



Office of the Mayor  
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December 15, 2016

To: Mayor's Neighborhood Safety Task Force Members

From: Laurel Prussing

Re: **Improvements in Neighborhood Safety Since 2005: New Challenges In 2016**

**In the past 11 years the violent crime rate in Urbana has been cut in half.**

This Task Force was originally appointed in November 2005 to provide different perspectives on how to improve public safety in neighborhoods. It included representatives from neighborhood organizations, property owners and managers, the Tenant Union and Land of Lincoln Legal Aid as well as representatives from the Urbana Police Department.

We quickly realized that poor property management was the number one problem. This Task Force vetted key ordinance proposals before they were sent to the City Council.

Two major ordinances were eventually adopted:

**Rental Registration** requires rental property to be registered with the city and inspected for safety and conformance with building codes. This is enforced by the Community Development Department building inspectors.

**Aggravated Public Nuisance Ordinance**, triggered by crime problems, is enforced by the Police Department. Generally, the department gets high compliance by proposing a safety plan. Most owners quickly comply and many troubled properties have been turned around by requiring on-site management, fencing, lighting, security service and proper tenant screening.

The city uses many other tools to encourage good property management including:

1. building inspection (some aspects are done by the Fire Department, others by Community Development Department building inspectors) .
2. nuisance abatement (an employee of Public Works).
3. liquor license standards (Mayor's office, Legal Department, Police Department and Fire Department work together to vet prospective licensees and to require safety plans for large events)

Every week, I meet with the Problem Properties Committee (Police, Fire, Community Development, Legal and Public Works departments) to discuss issues. It is this coordination in ordinance enforcement that has paid off in reducing and preventing crime.

Please see the following reports which I asked the departments to prepare so you can gain a perspective of the daily activities needed to turn problem properties around:



1. Police Department Interaction With Problem Properties pp. 3-12
2. Legal Department, Aggravated Public Nuisance Properties; Code Violations pp. 13-
3. Legal Department, Liquor Issues
4. Community Development Department, Neighborhood Improvement Projects and Activities since 2005

### **The Recent Outbreak of Gang-related Shootings in 2016**

Going back 23 years Urbana historically had no murders or one murder, but never more than 2 murders a year. In 2016 we had four, two of which were gang-related. The increase in gun violence has come to our city. I believe the first step we need to take is to hire more police officers. This is something I would like your input on.

Please talk to your neighbors and your neighborhood organizations and report back your ideas for our next meeting which will be January 17, 2017.



**Patrick J. Connolly**  
Chief of Police

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**Urbana Police Department**  
400 South Vine Street  
Urbana, IL 61801  
(217) 384-2320  
FAX (217) 384-2363

**To:** Neighborhood Safety Task Force  
**From:** Lt. Robert Fitzgerald and Lt. Joel R. Sanders  
**CC:** Mayor Prussing  
Chief Connolly  
**Date:** December 16, 2016  
**Re:** Police Department interaction with problem properties

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The Police Department presented the following locations to the City of Urbana Problem Property Committee. Each city department that is represented on the committee has contributed individual division expertise and resources to solve the associated issues. Listed here is the police department's contribution for solving identified problems.

The police department, and the City of Urbana, has developed a productive working relationship with business owners, property owners and property management companies. We continue to build the relationships and wish to honor the mutual respect and cooperation each individual or company has provided to us. Therefore, only the type of business/property and general location is identified within this report.

*The following summarizes the extensive involvement Lt. Fitzgerald had with property owners (2011-September 2015).*

### **Apartment Complexes**

#### **Apartment Complex, East Urbana**

**Problems:** Fights, drugs, domestics and other criminal behavior, officers constantly dispatched to the complex

**Solutions:** Police worked with management and owners to identify issues and solutions:

- Gave suggestions on how to keep the complex safe:
  - Installed new locks on the outer doors
  - Hired security until the issues were resolved
  - Added a camera system
  - Established an employee who lived in the complex as a contact person
  - Implemented a resident-only parking plan for overnight
  - Began eviction process for residents involved in criminal activity
- Designated extra UPD foot and bike patrol for this complex and the complex to the south
- Compiled and sent weekly METCAD calls for service to the manager
- Assisted employees with trespass notices for non-resident subjects who were loitering or committing criminal activity

- Example court cases were provided to management, with the help of the Legal Department, to illustrate the legal rights the property owners and managers have in dealing with problem tenants.

**Results:** Calls for service and crime decreased in the area. Management and UPD, working together, were able to ban the problem individuals who did not live in the complex. UPD still compiles and sends weekly METCAD calls for service to the manager.

#### ***Apartment Complex, East Urbana***

**Problems:** This was the neighboring complex to the complex listed above; they had the same issues.

**Solutions:** Police worked with management and other city departments to identify issues and solutions:

- Gave suggestions on how to keep the complex safe:
  - Implemented a resident-only parking plan for overnight
  - Began eviction process for residents involved in criminal activity
  - Hired security until the issues were resolved
- Designated extra UPD foot and bike patrol for this complex and the complex to the north
- Compiled and sent weekly METCAD calls for service to the manager
- Assisted employees with trespass notices for non-resident subjects who were loitering or committing criminal activity
- Urbana Community Development Services Department discussed property issues with management
- Example court cases were provided to management, with the help of the Legal Department, to illustrate the legal rights the property owners and managers have in dealing with problem tenants.

**Results:** Calls for service and crime decreased in the area. Management and UPD, working together, were able to ban the problem individuals who did not live in the complex. UPD still compiles and sends weekly METCAD calls for service to the manager.

