



License, Permits & Franchises Committee

Meeting Agenda

June 13, 2023

7:00 p.m.

1. Call to Order
2. Approval of Minutes – May 11, 2023
3. Permit and Code Enforcement Report
4. Vehicle Sticker Report
5. Discussion, Introduction and Approval for an ordinance providing for the regulation of cutting grass and weeds
6. New Business
7. Old Business
8. Comments from the Audience – please send public comments to building@palosheights.org
9. Adjourn



City of Palos Heights
License, Permits, & Franchises Meeting
Tuesday, May 9, 2023
7:00 p.m.
MINUTES

CALL TO ORDER

Chairman Lewandowski called the License, Permits, and Franchises Committee meeting to order at 7:00 p.m. In attendance were Alderman McGovern, Alderman McGrogan, Alderman Basso, Building Commissioner Frank Giordano, City Administrator David Strohl and recording secretary Ashley Pala.

APPROVAL OF MINUTES

Alderman Lewandowski moved to approve the minutes of the April 11, 2023, meeting, seconded by Alderman McGovern. On a voice note, the motion passed unanimously.

PERMIT & CODE ENFORCEMENT REPORT

Chairman Lewandowski referred to the permit report in the agenda packet. There were 97 permits issued from April 6, 2023, to May 4, 2023, totaling \$29,057.20. For the permit period from January 1, 2023, to May 4, 2023, the City has collected \$70,869.80 with 225 permits issued. From January 1, 2023, to May 4, 2023, the City has collected \$550.00 in re-inspection fees. There were 4 code enforcement cases and 5 code enforcement inspections from April 6, 2023, to May 4, 2023. From January 1, 2023, to May 4, 2023, there have been 51 code enforcement cases and 47 inspections.

BUSINESS LICENSE REPORT

All businesses have obtained a business license and are in compliance. Alderman thanked Building Commissioner Frank Giordano and Deputy Clerk Ashley Pala. The Committee will be updated in November once renewal letters are issued.

VEHICLE STICKER REPORT

For the period from May 18, 2022, to May 3, 2023, approximately 6,900 stickers were sold and \$159,875.00 was collected.

NEW BUSINESS

Alderman Lewandowski approached the Committee on their thoughts of implementing a vehicle sticker waiver for veterans and active duty military personnel. The Committee was in favor of implementing this with each veteran being awarded one complimentary vehicle sticker. If two veterans live in a household, they would then receive two vehicle stickers at no charge. Proof would be granted by showing a military identification card or medical identification card. Alderman Lewandowski stated he will be speaking with City Hall staff to determine the appropriate tracking of the issued vehicle stickers for budget purposes.

Alderman Lewandowski motioned to direct the City Attorney to amend the Code to allow veterans and active duty military personnel to be waived of a vehicle sticker fee, seconded by Alderman McGrogan. On a voice vote, the motioned passed unanimously.

Alderman Basso discussed his concerns that fee waivers are not discussed at this Committee and who is approving them. City Administrator David Strohl stated that fee waivers rarely occur and when they do, they are placed under the consent agenda to be voted on by the council. Alderman McGrogan discussed that fee waivers over a certain dollar amount should be brought to the Committee. If the fee waivers are not over a certain amount they can be handled administratively.

OLD BUSINESS

Building Commissioner Frank Giordano discussed a previous matter regarding truck parking on commercial properties. Attorney Tom Brown reviewed the matter and informed Frank that the codes are not specific in detail and is not indicated in the code to prevent overnight parking for commercial vehicles. Alderman Basso discussed the possibility of changing the code to protect the City in the future.

PUBLIC COMMENT

ADJOURNMENT

There being no further business, Chairman Lewandowski made a motion to adjourn, seconded by Alderman McGovern. All in favor.

Meeting adjourned at 7:53 p.m.

Respectfully submitted,

Ashley Pala, Recording Secretary

Building Department

Phone: 708-361-1804 • Fax: 708-923-7112



Memo

To: License, Permits, & Franchises Committee
From: Building Department
Date: June 8, 2023
Re: Permit and Code Enforcement Report

PERMITS

Permits Issued

May 5, 2023 to June 8, 2023 - **93**

January 1, 2023 to June 8, 2023 - **345**

Permit Fees Collected

May 5, 2023 to June 8, 2023 - **\$29,695.60**

January 1, 2023 to June 8, 2023 - **\$100,565.40**

Re-inspection Fees Collected

May 5, 2023 to June 8, 2023 - **\$200.00**

January 1, 2023 to June 8, 2023 - **\$750.00**

CODE ENFORCEMENTS

Code Enforcement Cases

May 5, 2023 to June 8, 2023 - **35**

January 1, 2023 to June 8, 2023 - **80**

Code Enforcement Inspections

May 5, 2023 to June 8, 2023 - **44**

January 1, 2023 to June 8, 2023 - **91**

FINES

Building Fines Collected

January 1, 2023 to June 8, 2023 - **\$2750.00**

Code Enforcement Fines Collected

January 1, 2023 to June 8, 2023 - **\$1400.00**



MEMORANDUM

To: Alderman Lewandowski
License, Permits and Franchises Committee

From: Charlotte Moore

Date: June 7, 2023

RE: Vehicle Stickers

2023-2024 vehicle stickers went on sale May 18, 2023.

