

Ordinance No. 2013- 11

AN ORDINANCE AMENDING PARAGRAPH F(3) OF ORDINANCE NO. 2013-02 WHICH ESTABLISHED VACANT PROPERTY REGULATIONS AND PRIORITY LIEN PROCEDURES

(to amend liability insurance requirement for single-family residential dwelling)

WHEREAS, on January 7, 2013, the Village of Winnebago Board of Trustees previously passed Ordinance No. 2013-02 entitled “An Ordinance Establishing Vacant Property Regulations and Priority Lien Procedures” to regulate the maintenance of properties and buildings within the Village in order to protect the public health, safety, and welfare of its citizens; and

WHEREAS, one of the requirements in said ordinance, namely, in Paragraph F(3) is that the owner of a “vacant building” as defined in said ordinance register the building with the Village of Winnebago, and take the other actions related to registration recited in said ordinance, one of which actions is to obtain liability insurance and maintain such insurance for as long as the building is vacant, and file evidence of such insurance with the Village Building Official; and

WHEREAS, Paragraph F(3) of Ordinance No. 2013-02 currently provides for the following requirements in reference to the level of liability insurance required depending on the number of units involved:

Five hundred thousand dollars (\$500,000.00) for a vacant residential building of one to three (3) units; seven hundred fifty thousand dollars (\$750,000.00) for a vacant residential building of four (4) to eleven (11) units; one million dollars (\$1,000,000.00) for a vacant residential building of twelve (12) to forty-eight (48) units; two million dollars (\$2,000,000.00) for a vacant residential building of more than forty eight (48) units; and two million dollars (\$2,000,000.00) for a vacant manufacturing, industrial, storage, or nonresidential commercial building, and.

WHEREAS, subsequent to passage of Ordinance No. 2013-02, Community Development Committee Members obtained information indicating that the cost of homeowner’s

insurance with vacancy clauses is about four times the expense of such a policy when the property is occupied, and they did not feel the nature of the probable injuries to someone on the vacant premises of a single family residence would exceed \$100,000.00, and recommended to the Village Board that the liability insurance requirements under Ordinance No. 2013-02, for single-family vacant residential dwellings only, be reduced from \$500,000.00 to \$100,000.00, and the Village Board feels it is in the best interest of the citizens of the Village of Winnebago to make such an amendment to Ordinance No. 2013-02.

NOW, THEREFORE, BE IT ORDAINED by the President and the Board of Trustees of the Village of Winnebago, Illinois as follows:

ARTICLE I

Paragraph F(3) of Ordinance No. 2013-02 is hereby amended to read as follows:

Insurance: Obtain liability insurance and maintain such insurance for as long as the building is vacant, and file evidence of such insurance with the Village Building Official, as follows: one hundred thousand dollars (\$100,000.00) for a vacant single-family residential building; five hundred thousand dollars (\$500,000.00) for a vacant residential building of two (2) to three (3) units; seven hundred fifty thousand dollars (\$750,000.00) for a vacant residential building of four (4) to eleven (11) units; one million dollars (\$1,000,000.00) for a vacant residential building of twelve (12) to forty-eight (48) units; two million dollars (\$2,000,000.00) for a vacant residential building of more than forty eight (48) units; and two million dollars (\$2,000,000.00) for a vacant manufacturing, industrial, storage, or nonresidential commercial building.

ARTICLE II

EFFECTIVENESS OF OTHER PROVISIONS

All other provisions of Ordinance No. 04-12 not in conflict with the provisions herein shall remain in full force effect.

ARTICLE III

EFFECTIVE DATE

This Ordinance shall be in full force and effect from and after the date of its passage, approval, and publication in pamphlet form, as provided by law.

APPROVED:

Franklin J. Eubank, Jr., President of the Board of Trustees
of the Village of Winnebago, Illinois

ATTEST:

Sally Jo Huggins, Village Clerk

PASSED:

APPROVED:

PUBLISHED IN PAMPHLET FORM:

PREPARED BY:

Attorney Mary J. Gaziano
One Court Place, Suite 200
Rockford, Illinois 61101
(815) 962-6800
Attorney for the Village of Winnebago