

CHAPTER 1
PROPERTY MAINTENANCE

[2007 – AMENDED AND RESTATED ORDINANCE NO. 37]

4-1-1: Storage of Junk, Unsightly Yards Prohibited:

- A. The storing of or accumulation of junk, trash and/or refuse as defined in Section 4-1-3 hereof, on private property within the Village of Holiday Hills, where such storage or accumulation is not otherwise specifically authorized under the provisions of the Holiday Hills Zoning Ordinance is hereby prohibited and declared a nuisance.
- B. It is hereby declared to be a nuisance for any person who is an owner or occupant of any property within the limits of the Village to permit or maintain an unsightly, dangerous or unhealthful yard or premises thereon, where an accumulation or deposit of any junk, trash, and/or refuse as defined in Section 4-1-3 hereof, is allowed to accumulate on or about the exterior of any premises.

4-1-2: International Property Maintenance Code Adopted: A certain document, three (3) copies of which are on file in the office of the Village Clerk of the Village, being marked and designated as the “International Property Maintenance Code (2003 Edition)” as published by the International Code Council, Inc. for the control of existing buildings, structures, and premises as provided therein, and each and all of the regulations, provisions, penalties, conditions and terms of the International Property Maintenance Code (2003 Edition) (hereinafter referred to as “the PM Code”) are referred to, adopted and made a part hereof, as if fully set forth in this Chapter, with the following additions, insertions, and changes, if any:

- A. The “Village of Holiday Hills” shall be inserted in Section PM 101.1 of the PM Code.
- B. The dates of April 1 and November 1 shall be inserted in the respective blanks in Section 304.14 of the PM Code.
- C. The dates of September 1 and May 1 shall be inserted in the respective blanks of Sections 602.3 and 602.4 of the PM Code.
- D. Chapter 1.09 of Ordinance No. 171, “An Ordinance Amending and Restating Ordinance No. 38, the Village of Holiday Hills Building Ordinance”, which adopted the BOCA National Property Maintenance Code of 1990, is hereby deleted in its entirety from said Ordinance.

4-1-3: Definitions:

- A. “Junk”, “trash” and “refuse” are defined herein to include but are not limited to any and all materials and items, regardless of their respective condition, but including without limitation those in a state of disrepair, and any and all waste matter or earth, whether reuseable or not, which is offensive to the public health, safety or to the aesthetics of the neighborhood, and is specifically intended to include, but not be limited to, vehicles,—tractors, boats and other watercraft, snowmobiles, tires, lawn mowers, containers, machinery or equipment of any kind, household appliances, or any part(s) of any of the foregoing.
- B. An “unsightly yard” shall be any private property or premises within the Village where the storage or accumulation of junk, trash, and/or refuse is permitted and/or maintained.

4-1-4: Notice of Violation: Any police officer or other officer of the Village of Holiday Hills, upon observing any violation of this Chapter, shall issue a notice of violation directed to any or all of the owner(s) of record of the property on which said nuisance occurs, as shown in the records of the Recorder of Deeds of McHenry County, or to any and/or all of the adult occupant(s) of said property, or to both, which notice of violation shall describe the violation and shall establish a reasonable time limit for the abatement thereof by such owner(s) or occupant(s), which time shall be not less than two (2) days nor more than ten (10) days after service of such notice.

4-1-5: Service of Notice: Any police officer or other officer of the Village of Holiday Hills shall serve the notice of violation herein provided for upon any or all of the owner(s) or any or all of the adult occupant(s) of the property where such nuisance exists, or upon both of them, and shall make his return upon a copy of such notice, showing the time of service, the person upon whom notice was served and the manner in which notice was served. In the event that the owner(s) or occupant(s) of the property where such nuisance exists cannot be found for personal service, service may be made by attaching a copy of the notice upon the premises in violation, and by mailing a copy by certified mail, return receipt requested, to the last known address of such owner(s) or occupant(s).

4-1-6: Investigation: Immediately upon the expiration of the time prescribed in any such notice for the abatement of such nuisance, the police officer or other officer of the Village of Holiday Hills, who served or mailed such notice, or any other police officer or officer who shall be assigned by the Village President shall investigate and/or reinspect the subject property to determine whether or not such nuisance has been abated.

4-1-7: Complaint to be Filed: In the event the owner(s) and/or occupant(s) of the property where such nuisance exists has failed within the prescribed time period to abate such nuisance and bring the subject property into compliance with this Chapter and the other

applicable Ordinances of the Village, then a complaint alleging such violation(s) of this and other applicable Ordinance(s) of the Village is authorized to be filed against such owner(s) and/or occupant(s) on behalf of the Village of Holiday Hills, in the Circuit Court of the Nineteenth Judicial District, which complaint shall demand that the owner of the property or the occupant thereof, or both, bring the subject property into compliance with this Chapter and any other applicable Ordinance(s) of the Village within a prescribed time period and be punished by paying the fine(s) as provided for in this Chapter and any other applicable Ordinance(s) of the Village.

- 4-1-8: Penalty: Any property owner or any occupant of any property in the Village of Holiday Hills who maintains an unsightly yard and/or allows such storage or accumulation of junk, trash, and/or refuse on the property owned or occupied by him or her in violation of the provisions of this Chapter shall be guilty of a misdemeanor, punishable by a fine of not less than Two Hundred Dollars (\$200.00), nor more than Seven Hundred Fifty Dollars (\$750.00) for each offense, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.