

VILLAGE OF DOLTON COOK COUNTY, ILLINOIS

ORDINANCE NO. 17-048

**AN ORDINANCE ESTABLISHING "INVEST IN DOLTON" –
A PROGRAM TO AUCTION VACANT HOMES
OWNED BY THE VILLAGE OF DOLTON TO BE REHABILITATED
FOR OWNER OCCUPANCY**

WHEREAS, the Village of Dolton is a home rule unit of local government pursuant to the provisions of Article VII, Section 6, of the Illinois Constitution; and

WHEREAS, as a home rule unit of local government, the Village may exercise any power and perform any function pertaining to its government and affairs, except as limited in accordance with Article VII, Section 6, of the Illinois Constitution; and

WHEREAS, vacant properties are unsightly and diminish neighboring property values and a neighbor's sense of well-being, and by allowing vacant properties to remain indefinitely vacant even in the absence of code violations is detrimental to the interests of the public health, safety and welfare of the residents of the Village; and

WHEREAS, vacant properties often have numerous code violations, tax delinquent and/or owe fines and fees that result in greater financial costs to the Village; and

WHEREAS, on May1, 2017, the Village corporate authorities adopted Ordinance 17-013 to eradicate vacant and abandon property within its borders; and

WHEREAS, the Village has over 400 vacant homes, creating a loss of over two million dollars (\$2,000,000.00) in real estate property taxes thereby causing an increase in real estate property taxes to all remaining property owners in the Village; and

WHEREAS, the over 400 vacant properties create a loss of more than two hundred thousand (\$200,000.00) in sales taxes associated with those homes directly to the Village; and

WHEREAS, vacant properties create an increase in insurance rates and a loss in property values which negatively affects the growth of the Village; and

WHEREAS, the vacant properties require the Village to use tax dollars to maintain and secure these properties, which reduces funds needed for other vital Village services such as police and fire; and

WHEREAS, the corporate authorities seek to reduce the number of vacant homes by allowing Village residents, Village employees and those seeking to reside in Dolton an opportunity to obtain homeownership at an affordable price; and

WHEREAS, the abatement of nuisances caused by such properties, the repair and rehabilitation of such properties and their subsequent occupancy is recognized in the best interests of the residents of the Village; and

WHEREAS, the Village has the authority, pursuant to the laws of the State of Illinois, to promote the health, safety and welfare of the Village and its inhabitants, to prevent the presence of blight, to encourage private development in order to enhance the local tax base, to increase additional tax revenues realized by the Village, foster increased economic activity within the Village, to increase employment opportunity within the Village, and to enter into contractual agreements with third parties for the purpose of achieving the aforesaid purposes, and otherwise take action in the best interests of the Village; and

WHEREAS, the corporate authorities have determined that it is desirable and in the Village's best interests to assist potential home buyers in the manner set forth herein and as may be supplemented and amended by rules established by the Village Board; and

WHEREAS, the corporate authorities acknowledge and agree that but for this "Invest in Dolton" initiative, provided by the Village, potential home owners cannot successfully and economically rehabilitate the vacant property in a manner satisfactory to the Village; and

WHEREAS, the corporate authorities have concluded that it is in the best interests of the health, safety and welfare of its residents to authorize the acquisition and sale of vacant residential properties through the Village program entitled "Invest in Dolton", a program to raffle or auction Village owned vacant homes to Village residents, Village employees or any persons who seeks to live and own a home in Dolton to rehabilitate said home to comply with all Village codes; and

WHEREAS, the corporate authorities have concluded that its residents, city employees and first-time home buyers who seek to participate in this program will need assistance, therefore a housing fair with various lenders, contractors and housing counselor has been scheduled; and

WHEREAS, the corporate authorities understand that this program will restore tax delinquent property to the tax rolls, increase homeownership for families, increase its tax revenues collection, reduce crime, improve public health safety, increase property values and stabilize the growth of its community;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF DOLTON, COOK COUNTY, ILLINOIS, in the exercise of its home rule authority, as follows:

SECTION 1: Recitals. The recitals set forth hereinabove, are hereby incorporated as of fully set forth herein.

