINOIS, AMENDING TITLE IX “GENERAL
PROVISIONS,” CHAPTER 92, “FAIR HOUSING” OF THE
CODE OF BLUE ISLAND, ILLINOIS**

**FRED BILOTTO, Mayor
RAEANN CANTELO-ZYLMAN, City Clerk
JAIRO FRAUSTO, City Treasurer**

**DEXTER JOHNSON
LUIZ MONTOYA
NANCY RITA
BILL FAHRENWALD
GABRIEL McGee
CANDACE CARR
JOSH ROLL**

Aldermen

ORDINANCE NUMBER 2022 -021

**AN ORDINANCE OF THE CITY OF BLUE ISLAND, COOK COUNTY, ILLINOIS,
AMENDING TITLE IX “GENERAL PROVISIONS,” CHAPTER 92, “FAIR
HOUSING” OF THE CODE OF BLUE ISLAND, ILLINOIS**

WHEREAS, the City of Blue Island, Cook County, Illinois (the “*City*”) is a duly organized and existing City created under the provisions of the laws of the State of Illinois and operating under the provisions of the Illinois Municipal Code, and all laws amendatory thereof and supplementary thereto, with full powers to enact ordinances and adopt resolutions for the benefits of the residents of the City; and

WHEREAS, the Mayor and City Aldermen may from time to time amend the text of the City Code of Blue Island (the “*Code*”) when it is determined to be in the best interests of the health, safety and welfare of the City and its residents; and

WHEREAS, the City currently regulates the quality of the housing stock throughout the City; and

WHEREAS, the Mayor and City Aldermen desire to modify the Code and create efficient and effective systems for the regulation and enforcement of point-of-sale inspection requirements for residential and commercial properties within the City; and

WHEREAS, the Mayor and City Aldermen find that the following amendments to the Code of Blue Island, Illinois, as set forth herein, are in the best interests of the health, safety and welfare of the City and its residents.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Aldermen of the City of Blue Island, Cook County, Illinois as follows:

Section 1. That the above recitals and legislative findings are found to be true and correct and are hereby incorporated herein and made a part hereof, as if fully set forth in their entirety.

Section 2. That the Mayor and City Aldermen find and determine that the adoption of this Ordinance is in the best interests of the City as well as in the best interests of the public.

Section 3. That Section 92.20 (“*Duty to Notify City Clerk of Property for Sale or Rent*”) of Chapter 92 (“*Fair Housing*”) of Title IX (“*General Regulations*”) of the Code of Blue Island, Illinois is hereby amended by deleting the stricken language and adding the underlined language as follows:

§ 92.20 DUTY TO NOTIFY ~~CITY CLERK~~ BUILDING DEPARTMENT OF PROPERTY FOR SALE OR RENT.

(A) ~~(1)~~ All owners, agents, brokers or any individual or legal entity having ownership or control of any commercial or residential property which is offered for sale or rental within city must notify the City Building Department with notice, no more than ten days after a purchase and sale agreement is executed or within five days after no more than ten days before public notification of an intent to sell or rent is made or published, whichever shall occur first, on a form provided by the Department, including all required attachments. Home purchases and unit rentals within the City can not be completed without an intent to sell inspection.

~~(2) The term *COMMERCIAL PROPERTY*, as used in this subchapter, is defined to mean real property, buildings and any and all rental units situated therein within the city and used to conduct, transact or carry on commerce, trade or business with the general public or used in connection with the conducting, transacting or carrying on of commerce, trade or business with the general public.~~

~~(2) It shall be unlawful for any person to hereafter occupy, by purchase, rental, lease or otherwise, or for any owner or agent thereof, to permit the occupation of any commercial property, or addition thereto, or part thereof, for any purpose until a certificate of compliance has been issued by the Building Commissioner.~~

~~(3) Said certificate is required for each and every separate occupancy and in the case of rental or lease, said certificate is required for each new tenant.~~

~~—(4) It shall be unlawful for any person to knowingly make any false statement in the notice of intent to sell or rent commercial property.~~

~~—(B) (1) All owners, agents, brokers or any individual or legal entity having ownership or control of any residential property which is offered for sale or rental within city must notify the City Building Department with notice, within five days after the first real estate listing agreement is executed no more than ten days after a purchase and sale agreement is executed or within five days after no more than ten days before public notification of an intent to sell or rent is made or published, whichever shall occur first, on a form provided by the Department, including all required attachments. Home purchases and unit rentals within the City can not be completed without an intent to sell inspection.~~

~~—(2) The notification shall be in writing on a form made available at the office of the Building Department.~~

(B) The notice form shall also constitute the requestor's invitation for the Building Department to inspect the property ("compliance inspection"). The Building Department will have seven (7) business days to perform the inspection in order to determine whether such property is in compliance with the following specific requirements, which the Mayor and Aldermen of the City find are related to the public health, safety and welfare:

(1) Compliance with property maintenance code. All structures shall be in compliance with article XV, Chapter 150, Building Regulations; Construction and the codes adopted therein.

