



**Town of Cicero Building Department**  
**Vacant Building Appeal of Applicability of Ordinance**

**TO: VACANT BUILDING INSPECTOR:**

Pursuant to Sec. 22-615. of the **Town** of Cicero Code of Ordinances, an Owner can challenge the applicability of this Article to his or her Building without the Building Commissioner's determination having been made. They shall set forth specific facts to support the non-applicability in writing to the Building Commissioner.

Date: \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_ Property Address: \_\_\_\_\_

Owner Name: \_\_\_\_\_ Contact #: \_\_\_\_\_

I, \_\_\_\_\_, owner/representative of above-referenced property, wish to challenge the applicability of the Vacant Building Ordinance to the above-referenced property. I further understand that pursuant to the Town Ordinance, I shall set forth specific facts to support the non-applicability in writing to the Building Commissioner. In the event the Building Commissioner determines that the subject Building is a Vacant Building, the Owner shall have the right to appeal the Building Commissioner's determination to the Vacant Building Appeals Committee, as provided for herein.

Attached to this request are specific written facts to support the non-applicability of the Ordinance, and material evidence to support my appeal that the above-mentioned property is not (Check all that apply):

- Unoccupied and unsecured;
- Unoccupied and secured by boards or other similar means;
- Unoccupied and meets the definition of a Dangerous Building;
- Unoccupied and condemned by the Building Commissioner pursuant to the applicable provisions of this Code or other applicable ordinances, codes, statutes, laws, orders, rules and/or regulations;
- Unoccupied and has multiple code violations;
- Unoccupied and the Building has or its Premises have been the site of unlawful activity within the previous six months;
- Condemned by the Building Commissioner and unlawfully occupied;
- Unoccupied for over 180 calendar days and during which time the Building Commissioner has issued an order to correct Public Nuisance conditions and the same have not been corrected in compliance with the provisions of this Code; or
- Unoccupied for over two years.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\*\*\*\*\*Office Use Only\*\*\*\*\*

- The Above-Referenced Property \_\_\_\_\_ is \_\_\_\_\_ is not registered as a Vacant Building.
- The Above-Referenced Property \_\_\_\_\_ has \_\_\_\_\_ has not been boarded up in the past 2 years.
- The Above-Referenced Property \_\_\_\_\_ is \_\_\_\_\_ is not currently secured with boards.
- The Above-Referenced Property \_\_\_\_\_ is \_\_\_\_\_ is not a Dangerous Building
- The Above-Referenced Property \_\_\_\_\_ is \_\_\_\_\_ is not Condemned by the Building Commissioner
- The Above-Referenced Property \_\_\_\_\_ is \_\_\_\_\_ is not Unoccupied AND with multiple code violations

Appeal \_\_\_\_\_ Granted \_\_\_\_\_ Denied \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
Vacant Building Inspector Signature

\_\_\_\_\_  
Building Official Signature

Notes: \_\_\_\_\_



**Town of Cicero Building Department**  
**Vacant Building Appeal of Determination Form**

**TO: VACANT BUILDING APPEAL COMMITTEE:**

Pursuant to Sec. 22-615. of the Town of Cicero Code of Ordinances, An Owner of a Building determined by the Building Commissioner to be a Vacant Building may appeal that determination. *The request for a hearing must be made within 15 calendar days of the Building Commissioner's Determination.*

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

Property Address: \_\_\_\_\_ Vacant Building Determination Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

Owner Name: \_\_\_\_\_ Contact #: \_\_\_\_\_

I, \_\_\_\_\_, owner/representative of above-referenced property, wish to appeal the Building Commissioner's determination of Vacant Building to the Vacant Building Appeals Committee. I further understand, that pursuant to the Town Ordinance,

- The appeal shall contain a complete statement of the reasons the Owner disputes the Building Commissioner's determination,
- Shall set forth specific facts in support thereof and shall include all evidence the Owner relies upon to support the appeal.
- The Vacant Building Appeals Committee shall decide the appeal on the basis of facts presented by the Owner in his or her written appeal and the Building Commissioner's written determination.
- The burden is upon the Owner to present sufficient evidence to persuade the Vacant Building Appeals Committee that if the evidence had been known to the Building Commissioner at the time the Building Commissioner made the determination, the Building Commissioner would more likely than not have determined that the subject Building was not a Vacant Building.
- The Vacant Building Appeals Committee shall send written notice of its decision to the Owner within ten business days of its receipt of the appeal.
- The Vacant Building Appeals Committee may, but is not required to, seek additional information from the Owner.
- The Vacant Building Appeals Committee may, upon written notice thereof to the Owner, take ten additional business days to decide the appeal if it determines that such additional time is required for consideration of the appeal.

Attached to this request, is a **complete statement of the reasons the Owner disputes the Building Commissioner's determination**, and material evidence to support my appeal that the above-mentioned property was not (Check all that apply):

- Unoccupied and unsecured;
- Unoccupied and secured by boards or other similar means;
- Unoccupied and meets the definition of a Dangerous Building;
- Unoccupied and condemned by the Building Commissioner pursuant to the applicable provisions of this Code or other applicable ordinances, codes, statutes, laws, orders, rules and/or regulations;
- Unoccupied and has multiple code violations;
- Unoccupied and the Building has or its Premises have been the site of unlawful activity within the previous six months;
- Condemned by the Building Commissioner and unlawfully occupied;
- Unoccupied for over 180 calendar days and during which time the Building Commissioner has issued an order to correct Public Nuisance conditions and the same have not been corrected in compliance with the provisions of this Code; or
- Unoccupied for over two years.

Signature \_\_\_\_\_

Date \_\_\_\_\_

(Attachments – Written Statement/Material Evidence)

Received by Vacant Building Appeal Committee: \_\_\_\_\_