

**VILLAGE OF MAPLE PARK**

**ORDINANCE NO. 2023-13**

**AN ORDINANCE ADDING TITLE 6, POLICE REGULATIONS, CHAPTER 8,  
ADMINISTRATIVE ADJUDICATION, OF THE MAPLE PARK VILLAGE CODE**

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**ADOPTED BY  
THE BOARD OF TRUSTEES  
OF THE  
VILLAGE OF MAPLE PARK**

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Published in pamphlet form by authority of the Board of Trustees of the Village of Maple Park,  
Kane and DeKalb Counties, Illinois, this 3rd day of October, 2023.

**ORDINANCE 2023-13**

**AN ORDINANCE ADDING TITLE 6, POLICE  
REGULATIONS, CHAPTER 8, ADMINISTRATIVE  
ADJUDICATION, OF THE MAPLE PARK VILLAGE CODE**

**NOW, THEREFORE, BE IT ORDAINED**, by the City Council of the Village of Maple Park, Illinois as follows:

Section 1: That Title 6, of the Village Code of Maple Park, Illinois be amended by adding Chapter 8, Administrative Adjudication.

Section 2. That each section, paragraph, sentence, clause and provision of this Ordinance is separable and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance nor any part thereof, other than the part affected by such decision.

Section 3. That except as to the addition heretofore mentioned, all chapters and sections of the Village Code of Maple Park, Illinois, shall remain in full force and effect.

Section 4. That this Ordinance shall, by authority of the Board of Trustees of the Village of Maple Park, Illinois, be published in pamphlet form. From and after ten days after said publication, this Ordinance shall be in full force and effect.

**PASSED BY THE BOARD OF TRUSTEES** of the Village of Maple Park, Illinois, at a regular meeting thereof held on the 3rd day of October, 2023, and approved by me as Village President on the same day.

AYES: Groezinger, Peloso, Joy, Simon, Speare, and Ward  
NAYS: N/A  
ABSENT: N/A

  
Suzanne Fahnestock, Village President

ATTEST:

  
Caryn Minor, Village Clerk

STATE OF ILLINOIS )  
 ) SS  
COUNTIES OF DEKALB AND KANE )

I further certify that on the 3rd day of October, 2023, the Board of Trustees of the Village of Maple Park passed and approved Ordinance 2023-13, **“AN ORDINANCE ADDING TITLE 6, POLICE REGULATIONS, CHAPTER 8, ADMINISTRATIVE ADJUDICATION, OF THE MAPLE PARK VILLAGE CODE.”**

Caryn Minor  
Caryn Minor, Village Clerk

## Chapter 8

### ADMINISTRATIVE ADJUDICATION

#### SECTION:

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**6-8-1: PURPOSE:**

The stated purpose of this chapter is to provide for fair and efficient enforcement of Village ordinances as may be allowed by law and directed by ordinance, through an administrative adjudication of violations of such village ordinances and establishing a schedule of fines and penalties; and authority and procedures for collection of unpaid fines and penalties.

**6-8-2: CREATION:**

There is hereby established an administrative department of the municipal government to be known as the Village of Maple Park ordinance enforcement department and to have the power to enforce compliance with all municipal ordinances as from time to time authorized by the Village Board and any offenses under the Illinois Building Code, but not governing the movement of vehicles and except for any reportable offense under section 6-204 of the Illinois Vehicle Code. The establishment of the Village of Maple Park ordinance enforcement department does not preclude the Village President and Village Board from using any other method to enforce ordinances of the Village.

**6-8-3: ADMINISTRATIVE COMPOSITION:**

The Village of Maple Park ordinance enforcement department shall be composed of a hearing officer, an ordinance enforcement administrator, system coordinator/computer operator and such other personnel hereinafter appointed, with the power and authority as hereinafter set forth.

The Village President is hereby authorized to appoint all hearing officers of this Village with the advice and consent of the Village Board. The Village President is hereby authorized to appoint all other persons to hold the positions hereinafter set forth below, and such other personnel as needed. Other than the hearing officer, one person may hold and fulfill the requires of one of more of the above stated positions, and compensation for each of the hereinafter stated positions shall be as approved by the Village President and Village Board.

