

## **PROPERTY MAINTENANCE – KANE COUNTY HEALTH DEPARTMENT INFORMATION**

The following information was obtained directly from the Kane County Health Department website. For additional details, access to the Kane county Property Maintenance Ordinance and registering complaints on line, please click on the link shown at the bottom of the Mill Creek website where links are listed.

**PLEASE NOTE:** The Kane County Property Maintenance Ordinance applies only to unincorporated portions of the county.

### **Property Maintenance FAQs**

#### **How do I make a complaint?**

Complaints can be made by calling the complaint hotline at 630-762-2770 or through the website's online form.

Please include detailed location of complaint, type of complaint and location on property. Complaints made after hours or on weekends will be responded to the next business day.

Open burning complaints during normal business hours should be called into 630-444-3040. For burning complaints outside of normal business hours please contact the Kane County Sheriff's non-emergency number at 630-232-8400.

**\*Please note:** Agencies who respond to complaints of open burning are responsible for a variety of issues. Agency response will be prioritized according to protocol established by each agency.

If you are reporting a fire that is a life threatening or is a fire safety issue, CALL 911.

#### **What agencies respond to property maintenance complaints?**

Response to property maintenance complaints is a collaborative effort by the Kane County Building Department, Health Department and Animal Control. Complaints are assigned to departments based on the type of complaint and the location of the complaint. All departments utilize one complaint tracking system, allowing staff from each department to receive, enter inspection information and update the public on the status of complaints.

#### **I called in a complaint last week and nothing has changed. What is the county doing?**

The general procedure for responding to property maintenance complaints is:

- Once a complaint is received it is issued a complaint number and assigned to an inspector.
- The inspector will conduct an inspection of the property to verify the violation.
- If the inspector finds violations, a complaint notice with a date for compliance (generally 5 -30 days depending on violation) will be sent to property owner.
- The inspector will conduct a follow up inspection after the date set in the violation notice to determine if the property has come into compliance.
- If the violation is not corrected, the inspector can send notice to the property owner that they must attend an Administrative Adjudication hearing.

In every case, the County tries to work with the individual to achieve compliance.

### **What is Administrative Adjudication?**

Administrative Adjudication is a process in which the property owner is required to attend a hearing in front of the county administrative adjudication officer. The officer is a licensed attorney hired by the county to oversee these hearings. The hearings are held the second Thursday of each month. At the hearing, the county presents evidence of the violation to the hearing officer and the complainant also presents their case to the hearing officer. Based on the testimony and evidence the hearing officer can do any/all of the following: continue the case to the next month to allow further time for the violation to be corrected, assess fines and costs or close the complaint.

Violations can be referred to the court system if compliance is not achieved thru the administrative adjudication process.

### **Does the county have an abatement/cleanup program?**

(Mowing grass, property clean up done by the county and the property owner is billed.)

No. It is the responsibility of each property owner to correct any violation found on their property.

### **The house next door is vacant and may be in foreclosure. What can the county do to ensure the house is maintained?**

The property maintenance ordinance requires: That the owner of record for any residential dwelling that has become vacant, shall within thirty (30) days after the dwelling becomes vacant, file a registration statement for each such dwelling with the community development department on forms provided by the community development department for such purposes. The registration shall remain valid for one year from the date of registration. The owner shall be required to annually renew the registration as long as the dwelling remains vacant and shall pay an annual registration fee of fifty dollars (\$50.00) for each registered dwelling. The property owner must also designate a local person/company that is responsible for maintaining the property.

### **Why are you investigating complaints on my property and not the neighboring properties around me?**

The property maintenance program is a complaint driven program. Only properties that have had complaints made against them are investigated.