

COUNTY OF KANE

DEVELOPMENT DEPARTMENT
Building and Community Services Division
Mark D. VanKerkhoff, AIA Director



County Government Center
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VACANT DWELLING REGISTRATION

Kane County Property Owners and Mortgage Lenders,

Effective July 1, 2010, the Kane County Board adopted changes to the Kane County Code, Chapter 15, Nuisances and Property Maintenance. The adopted changes include requirements for registering vacant dwellings.

A vacant dwelling is “a dwelling 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 operations or residential occupancy has ceased, or which is substantially devoid of content. In determining whether a dwelling is vacant, it is relevant to consider, among other factors, the percentage of the overall square footage of the dwelling 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.”

The pertinent section from the County Code is included with this handout along with a Vacant Dwelling Registration Form.

Mark D. VanKerkhoff, AIA, Building Officer
Director, Development & Community Services Department

If the vacant dwelling has suffered damage, one or both of the following permits will be required prior to re-occupancy:

Damage Assessment Permit

A Damage Assessment Permit is required to assist you in quickly evaluating the extent of the damage to determine the scope of repair and reconstruction will be necessary. The following are required for the application:

- Completed Permit Application
- \$50 damage assessment fee
- In addition, the following may be required after the permit is issued:
 - Copies of reports from fire department, insurance agent or adjustor
 - Report from an architect or structural engineer addressing structural items

Permits for Repair or Reconstruction

Once the extent of the damage and the scope of the repairs have been determined, additional permits and fees are required. The types of permits, submittals and fees will vary depending on the extent of the work. The building inspector assigned to the Damage Assessment Permit will determine what additional permits are required.

Excerpted from:
Chapter 15
NUISANCES AND PROPERTY MAINTENANCE

(6) Vacant Dwellings:

6.1 Notification to County. The owner of record or any person or entity with an interest of record (hereafter collectively "owner") of or in any residential dwelling that has become vacant shall within 30 days after the dwelling becomes vacant, or within 30 days after the effective date of this subchapter, whichever is later, file a registration statement for each such dwelling with the Development Department on forms provided by the 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 \$50 for each registered dwelling; provided, however, that eleemosynary, religious, educational, benevolent or charitable associations and all governmental agencies shall be exempt from the payment of the annual registration fee. The owner shall notify the Development Department within 20 days of any change in the registration information by filing an amended registration statement on a form provided by the Development Department 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 County against the owner of the dwelling. Registration of a dwelling in accordance with this section shall be deemed to satisfy the registration requirements set forth in the County ordinances and the notification requirement set forth in the County ordinances. In addition to other information required by the Director of Development, the registration statement shall include the name, street address and telephone number of a natural person 21 years of age or older, designated by the owner as the authorized agent for receiving notices of code violations and for receiving process, in any court proceeding or administrative enforcement proceeding, on behalf of such owner in connection with the enforcement of this code. This person must maintain an office in Kane County, Illinois, or must actually reside within Kane County, Illinois. An owner who is a natural person and who meets the requirement of this division as to location of residence or office may designate himself or herself as agent. By designating an authorized agent under the provisions of this section the owner is consenting to receive any and all notices of code violations concerning the registered dwelling and all process in any court proceeding or administrative enforcement proceeding brought to enforce code provisions concerning the registered dwelling by service of the notice or process on the authorized agent. Any owner who fails to register a vacant dwelling under the provisions of this section shall further be deemed to consent to receive, by posting at the dwelling, any and all notices of code violations and all process in an administrative proceeding brought to enforce code provisions concerning the dwelling.

6.2 Responsibilities of owner or manager. The owner of any dwelling that has become vacant, and any person maintaining, operating or collecting rent for any dwelling that has become vacant shall, within 30 days, do the following: (1) Enclose and secure the dwelling; (2) Maintain the dwelling in a secure and closed condition until the dwelling is again occupied or until repair or completion of the dwelling has been undertaken.

6.3 Rules and regulations to be promulgated. The County may issue rules and regulations for the administration of this section. These rules may designate board-up materials and methods which must be used when securing a dwelling so that the boarding is reasonably incapable of being removed by trespassers or others acting without the dwelling owner's consent.

6.4 Inspection Report Required: Each vacant dwelling registered herein shall be inspected periodically as required by the County, but not less than annually. The dwelling owner shall, at the owner's expense, submit an inspection report to the County. The report shall be prepared by a duly licensed company or individual. The report must include comments on the condition of the property, the exterior of all structures and the interior of the dwelling.

Kane County
Development & Community Services Department

719 S. Batavia Ave.
Geneva, IL 60134
630-232-3480
630-232-3411 fax

Hours of Operation
Monday - Friday
8:30 a.m. – 4:30 p.m.

www.countyofkane.org

VACANT DWELLING REGISTRATION

PROPERTY INFORMATION

Address: _____ City: _____ State: _____ Zip: _____

Parcel ID: _____ Date Vacated: _____

Reason Vacated: _____

PROPERTY CONTACT

Contact Person: _____

Company: (if applicable) _____

Address: _____ City: _____ State: _____ Zip: _____

Email: _____ Phone: (____) ____ - ____ Fax: (____) ____ - ____

PROPERTY OWNER (If different from Contact)

Name: _____

Company: (if applicable) _____

Address: _____ City: _____ State: _____ Zip: _____

Email: _____ Phone: (____) ____ - ____ Fax: (____) ____ - ____

MORTGAGE HOLDER

Company: _____

Address: _____ City: _____ State: _____ Zip: _____

Contact Name: _____ Phone: (____) ____ - ____ Fax: (____) ____ - ____

A \$50 Administration Fee is due with the submittal of this registration form.

For Office Use Only

File Number: _____ Date Received: _____ Received By: _____