(C) Proposed compliance inspection. When the requestor provides notice to the Building Department, the Department will schedule a proposed compliance inspection to be conducted within twenty-eight (28) calendar days of the notice. The notice form shall include the following attachments:

(1) Identification of Requestor, Copy of Driver's License or State ID.

(2) A notarized intent to sell and/or intent to rent form

(3) Date and time of the proposed compliance inspection.

(4) A space for the requestor to indicate that the owner and/or tenant either consents to the compliance inspection, or refuses to consent; and

(5) If consent is provided, for occupied rental dwellings, the city must also request and obtain the consent of the tenant prior to conducting any inspection.

(D) Inspection Procedures:

(1) In the event consent is given or a warrant issued, the department shall conduct the compliance inspection as provided in subsections (c) and (d), unless there are exigent circumstances which, in the Building Official's opinion, warrants an extension of these deadlines. One (1) business day after the compliance inspection, the Department shall issue a written notice of violations and repairs, if any, necessary to bring the property into compliance with this section. In the event the inspection reveals a structure which has been illegally converted, the department shall issue a notice of deconversion, specifying the measures which must be taken in order to bring the illegally converted structure into compliance with applicable zoning regulations.

(2) A party issued a notice of repairs as provided for in subsection (E)(1) shall proceed to make such repairs. Upon completion of said repairs and notice thereof to the Department, the Department will conduct a reinspection within seven (7) business days thereafter. Upon completion of the follow-up repairs, and the completion of any deconversion measures required by the department, the department shall issue a certificate of compliance.

(3) In the event the owner disputes the determination of violations and repairs, the owner may file a request for administrative review. An independent administrative hearing officer appointed by the city shall convene an administrative hearing within five (5) business days from the date of appeal. Upon completion of the administrative hearing, the hearing officer will issue a final determination of violation and repairs.

(E) Conditional certificate of compliance; procedures. A requestor/owner who has not completed the repairs identified through the inspection may nevertheless transfer ownership of

property if:

(1) The owner or agent:

a. Deposits with the city 10% of the amount of money determined by the Building Department to be sufficient to bring the structure into compliance with all city building and zoning ordinances and any applicable housing, fire or property maintenance codes or regulations, with owner/occupants being exempt from the deposit requirement; or

b. Pays a fine to the city in the amount of two thousand five hundred dollars (\$2,500.00). This exception may only be used once in a thirty-six-month period;

c. Wholesaling of property within the City must follow the provisions; in this Chapter of the Code and each and every sale of property, even if an assignment of a real estate contract, will require a certificate of compliance. In addition, each and every sale must comply with Illinois State law, including but not limited to Public Act 101-0357; and

d. All high priority safety violations have been remedied to the satisfaction of the Building Department.

(2) The buyer, conveyee, transferee, assignee or successor in title, ownership or interest (hereinafter "buyer") has entered into an agreement with the city whereby the buyer agrees to bring the structure into compliance within the time period determined by the Building Department, to bring the structure into compliance with all applicable code requirements within a period not to exceed thirty (30) calendar days after the closing of the transaction ("closing").

(3) If the buyer enters into such an agreement, a conditional certificate of compliance will issue in order to allow the closing to be completed. The conditional certificate of compliance shall be issued by the department and shall

terminate on the one hundred eighty-first day after closing and no extensions shall be granted. A buyer who elects to accept the premises, subject to the inspection with existing violations, and who agrees, in order to close, to be responsible as provided herein, shall execute a sworn affidavit satisfactory to the Building Department, which will clearly indicates that the buyer is fully aware of the existing violations as well as the possibility of violations that may have existed but were undiscovered due to lack of access and agrees to accept the requirement and obligation to bring the structure into compliance within one hundred eighty (180) days of the closing. The city shall issue a certificate of compliance upon completion of the repairs necessary to bring the dwelling or structure into compliance.

(4) In the event the buyer fails to complete the required repairs, and have the repairs verified on reinspection, the Building Department is hereby authorized to pursue enforcement proceedings through the Blue Island administrative adjudication process, or, at his discretion, through the Circuit Court of Cook County. The buyer hereby agrees to submit to the jurisdiction and venue of the Blue Island Administrative Adjudication Process and the Circuit Court of Cook County and to waive service of summons subject only to the notice requirement as required by law in order to enable the city to expeditiously obtain an order of compliance with this section.

(5) If reasonable proof that the repairs have been completed is not received by the Building Department within the required period for the repairs to be completed, the city may also issue a citation for violation of this chapter and/or the escrow repair agreement and may also pursue any applicable administrative or judicial remedies to bring the structure and property into compliance with applicable codes and regulations.

(6) The fine for violations of this chapter shall be not less than one hundred dollars (\$100.00) nor more than seven hundred fifty (\$750.00) per day for each day the violations remain uncorrected.

(F) Licensed and bonded contractors. No building shall be erected, altered or repaired within the City, unless a building permit has been obtained from the Building Department. No person shall begin any work for which a building permit is required or begin any work in preparation for the work until a building permit has been obtained. It shall be the responsibility of all workers and persons furnishing materials to ascertain that a building permit has been properly issued before commencing work or delivery of material. Further, all contractors performing repairs identified in the point-of-sale inspection shall be licensed by the city and bonded and shall make available, upon request, copies of their license(s), verification of their liability insurance, errors and omissions insurance policies, and surety bond.