This report is for vehicle sales from May 18, 2023 – June 6, 2023. Approximate number of stickers sold is 3,400.

Money taken in from Vehicle Tag fees:

32-00-320	New Stickers	\$	65,425.00
32-00-320.1	Replacements	\$.00
	Total for stickers	\$	65,425.00

AN ORDINANCE PROVIDING FOR THE REGULATION OF CUTTING OF GRASS AND WEEDS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PALOS HEIGHTS, COUNTY OF COOK, STATE OF ILLINOIS, as follows:

Section One. The Code of Ordinances of the City of Palos Heights is hereby amended by adding the following to Section 96.01:

(w) GRASS AND WEEDS. Grass and weeds that exceed six inches in height however, the term "weeds" shall not include cultivated flowers and gardens, nor shall it include grasses, annual plants and vegetation located on publicly owned property located in areas zoned as "public lands/open space" as defined in the City zoning ordinance.

Section Two. That the Code of Ordinances is further amended to add the following to Chapter 96:

§96.45 Owner required to cut grass and weeds

Every owner of real estate within the City shall cut grass and weeds on their property at all such times as may be necessary to that the grass and weeds shall not exceed six inches in height. If the owner neglects or refuses to cut the grass and weeds, the code enforcement official shall cause the grass and weeds to be cut on behalf of the City.

§96.46 Owner required to maintain trees and plants

Every owner of real estate within the City shall maintain all trees and plants on their property at all such times as may be necessary to prevent them from becoming a nuisance. If the owner neglects or refuses to maintain these trees and plants as required by this section, the code enforcement official shall cause the trees and plants to be trimmed or removed on behalf of the City.

§96.47 Owner required to remove dead, diseased or damages trees and plants

Every owner of real estate within the City shall promptly remove any dead, diseased or damaged portion of trees and plants on their property. If the owner neglects or refuses to remove dead, diseased or damaged portions of trees and plants as required by this section, the code enforcement official shall cause the trees and plants to be trimmed or removed on behalf of the City.

§96.48 Cost of vegetation cutting, trimming or removal to be recorded; notice of lien

- (a) If the code enforcement official causes grass, weeds, trees or plants to be cut, trimmed or removed as provided in this division, a notice of lien of the cost and expense incurred by the City shall be recorded as provided in 65 ILCS 5/11-20-7. The City, or the person performing the service by authority of the City, shall within 60 days thereafter file a notice of lien in the office of the county recorder of deeds. The notice of lien shall consist of a sworn statement setting out (1) a description of the real estate sufficient for identification thereof; (2) the amount of money representing the cost and expense incurred or payable for the service, to include recording charges for the lien and a release of lien; (3) the date when such cost and expense was incurred by the City.
- (b) In addition to filing a notice of lien with the recorder of deeds, notice of such lien also shall be personally served on, or sent by certified mail to the person to whom was sent the tax bill for the general taxes on the property for the last preceding year. Every lien recorded pursuant to this section shall include an

additional charge in an amount as provided on the City fee schedule to recover the costs expended by the City in preparing the lien, plus the actual recording cost as determined by the county recorder of deeds.

§96.49 Payment of cost of vegetation cutting, trimming, or removal; release of lien

Upon payment of the cost and expense after a notice of lien has been filed, the lien shall be released by the City or person in whose name the lien has been filed, and the release shall be filed of record in the same manner as filing the notice of lien.

§96.50 Foreclosure of lien

- (a) Real estate subject to a lien for unpaid cutting, trimming, or removal costs and expenses may be sold for nonpayment of the same, subject to the statutory rights of bona fide purchasers or prior lienors, and the proceeds of such sale shall be applied to pay such costs and expenses, after deducting court costs and legal fees, as in the case of the foreclose of statutory liens.
- (b) The City attorney is hereby authorized and directed to institute such foreclosure proceedings, which shall be in equity and in the name of the City, in any court of proper jurisdiction, against any real estate for which the cutting costs and expenses have remained unpaid for 60 days after being incurred.

Section Three. This Ordinance shall become effective from and after its passage, approval and publication as required by law.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF PALOS HEIGHTS, COUNTY OF COOK, STATE OF ILLINOIS, THIS _____ DAY OF _____, 2023 ON A MOTION MADE BY ALDERMAN _____, SECONDED BY ALDERMAN _____, ON A CALL OF THE ROLL, VOTING AS FOLLOWS:

VOTE:

AYES:

NAYS:

ABSENT:

Approved by me this _____ day of _____, 2023.

Mayor

ATTEST:

City Clerk

STATE OF ILLINOIS
COUNTY OF COOK

GRASS and WEED CONTROL LIEN
(65 ILCS 5/11-20-7)

IN THE OFFICE OF THE RECORDER OF DEEDS
COOK COUNTY, ILLINOIS

CITY OF PALOS HEIGHTS, an Illinois Municipality
(Lien Creditor)

vs.