**A. Hearing Officer:**

1. The hearing officers shall preside over all adjudicatory hearings and shall have the following powers and duties:
  - a. Preside at an administrative hearing called to determine whether or not a code violation exists;
  - b. Hear testimony and accept evidence that is relevant to the existence of the city code violation;
  - c. Preserve and authenticate the record of the hearing and all exhibits and evidence introduced at the hearing.
  - d. Issue and sign a written finding, decision and other order stating whether a village code violation exists; and
  - e. Impose penalties, sanctions or such other relief consistent with applicable village code provisions and assess costs upon finding a party liable for the charged violation, except however, that in no event shall the hearing officer have authority to impose a penalty of incarceration.
2. Prior to conducting administrative adjudication proceedings under this chapter, the hearing officer shall have successfully completed a formal training program which includes the following:

- a. Instruction on the rules of procedure of the administrative hearings over which the hearing officer shall preside;
  - b. Orientation to each subject area of the code violation that he/she will adjudicate;
  - c. Observation of administrative hearings; and
  - d. Participation in hypothetical cases, including ruling on evidence and issuing final orders.
  - e. A hearing officer must be an attorney license to practice law in the State of Illinois for at least three (3) years.
- B. Ordinance Enforcement Administrator: the ordinance enforcement administrator is authorized and directed to:
  1. Operate and manage the system of administrative adjudication of Village of Maple Park ordinance violations as may be permitted by law and directed by ordinance.
  2. Adopt, distribute, and process all notices as may be required under this chapter or as may be reasonably required to carry out the purpose of this chapter.
  3. Track and monitor monies paid as fines and/or penalties assessed after a final determination of liability.
  4. Certify copies of final determinations of an ordinance violation adjudicated pursuant to this chapter, and any factual reports verifying the final determination of any violation liability which was issued in accordance with this chapter, the laws of the State of Illinois, including 625 Illinois Compiled Statutes ("ILCS") 5/11-208.3, as from time to time amended.
  5. Certify reports to the Illinois Secretary of State concerning initiation of suspension of driving privileges in accordance with the provisions of this chapter as hereinafter set forth, and those of 625 Illinois Compiled Statutes 5/6-306.5.
  6. Promulgate rules and regulations reasonably required to operate and maintain the administrative adjudication system hereby created.
  7. Collect unpaid fines and penalties through private collection agencies and the State pursuant of all post judgement remedies available by current law.
- C. System Coordinator/Computer Operator: The system coordinator/computer operator is hereby authorized and directed to operate and maintain the computer programs for the administrative adjudication system of the Village of Maple Park ordinance enforcement department hereby created, on a day-to-day basis, including, but not limited to:
  1. Input of ordinance violation citations and information.
  2. Establishing court dates and notice dates.
  3. Issue subpoenas ordering witnesses and violators to appear in adjudication court as needed or directed by the hearing officer.
  4. Record fine and penalty assessment and payments.
  5. May issue payment receipts.
  6. Issue succeeding notice of hearing dates and/or final determination of liability; issue notice of impending impoundment; issue notice of impending driver's license suspension, issue collection notices and final collection notices as directed by the ordinance enforcement administrator in accordance with the provisions hereinafter set forth.
  7. Keep accurate records of appearances and nonappearances at administrative hearings, pleas entered, judgements entered, sanctions imposed, if any, fines and penalties assessed and paid.

#### **6-8-4: NOTICE OF VIOLATION:**

The system of administrative adjudication of any village ordinance violation authorized to be adjudicated hereunder, shall be in accordance with the following procedures:

- A. Notice of any ordinance violation including violations of the village motor vehicles and traffic code, Title 7 of this code, other than any offense under the Illinois Vehicle Code or a similar offense that is a traffic regulation governing the movement of vehicles and except for any reportable offense under section 6-204 of the Illinois Vehicle Code (hereinafter the "village motor vehicle code"), shall be issued by the persons authorized under this code and shall contain information and shall be certified and constitute prima facie evidence of the violation cited as hereinafter set forth.
- B. All full time, and part time officers, as well as other specifically authorized individuals of any Village department shall have the authority to issue violation notices and ordinance citations.
- C. Any individual authorized hereby to issue ordinance citations and violation notices and who detects an ordinance violation authorized to be adjudicated under this chapter or a violation of any section of any village ordinance, is authorized to issue a notice of violation or ordinance citation thereof and shall make service thereof as is hereinafter set forth.
- D. The violation notice shall contain, but shall not be limited to, the following information:
  - 1. The name and address of the party violating the ordinance, if known.
  - 2. The date, time and place of the violation (date of issuance).
  - 3. The type and nature of the ordinance violated.
  - 4. Vehicle make and state registration number (if applicable).
  - 5. Failure to pay or appear may result in a default judgement being entered and the imposition of the maximum fine provided by law for each alleged offense cited plus court costs.
  - 6. The names and witnesses of the violation.
  - 7. The signature and identification number of the person issuing the notice.
  - 8. The docket or citation number, date, and location of the adjudication hearing of ordinance violations, if applicable, the legal authority and jurisdiction under which the hearing is to be held.
- E. The date of the hearing shall not be less than thirty (30) nor more than sixty (60) days after the violation is reported.

