

ORDINANCE NO. 2497-25

AN ORDINANCE ADOPTING THE VILLAGE OF HAWTHORN WOODS  
PROPERTY MAINTENANCE CODE

WHEREAS, the Mayor and the Board of Trustees have determined that it is in the best interest of the Village of Hawthorn Woods to create a new Hawthorn Woods Property Maintenance Code using the 2018 Edition of the International Property Maintenance Code as the Village model; and

WHEREAS, the International Property Maintenance Code, 2018 Edition, as amended, is a comprehensive code which establishes regulations and standards for all buildings and structures related to supplied utilities and facilities and physical conditions essential to ensure that structures are safe, sanitary, and fit for human occupancy; and

WHEREAS, the International Property Maintenance Code, 2018 Edition, as amended, is founded on principles intended to establish provisions consistent with the scope of a property maintenance code that adequately protects health, safety and welfare; provisions that do not unnecessarily increase construction costs; provisions that do not restrict use of new materials, products or methods of construction; and provisions that do not give preferential treatment to particular types of classes of materials, products or methods of construction.

WHEREAS, the International Property Maintenance Code, 2018 Edition, as amended, stays up to date with current regulations through review of proposed changes submitted by code enforcement officials, industry representatives, design professionals, and other interested parties; and

WHEREAS, the Mayor and the Board of Trustees has determined that it is in the best interest of the Village of Hawthorn Woods to adopt the International Property Maintenance Code, 2018 Edition, as amended, as the new Village of Hawthorn Woods Property Maintenance Code with the amendments contained herein.

Schedule listed in Title 11 of the Hawthorn Woods Municipal Code, as amended from time to time.

## **SECTION 104 – DUTIES AND POWERS OF THE CODE OFFICIAL**

### **104.3 Right of Entry**

Delete this section and replace with:

All inspections shall be conducted in accordance with Title 4, Chapter 2 of the Village of Hawthorn Woods Municipal Code.

### **104.4 Identification**

Delete “Code Official” and replace with “CD Department personnel” in the first sentence of the paragraph.

## **SECTION 106 – VIOLATIONS**

### **106.4 Violation Penalties**

Delete this section in its entirety and replace with the following:

Any person who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be guilty of an ordinance violation and shall be subject to the penalty as provided in Section 1-4-1 of the Municipal Code. Each day that a violation continues after due notice has been served shall be deemed a separate offense Per section 1-4-1 of the Municipal Code.

### **106.5 Abatement of Violation**

Delete this section in its entirety and replace with the following:

The imposition of the penalties herein prescribed shall not preclude the Village Attorney or other attorneys retained by the Village 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**

### **107.2 Form**

Add the following Number to this section:

7. Inform the property owner that failure to correct the violations will result in a Notice to Appear before the Administrative Hearing Officer of the Village being issued.

### **107.3 Method of Service**

Delete this section in its entirety and replace with the following:

Such notice shall be deemed to be properly served if a copy thereof is:

1. Delivered personally;
2. Sent by first-class mail addressed to the last known address of the owner of the property or the person who last paid the general real estate taxes on the property according to county collector's records; 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. If the property is vacant, written notice shall be placed on the premises in a conspicuous manner.

## **SECTION 108 – UNSAFE STRUCTURES AND EQUIPMENT**

### **108.2 Closing of Vacant Structures**

Add the following sentence after the last sentence in this section:

Whenever a structure is closed using plywood or other approved materials to prevent entry, such plywood or other approved materials, must be tight fitting within the opening being closed and, at the discretion of the Village, painted or finished the same color to correspond with the existing structure. The owner of the property shall maintain such construction materials in good condition while the structure is closed.

### **108.4 Placarding**

Add “: Declared Unfit for Human Occupancy” after the word “Condemned”

#### **108.4.1 Placard Removal**

Delete this section in its entirety and replace with the following:

The Code Official shall remove the "Declared Unfit for Human Occupancy" placard whenever the defect or defects upon which the "Declared Unfit for Human Occupancy" or placard action were based have been eliminated. Any person who defaces or removes the "Declared Unfit for Human Occupancy" placard without the approval of the Code Official shall be subject to penalties provided by this code.

## **SECTION 109 – EMERGENCY MEASURES**

### **109.1 Imminent Danger**

Add the words "or adjoining property" after the words "endangers life".

### **109.2 Temporary Safeguards**

Add the following after the last sentence in this section:

The costs of such temporary safeguards shall be charged to the property owner and shall be a lien upon such real estate.

### **109.3 Closing Streets**

Delete this section in its entirety and replace with the following:

When necessary for public safety, the code official shall temporarily close structures and shall request the Chief of Police, or designee, to close sidewalks, streets, public ways and places adjacent to unsafe structures, and prohibit the same from being utilized.

### **109.5 Costs of Emergency Repairs**

Delete this section in its entirety and replace with the following:

If costs incurred in the performance of emergency work are paid by the Village, the costs of such emergency repairs shall be charged to the property owner and shall be a lien upon such real estate.