#### ***Apartment Complex, East Urbana (two neighboring complexes with the same owner)***

**Problems:** Shots fired, several people shot, housing issues, and both major and minor criminal activity.

**Solutions:** Police worked with owner, management and other city departments.

- Held several meetings with the owner and other city departments to come up with a plan for the area:
  - Fix the camera and lighting system in both complexes
  - Began eviction process for residents involved in criminal activity
  - Hired security until the issues were resolved
  - With the help of the Urbana Community Development Services Department, made upgrades to the property
- Example court cases were provided to management, with the help of the Legal Department, to illustrate the legal rights the property owners and managers have in dealing with problem tenants.
- Assisted employees with trespass notices for non-resident subjects who were loitering or committing criminal activity

- Designated extra UPD foot and bike patrol, and overtime was used to put more officers in this area during hours when crime was at its highest
- Assisted in starting a community group to address issues
- Compiled and sent weekly METCAD calls for service to the manager

**Results:** One complex has been demolished. UPD still compiles and sends weekly METCAD calls for service to the manager. Although crime and calls for service decreased initially, there are issues occurring now that are being addressed.

***Apartment Complex, Southeast Urbana***

**Problems:** For years, this complex did not have issues. Police noticed an increase in criminal activity and were proactive in reaching out to management.

**Solutions:** Gave suggestions on how to keep the complex safe:

- When working with the leasing company, it was discovered that the manager was part of the problem and was released
- Added a camera system
- Compiled and sent weekly METCAD calls for service to the manager
- Assisted employees with trespass notices for non-resident subjects who were loitering or committing criminal activity
- Example court cases were provided to management, with the help of the Legal Department, to illustrate the legal rights the property owners and managers have in dealing with problem tenants.

**Results:** The complex went back to being a safe community. UPD still compiles and sends weekly METCAD calls for service to the manager.

***Apartment Complex, North Urbana***

**Problems:** Police noticed an increase in criminal activity and were proactive by reaching out to management.

**Solutions:** Gave suggestions on how to keep the complex safe:

- Added a camera system
- Installed new locks on outer doors
- Trespass notices enforced, areas became a place for loitering
- Urbana Community Development Services Department became involved and assisted
- Designated extra patrol and foot patrol after hours

**Results:** Calls for service dropped and no major issues have come back.

***Apartment Complex, Southeast Urbana***

**Problems:** Police were receiving 70-90 calls per month for robberies, shootings and other major criminal activity. Other disturbance calls included loud music, loitering and drugs.

**Solutions:** Police worked with owner, management and other city departments to provide suggestions on how to keep the complex safe:

- Held numerous meetings and agree to a security plan
  - Added a camera system
  - Installed fencing with security codes to enter the parking lot
  - Changed door locks
  - Added new lighting
  - Hired security until the issues were resolved
  - Began eviction process for residents involved in criminal activity
- Designated extra UPD foot and bike patrol, and overtime was used to put more officers in this area during hours when crime was at its highest
- Assisted employees with trespass notices for non-resident subjects who were loitering or committing criminal activity
- Example court cases were provided to management, with the help of the Legal Department, to illustrate the legal rights the property owners and managers have in dealing with problem tenants
- Compiled and sent weekly METCAD calls for service to the manager

**Results:** This is one of the best results we have had using the aggravated nuisance ordinance. Criminal activity and calls for service significantly decreased (from 70-90 calls for service per month to an average of 5 per month). UPD and management built a strong working relationship, and UPD still compiles and sends weekly METCAD calls for service to the manager

#### ***Apartment Complexes, Southeast Urbana***

**Problems:** There are several complexes that are owned by one person in the Southeast Urbana area. Criminal activity, drugs, shootings (including a homicide that occurred in the commons area during a drug deal), and other violent and property crimes occurred. Numerous code violations also occurred at this location. This business has taken up numerous police hours in implementing plans, follow-up and meetings involving the owner, Legal and Police.

(For the first building, we used the aggravated nuisance ordinance for the first time. This building is discussed first. The other buildings were dealt with later on, separately.)

**Solutions:** Several meetings were set up with the owner, city legal and the Police Department where the owner continually resisted attempts to remedy problems, but finally agreed.

- Developed a security plan:
  - Installed Knox boxes on the entrances to the building
  - Installed new security doors at both entrances
  - Installed security cameras, which were to be accessible to the police at all times
  - Shrubs and trees were cut back to make it more open
  - Prompt removal of abandoned vehicles
  - Hired security for a period until the issues were resolved
  - Tenant list was to be updated once a month
  - Drug arrests or convictions to result in an immediate start to the eviction process
- Held bi-weekly meetings with UPD addressing issues with all his buildings

**Results:** This first building, due to the plan, has not had the issues the other buildings have had. Calls for service have been minimal and the owner followed the plan until it expired (it is currently expired).

**Other Buildings:** The owner has resisted working with us. We have documented the issues we have had with these buildings, as well as the work of the Fire Department, Community Development, and UPD has done. The owner has been fined for violations and was criminally charged for tampering with fire equipment. Currently, several of his buildings are condemned and therefore vacant, and others are only half full.

***Apartment Complex, Southeast Urbana***

**Problems:** These are 3 buildings owned by a leasing company. Issues include a homicide, shootings, loitering, and drugs.

