

CHAPTER 9

SUBSTANDARD & DANGEROUS BUILDINGS

7-9-1: Substandard and Dangerous Buildings Defined

All buildings or structures which have any or all of the following defects shall be deemed “substandard” or “dangerous” buildings:

- A. Those whose interior walls or other vertical structural members list, lean or buckle to such an extent that a plumb line passing through the center of gravity falls outside of the middle third of its base;
- B. Those which, exclusive of the foundation, show thirty-three percent (33%) or more, of damage or deterioration of the supporting member or members, or fifty percent (50%) of damage or deterioration of the nonsupporting enclosing or outside walls or covering;
- C. Those which have improperly distributed loads upon the floors or roofs or in which the same are overloaded, or which have insufficient strength to be reasonably safe for the purpose used;
- D. Those which have been damaged by fire, wind or other causes so as to have become dangerous to life, safety, morals, or the general health and welfare of the occupants or the people of the Village;
- E. Those which have become or are so dilapidated, decayed, unsafe, unsanitary or which so utterly fail to provide the amenities essential to decent living that are unfit for human habitation, or are likely to cause sickness or disease, so as to work injury to the health, morals, safety or general welfare of those living therein;
- F. Those having light, air and sanitation facilities which are inadequate to protect the health, morals, safety or general welfare of human being who live or may live therein;
- G. Those having inadequate facilities for egress in case of fire or panic or those having insufficient stairways, elevators, fire escapes or other means of evacuation;
- H. Those which have parts thereof which are so attached that they may fall and injure members of the public or property;
- I. Those which because of their condition are unsafe, unsanitary, or dangerous to the health, morals, safety or general welfare of the people of the Village.

7-9-2: Standards for Repair, Vacation or Demolition

The following standards shall be followed in substance by the Building Official and the Village Board in ordering repair, vacation or demolition:

- A. If the substandard or dangerous building can reasonably be repaired so that it will no longer exist in violation of the terms of this Title, it shall be ordered repaired.
- B. If the substandard or dangerous building is in such condition as to make it dangerous to the health, morals, safety or general welfare of its occupants, it shall be ordered vacated.
- C. If any case where a substandard or a dangerous building is fifty percent (50%) damaged or decayed, or deterioration from its original value or structure, it shall be demolished, and in all cases where a building cannot be repaired so that it will no longer exist in violation of the terms of this Title, it shall be demolished. In all cases where a substandard or dangerous building is a fire hazard existing or erected in violation of the terms of this Title or any other applicable ordinance of the Village or statute of the state, it shall be demolished.
- D. Boarding up of a structure does not constitute putting a structure or property in a safe condition.

7-9-3: Nuisance Declared

All substandard or dangerous buildings within the terms of this Chapter are hereby declared to be public nuisances and shall be repaired, vacated and/or demolished as hereinabove provided.

7-9-4: Duties of Building Officer

The Building Official shall from time to time:

- A. Inspect or cause to be inspected all public buildings, schools, halls, churches, theaters, hotels, tenements, commercial, manufacturing or loft buildings for the purpose of determining whether any conditions exist which render such places a substandard building within the terms of this Chapter;
- B. Inspect any building, wall or structure about which complaints are filed by any person to the effect that a building, wall or structure is or may be existing in violation of this Title;

- C. Inspect any building, wall or structure reported (as hereinafter provided for) by the Police Department of this Village or the applicable fire protection district as probably existing in violation of the terms of this Title;
- D. Inspect buildings in any other section of the Village as directed by the Village Board to determine whether they are substandard or dangerous buildings within the terms of this Chapter;
- E. By mail, notify in writing the owner, occupant, lessee, mortgagee, agent and all other persons having an interest in said building as shown by the land records of the Recorder of Deeds of McHenry County of any building found by him to be a “substandard” building within the standards set forth in Section 7-9-1 of this Chapter that:
 - 1. The owner must vacate, repair, and/or demolish said building in accordance with the terms of said notice;
 - 2. The occupant or lessee must vacate said building or may have it repaired in accordance with the notice and remain in possession;
 - 3. The mortgagee, agent or other persons having an interest in said building as shown by the land records of the Recorder of Deeds of McHenry County may at his own risk repair, vacate, or demolish said building or have such work or act done; provided, that any person notified under this subsection to repair, vacate or demolish any building shall be given at least fifteen (15) days written notice by mail to do, or have done, the work or act required by the notice provided herein.
- F. Set forth in the aforesaid notice the common address or the legal description of the building or structure deemed unsafe, a statement of the particulars which make the building or structure a substandard or dangerous building and an order requiring the same to be put in such condition as to comply with the terms of this Title within such length of time, not exceeding thirty (30) days, as is reasonable.

7-9-5: Village Board

If such building or structure is not brought into compliance within the terms of the aforesaid notice as therein provided, the Village Board may authorize the Village Attorney to make application to the circuit court for an injunction requiring compliance with the applicable order as may be necessary or appropriate to secure such compliance.