

ORDINANCE NO. 2021-14

AN ORDINANCE AMENDING CHAPTER 18, ARTICLE II, DIVISION 2, SECTION 18-69 AND CHAPTER 78, ARTICLE IV, SECTION 78-123 OF THE MUNICIPAL CODE, VILLAGE OF STICKNEY, ILLINOIS REGARDING BUILDING PERMITS AND TRANSFER STAMPS.

WHEREAS, the Village of Stickney (the "Village") is a home rule municipal corporation in accordance with Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970; and

WHEREAS, the Village has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs, and to review, interpret and amend its ordinances, rules and regulations; and

WHEREAS, the Village President (the "President") and the Board of Trustees of the Village (the "Village Board" and with the President, the "Corporate Authorities") are committed to ensuring the health, safety and welfare of Village residents; and

WHEREAS, the Corporate Authorities have determined that Chapter 18, Article II, Division 2, Section 18-69 and Chapter 78, Article IV, Section 78-123 of the Municipal Code, Village of Stickney (the "Village Code") regarding building permits and transfer stamps need to be amended to prohibit issuance of same to individuals owing a debt that is in arrears to the Village and/or has unpaid local ordinance violation tickets; and

WHEREAS, the Corporate Authorities desire to exercise their home rule authority in implementing the regulations contemplated herein; and

WHEREAS, based upon the foregoing, the Corporate Authorities have determined that it is necessary, advisable and in the best interests of the Village and its residents to amend Chapter 18, Article II, Division 2, Section 18-69 and Chapter 78, Article IV, Section 78-123 of the Village Code related to building permits and transfer stamps, as set forth below;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF STICKNEY, COOK COUNTY, ILLINOIS, as follows:

**ARTICLE I.
IN GENERAL**

SECTION 1. INCORPORATION CLAUSE.

The Corporate Authorities hereby find that all of the recitals hereinbefore stated as contained in the preambles to this Ordinance are full, true and correct and do hereby, by reference, incorporate and make them part of this Ordinance as legislative findings.

SECTION 2. PURPOSE.

The purpose of this Ordinance is to amend Chapter 18, Article II, Division 2, Section 18-69 and Chapter 78, Article IV, Section 78-123 of the Village Code related to building permits and transfer stamps and to authorize the President or his designee to take all action necessary to carry out the intent of this Ordinance.

ARTICLE II.
AMENDMENT OF CHAPTER 18, ARTICLE II, DIVISION 2, SECTION 18-69 AND CHAPTER 78, ARTICLE IV, SECTION 78-123 OF THE MUNICIPAL CODE, VILLAGE OF STICKNEY, ILLINOIS

SECTION 3.0. AMENDMENT OF CHAPTER 18, ARTICLE II, DIVISION 2, SECTION 18-69.

That the Village Code is hereby amended, notwithstanding any provision, ordinance, resolution or Village Code section to the contrary, by amending Chapter 18, Article II, Division 2, Section 18-69 as follows:

Sec. 18-69. - Denial of permit, certificate of inspection or certificate of occupancy.

No permit, certificate of inspection or certificate of occupancy shall be issued for any dwelling, apartment or any other place of residence that is not in compliance with the building and zoning codes of the Village of Stickney or is not fit or safe for human habitation. The building and environmental inspector shall determine whether a dwelling, apartment or other place of residence is in compliance with the building and zoning codes of the Village of Stickney or if it is unfit or unsafe for human habitation, if the building and environmental inspector finds that conditions exist which are dangerous or injurious to the health, welfare or safety of the occupant or occupants thereof, or the occupants of neighboring dwellings, apartments or other structures, or to residents of the municipality. Such conditions include, without being limited to, defects increasing the hazard of fire, accident or other calamities; lack of adequate ventilation, light or sanitary facilities; dilapidation, disrepair, or structural defect; uncleanness or vermin infestation, or any other condition as determined by the building and environmental inspector.

In the event of a denial of any permit, certificate of inspection or certificate of occupancy, a conditional permit or certificate may be issued by the building and environmental inspector permitting conveyance or occupancy upon the express condition that the work necessary to cure the violation(s) in the inspection report is performed during a certain period of time, as specified by the building and environmental inspector.