**Solutions:** Police worked with the management (who were very receptive), and they implemented the plans that were suggested:

- Gave suggestions on how to keep the complex safe:
  - Installed new security doors on all the buildings, including one steel security door
  - Hired security (which they still have)
  - Prompt removal of abandoned vehicles
  - Began eviction process for residents involved in criminal activity
- Compiled and sent weekly METCAD calls for service to the manager
- Example court cases were provided to management, with the help of the Legal Department, to illustrate the legal rights the property owners and managers have in dealing with problem tenants
- Assisted employees with trespass notices for non-resident subjects who were loitering or committing criminal activity
- Designated extra UPD foot and bike patrol, and overtime was used to put more officers in this area during hours when crime was at its highest
- Other security measures agreed upon

**Results:** Calls for service have decreased; UPD still compiles and sends weekly METCAD calls for service to the manager. These buildings have not been an issue for UPD and management continues to work with us.

***Apartment Complex, Southeast Urbana***

**Problems:** Both criminal and code violations, and issues with juvenile runaways staying in abandoned apartments.

**Solutions:** Police and Community Development worked with owner and:

- Installed a camera system
- Cleared the shrubs and bushes away from the areas attracting criminal
- Installed new doors at the front and back
- Assisted employees with trespass notices for non-resident subjects who were loitering or committing criminal activity
- New windows and other improvements were made through Community Development
- Established an on-site manager that UPD could directly contact

**Results:** The juvenile issues have ceased, along with code violations. No major issues have resurfaced.

### **Other Apartment Complexes**

There were several other Apartment Complex Managers we contacted at times to help with security plans or discuss issues they may have had. This contact was minimal and any issues they may have had were quickly resolved. Other complexes we continue to work with by sending weekly calls for service summaries, or offering other services to help them make their properties a safe environment for all.

### **Residential Rental Houses**

**Over the course of the years I have dealt with several rental houses. Each has come to a successful conclusion. In almost all of the cases, neighbors would complain about criminal activity and I would check to verify that reports were made. The following outlines the content of meetings between UPD and owners.**

**Solutions:** Met with property owners and:

- Reviewed documented police reports and calls to the residence
- Discussed issues neighbors were having
- Provided a copy of the aggravated nuisance ordinance to the owner and explain the violations
- Provided example court cases, with the help of the Legal Department, to illustrate the legal rights the property owners and managers have in dealing with problem tenants

**Results:** In each case, issues were handled correctly and UPD did not have to get involved after the meeting.

### **Bars/Taverns**

#### **Night Club, Campus Area**

**Problems:** Fights, drugs, after-hours issues, weapons found. An entire shift and other departments would have to respond when the business was closing for issues.

**Solutions:** Police worked with the manager and owner to:

- Have a security plan for each event
  - Set a ratio for security officer to patron
  - Inform UPD of preplanned events and invite them in with suggestions
- Revoked the allowance of 18-year to 20-year olds until the bar demonstrated they would follow the security plans set forth
- Built a good working relationship between UPD and management

**Results:** Calls for service went decreased, which freed officers' time to do more proactive work and establish a strong relationship with management.

#### **Night Club, Near South Urbana**

**Problems:** Fights and liquor violations, over capacity issues, significant police and fire resources used.

**Solutions:** Police worked with owners to:

- Developed a security plan and involved the Fire Department in our discussions
  - Detailed plan on the amount of security they needed to have and other procedures to follow
  - Provided for security in the parking lot during and after hours

- Required that all employees that sold alcohol must be TIPS-trained
- Revoked the allowance of 18-year to 20-year olds until the bar demonstrated they would follow the security plans set forth

**Results:** Business initially followed plans, but has since closed.

**Night Club, Downtown**

**Problems:** Prostitution, underage drinking, fights, after-hours damage to neighboring businesses and other issues, including improper behavior by employees.

**Solutions:** Police worked with owners to:

- Developed a security plan and involved the Fire Department in our discussions
  - Required that all employees that sold alcohol must be TIPS-trained
  - Employees that were involved in criminal activity while at work had to be terminated
  - Hired independent security for the business and to patrol the outside
  - Must notify UPD on any parties or other events that they booked
  - Must allow officers to check the business several nights a week
- Warned that if prostitution was being permitted, the owner’s liquor license would be revoked and he would be charged criminally if it was found he as permitting it to happen

**Results:** No evidence of prostitution was found, fights and calls for service dropped along with complaints from neighboring businesses. No major issues.

**Business**

**Liquor Store, Southeast Urbana**

**Problems:** Robberies, fights with significant injuries, weapons violations, loitering, drug dealing and other major issues.

**Solutions:**

- Met with city legal and the owner’s attorney about violations under the aggravated nuisance ordinance and they agreed to the following safety plan:
  - **Abandoned Vehicles, pallets other items:** No abandoned vehicles pallets or other items can be stored around the building. In the past cars and other items have piled up in the back it has been used for people to sell and use drugs, and also do other illegal activity.
  - **No Loitering Signs:** New no loitering signs need to be posted on the front, west side and back of the building. Signs must warn people that they cannot loiter and face the risk of being arrested for trespass.
  - **No selling of drug paraphernalia:** No selling of “brown bags” or other drug paraphernalia Houka pipes, or any items that may be used for drug use. No chore boy can be sold and items cannot be packaged together for sale. NO CASH transactions separate for legitimate retail sales can occur.
  - **No Loitering inside and outside:** No loitering is allowed in front, back or along the sides of the building. Employees need to move people along when they are congregating. Police will assist when called and subjects who refuse to move need to be issued a

trespass notice and management must sign off on it. They also must be obligated to show up to court when subpoenaed. Management also must honor Home Runs prior trespass list. The new owner must keep and up to date trespass list.