## **SECTION 110 – DEMOLITION**

### **110.1 General**

Delete this section in its entirety and replace with the following:

The Code Official shall seek a court order requiring the owner of any premises upon which is located any structure, which in the Code Official's judgment is so old, dilapidated or has become so out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make such structure safe and sanitary or to demolish and remove such structure at the owner's option; or where there has been a cessation of normal construction of any structure for a period of more than two years, to demolish and remove such structure.

## **SECTION 112 – STOP WORK ORDER**

### **112.4 Failure to Comply**

Delete this section in its entirety and replace with the following:

Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalty as provided in section 1-4-1 of the Municipal Code.

## **CHAPTER 2 – DEFINITIONS**

Add the following definition to this section:

**ABANDONED VEHICLE.** All motor vehicles or other vehicles in a state of disrepair rendering the vehicle incapable of being driven in its condition; or any motor vehicle or other vehicle that has not been moved or used for seven (7) consecutive days or more and is apparently abandoned.

### **CODE OFFICIAL**

Delete this definition in its entirety and replace with the following:

The official, who is charged with the administration and enforcement of this code, or any duly authorized representative. The Community Development Director shall be known as the Code Official.

Add the following definition to this section:

**GRAFFITI.** The inscription on a wall, fence, sign, other building or structure, sidewalk, pavement, post, stone, tree or other manmade or natural object by carving, application of paint or other substance, or other means of any symbol (including any letter, word, numeral, emblem or combination thereof), picture or other character placed thereon, other than as permitted by the Village.

### **INOPERABLE MOTOR VEHICLE**

Delete this definition in its entirety and replace with the following:

Any motor vehicle from which, for a period of at least seven (7) days the engine, wheels or other parts have been removed, or on which the engine, wheels or other parts have been altered, damaged or otherwise so treated that the vehicle is incapable of being driven under its own motor power. "Inoperable motor vehicle" shall not include a motor vehicle which has been rendered temporarily incapable of being driven under its own motor power in order to perform ordinary service or repair operations.

Add the following definition to this section:

**JURISDICTION.** The Village of Hawthorn Woods.

Add the following definition to this section:

**NOXIOUS WEEDS.** As defined in Title 8, Chapter 1, Subchapter "f" of the Illinois Administrative Code, part 220 and Title 4, Chapter 3, Section 1 of the Village Code.

## **CHAPTER 3 – GENERAL REQUIREMENTS**

### **SECTION 302 – EXTERIOR PROPERTY AREAS**

#### **302.3 Sidewalks and Driveways**

Add the word "private" before the word "sidewalk"

#### **302.4 Weeds**

Insert "8-inches" as the maximum height.

Add as an additional section:

**302.4.1 Responsibility.** The owner, occupant, or person in control of real estate within the Village shall have the duty to cut the weeds and grasses on such real estate and the parkway (which is that part of the dedicated right-of-way between the property line and the edge of pavement) immediately adjacent to the front or side yard of the property so that the weeds and grasses do not exceed eight inches in height.

Add as an additional section:

**302.4.1 Removal Notice**

The Community Development Director or Chief of Police or their designee, shall serve or cause to be served, written notice upon the owner of any real estate on which weeds or grasses are permitted to grow in violation of the provisions of this chapter, and to demand the abatement of the nuisance within seven (7) days.

Add as an additional section:

**302.4.2 Cost of Removal**

The cost of cutting and removing weeds and grasses shall become a lien on the real estate affected, until paid, superior to all other liens and encumbrances, except tax liens, provided the Village files a notice of lien in the Office of the Recorder of Deeds of Lake County, Illinois in accordance with 65 Illinois Compiled Statutes 5/11-20-7.

**302.4.3 Additional Enforcement Action**

In addition to, or as an alternative to a lien being filed on the real estate of the affected property, the Community Development Director or the Chief of Police may issue a notice to appear before the administrative hearing officer of the Village for violations to this section. The Village may also commence a civil proceeding to correct the violation under applicable statutory provisions.

**302.4.4 Penalties for Violations**

In addition to liability for the cost of abatement of such weeds or grasses, the owner, occupant or person in control of any such real estate shall, upon being found guilty, be subject to the penalty as provided in Section 1-4-1 of the Municipal Code.

### **302.9 Defacement of Property**

Delete this section in its entirety and replace with the following:

No person shall willfully or wantonly damage, mutilate or deface any surface of any real or personal property, public or private, by placing thereon any marking, carving or graffiti.

It shall be the responsibility of the owner to restore said surface to an approved state of maintenance and repair within five (5) days of receipt of written notice from the Community Development Director or Chief of Police or their designee.

### **302.10 Firewood**

The exterior storage of firewood on private residential property shall not be stored within the front yard, shall meet the required side and rear yard areas (setbacks), shall be stored and stacked neatly so as not to create a dangerous condition or be offensive to the neighborhood, and in no event shall any firewood be stacked taller than four feet six inches (4'-6") above grade.