(G) Validity of certificate of compliance. A certificate of compliance issued to the seller shall be valid for one hundred eighty (180) days from the date of issuance.

(H) No warranty. In issuing a certificate of compliance or a conditional certificate of compliance, the city and its agents do not make any warranty, representation or statement nor does it intend to insure or guarantee to either buyer or seller of the property subject to the point-of-sale inspection or any of their designees, agents, representatives, heirs or assigns or any other interested party, including mortgage companies, insurance companies, banks or any other party which may have any interest relative to the property subject to the point-of-sale inspection, nor does the city affirm that there are no additional unnoted violations relative to any other provisions of any of the Municipal Code of the City of Blue Island, or relevant statutes, ordinances, rules and regulations of the County of Cook, the State of Illinois or the United States of America.

(I) It shall be unlawful for any person to hereafter occupy, by purchase, rental, lease or otherwise, or for any owner or agent thereof, to permit the occupation of any commercial property, or addition thereto, or part thereof, for any purpose until a certificate of compliance or temporary

certificate of compliance has been issued by the Building Department.

(J) Said certificate is required for each and every separate occupancy and in the case of rental or lease, said certificate is required for each new tenant.

(K) It shall be unlawful for any person to knowingly make any false statement in the notice of intent to sell or rent property.

Section 4. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any other provision of this Ordinance.

Section 5. All ordinances, resolutions, motions or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 6. This ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

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ADOPTED this 12th day of April, 2022, pursuant to roll call as follows:

	YES	NO	ABSENT	PRESENT	ABSTAIN
Alderman JOHNSON	X				
Alderman FAHRENWALD	X				
Alderman RITA	X				
Alderman MONTOYA	X				
Alderman MCGEE			X		
Alderman CARR	X				
Alderman ROLL	X				
Mayor BILOTTO					
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APPROVED by the Mayor on April 12, 2022.

FRED BILOTTO
MAYOR OF THE CITY OF BLUE ISLAND,
COUNTY OF COOK AND STATE OF ILLINOIS

ATTESTED and Filed in my office this
12th day of April, 2022.

RAEANN CANTELO-ZYLMAN, CITY CLERK

PUBLISHED in pamphlet form this
12th day of April, 2022.

RAEANN CANTELO-ZYLMAN, CITY CLERK

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

CERTIFICATE

I, RAEANN CANTELO-ZYLMAN, certify that I am the duly elected and acting Municipal Clerk of the City of Blue Island of Cook County, Illinois.

I further certify that on **April 8, 2022** the Corporate Authorities of such municipality passed and approved Ordinance No. **2022 - 021** Entitled: **ORDINANCE: AN ORDINANCE OF THE CITY OF BLUE ISLAND, COOK COUNTY, ILLINOIS, AMENDING TITLE IX "GENERAL PROVISIONS," CHAPTER 92, "FAIR HOUSING" OF THE CODE OF BLUE ISLAND, ILLINOIS**

Which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. **2022 - 021** including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance posted in the municipal building commencing on **April 12, 2022** and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

DATED at Blue Island, Illinois, this **12th** day of **April, 2022**.

CORPORATE SEAL


CITY CLERK

STATE OF ILLINOIS)
)
COUNTY OF COOK)

 ss.

CERTIFICATION

I, RAEANN CANTELO-ZYLMAN, DO HEREBY CERTIFY THAT I am the duly elected City Clerk of the City of Blue Island, Illinois, as such City Clerk, I am the keeper of the minutes and records of the Proceedings of the City Council of the said City and have in my custody the RESOLUTIONS and BOOKS of the records of said City.

I DO FURTHER CERTIFY that the attached and foregoing is a true and correct copy of the certain **ORDINANCE: AN ORDINANCE OF THE CITY OF BLUE ISLAND, COOK COUNTY, ILLINOIS, AMENDING TITLE IX "GENERAL PROVISIONS," CHAPTER 92, "FAIR HOUSING" OF THE CODE OF BLUE ISLAND, ILLINOIS.**

ORDINANCE NO. 2022-021 which was adopted at a regular meeting of the City Council of the City of Blue Island, Illinois held on the **12th day of April, 2022**; that at said meeting 7 Alderman were present; that at said meeting, on motion duly made and seconded that the Resolution did pass and on the roll being called the vote of each Aldermen present on the question of the passage of said Resolution was duly and separately taken by Ayes and Nays and their names and votes recorded in the minutes of **6** Alderman voted Aye and **1** Alderman voted Nay and **0** Alderman voted Abstain and **0** Alderman Absent.

I DO FURTHER CERTIFY that the original Ordinance which the foregoing is a true copy, is entrusted to my care for safe keeping, and that I am the lawful keeper of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of the City of Blue Island aforesaid, at the said City in the County and State aforesaid, this **12th** day of **April, 2022**.

CORPORATE SEAL


City Clerk