- **Fencing:** A wrought iron fence needs to border the store on the back end. This fence needs to be up to stop subjects from leaving and entering through the back area. Fence must be secure and have no access to the bordering properties.
- **Lighting:** Outside lighting is a must and needs to be along the back, west side, east side and front of the building. The west and back must be on 24 hours a day, 7 days a week.
- **Video:** Video must cover the front along the entire front area of the store, east side, west side of the store, the front door, the back door, inside at the register and all aisles. Video must be kept for up to 21 days and made available when Police request it.
- **Handicap Parking:** The handicap parking spot needs to be kept up to date and follow state law. In the past they have let it lapse and it is their responsibility to keep this up to date.
- **Report Criminal Activity:** They must report all criminal activity that they see occurring on their property. They cannot allow anyone to freely commit criminal acts, such as drug sales or intimidation. These events must be reported promptly to the Police. Previous owners would let these incidents occur without notifying the Police.

**Results:** The Police department conducted an undercover operation where the owners were arrested for selling illegal drugs and paraphernalia. Their liquor license was revoked and they eventually sold business, new owners agreed to safety plan in order to have the liquor license.

*The following summarizes the extensive involvement Lt. Sanders had with property owners (September 2015 to present)*

### Apartment Complexes

#### **Apartment Complex, East Urbana**

**Problems:** Drug dealing, numerous acts of violence, shots fired, homicide

**Solutions:** Police worked with property owner to identify and improve safety measures;

- Security was hired to do patrols
- Burned out security lights replaced
- Graffiti removed from the buildings
- Security camera system repaired and updated
- Restricted access to complex (only one way in and one way out)
- Implemented a resident parking plan
- Began aggressive evictions
- Reactivated use of ban notices

**Results:** Calls for service and crime decreased in the area. Management and UPD, working together, were able to ban the problem individuals who did not live in the complex. UPD still compiles and sends weekly METCAD calls for service to the manager.

**Apartment Complex, Southeast Urbana**

**Problems:** Multiple reports of shots fired, drug dealing, acts of violence

**Solutions:** Police worked with property owner to identify and improve safety measures

- Identified problem tenants
- Initiated eviction procedures
- Secured vacant apartments

**Results:** Calls for service and crime decreased in the area. Management and UPD, working together, were able to ban the problem individuals who did not live in the complex. UPD still compiles and sends weekly METCAD calls for service to the manager.

**Bars/Taverns**

**Night Club, Downtown**

**Problem:** Liquor license violations; Fights; Alleged Prostitution, High volume of calls for service

**Solutions:** Police worked with owner to:

- Clarify liquor license rules
- Identify contributing policies and procedures enforced by the business' management
- Understand criminal liability attached to owner if behavior were allowed to continue

**Results:** Calls for service have decreased; police have not responded to this location in 2016

**Night Club, Downtown**

**Problem:** Liquor License violation; large fights; significant demand on police services

**Solutions:** Police worked with owner to:

- Identify contributing policies and procedures enforced the business' management
- Operate under a mandatory, police department approved security plan to prevent violence and eliminate ordinance violations during large events

**Results:** Business owner did not adequately implement suggested policy changes and did not adhere to mandatory security plan. Police continue to work with Problem Property Committee and State Liquor Commission. Investigation is ongoing.

**Residential Rental Property**

**Five Homes Converted into Rental Property/Apartments, Campus Area**

**Problem:** Loud noise, parties, high volume of calls for police

**Solutions:** Police worked with property owner(s) and leasing/management agencies to identify lease violations and reduce the volume of loud noise and parties

**Results:** Police have not responded to any of the respective proprietries since notifying property owner(s) or management agency of the ongoing issues

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**Single Family Home, Northeast Urbana**

**Problem:** Tenants' behavior disruptive to neighborhood, criminal behavior, call volume for police

**Solutions:**

- Police notified property owner of escalating issues and explained owner's liability
- Police implemented aggressive patrol in the area of the home

**Results:** Police have not responded to the home or the area for several weeks

**Single Family Home, Campus Area**

**Problem:** Hoarding, general safety and quality of life for neighbors

**Solutions:** Police coordinated with local mental health provider and other stakeholders to ensure the city is addressing the needs of the resident and not negatively affecting the individual's mental health.

**Results:** Resident has met with mental health resources. The situation is ongoing and the City will continue forward seeking the best means to solve the problem.



**LEGAL DIVISION**

James L. Simon, City Attorney  
Curt Borman, Assistant City Attorney  
Michelle E. Brooks, Assistant City Attorney  
Jack Waaler, Of Counsel

To: Neighborhood Safety Task Force  
Cc: Mayor Prussing  
From: Michelle Brooks, Assistant City Attorney  
Re: Aggravated Public Nuisance Properties; Code Violations  
Date: December 15, 2016

**MEMORANDUM**

Since its enactment in 2010 (with subsequent revisions in 2011 and 2015), the Aggravated Public Nuisance Ordinance (see attached) has been an effective tool in assisting the City and its departments in their efforts to address properties that have posed a repeated and/or continuing threat to the safety and well-being of the citizens of Urbana. The ordinance has been used in both a formal and informal manner to work with property owners in an attempt to encourage and assist them in addressing criminal activity that may have been occurring on their property. Once a potential problem property has been identified, (usually through an assessment by the Urbana Police Department of the number and/or severity of calls for service to or around a certain property) a determination is made by the Police Department, normally Lt. Joel Sanders or Lt. Robert Fitzgerald, in conjunction with the Legal Division, as to whether the property might qualify as a “nuisance property” under the ordinance. If it is determined that the property

qualifies, or is at risk of qualifying, UPD attempts to contact the property owners. If successful, UPD meets with the property owners, explains the City's concerns, provides them a copy of the Ordinance and explains the possible ramifications if the property owner does not make "good faith efforts" to remediate the problems.

