

**VILLAGE OF FOREST VIEW**

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**ORDINANCE NO. 22-28**

**AN ORDINANCE AMENDING TITLE IV  
OF THE FOREST VIEW VILLAGE CODE  
TO CREATE A NEW CHAPTER,  
“INSPECTION OF RESIDENTIAL REAL PROPERTY”**

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**PASSED AND APPROVED BY THE  
PRESIDENT AND BOARD OF TRUSTEES  
OF THE VILLAGE OF FOREST VIEW,  
COOK COUNTY, ILLINOIS, this 11<sup>th</sup>  
day of October, 2022.**

**Published in pamphlet form  
by authority of the President  
and Board of Trustees of the  
Village of Forest View, Cook  
County, Illinois, this 11<sup>th</sup> day  
of October, 2022.**

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**BE IT ORDAINED** by the President and Board of Trustees of the Village of Forest View, Illinois as follows:

**SECTION 1: Creation of New Chapter:** The Forest View Municipal Code is hereby is hereby amended by adding the following Chapter 4-12, “Inspection of Residential Real Property”:

**Chapter 4-12 Inspection of Residential Real Property**

**4-12-1: Purpose.**

This chapter is enacted to:

- (a) Prevent the deterioration of all existing residential structures within the corporate limits of the Village;
- (b) Protect the general public from possible endangerment to its health, safety and welfare when occupying structures; and
- (c) Preserve the integrity of the Village's neighborhoods and the consequent burden on the taxpayers due to tax revenue loss caused by neighborhood blight.

**4-12-2: Occupancy Inspections Required.**

No owner, agent or person in charge of any existing dwelling unit or units shall sell or allow any other person to occupy the same as an owner or lessee unless said existing dwelling unit or units shall have been inspected and approved for occupancy by the local building official hereinafter called the "inspector."

**4-12-3: Certificate of Occupancy Required.**

No owner, agent or person in charge of an existing single-family or multifamily dwelling unit or units shall sell, rent or allow any person to occupy the same as an owner, occupant or lessee unless such person has been issued a certificate of occupancy by the inspector certifying that the dwelling unit or units has been inspected and found to be in reasonable compliance with all provisions of the Forest View Village Code, as well as all other health, building and zoning laws in force at the time the structure was built, provided there are no violations to be found that threaten the health, safety and welfare of the occupants.

**4-12-4: Application for Certificate of Occupancy.**

The owner, agent or person in charge of an existing single-family or multi-family dwelling unit shall file an application with the Village for a certificate of occupancy no less than fourteen working days prior to the transfer of occupancy resulting from the sale or rental of said dwelling unit. Application shall be made in writing. The application shall state the address of said dwelling unit and the name, current mailing address and telephone number of the owner, agent or person in charge of said dwelling unit, and include the fee for single-family homes of \$25.00. For each additional apartment / dwelling, add \$25.00, and such other information as may be required by the inspector, including the authorization given to the inspector to enter the premises at a specified time mutually agreed upon for the purpose of performing the required inspection to determine if there exists structural defects or serious violations of such a nature as would impair the livability, habitability or occupancy of the premises by the new occupant, in accordance with an inspection checklist to be provided by the Village. The application shall be signed by the owner, agent or person in charge of the said dwelling unit.

**4-12-5: Inspections.**

Within five working days of the filling of the application, the inspector will contact the owner, agent or person in charge of the dwelling unit and schedule an inspection. Inspections shall be conducted during regularly scheduled working hours of the inspector, or at any other reasonable and convenient time mutually agreed upon by the applicant and the inspector. Inspections are valid for a six-month period.

**4-12-6: Issuance or Denial of Certificate of Occupancy.**

The inspector shall, within three working days of the inspection or sooner, deny or grant a certificate of occupancy in the following manner:

(a) Issuance. Upon the determination by the inspector that the premises in question substantially comply with all applicable provisions of the Forest View Village Code,

then such inspector shall issue the certificate of occupancy to the applicant within three working days, or sooner, from the date of such inspection.

(b) Pending Application. If the premises is determined to be in violation of any of the provisions of such Code, the inspector shall order the violations to be corrected within a minimum of seven days prior to closing. A reinspection shall then be made and if the premises are in compliance, a certificate of occupancy shall be issued forthwith.

(c) Elimination of Code Violations. Any and all violations stated in the report of the inspector must be eliminated or corrected prior to the issuance of a certificate of occupancy. The owner may eliminate and/or correct any and all violations prior to the transfer of property or may elect to transfer the responsibility of repairs of said property to the purchaser/buyer (See 4-12-6 e).

(d) Exception. In the event that the closing of the sale of premises would be jeopardized if violations are unable to be corrected prior to the transfer of property, a certificate of occupancy may be issued by the inspector if violations are not corrected, provided that all of the following are true.

(1) The new owner, states in writing that he or she expressly undertakes and assumes responsibility for the corrections within a time frame not to exceed four months, weather permitting. The new owner shall also authorize the inspector to enter the dwelling within five working days after the required date of compliance.

#### **Chapter 4-12-7: Expiration of Certificates of Occupancy.**

If at any time a certificate of occupancy is issued and the sale or lease agreement is not consummated or is terminated so that the new owner, occupant or tenant would not thereupon occupy such premises in question, then the issued certificate of occupancy shall expire after six months from the date of issuance. Upon the expiration of this certificate of occupancy, it may be renewed in accordance with the provisions of this Chapter. If renewed, there will be no fee for the renewal inspection, and the renewed certificate of occupancy shall expire six months from the date of its renewal unless the sale or rental of the dwelling unit is consummated before the expiration period.

#### **Chapter 4-12-8: Right to Appeal.**

Any person affected by any notice which has been issued in connection with the enforcement of the provisions of this chapter may appeal that determination to the Village Administrator.

#### **Chapter 4-12-9: Liability.**

(a) Any certificate of occupancy issued by the inspector shall not be construed in any way to be a warranty, guarantee or insurance against any violation of the provisions of this Chapter.

**Chapter 4-12-10: Additional Remedies; Severability.**

(a) This chapter shall not prevent the Village or any other person from exercising any right or seeking any remedy to which that person might otherwise be entitled, or from filing any complaint with any other agency or court of law or equity.

(b) If any court of competent jurisdiction shall adjudge any section, subsection or provision of this chapter to be unconstitutional, void or ineffective, such judgment shall not affect any other section, subsection or provision of this chapter not specifically included in said judgment. If any court of competent jurisdiction shall adjudge the application of any section, subsection or provision of this chapter to any person or circumstance to be unconstitutional, void or ineffective, such judgment shall not affect the application of said section, subsection or provision to any other person or circumstance not specifically included in said judgment.

**Chapter 4-12-11: Definition.**

For purposes of this Chapter, “landlord” means any residential property owner, administrator, manager, or person in control of the operation of any rental unit.

**SECTION 2: Effective Date.** This Ordinance shall be in full force and effect from and after its passage and approval and shall subsequently be published in pamphlet form as provided by law.

PASSED BY THE FOLLOWING ROLL CALL VOTE this 11<sup>th</sup> day of October, 2022.

AYES: Trustees Liska, Nevarez, Grossi, Sudkamp, Hubacek, Ramirez

NAYS: None

ABSENT: None

APPROVED this 11<sup>th</sup> day of October, 2022.

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Nancy L. Miller

Village President

ATTEST:

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Laura D. McGuffey  
Village Clerk