#### **6-8-5: SERVICE AND NOTICE OF HEARING:**

- A. Service of any violation notice shall be made by the person issuing such notice:
  - 1. In the case of violation of the Village motor vehicle code, service shall be made by:
    - a. Affixing the original or a facsimile of the notice to an unlawfully standing or parked vehicle, unstickered vehicle, or vehicle violating any compliance regulation;
    - b. Handing the notice to the registered owner, operator, or lessee of the vehicle, if present; or
    - c. Mailing the notice by first class mail to the person responsible for the ordinance violation, which may include notice to appear in court date in accordance with 6-8-4 E.
  - 2. In the case of a violation of the building code, service shall be made by:

- a. First class mail on the owner of the structure, along with a summons or Notice to Appear commanding the owner to appear at the hearing;
  - b. If the name of the owner of the structure cannot be ascertained or if service on the owner cannot be made by mail, service may be made on the owner by posting or attaching a copy of the notice on the front door of the structure where the violation is found, not less than twenty (20) days before the hearing is scheduled.
3. In the case of any ordinance violation other than a violation of the Village motor vehicle code or building code, service shall be made by hand delivery or by first class mail to the person responsible for the ordinance violation, which may include a summons or Notice to Appear commanding the individual to appear at the hearing.
- B. The correctness of facts contained in any ordinance violation citation shall be verified by the person issuing said notice by:
  1. Signing his/her name to the notice at the time of issuance; or
  2. In the case of a notice produced by a computer device, by signing a single certificate, to be kept by the ordinance enforcement administrator, attesting to the correctness of all notices produced by the device while under his/her control.
- C. The original or a facsimile if the violation citation shall be retained by the ordinance enforcement administrator and kept as a record in the ordinary course of business.
- D. Any violation citation issued, signed, and served in accordance herewith, or a copy of the notice, shall be prima facie correct and shall be prima facie evidence of the correctness of the facts shown on the citation.

**6-8-6: ADMINISTRATIVE HEARINGS:**

- A. An administrative hearing shall be granted for the following:
  1. To adjudicate any alleged ordinance violation on its merits.
  2. To contest the validity of a notice of impending impoundment, or, the validity of a notice of impending driver's license suspension. The hearing shall be granted to the registered owner or operator of the "cited vehicle", pursuant to 625 Illinois Compiled Statutes 5/11-208.3 or the lessee of the "cited vehicle", pursuant to 625 Illinois Compiled Statutes 5/11-1306, incorporated herein by reference, and at the date, time and place as is set forth by the ordinance enforcement administrator and served upon the registered owner, operator, or lessee for hearings contesting the validity of notices of impending impoundment or driver's license suspension.
- B. No continuances shall be authorized by the hearing officer at the hearing except where absolutely necessary to protect the rights of the individual or for other good cause shown. Lack of preparation does not constitute cause for a continuance. No continuance may be granted for more than sixty (60) days.
- C. At any time prior to the hearing date the hearing officer assigned to hear the case may, at the request of the building inspector or the attorney for the village, or the owner or his attorney, issue subpoenas directing witnesses to appear and give testimony at the hearing.
- D. If on the date set for the hearing the person or entity or his or her or its attorney fails to appear, the hearing officer may find the person or entity in default and shall proceed with the hearing and accept evidence relevant to the existence of a code violation.