On multiple occasions, UPD has been successful in gaining the cooperation of the property owners at that stage. In those circumstances, UPD has worked with the property owner to develop a realistic plan for remediation. Overall, the number of incidents at those properties has either been greatly reduced, or dissipated altogether. In two circumstances, UPD was initially not successful in gaining the cooperation of property owners at the informal level. In those circumstances, the Legal Department was notified, and the formal process as outlined in the Ordinance began. In those situations, after being notified that their property was considered a nuisance by the City, the property owners met with UPD and the Legal Department and abatement agreements were entered into, which meant that court action was not necessary at that point. Specific examples of the efforts of UPD and City Legal to address potential nuisance properties are discussed in the memo submitted by the Urbana Police Department.

Not all of the properties that come to the attention of the UPD involve exclusively criminal activity. Often, there are matters of public safety related to various building and fire code issues. In addition to involvement, input and review by UPD and Legal, representatives of other City Departments, specifically Community Development, the Fire Department, Public Works and the Mayor's Office meet regularly to update and advise on progress being made at that property. Memos from representatives of

Community Development, the Fire Department, and Public Works detailing their efforts to address public safety concerns have also been submitted in this packet.

Other mechanisms through which the Legal Division may become involved in a “problem property” are in collaboration with the Building Safety Division of the Community Development Department, the Fire Safety Division of the Urbana Fire Department, or the Nuisance Abatement Division of Public Works. These departments and their respective divisions are responsible for ensuring properties in the City remain in compliance with all City Codes, as well as provisions of the International Property Maintenance Code, the International Building Code, and the International Fire Code. In those circumstances where violations of any codes are identified, the owner or responsible party is put on notice of the violation and given a deadline by which to correct the violation. If the owner or responsible party does not act in a timely fashion to remediate the violation, City Legal may become involved in an attempt to gain compliance. In extreme situations of extended non-compliance or urgent safety issues, the matter may be taken to court by filing a case in the Circuit Court of Champaign County. In those situations, the City asks the Court to order the offending property owner to bring the property into compliance, and/or to fine the property owner for any failure to correct the violations in a timely fashion. In extreme cases of building unsoundness or dilapidation, the City may seek an order of demolition for the property.

Passed: November 02, 2015  
Signed: November 17, 2015

**ORDINANCE NO. 2015-10-109**

**AN ORDINANCE AMENDING CHAPTER 15, "MISCELLANEOUS OFFENSES AND PROVISIONS", ARTICLE IV, "OFFENSES AFFECTING PUBLIC HEALTH, SAFETY AND DECENCY", DIVISION 3, "NUISANCES", SECTION 15-80, "AGGRAVATED PUBLIC NUISANCES"**

(Amendments to the Aggravated Public Nuisance Ordinance to Reflect Recent Changes in the Illinois Municipal Code Concerning Police and Emergency Contacts for Victims of Threatened and/or Committed Sexual Violence or Domestic Violence or in Connection with Persons with Disabilities)

WHEREAS, the City of Urbana, Illinois is a home-rule unit of local government pursuant to the Illinois Constitution of 1970, Article VII, Section 6; and

WHEREAS, the Urbana City Code has been periodically recodified and republished by the City of Urbana to incorporate amendments thereto duly adopted by the City of Urbana; and

WHEREAS, the City Council has, heretofore, adopted an ordinance concerning aggravated public nuisances for the purpose of reducing crime within the City of Urbana which ordinance was originally adopted as Ordinance No. 2010-02-011 with the same having been amended by Ordinance No. 2011-10-117; and

WHEREAS, the Illinois General Assembly recently passed and the Governor signed into law Public Act 99-441; and

WHEREAS, Public Act 99-441, in relevant part, is codified in the Illinois Compiled Statutes by adding a new section to the Illinois Municipal Code (65 ILCS 5/-1-1 et seq.) being Section 1-2-1.5 which is now codified at 65 ILCS 5/1-2-1.5 (hereinafter, the "Public Act"); and

WHEREAS, the Public Act provides, *inter alia*, as follows:

(1) No municipality shall enact or enforce an ordinance or regulation that penalizes tenants or landlords based on:

- (A) contact made to police or other emergency services, if (i) the contact was made with the intent to prevent or respond to domestic violence or sexual violence; (ii) the intervention or

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emergency assistance was needed to respond to or prevent domestic violence or sexual violence; or (iii) the contact was made by, on behalf of, or otherwise concerns an individual with a disability and the purpose of the contact was related to that individual's disability;

(B) an incident or incidents of actual or threatened domestic violence or sexual violence against a tenant, household member, or guest occurring in the dwelling unit or on the premises; or

(C) criminal activity or a local ordinance violation occurring in the dwelling unit or on the premises that is directly relating to domestic violence or sexual violence, engaged in by a tenant, member of a tenant's household, guest, or other party, and against a tenant, household member, guest, or other party.