SECTION 2: The corporate authorities of the Village of Dolton hereby authorize the commencement of legal action for acquisition and sale of vacant residential properties to be owned by the Village to support the program "Invest in Dolton", to be established as follows: 1) The Village Manager is hereby authorized and directed to establish a program to raffle or auction Village owned vacant homes to a Village resident or any persons who seeks to live and own a home in Dolton to rehabilitate said home to comply with all Village codes. 2) Village owned vacant homes may be sold by raffle or auction for a cost of acquisition of \$5,000.00 to financially qualified persons. 3) All raffles or auction candidates must show proof of access to funds in a minimum amount of \$40,000.00 to rehabilitate the property to qualify, by way of line of credit or cash or bank approval loan. 4) Once a candidate is deemed qualified, a list of vacant residential properties shall be prepared and all qualified candidates will be allowed to participate in the "Invest in Dolton" auction program of any property offered by the Village. 4) Raffle or auction winners will receive an "AS IS" conditional purchase offer. 5) Properties shall not be conveyed to the raffle or auction winner until the rehabilitation is completed and the work approved by the Village. 6) However, to support and comply with lending regulation, the Village may issue a reversionary deed or deposit deed with a closing escrow agent to assist in satisfying lending requirements. 7) All rehabilitation work shall be performed by a licensed contractor registered with the Village of Dolton. 8) Candidates will be required to execute a one (1) year renovation agreement including a deed restriction that the property must remain owner occupied for five (5) years after completion of the rehabilitation. 9) Failure to comply with the terms of the renovation agreement shall result in forfeiture of the property. 10) The Village Manager is authorized to establish all program rules and regulations to implement and manage this program. The law firm of Grasso Bass, P.C. will serve as special legal counsel for the program entitled invest in Dolton by acquiring the properties for the cost of acquisition.

SECTION 3: Funding: All professional service costs for legal services for the "Invest in Dolton" program shall be paid from the Village's legal services account. All monies paid shall be restored to the legal services account upon the Village's receipt of funds from the execution of purchase contracts with Village for raffled or auctioned properties pursuant to the program.

SECTION 4: Repealer: Severability. Any provision of the Village Code or ordinance heretofore adopted which is in conflict with the provisions of this Ordinance is, to the extent of such conflict, hereby repealed. If any provision of this Ordinance is determined to be void or illegal for any reason, such determination shall not affect the validity of the remaining terms thereof.

SECTION 5: This Ordinance and each of its terms shall be the effective legislative act of a home rule municipality without regard to whether such ordinance should (a) contain terms contrary to the provisions of current or subsequent non-preemptive state law, or (b) legislate in a manner or regarding a matter not delegated to municipalities by state law. It is the intent of the corporate authorities of the Village of Dolton that to the extent that the terms of this Ordinance should be inconsistent with any non-preemptive state law, that this Ordinance shall supersede state law in that regard within its jurisdiction.

SECTION 6: Effective Date. This Ordinance shall be in full force and be in effect upon its passage, approval, and publication as required by law.

Roll Call:

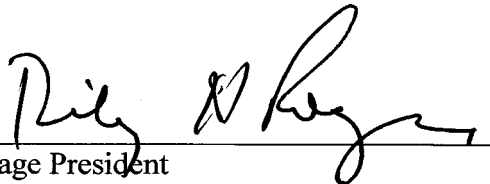
Ayes: 4 Denton, Muhammad, Pierson, Stubbs

Nays: 1 House

Absent: 1 Henyard

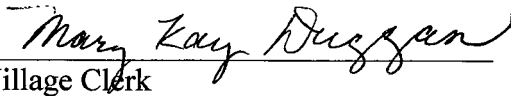
Abstain:

PASSED and APPROVED by the Village President and Board of Trustees of the Village of Dolton this 30th day of November, 2017.



Village President

ATTEST:



Village Clerk

PUBLISHED BY THE VILLAGE CLERK, IN PAMPHLET FORM, BY AUTHORITY OF THE CORPORATE AUTHORITIES OF THE VILLAGE OF DOLTON ON: March 6, 2018.