- E. All administrative hearings shall be recorded and shall culminate in a determination of liability or nonliability made by the hearing officer., who shall consider facts and/or testimony without the application of the formal or technical rules of evidence. Evidence including hearsay, may be admitted only if it is a type of commonly relied upon by reasonably prudent persons in the conduct of their affairs.
- F. The hearing officer shall, upon a determination of liability, assess fines and penalties in accordance with section 1-4-1 of this chapter. Persons appearing to contest the alleged violation on its merits may be represented by counsel at their own expense. The burden of proof shall be on the alleged offender to refute the prima facie case set forth in the verified citation or notice of violation.

**6-8-7: FINAL DETERMINATION OF LIABILITY:**

- A. A final determination of liability shall occur following the failure to pay the fine or penalty and/or upon the hearing officer's determination of liability and the exhaustion of, or the failure to exhaust, any administrative review procedures hereinafter set forth.
- B. When a person fails to appear at the administrative hearing to contest the alleged violation on the date and at the time and place specified in a prior served or mailed notice pursuant to this chapter, the hearing officer's determination of liability shall become final either upon a denial of a timely petition to set aside that determination or upon the expiration of the period for filing a petition without a filing having been made.
- C. A notice of final determination of liability shall be provided following the conclusion of an administrative hearing or sent by U.S. Mail within five (5) days after the final determination of liability is made, as is hereinafter set forth, and shall contain, but not be limited to, the following information and warnings:
  - 1. The hearing officer's finding of fact.
  - 2. A decision of whether or not a code violation exists based upon the findings of fact.
  - 3. A statement that the unpaid fine and any penalty assessed is a debt due and owing the Village.
  - 4. A statement of any sanction ordered or costs imposed which costs are debts due and owing the Village.
  - 5. A warning that failure to pay the fine and any penalty due and owing the Village within the time specified may result in further court proceedings, additional fees, and the debt being turned over to the State of Illinois or collections.
  - 6. The signature of the hearing officer and the date of determination.

**6-8-8: JUDICIAL REVIEW**

Any final decision by a hearing officer that a code violation does or does not exist shall constitute a final determination for purposes of judicial review under the Illinois Administrative Review law, 65 Illinois Compiled Statutes 5/1-2.1-1 et seq. and 5/1-2.2-1 et seq.

**6-8-9: ENFORCEMENT OF JUDGEMENT**

- A. Any fine, other sanction, or costs imposed, or part of any fine, other sanction, or costs imposed, remaining unpaid after the exhaustion of, or the failure to exhaust, judicial review procedures under the Illinois administrative review law are a debt due and owing the municipality and may be collected in accordance with applicable law.

- B. After expiration of the period in which judicial review under the Illinois administrative review law may be sought for a final determination of a code violation, the Village may commence a proceeding in either the circuit court of DeKalb or Kane County for the purpose of obtaining a judgement on the findings, decision, and order.
- C. In any case in which a hearing officer finds that an individual has failed to comply with a judgement ordering an individual to correct a code violation or imposing any fine or other sanction as a result of a code violation, any expenses incurred by a municipality to enforce judgement including, but not limited to, attorney fees, court costs, and other costs related to property demolition or foreclosure after they are fixed by the hearing officer, shall be a debt due and owing the Village and may be collected in accordance with applicable law.
  - 1. A lien shall be imposed on the real estate or personal estate, or both, of the individual in the amount of any debt due and owing the Village under this chapter. The lien may be recorded and enforced in the same manner as a judgement lien pursuant to a judgement of a court of competent jurisdiction. No lien may be enforced under this chapter until it has been recorded in the manner provided by article XII of the code of civil procedure or by the uniform commercial code.
  - 2. Unpaid fines which are debts due to the Village may be turned over to an outside collection agency and/or the State of Illinois Debt Recovery program.
- D. A hearing officer may set aside any judgement entered by default and set a new hearing date upon a petition filed within twenty-one (21) days after the issuance of the order of default if the hearing officer determines that the petitioner's failure to appear at the hearing was for good cause or at any time if the petitioner establishes that the Village did not provide proper service of process.

**6-8-10: SCHEDULE OF FINES/PENALTIES:**

- (A) Fines and penalties shall be imposed in accordance with this code for all violations paid prior to the date set for hearing, or where no fine or penalty is expressed in this code, or for all violations not paid prior to the hearing date, the hearing officer may impose a fine or penalty according to his or her judgment. However, in no case may the fines imposed by the hearing officer exceed \$750 per violation per day, or a maximum of \$2,500 for all building code violations.
- (B) Any person who pleads guilty or liable or is found guilty or liable, in addition to a fine shall be responsible to pay the costs of adjudication of \$50. If a fine is imposed for a continuing violation for each day constitutes a separate offense, the costs of adjudication shall also be assessed for each day of the continuing offense.
- (C) In addition to or in lieu of a fine and costs, the hearing officer may also require a person who pleads guilty or is found guilty or liable for an offense to perform community service of not more than 250 hours per offense.

