

ORDINANCE NO. 2008- 01

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE VILLAGE OF RIVERDALE, COOK COUNTY, ILLINOIS, TITLE 15 "BUILDINGS AND CONSTRUCTION", CHAPTER 15.54 "CERTIFICATE OF COMPLIANCE BEFORE SALE OF BUILDING"

BE IT ORDAINED by the President and Board of Trustees of the Village of Riverdale, Cook County, Illinois, as follows:

SECTION 1: That Title 15, "Buildings and Construction", Chapter 15.54, entitled "Certificate of Compliance before Sale of Building", is hereby amended by the addition of Section 15.54.035 which shall read as follows:

15.54.035 *Conditional certificate of compliance; procedures.* An owner who has not completed the repairs identified through the inspection may nevertheless transfer ownership of property if:

- (1) A fee for a conditional certificate of compliance is paid for in the amount of one hundred dollars (\$100.00) for one (1) or two (2) units and one hundred dollars (\$100.00) plus twenty-five dollars (\$25.00) for each additional unit over the first two (2); and
- (2) The owner or agent has deposited with the Village an amount of money determined by the Director of Building and Zoning and the Fire Chief to be sufficient to bring the structure into compliance with all Village building and zoning ordinances and any applicable housing, fire or property maintenance codes or regulations; and
- (3) The buyer, conveyee, transferee, assignee or successor in title, ownership or interest (hereinafter "buyer") has entered into an agreement with the Village whereby the buyer agrees to bring the structure into compliance within the time period determined by the Director of Building and Zoning to bring the structure into compliance with all applicable Code requirements within a period not to exceed one hundred eighty (180) calendar days after the closing of the transaction ("closing"); and
- (4) If the buyer enters into such 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 Director of Building and Zoning 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 Director of Building and Zoning, which will clearly indicate 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 Village shall issue a certificate of compliance upon completion of the repairs necessary to bring the dwelling or structure into compliance; and

- (5) In the event the buyer fails to complete the required repairs, and have the repairs verified on reinspection, the Director of Building and Zoning is hereby authorized to pursue enforcement proceedings through the Riverdale Administrative Adjudication Process, or, at its discretion, through the Circuit Court of Cook County. The buyer hereby agrees to submit to the jurisdiction and venue of the Riverdale 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 Village to expeditiously obtain an order of compliance with this section; and
- (6) 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 Village 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.

SECTION 2: All Ordinances or parts of Ordinance in conflict with the provisions of this Ordinance be and the same are hereby repealed.

SECTION 3: This Ordinance shall be in full force and effect after passage, approval and publication in pamphlet form.

PASSED this 8th day of January, A.D., 2008.

Joseph E. Archer
Village Clerk

APPROVED this 8th day of January, A.D., 2008.

Jenavia G. Evans
Village President

ATTEST:

Joseph E. Archer
Village Clerk

RECORD OF THE VOTE	YES	NO	ABSTAIN	ABSENT
PRESIDENT ZENOVIA G. EVANS				
TRUSTEE FOY	✓			
TRUSTEE DEAN				✓
TRUSTEE PEYTON	✓			
TRUSTEE RUSSELL	✓			
TRUSTEE SANDERS	✓			
TRUSTEE SMILEY	✓			

Published in pamphlet form this 9th day of January, 2008.

James E. Fisher
Village Clerk