

The City of Fairbury requires a permit for demolition or moving of houses per International Property Maintenance Code dated 2003 as adopted by City Ordinance #1994-6. In the event these codes are not followed, the following sections shall be enforced:

SECTION 106 VIOLATIONS

106.1 Unlawful Acts. It shall be unlawful for a person, firm or corporation to be in conflict with or in violation of any of the provisions of this code.

106.2 Notice of Violation. The Zoning Administrator shall serve a Notice of Violation or order in accordance with **Section 107**.

106.3 Prosecution of Violation. Any person failing to comply with a Notice of Violation or order served in accordance with Section 107 shall be deemed guilty of a misdemeanor, and the violation shall be deemed a strict liability offense. If the Notice of Violation is not complied with, the Zoning Administrator shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. Any action taken by the authority having jurisdiction on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

106.4 Violation Penalties. Any person who violates a provision of this code, or fails to comply with the provision of this code or with any of the requirements thereof, shall be prosecuted within the limits provided by state or local laws. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

106.5 Abatement of Violation. The imposition of the penalties herein prescribed shall not preclude the legal officer of the jurisdiction from instituting appropriate action to restrain, correct or abate a violation, or to prevent illegal occupancy of a building, structure or premises, or to stop an illegal act, conduct, business or utilization of the building, structure or premises.

SECTION 107 NOTICES AND ORDERS

107.1 Notice to Person Responsible. Whenever the Zoning Administrator determines that there has been a violation of this code or has grounds to believe that a violation has occurred, notice shall be given in the manner prescribed in **Sections 107.2** and **107.3** to the person responsible for the violation as specified in this code. Notices for condemnation procedures shall also comply with Section **108.3**.

107.2 Form. Such notice prescribed in **Section 107.1** shall be in accordance with all of the following:

1. Be in writing.
2. Include a description of the real estate sufficient for identification.
3. Include a statement of the violation or violations and why the notice is being issued.
4. Include a correction order allowing a reasonable time to make the repairs and improvements required to bring the dwelling unit or structure into compliance with the provisions of this code.
5. Inform the property owner of the right to appeal.

6. Include a statement of the right to file a lien in accordance with **Section 106.3**.

107.3 Method of Service. Such notice shall be deemed to be properly served if a copy thereof is:

1. Delivered personally;
2. Sent by certified or first-class mail addressed to the last known address; or
3. If the notice is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice.

107.4 Penalties. Penalties for noncompliance with orders and notices shall be as set forth in **Section 106.4**.

107.5 Transfer of Ownership. It shall be unlawful for the owner of any dwelling unit or structure who has received a compliance order or upon whom a Notice of Violation has been served to sell, transfer, mortgage, lease or otherwise dispose of such dwelling unit or structure to another until the provisions of the compliance order or Notice of Violation have been complied with, or until such owner shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any compliance order or Notice of Violation issued to the Zoning Administrator and shall furnish to the Zoning Administrator a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such compliance order or Notice of Violation and fully accepting the responsibility without condition for making the corrections or repairs required by such compliance order or Notice of Violation.

SECTION 202 GENERAL DEFINITIONS

STRICT LIABILITY OFFENSE. An offense in which the prosecution in a legal proceeding is not required to prove criminal intent as a part of its case. It is enough to prove that the defendant either did an act which was prohibited, or failed to do an act which the defendant was legally required to do.

CITY OF FAIRBURY

DEMOLITION OR RELOCATION OF STRUCTURES

Application is hereby made for a demolition permit to be issued for work to be done at:

Owner or Occupant (Circle One) _____

Nature of work: _____

Date of demolition or relocation: _____

Contractor: _____

Before structure is demolished, owner or agent shall notify that all utilities be shut off, removed, sealed and capped in a safe manner. Written notice shall be sent to owners of adjacent lots, owners of wired or other facilities of which the temporary removal may be necessitated by this proposed work. When above work is completed, the premises shall be maintained free from all unsafe or hazardous conditions.

It shall be required to remove all debris and place same in site that meets City of Fairbury and the State of Illinois codes and laws. If new construction permits are not obtained within thirty days, the lot shall be filled and graded to conform to established street grades at curb level.

This permit becomes invalid when work is not started within six months or work is suspended or abandoned from starting date for a period of six months. The applicant hereby agrees that the approval of plans or the issuing of permit procured by misrepresentation of facts or conditions or misstatements in application does not legalize an illegal construction arrangement or condition.

Signature of Applicant: _____ Date: _____

Approved by City Superintendent: _____ Date: _____

DEMOLITION OF STRUCTURE

Owner: _____

Current Address: _____

Address of demolition or relocation: _____

Date of demolition or relocation: _____

Contractor: _____

Address: _____

Proof of Liability Insurance:

Please add the City of Fairbury as an additional insured

Insurance Company: _____

Date received: _____

For Use by the City

Fees

Inspect & Disconnect Sewer \$100.00 Date Paid

Inspect & Disconnect Water \$100.00 Date Paid

Demolition/Removal Permit \$100.00 Date Paid

Sewer

Disconnected Date: _____

Sewer Department Signature: _____ Date: _____

Water

Disconnected Date: _____

Water Department Signature: _____ Date: _____