## **6-8-11: NOTICES AND SUBPOENAS:**

Upon failure of the person receiving an ordinance citation notice of a violation of a Village ordinance, other than a Village motor vehicle code violation, to appear at the time and date designated for a hearing, or, in the case of a violation of the Village motor vehicle code, the registered owner, operator, or lessee of the cited vehicle to pay the fine in full as stated on said citation, the ordinance enforcement administrator shall send or cause to be sent notices by first class mail, postage prepaid to the person who received the citation or notice of an ordinance violation; at the address as is recorded with the secretary of state. Service of notices sent in accordance herewith shall be complete as of the date of deposit in the United States Mail. In the case of a violation of the Village motor vehicle code, the registered owner, operator, or lessee of the cited vehicle will be sent the notice at the address as is recorded with the secretary of state, and shall be sent to the lessee of the cited vehicle at the address last known to the lessor of the cited vehicle at the time of the lease.

The notices sent in accordance herewith shall be in the following sequence and contain, but not be limited to, the following information:

### **A. Village Parking Violations Notices**

Upon failure of the person receiving a Village parking citation, the registered owner, operator, or lessee ("respondent") of the cited vehicle to pay the fine in full stated on said citation, the following notices shall be sent as stated below and shall contain, but not be limited to, the following information:

- Date of parking violation cited on the ordinance citation.
  - Fine cited on the ordinance citation.
  - Statement that failure to pay the fine(s) immediately may result in court proceedings and additional fees.
1. Collection Notice – Shall be sent to any "respondent" failing to pay said parking fine(s) in full by the date stated on the citation and/or adhere to the agreed upon payment plan.
  2. Final Collection Notice – Shall be sent to any "respondent" for fine(s) remaining unpaid for thirty (30) days past the date of the collection notice.

### **B. Ordinance Violation Notices: Upon failure of the person receiving an ordinance violation to pay the fine and/or penalties, as determined by the hearing officer, in full as mandated at the adjudication hearing, the following notices shall be sent as stated below and shall contain, but not limited to, the following information:**

- Citation/Docket #
  - Date of ruling
  - Total of fine(s) and penalty(s) due to the Village
  - Payment received, if any, and the balance of the fines due
  - State that said debt due to the Village of Maple Park, and
  - Warning that failure to comply with the court order and pay the fine(s) immediately may result in further court proceedings, additional fees, the debt being turned over to collections and the Ste debt recovery program.
1. Collection Notice – Shall be sent to any "respondent" failing to comply with the court order and pay said fine(s) within 35 days of the final determination of liability.
  2. Final Collection Notice – Shall be sent thirty (30) days past the collection notice date to any "respondent" failing to comply with the court order.

- C. Failure to Appear Default Judgements and Subpoenas – Upon failure to the person receiving a citation for a violation of a Village ordinance, to appear at the time and date designated for a hearing or to pay the fine in full as stated on the citation:
1. A default judgement notice along with the ruling containing the determination of liability by the hearing officer will be sent by U.S. Mail, or
  2. A subpoena or Notice to Appear commanding the respondent's appearance at a future court date and time will be sent via U.S. Mail as directed by the hearing officer.

