

PROPOSED SUBSTITUTE FOR 15-0600

Sponsored by: PETER N. SILVESTRI, JOAN PATRICIA MURPHY, ELIZABETH "LIZ" DOODY GORMAN, GREGG GOSLIN, LARRY SUFFREDIN, JOHN A. FRITCHEY, JESÚS G. GARCÍA, JOHN P. DALEY, RICHARD R. BOYKIN, JERRY BUTLER, LUIS ARROYO JR, ROBERT STEELE, DEBORAH SIMS, JEFFREY R. TOBOLSKI and STANLEY MOORE, County Commissioners

COOK COUNTY ZONING USE CERTIFICATE ADOPTING ORDINANCE

BE IT ORDAINED, by the Cook County Board of Commissioners that Chapter 54 LICENSES, PERMITS, AND MISCELLANEOUS BUSINESS REGULATIONS, ARTICLE XI – ZONING USE CERTIFICATE, is hereby adopted as follows:

ARTICLE XI – ZONING USE CERTIFICATE.

Section 54-400. SHORT TITLE.

This Article shall be known and may be cited as the “Cook County Zoning Use Certificate Ordinance,” and is adopted pursuant to Cook County’s Home Rule powers.

Section 54-401. PURPOSE.

To promote and safeguard the public health, safety, comfort, convenience, and the general welfare of the people of unincorporated Cook County, Illinois, and to establish fees and penalties for the enforcement of this Article.

Section 54-402. RULES AND DEFINITIONS.

The rules applicable to and definitions of terms used in this Article XI-Zoning Use Certificate shall be the same as those terms are set forth and defined in Chapter 102, Section 102-103 and Appendix A-ZONING, Article 14, as applicable.

Section 54-403. ZONING USE CERTIFICATE REQUIRED.

A Certificate of Zoning Use Compliance shall be required prior to the sale of any property in unincorporated Cook County, Illinois. The requirement does not apply to the transfer or sale of individual units within condominiums or cooperative buildings. A Certificate of Zoning Use Compliance is valid for a period not to exceed 180 days from approval.

Section 54-404. APPLICATION FOR ZONING USE CERTIFICATE.

- A. Applications shall be made by the owner, the owner’s agent, the owner’s attorney, or such other person authorized by the owner and allowed by the Building Commissioner to make application.
- B. An application for a Zoning Use Certificate shall be submitted in such form as the Building Commissioner may prescribe and shall be accompanied by the applicable fee as prescribed by Section 54-405. Such application shall contain, among other information, the full names and addresses of the owner(s), and, if the owner is a corporate body, of its responsible officer, , the complete legal description of the property to which the Zoning Use Certificate application pertains, the real estate index number of the legally described property, if available a current plat of survey of the property drawn to a scale showing the actual dimensions and certified by a Registered Land Surveyor licensed by the State of Illinois as a true copy of the property, a description of the present use(s) of the property, a certification that no construction has occurred for which a permit is required without the issuance of

such permit, and proof of compliance with applicable Cook County ordinances pertaining to alimony, child support, and County taxes and fees, as well as such additional information as the Building Commissioner shall require from time to time.

Section 54-405. APPLICATION AND USE CERTIFICATE FEE.

The fee for such application for a Zoning Use Certificate shall be as established by resolution of the County Board of Commissioners, and as set forth in Chapter 32, consistent with the fees for periodic inspections, but in no event less than \$100.00.

Section 54-406. ACTION BY ZONING ADMINISTRATOR.

- A. An application for Zoning Use Certificate shall be reviewed by the Zoning Administrator, who shall exercise his or her authority pursuant to Appendix A-ZONING, Section 13.2.2 and Section 13.2.3 and shall also conduct a use analysis of the property to determine whether or not the property is being used consistent with the applicable Zoning Ordinance of Cook County (Appendix A-ZONING). The authority granted by this Section 54-406 shall be interpreted as broadly as provided by law, and shall not be a limitation of the Zoning Administrator's authority. The Zoning Administrator shall be authorized to use the assistance of inspectors employed by the Department of Building and Zoning in performing the review of the application for Zoning Use Certificate.
- B. Within ten business days after receipt of an application for Zoning Use Certificate, the Zoning Administrator shall either issue the Zoning Use Certificate that the property is being used consistent with the applicable Zoning Ordinance of Cook County (Appendix A-ZONING), or deny the application for Zoning Use Certificate in writing, stating the reasons for such denial. The decision of the Zoning Administrator shall become a final decision within ten business days of its issuance, and shall be reviewable as provided in Appendix A-ZONING, Section 13.3.5.

Section 54-407. ENFORCEMENT.

Any violation of, non-compliance with, or interference with the enforcement of any of the provisions of this Article XI may be enforced in the Department of Administrative Hearings as provided in Chapter 2, Article IX-Administrative Hearings, by any County Department or Agency affected by the violation or non-compliance with the provisions, and as otherwise provided by law.

Section 54-408. PENALTY FOR VIOLATION.

Any violation of, resistance to, non-compliance with, or interference with the enforcement of any of the provisions of this Article XI shall be punished by a fine of not less than one hundred dollars (\$100.00) nor more than one thousand dollars (\$1,000.00) for each offense; and each day a violation continues to exist shall constitute a separate offense.

EFFECTIVE DATE: This Ordinance shall be effective 60 days after adoption..