65 ILCS 5/1-2-1.5(b) (1) (A), (B), (C); and

WHEREAS, Public Act 99-441 shall become effective ninety (90) days after becoming law - i.e., November 19, 2015; and

WHEREAS, by reason of Public Act 99-441, certain parts of the City's Aggravated Public Nuisance Ordinance (UCC § 15-80) must be amended in order to bring that ordinance into compliance with Public Act 99-441 on or before November 19, 2015.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF AND FOR THE CITY OF URBANA, CHAMPAIGN COUNTY, ILLINOIS, follows:

Section 1. Chapter 15, "Miscellaneous Offenses and Provisions", Article IV, "Offenses Affecting Public Health, Safety and Decency", Division 3, "Nuisances", Section 15-80, "Aggravated Public Nuisances" shall be and hereby is amended by adding (underlined) and/or deleting (strike through) the following language:

(a) *Definitions.*

(1) The following words or phrases shall, when used in this article, have the following meanings:

a. Cannabis means any substance as defined in Section 3(a) of the Illinois Control Cannabis Control Act, 720 ILCS 550/1 et seq.

b. Commit or commission means knowingly causing, allowing, aiding or concealing the fact of such act or activities.

c. Contact means any communication made by a tenant, landlord, guest, neighbor, or other individual to police or other emergency services.

d. Controlled substance means any substance as defined in Article II of the Illinois Controlled Substance Act, 720 ILCS 570/201 et seq.

e. Deliver or delivery means the actual, constructive or attempted transfer of possession of a controlled substance, or cannabis, with or without consideration, whether or not there is an agency relationship.

f. Dwelling means a house, apartment building, mobile home, trailer or other structures used or intended for use for human habitation, and includes common areas within the structure which houses more than one (1) dwelling unit.

g. Dwelling unit means one (1) or more rooms, designated occupied or intended for occupancy as separate living quarters, for the exclusive use of a person or persons.

h. In or on the premises of any dwelling means a dwelling or the area within the boundary lines of any real property of the same ownership on which such dwelling is located.

i. Knowledge means a person knows, or acts knowingly or with knowledge of:

1. The nature or attendant circumstances of his/her conduct, described by the section defining the offense, when he/she is consciously aware that his/her conduct is of such nature or that such circumstances exist. Knowledge of a material fact includes awareness of the substantial probability that such fact exists.

2. The result of his/her conduct, described by the section defining the offense, when he/she is consciously aware that such result is practically certain to be caused by his/her conduct.

3. Conduct performed knowingly or with knowledge is performed willfully, within the meaning of a section using the latter term, unless the section clearly requires another meaning.

j. Manufacture shall have the same meaning as set forth in Section 102(z) of the Illinois Controlled Substance Act, 720 ILCS 570/201 et seq.

k. Methamphetamine means any substance as defined in Section Methamphetamine Control and Community Protection Act, 720 ILCS 646/1 et seq.

l. Negligence means a person is negligent, or acts negligently, when he/she fails to be aware of a

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substantial and unjustifiable risk that circumstances exist or a result will follow, described by the section defining the offense; and such failure constitutes a substantial deviation from the standard of care which a reasonable person would exercise in the situation.

m. Occupant means any person who lives in or has possession or holds an occupancy interest in a dwelling, dwelling unit or real property, or any person residing or frequenting the premises of the dwelling with the actual or implied permission of an owner, tenant or lessee. For purposes of this division, the term "occupant" shall also include employees, patrons and clients of real property.

n. Owner means any person, agent, operator, firm or corporation having a legal or equitable interest in the property; or recorded in the official records of the state, county or municipality as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.

o. Recklessness means a person is reckless or acts recklessly when he/she consciously disregards a substantial and unjustifiable risk that circumstances exist or that a result will follow, described by the section defining the offense; and such disregard constitutes a gross deviation from the standard of care which a reasonable person would exercise in that situation. An act performed recklessly is performed wantonly, within the meaning of the section using the latter term, unless the section clearly requires another meaning.

(2) Aggravated public nuisance.

a. Nuisance defined. An "aggravated public nuisance" is:

1. A dwelling, dwelling unit or real property;

2. Where the owners or occupant of the dwelling, dwelling unit or real property conduct or commit the following activities within a dwelling unit, on the premises of a dwelling or real property, or within one hundred (100) feet of the property line of the premises of the dwelling, dwelling unit or real property of which the owner or occupant has control within a three hundred sixty-five-day period:

(i) Two (2) or more forcible felonies, with the exception of state or federal criminal sexual offenses or crimes of sexual violence; or

(ii) Two (2) or more state or federal criminal offenses related to the illegal

sale, possession or manufacture of controlled substances, methamphetamine, cannabis or drug paraphernalia; or

(iii) Two (2) or more violations of 720 ILCS 5/11 et seq., entitled "Prostitution"; or

(iv) Two (2) or more violations of 720 ILCS 5/11 et seq., entitled "Solicitation"; or

(v) Two (2) or more violations of 720 ILCS 5/11 et seq., entitled "Keeping a Place of Prostitution"; or

(vi) Two (2) or more violations of 720 ILCS 5/28 et seq., entitled "Illegal Gambling" or "Keeping or Maintaining a place of Illegal Gambling"; or

(vii) Two (2) or more violations of 720 ILCS 5/20-1 et seq. entitled "Arson"; or

(viii) Five (5) or more of any combination of the following:

1. Any of the offenses described in paragraphs (i), (ii), (iii), (iv), (v), (vi), and (vii) above;

2. Any of the following offenses as defined in the Illinois Criminal Code: Disorderly conduct; battery; assault; aggravated assault; criminal damage to property; mob action; unlawful use of weapons; street gang terrorism; and/or any offenses as defined in the Illinois Criminal Code and/or the City of Urbana Code of Ordinances as "animal cruelty."