**6-8-12: TOWING AND IMPOUNDMENT OF MOTOR VEHICLES:**

- A. Any motor vehicle whose registered owner has been determined to be liable for ten (10) or more vehicular standing or parking regulation violation(s), for which the fines or penalties assessed remain unpaid, may be towed and impounded if:
1. The ordinance enforcement administrator has determined that a person has been determined to be liable for ten (10) or more ordinance violations, for which the fines and penalties remain unpaid.
  2. The person determined to be liable for ten (10) or more violations is the registered owner of a motor vehicle located within the Village's geographical boundaries.
  3. A seizure notice has been sent out to the registered owner of the motor vehicle located within the geographical boundaries of the Village which contains, but shall not be limited to, the following:
    - a. That a final determination has been made on ten (10) or more ordinance violations, for which the fines and penalties remain unpaid.
    - b. A listing of the violations for which the person has been determined to be liable, which shall include for each violation:
      - i. The ordinance violation notice number;
      - ii. Date of issuance; and
      - iii. Total amount of fines and penalties assessed.
    - c. That the motor vehicle owned by the person and located within the Village is subject to towing and impoundment if the fines and penalties are not paid within fifteen (15) days of the date of the notice.
    - d. Date of impending towing and impoundment.
    - e. That the registered owner may contest the validity of the notice by appearing in person before the ordinance administrator within fifteen (15) days of the date of the notice and submitting evidence which would conclusively disprove liability, such as the following:
      - i. That the registered owner was not the owner or lessee of the vehicle on the date or dates the notices of violation were issued; or
      - ii. That the fines or penalties for the violation cited in the notice were paid in full; or
      - iii. That the registered owner has not accumulated ten (10) or more ordinance violation notices which are unpaid, not adjudicated or for which no appearance was made.
  4. The motor vehicle of the registered owner to whom notice is sent has failed to make payment of the fines or penalties as specified in the notice and has failed to appear with evidence to conclusively disprove liability before the ordinance enforcement administrator to contest the validity of the notice.

**6-8-13: REQUEST FOR HEARING IN THE CASE OF TOWING AND IMPOUNDMENT OF MOTOR VEHICLES:**

Upon receipt of the request for hearing to contest the validity of the towing and impoundment, the ordinance enforcement administrator shall schedule an administrative hearing to contest the validity of the towing and impoundment on the next scheduled hearing date or if sooner scheduled by the ordinance enforcement administrator for good cause shown, but in no case shall the hearing be scheduled later than forty-five (45) days after the request for hearing is filed and shall serve notice of the hearing date upon the registered owner by first class U.S. Mail, postage prepaid, to the address as set forth on the request for hearing. Service of the notice shall be complete on the date it is placed in the United States Mail.

**6-8-14: POST IMPOUNDMENT NOTICE:**

Within ten (10) days after a vehicle has been impounded, notice of impoundment shall be sent by certified mail, return receipt requested, to the registered owner of the vehicle. The notice shall state that the owner has the right to a post immobilization and post towing hearing as provided in section 6-8-14 of this chapter and that if the vehicle is not claimed within thirty (30) days from the date of the notice, the vehicle may be sold or otherwise disposed of in accordance with the Illinois Vehicle Code.

**6-8-15: TOWING SERVICES:**

The ordinance enforcement administrator shall appoint or retain the services of an individual, agency, or company to tow and impound vehicles in accordance herewith, provided that that individual, agency, or company is fully insured and licensed according to local or state law and has available a secured impound area within which to retain vehicles impounded hereunder. For the purpose of this section a "secured area" shall mean an area bounded by a fence, chain link or otherwise, of a sufficient height and with locking gates so as to minimize or prevent unauthorized entry into the impounded vehicles.

**6-8-16: EVICTION, RIGHT OF OCCUPANTS:**

In the case of a building code violation, no action for eviction, abatement of a nuisance, forcible entry and detainer or other similar proceeding shall be threatened or instituted against an occupant of a dwelling solely because such occupant agrees to testify or testifies at a code violation hearing.

**6-8-17: DEFENSES TO BUILDING CODE VIOLATIONS:**

It shall be a defense to a building code violation if the owner, his attorney, or any other agent or representative proves to the hearing officers' satisfaction that:

- A. The code violation alleged in the notice does not in fact exist, or at the time of the hearing the violation has been remedied or removed;
- B. The code violation has been caused by the current property occupants and that in spite of reasonable attempts by the owner to maintain the dwelling free of such violations, the current occupants continue to cause the violations;
- C. An occupant or resident of the dwelling has refused entry to the owner or his agent to all or a part of the dwelling for the purpose of correcting the code violation.

**6-8-18:        SANCTIONS APPLICABLE TO THE BUILDING OWNER:**

The order to correct a building code violation and the sanctions imposed by a municipality as the result of a finding of a code violation shall attach to the property as well as to the owner of the property, so that a finding of a code violation against one owner cannot be avoided by conveying or transferring the property to another owner. Any subsequent transferee or owner of property takes subject to the findings, decision, and order of a hearing officer.