No permit shall issue to the owner of any dwelling, apartment or any other place of residence if said owner has any local ordinance violation tickets that remain unpaid or has a debt that is in arrears owed to the Village as of the time of application for the permit.

SECTION 3.1. AMENDMENT OF CHAPTER 78, ARTICLE IV, SECTION 78-123.

That the Village Code is hereby amended, notwithstanding any provision, ordinance, resolution or Village Code section to the contrary, by amending Chapter 78, Article IV, Section 78-123 as follows:

Sec. 78-123. - Stamps.

(a) Purpose. Adhesive stamps for the purpose of paying the tax provided for by this article shall be prepared by the village clerk, in such form, and of such denominations and in such quantities as he may from time to time prescribe, and he shall make provision for the sale of such stamps by the duly authorized agent or agents of the village in such places and at such times as in his judgment may be necessary to accomplish the equitable, efficient and economic collection of the taxes so provided.

- (b) Sale. No person, firm, company, association or corporation other than a duly authorized fiscal agent of the village shall sell or expose for sale, traffic in, trade, barter or exchange any stamp issued pursuant to this article, without first obtaining from the village its written consent to sell, traffic in, trade, barter or exchange such stamps.
- (c) Canceling. In every case where an adhesive stamp shall be used to denote the payment of the tax provided by this article the person using or affixing the stamp shall write or stamp thereupon the initials of his name and the date upon which the stamp shall be attached or used, and shall cut or perforate the stamp in a substantial manner, so that such stamp cannot be again used; provided, however, that the revenue stamp shall not be so defaced as to prevent ready determination of its denomination and authenticity.
- (d) Unpaid Debt. No transfer stamp shall issue to the owner of any dwelling, apartment or any other place of residence if said owner has any local ordinance violation tickets that remain unpaid or other debt in arrears to the village as of the time of application for the stamp.

SECTION 3.2. OTHER ACTIONS AUTHORIZED.

The officers, employees and/or agents of the Village shall take all action necessary or reasonably required to carry out, give effect to and consummate the amendments contemplated by this Ordinance, and shall take all action necessary in conformity therewith. The officers, employees and/or agents of the Village are specifically authorized and directed to draft and disseminate any and all necessary forms or notices to be utilized in connection with the intent of this Ordinance.

**ARTICLE III.
HEADINGS, SAVINGS CLAUSES, PUBLICATION,
EFFECTIVE DATE**

SECTION 4. HEADINGS.

The headings of the articles, sections, paragraphs and subparagraphs of this Ordinance are inserted solely for the convenience of reference and form no substantive part of this Ordinance nor should they be used in any interpretation or construction of any substantive provision of this Ordinance.

SECTION 5. SEVERABILITY.

The provisions of this Ordinance are hereby declared to be severable and should any provision of this Ordinance be determined to be in conflict with any law, statute or regulation by a court of competent jurisdiction, said provision shall be excluded and deemed inoperative, unenforceable and as though not provided for herein and all other provisions shall remain unaffected, unimpaired, valid and in full force and effect.

SECTION 6. SUPERSEDER.

All code provisions, ordinances, resolutions, rules and orders, or parts thereof, in conflict herewith are, to the extent of such conflict, hereby superseded.

SECTION 7. PUBLICATION.

A full, true and complete copy of this Ordinance shall be published in pamphlet form or in a newspaper published and of general circulation within the Village as provided by the Illinois Municipal Code, as amended.

SECTION 8. EFFECTIVE DATE.

This Ordinance shall be effective immediately upon its passage.

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PASSED this 14th day of June, 2021.

AYES: Trustee Hrejsa, Kapolnek, Milenkovic, Savopoulos, Torres and White

NAYS: None

ABSENT: None

ABSTENTION: None

APPROVED by me this 14th day of June, 2021.

Jeff Walik, President

ATTESTED AND FILED in my
office this 15th day of June, 2021.

Audrey McAdams, Village Clerk