(ix) Five (5) or more violations of Chapter 16 of the Code of Ordinances regulating noise within or on the premises of a single dwelling, dwelling unit or real property.

b. Violation. No owner of real property shall recklessly, knowingly, or negligently allow or permit an aggravated public nuisance or allow or permit an aggravated public nuisance to exist upon real property or part thereof, including individual dwelling units, owned by that person.

(b) Written notice of aggravated public nuisance. Before the filing of a complaint alleging a violation of subsection (a)(2)b., "violation", above, the city attorney shall, by certified mail, provide to the owner of the place at which the aggravated public nuisance is located, or the agent of the owner, written notice of the following:

(1) That an aggravated public nuisance, as defined in this article, exists at the place specified in the notice;

(2) That the owner of the place at which the aggravated public nuisance is located, or the owner's agent has twenty-one (21) days from the mailing of the notice to schedule and appear at the city attorney's office at the address provided in the notice for a nuisance abatement conference with said city attorney or said attorney's representative and other appropriate city staff to discuss the possibility of entering into a written agreement to take action to abate the nuisance; and

(3) That failure to appear at the city attorney's office for said conference within the time indicated may result in the city attorney filing a complaint alleging a violation under subsection (a)(2)b.

(c) *Nuisance abatement conference.* At the nuisance abatement conference, the city attorney or said attorney's representative, any other appropriate city staff members, and the property owner or owner's agent, shall discuss the facts constituting the aggravated public nuisance and shall attempt to agree on specific actions that the property owner or the owner's agent can take to abate said aggravated public nuisance. At said conference, the city attorney or said attorney's representative shall provide to the property owner or the owner's agent available information from investigations by employees of the city regarding the commission of acts constituting the aggravated public nuisance, including the identity and last known addresses of individuals who have committed or witnessed the commission of said acts.

(d) *Nuisance abatement agreement.*

(1) At the conclusion of the nuisance abatement conference, the city attorney or said attorney's representative shall submit to the property owner or his or her agent a proposed written nuisance abatement agreement. If at the conclusion of the conference the city attorney or said attorney's representative needs more time to draft said proposed nuisance abatement agreement, then a follow-up conference shall be scheduled with the property owner or property owner's agent within ten (10) days of the initial conference for submittal and review of the completed proposed nuisance abatement agreement.

(2) Any nuisance abatement agreement under this division shall include a list of specific actions and a specific schedule of deadlines for said actions to abate the aggravated public nuisance. It may also include provisions for a periodic assessment of the agreement's effectiveness, and procedures for modification to the agreement. A nuisance abatement agreement or any written modification to said agreement may impose conditions or requirements on the property owner for a period of up to twenty-four (24) months from the date the original agreement is entered into by the property owner or owner's agent and the city. A nuisance abatement agreement may impose one (1) or more of the following conditions or requirements on the property owner:

a. Eviction of identified individuals from the dwelling, dwelling unit or real property in question based upon criminal activity identified in Section 15-80(a)(2)(a)(2)(i) through (ix) committed by those identified individuals.

b. Written notification from the property owner to an identified individual or individuals that they are prohibited from entering onto the property that is the location of the aggravated public nuisances based upon the criminal activity identified in Section 15-80(a)(2)(a)(2)(i) through (ix) committed by the particular individual or individuals.

c. Utilization of written leases containing a provision or provisions requiring eviction of a tenant or lessee for the commission of criminal activity identified in Section 15-80(a)(2)(a)(2)(i) through (ix) by that tenant or lessee.

d. The completion of improvements upon the property which have the impact of mitigating crime, including but not limited to the erection of fences, installation of security devices upon the entrances and/or increased lighting.

e. Any other reasonable conditions or requirements designed to abate the aggravated public nuisance.

(3) Once a proposed written nuisance abatement plan or written modification to nuisance abatement plan has been submitted to the property owner or the owner's agent, said property owner or owner's agent shall have three (3) business days to review it and enter into said agreement by signing it and returning it to the office of the city attorney.

(e) *Filing a complaint.* The city attorney may file a complaint alleging a violation of subsection (a)(2)b. under any of the following circumstances:

(1) The owner or his or her agent does not schedule and attend a conference with the city attorney or said attorney's representative within the time period prescribed in subsection (b), "written notice of aggravated public nuisance."

(2) The owner or his or her agent fails to sign a proposed written nuisance abatement agreement or proposed written modification to said agreement within the prescribed time period set forth in subsection (d)(3), "nuisance abatement agreement."

(3) The owner or the owner's agent subsequently fails to comply with any conditions or requirements set forth in a nuisance abatement agreement, including any prescribed deadlines for taking particular actions.

(f) *Evidence.*

(1) State of mind. In any proceeding brought under subsection (a)(2) alleging an aggravated public nuisance, the court shall

consider at least the following in determining whether or not the defendant has recklessly, knowingly or negligently allowed or permitted an aggravated public nuisance to exist:

a. Evidence of notice by the city or by any person to the defendant, notifying the defendant of the existence of any of the activities set forth in subsection (a)(2).

b. Actions taken by the owner to mitigate criminal activity or the existence of nuisances upon and in the vicinity of the property.

c. Actions taken by the owner to remove persons who commit criminal offenses or nuisances from tenancy or occupancy or to prohibit the entry of such persons onto the premises of the dwelling, dwelling unit or real property.

d. Actions taken by the owner to respond to notices sent by the city or residents.

