

VILLAGE OF LONG GROVE

ORDINANCE NO. 2021-O-03

**AN ORDINANCE APPROVING AN AMENDMENT TO THE BUILDING PLAN REVIEW,
INSPECTION SERVICES AGREEMENT PERTAINING TO PROPERTY MAINTENANCE
ADMINISTRATION WITH THE VILLAGE OF MUNDELEIN**

Adopted by the
President and Board of Trustees
of
the Village of Long Grove
this 23d day of February, 2021

Published in pamphlet form by direction
and authority of the Village of Long Grove,
Lake County, Illinois
this 24th day of February, 2021

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WHEREAS, as set forth in Title 1, Chapter 18 of the Long Grove Village Code (“**Village Code**”), the President and Board of Trustees (“**Village Board**”) of the Village of Long Grove (“**Village**”) previously adopted Division 31.1 of Article 11 of the Illinois Municipal Code, 65 ILCS 5/11-31.1-1 *et seq.*, and pursuant thereto have established an administrative system to enforce and adjudicate violations of certain Village building and property maintenance regulations (“**Long Grove System**”); and

WHEREAS, the Long Grove System provides that the Village President, with the advice and consent of the Village Board, may appoint hearing officers to perform the functions set forth in Title 1, Chapter 18 of the Village Code, or the President and Village Board may operate the Long Grove System in conjunction with the existing administrative hearing system of another municipality and use the hearing officers designated by such municipality pursuant to an intergovernmental agreement; and

WHEREAS, the Village of Mundelein (“**Mundelein**”) operates an administrative adjudication system (“**Mundelein System**”) through which a designated administrative hearing officer (“**Hearing Officer**”) conducts hearings and adjudicates certain violations of Mundelein codes and ordinances; and

WHEREAS, the Mundelein System is authorized by Division 1-2.1 of the Illinois Municipal Code, 65 ILCS 5/1-2.1-1 *et seq.* and other applicable law; and

WHEREAS, the Village has previously entered into an agreement with Mundelein relating to building plan review and inspection services, which agreement has been amended from time-to-time (collectively, the “**Current Agreement**”); and

WHEREAS, the Long Grove President and Village Board have determined that it is in the best interests of the Village and its residents to administratively enforce and adjudicate violations of the Long Grove Property Maintenance Code, as set forth in Title 4, Chapter 14 of the Village Code, as amended from time to time, ("**Property Maintenance Violations**") via the Mundelein System; and

WHEREAS, Mundelein has provided a proposal to the Village for services relating to enforcement and administrative adjudication of Property Maintenance Violations through the Mundelein System ("**Proposal**"), a copy of which is attached hereto as Exhibit A; and

WHEREAS, the President and Village Board have determined that it is in the best interests of the Village and its residents to approve the Proposal and authorize the Village Manager to execute an amendment to the Current Agreement (or, in the alternative, a separate intergovernmental agreement) with Mundelein consistent with the terms of the Proposal and as further provided in this Ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LONG GROVE, COUNTY OF LAKE, STATE OF ILLINOIS,
as follows:

SECTION ONE: **Recitals.** The foregoing recitals are hereby incorporated into and made a part of this Ordinance as if fully set forth herein.

SECTION TWO: **Approval; Authorization.**

a. **Approval of Proposal.** The President and Village Board hereby approve the Proposal provided by Mundelein in substantially the form attached hereto as Exhibit A and authorize and approve use of the Mundelein System to enforce and administratively adjudicate Property Maintenance Violations consistent with Title 1, Chapter 18 of the Village Code. In accordance with Section 1-18-6 of the Village Code, any Hearing Officer designated by Mundelein shall be authorized to perform the functions assigned to Village hearing officers in connection with adjudication of Property Maintenance Violations through the Mundelein System.

b. Authorization of Amendment to Current Agreement. The President and Village Board hereby authorize and direct the Village Manager to execute an amendment to the Current Agreement with Mundelein (or, in the alternative, a separate intergovernmental agreement with Mundelein) providing for enforcement and administrative adjudication of Property Maintenance Violations via the Mundelein System consistent with the terms of the Proposal and this Ordinance and in a final form approved by the Village Attorney; provided, however, that the Services to be provided pursuant to the Proposal shall be severable from the other services provided through the Current Agreement.

SECTION THREE: Effective Date. This Ordinance shall be in full force and effect from and after its passage and approval in the manner provided by law.


PASSED THIS 23d DAY OF FEBRUARY, 2021.