Property Owner
(Lienee-Owner)

(The Above Space for Recorder's Use Only)

NOTICE OF LIEN

The lien creditor, THE CITY OF PALOS HEIGHTS, ILLINOIS, an Illinois municipal corporation, pursuant to the provisions of 65 ILCS 5/11-20-7 of the Illinois Municipal Code hereby files a NOTICE OF LIEN in its favor in the amount of _____ Dollars (\$xx.xx) against the following described real estate:

Insert legal description

PIN: _____

COMMONLY KNOWN AS: _____

That Section _____ of Chapter 156 of the Property Code provides as follows:

(insert the language out of the Property Maintenance Code that deals with lien on real estate)

That on _____, 2023 the owners of the above-described property were notified in writing of the violation of the Code but said owners neglected or failed to cut the grass and/or weeds.

That on _____, 2023 the City of Palos Heights caused said grass and/or weeds to be cut, removed, and destroyed and the reasonable cost and expense incurred for the work was _____ Dollars (\$xx.xx) and that sum remains unpaid.

CITY OF PALOS HEIGHTS
an Illinois municipal corporation

By: (SEAL)

State of Illinois)
County of Cook)ss.

_____, being first duly sworn on oath, deposes and states that he/she is the duly elected (or appointed) qualified and acting City Clerk or Collector, of the City of Palos Heights; that he/she is named in the above and foregoing Notice of Lien and that he/she has read said Notice and knows the contents thereof to be true in substance and in fact.

Subscribed and sworn to before me this _____ day of _____, 2023.

Notary Public

alternative materials or methods, the *code official* shall have the authority to require tests to be made as evidence of compliance at no expense to the jurisdiction.

105.3.1 Test methods. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the *code official* shall be permitted to approve appropriate testing procedures performed by an *approved* agency.

105.3.2 Test reports. Reports of tests shall be retained by the *code official* for the period required for retention of public records.

105.4 Used material and equipment. The use of used materials which meet the requirements of this code for new materials is permitted. Materials, equipment and devices shall not be reused unless such elements are in good repair or have been reconditioned and tested when necessary, placed in good and proper working condition and *approved* by the *code official*.

105.5 Approved materials and equipment. Materials, equipment and devices *approved* by the *code official* shall be constructed and installed in accordance with such approval.

105.6 Research reports. Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from *approved* sources.

SECTION 106 VIOLATIONS

106.1 Unlawful acts. It shall be unlawful for a person, firm or corporation to be in conflict with or in violation of any of the provisions of this code.

106.2 Notice of violation. The *code official* shall serve a notice of violation or order in accordance with Section 107.

106.3 Prosecution of violation. Any person failing to comply with a notice of violation or order served in accordance with Section 107 shall be deemed guilty of a misdemeanor or civil infraction as determined by the local municipality, and the violation shall be deemed a *strict liability offense*. If the notice of violation is not complied with, the *code official* shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful *occupancy* of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. Any action taken by the authority having jurisdiction on such *premises* shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

106.4 Violation penalties. Any person who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by state or local laws. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

106.5 Abatement of violation. The imposition of the penalties herein prescribed shall not preclude the legal officer of the jurisdiction from instituting appropriate action to restrain, cor-

rect or abate a violation, or to prevent illegal *occupancy* of a building, structure or *premises*, or to stop an illegal act, conduct, business or utilization of the building, structure or *premises*.

SECTION 107 NOTICES AND ORDERS

107.1 Notice to person responsible. Whenever the *code official* determines that there has been a violation of this code or has grounds to believe that a violation has occurred, notice shall be given in the manner prescribed in Sections 107.2 and 107.3 to the person responsible for the violation as specified in this code. Notices for condemnation procedures shall also comply with Section 108.3.

107.2 Form. Such notice prescribed in Section 107.1 shall be in accordance with all of the following:

1. Be in writing.
2. Include a description of the real estate sufficient for identification.
3. Include a statement of the violation or violations and why the notice is being issued.
4. Include a correction order allowing a reasonable time to make the repairs and improvements required to bring the *dwelling unit* or structure into compliance with the provisions of this code.
5. Inform the property *owner* of the right to appeal.
6. Include a statement of the right to file a lien in accordance with Section 106.3.

107.3 Method of service. Such notice shall be deemed to be properly served if a copy thereof is:

1. Delivered personally;
2. Sent by certified or first-class mail addressed to the last known address; or
3. If the notice is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice.

107.4 Unauthorized tampering. Signs, tags or seals posted or affixed by the *code official* shall not be mutilated, destroyed or tampered with, or removed without authorization from the *code official*.

107.5 Penalties. Penalties for noncompliance with orders and notices shall be as set forth in Section 106.4.

107.6 Transfer of ownership. It shall be unlawful for the *owner* of any *dwelling unit* or structure who has received a compliance order or upon whom a notice of violation has been served to sell, transfer, mortgage, lease or otherwise dispose of such *dwelling unit* or structure to another until the provisions of the compliance order or notice of violation have been complied with, or until such *owner* shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any compliance order or notice of violation issued by the *code official* and shall furnish to the *code official* a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such compliance order or notice of violation and