### **302.11 Noise from construction.**

Add this section as an additional requirement.

It shall be a violation for any person to engage in the construction, including excavation and demolition, alteration, remodeling, or repair of any building or structure; the construction of any roadway or other public improvements; or the operation or startup of any pile drive, power shovel, backhoe, bulldozer, pneumatic hammer, or other construction machinery, other than between the hours of 7:00 a.m. and 6:00 p.m., Monday through Friday, or between the hours of 8:00 a.m. and 5:00 p.m. on Saturdays without the approval of the Chief Operating Officer (C.O.O). No such work is permitted on Sundays and the following national holidays: Christmas, New Year's Day, Memorial Day, Independence Day, Labor Day, and Thanksgiving Day. However, this subsection does not preclude individual homeowners from doing work on

buildings and structures located on the property on which they reside during daylight hours. If the Community Development Director or the Chief Operating Officer (C.O.O) should determine that the public health and safety will not be impaired by the erection, demolition, alteration, or repair of any building, or the excavation of streets and highways, with the hours of 6:00 p.m. and 7:00 a.m., and if he shall further determine that loss or inconvenience would result to any party in interest, he may grant permission for such work to be done within the hours of 6:00 p.m. and 7:00 a.m. Notice of such violation shall be given verbally by a Police Officer or Building Inspector to the person, firm, or corporation who is or has caused the violation. After being served such a notice, the person, firm, or corporation must immediately abate the violation.

## **SECTION 304 – EXTERIOR STRUCTURE**

### **304.3 Premises Identification**

Add the following after the last sentence to this section:

Properties that have alley access shall also have address numbers visible from the alley.

### **304.14 Insect Screens**

Insert “April 1 to December 1” as the dates for this requirement.

Add as an additional section:

### **304.15.1 Door Closers**

Storm doors, screen doors, and similar swinging or hinged doors must have self-closing devices to keep doors in a closed position when not in use.

## **SECTION 308 – RUBBISH AND GARBAGE**

### **308.3.3 Rubbish and garbage pickup restrictions.**

Add as additional requirement to this section:

On days designated by the garbage and rubbish company for pick up and removal, the containers are to be allowed at the curb for a period of twenty-four (24) hours, between sundown the day before pick-up and sundown the day of pickup.

## **CHAPTER 5 – PLUMBING FACILITIES AND FIXTURE REQUIREMENT**

### **SECTION 505 – WATER SYSTEM**

#### **505.4 Water Heating Facilities**

Insert 120 degrees in place of 110 degrees for water temperature.

### **SECTION 507 – STORM DRAINAGE**

Add as an additional section:

#### **507.2 Sump Pump Drainage**

Drainage from sump pumps, down spouts, window wells, or any other concentrated source of storm water shall not be discharged to create a nuisance on neighboring properties or create a flooding or ponding condition. Sump pump discharge shall not be directed to flow across a public walk or directed onto a neighboring property and shall not be closer than ten (10) feet from the adjacent property.

## **CHAPTER 6 – MECHANICAL AND ELECTRICAL REQUIREMENTS**

### **SECTION 602 – HEATING FACILITIES**

#### **602.3 Heat Supply**

Insert September 15<sup>th</sup> to June 1<sup>st</sup> for required timeframes

#### **602.4 Occupiable Work Spaces**

Insert September 15<sup>th</sup> to June 1<sup>st</sup> for required timeframes

...”

SECTION TWO: That all ordinances and resolutions, or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, superseded by this Ordinance.

SECTION THREE: If any section, clause, paragraph, or provision of this ordinance shall be found invalid by a court of competent jurisdiction, such judgment shall not effect, impair, invalidate, or nullify the remainder of this ordinance, but only the part found to be invalid by such court.

SECTION FOUR: This ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form, as provided by law.

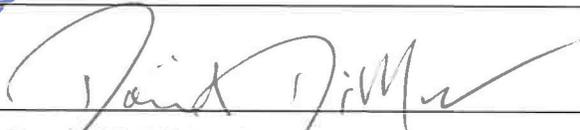
The foregoing Ordinance was passed by a roll call vote as follows:

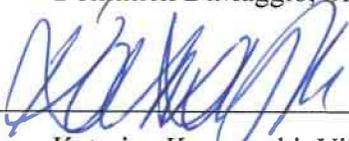
AYES: LAISSE, MCCARTHY, ENCHUK, BRUCE, MURPHY, ULMAN

NAYS: Ø

ABSTENTIONS: Ø

ABSENT: Ø

APPROVED:   
Dominick DiMaggio, Mayor

ATTEST:   
Katreina Koprowski, Village Clerk

PASSED: JULY 21, 2025

APPROVED: JULY 21, 2025

PUBLISHED: JULY 21, 2025