AYES: Trustees Borawski, Kritzmire, Michaud, Nora, O'Connor, and O'Reilly

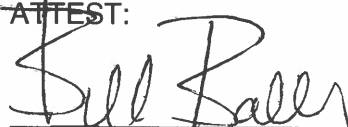
NAYS: None

ABSENT: None

APPROVED THIS 23d DAY OF FEBRUARY, 2021.



Village President

ATTEST:


Village Clerk

EXHIBIT A

Proposal

February 11, 2021

Mr. Bill Balling
Village Administrator
Village of Long Grove

Bill,

Thank you for the opportunity to provide a Code Enforcement program for consideration by the Village of Long Grove.

As you know, the Village of Mundelein already provides building plan review and inspections for the Village of Long Grove and has done since June of 2019. Providing Code Enforcement as part of our services is a natural fit. The Village of Long Grove is sure to benefit from the years of experience we have with code enforcement just as it has with inspections and plan reviews.

With this letter I will outline what Mundelein will be providing for and what Long Grove can expect. We intend on providing a complete Code Enforcement support package including administration services to handle code enforcement and future adjudication processes completely.

In order for code enforcement to be effective, there needs to be a separate quasi-judicial voice to handle those cases that just won't comply with Notices issued by the Village. I believe that an Adjudication process was used when Buffalo Grove handled the code enforcement. I would propose the same, but using the existing venue established by Mundelein and held at the Mundelein Village Hall and using our current Hearing Officer. Long Grove will need to adopt an Ordinance providing for the adjudication systems and appointing the Hearing Officer for the Village of Long Grove. I have provided copies of our ordinances for your review, but please understand that we also use the Hearing Officer for much more than just code enforcement, and therefore the ordinance goes into great detail on non-traffic violations and such. Attached is also the contact information for Joan Vasquez, our current Hearing Officer. She also has samples of adoption ordinances which you may find helpful.

1-Mundelein will provide the labor and manpower to investigate, inspect and determine any violations that may exist within the Village.

2-Mundelein will determine the last known taxpayer of the property in which the violation exists and prepare proper official Notices of Violations that list the appropriate Village Code sections and any fines that may be associated to having those violations. Personal contact will be made whenever possible in addition to a formal written Notice if required. A sample of a Notice of Violation is attached for your review.

3-Mundelein will follow up on compliance of those violation Notices and prepare additional Notices or posting for the property to ensure proper Notice has been made. All mailings will be sent via Long Grove lettered forms and envelopes, with the Long Grove Village Hall return address.

4-All postage costs will be additional and the responsibility of Long Grove.

5-Mundelein will provide management of the adjudication system including scheduling, sending of Notices, docket preparation, reporting, payment of fines, liens preparation and filing and release of liens upon payment. Fines and or fee paid at the time of the Hearing will be collected, recorded and then forwarded to the Village of Long Grove.

6-Long Grove will take any complaints and enter them in the Village data base, assign a case number and forward them to the Village of Mundelein for processing.

7-Long Grove will establish and adopt an Adjudication System as necessary.

8-Long Grove will establish the position of and appoint the Hearing Officer.

The fees for the Code Enforcement including the adjudication system are attached as exhibit "A". If this proposal meets the approval of the Village of Long Grove, an Intergovernmental Agreement will be created for approval by both Villages.

Again, thank you for this opportunity. The Village of Mundelein looks forward to a long lasting and beneficial relationship with the Village of Long Grove.

Please feel free to reach out to me with any questions or additional information you may need.

Peter J. Schubkegel
Director, Building Department
Village of Mundelein

Hearing Officer contact information:

Law Offices of Joan Vasquez, Inc.
20063 North Rand Road
Palatine, IL 60074
(847) 991-5800
JVasquez@VASQUEZ-LAW.COM

February 11, 2021

EXHIBIT "A"

Long Grove Code Enforcement and Adjudication Proposed Fee Schedule

Service	Cost
Inspection of Possible Code Violation	\$80
Preparation of Notices of Violation	\$40 each
Follow-Up Inspections for Compliance	\$40
On-Site Meetings or Consultations	\$80/hour
Preparation and Mailing of Notice to Appear	\$40 each
Preparation of Hearing Docket	\$40
Hearing Administration	\$80 per Hearing
Lien Preparation and Filing	\$40 per case
Postage	Re-Imbursement of cost
Hearing Officer	Per agreement with Hearing Officer
Hearings, Court Appearances/Depositions, etc.	\$80/Hour plus expenses
Lien recording costs	Re-imbursement of cost