(2) *Evidence of commission.* Proof the commission of any of the offenses or existence of any of the circumstances set forth in subsection (a)(2) shall be by a preponderance of the evidence.

(3) *Convictions.* The finding of or judgment of guilty in any court against an individual for a crime enumerated in subsection (a)(2) shall be prima facie evidence of the commission.

(g) *Action to abate; penalties.* In addition to prosecution of the offense defined by subsection (a)(2) or pursuing any other remedies available under this Code, the city attorney, upon receipt of reliable information that any real property within the corporate limits of the city is being maintained as an aggravated public nuisance, may prosecute an action for equitable relief, in the name of the city, to abate the nuisance and to enjoin any person who shall own, rent, or occupy the real property, dwelling or dwelling unit in question from using or permitting its use contrary to the provisions of subsection (a)(2).

(h) *Judgment.* No judgment finding a violation under subsection (a)(2)b., "violation", shall be entered against an owner if an owner or his or her agent has, in good faith, endeavored to prevent the nuisance. An owner or agent who has complied with all conditions or requirements of a nuisance abatement agreement and any modifications to said agreement, as defined in subsection (d), "nuisance abatement agreement", shall be deemed to have endeavored in good faith to prevent the nuisance.

(i) *Remedies.*

(1) Upon a finding of guilt under subsection (a)(2)b., "violation", the court may, in addition to other remedies permitted by this Code, impose a term of court supervision or conditional discharge for a term of up to three (3) years, conditioned on any or all of the following:

a. The completion of improvements upon the property which have the impact of mitigating crime including, but not limited to, the erection of fences, installation of security devices upon the entrances or increased lighting;

b. Requirement of a written lease for occupants which includes provisions requiring eviction for criminal activity;

c. Posting a cash bond of no less than the minimum fine and up to the amount of the maximum fine for the period of court supervision or conditional discharge imposed by the court, such bond to be retained by the city in an interest bearing account and conditioned on successful completion of the period of court supervision or conditional discharge;

d. Any other condition reasonably related to the objective of abating the aggravated public nuisance.

(2) The court shall, upon a finding of guilt with respect to subsection (a)(2)b., "violation," fine the defendant a sum of no less than one hundred dollars (\$100.00) per day that the nuisance existed, beginning on the date that the defendant first received notice of the conditions which constitute an aggravated public nuisance under subsection (b), "written notice of aggravated public nuisance."

(j) *Performance review.* The legal department of the city shall conduct a thorough evaluation of this division eighteen (18) months after its effective date. The review process shall include public input and comment on the aggravated public nuisance ordinance's strengths, weaknesses and effectiveness. The department shall tender a written report to the mayor and council summarizing its findings and recommendations. This report shall be tendered in a timely manner but not later than three (3) months after the commencement of the review and evaluation process.

(k) *Protection.*

(1) No municipality shall enact or enforce an ordinance or regulation that penalizes tenants or landlords based on:

(A) contact made to police or other emergency services, if (i) the contact was made with the intent to prevent or respond to domestic violence or sexual violence; (ii) the intervention or emergency assistance was needed to respond to or prevent domestic violence or sexual violence; or (iii) the contact was made by, on behalf of, or otherwise concerns an individual with a disability and the purpose of the contact was related to that individual's disability;

(B) an incident or incidents of actual or threatened domestic violence or sexual violence against a tenant, household member, or guest occurring in the dwelling unit or on the premises; or

(C) criminal activity or a local ordinance violation occurring in the dwelling unit or on the premises that is directly relating to domestic violence or sexual violence, engaged in by a tenant, member of a tenant's household, guest, or other party, and against a tenant, household member, guest, or other party.

(1) Compliance with state law. This ordinance shall not be construed, interpreted or enforced in any manner which conflicts with Illinois Municipal Code Section 1-2-1.5 (65 ILCS 5/1-2-1.5).

Section 2. This Ordinance shall be in full force and effect from and after its passage and publication in accordance with the terms of Chapter 65, Section 1-2-4 of the Illinois Compiled Statutes (65 ILCS 5/1-2-4).

Section 3. The City Clerk is directed to publish this Ordinance and cause the appropriate sections of Chapter 15, "Miscellaneous Offenses and Provisions", Article IV, "Offenses Affecting Public Health, Safety and Decency", Division 3, "Nuisances", Section 15-80, "Aggravated Public Nuisances", of the Urbana City Code to reflect the amendments as hereinabove stated and set forth.

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of a majority of the members of the City Council of the City of Urbana, at a regular meeting of said Council on the 2<sup>nd</sup> of November, 2015 at which a proper quorum was present.

PASSED BY THE CITY COUNCIL of and for the City of Urbana, Illinois this 2<sup>nd</sup> Day of November, 2015 with the "ayes" and "nays" being recorded as follows:

AYES: Brown, Jakobsson, Madigan, Marlin, Smyth

NAYS:

ABSTENTIONS:

\_\_\_\_\_  
Phyllis D. Clark, City Clerk

APPROVED BY THE MAYOR this 17<sup>th</sup> Day of November, 2015.

\_\_\_\_\_  
Laurel Lunt Prussing, Mayor



**LEGAL DIVISION**  
400 S. Vine St., Urbana, IL 61801  
P.O. Box 219, Urbana, IL 61803-0219  
(217) 384-2464  
Fax: (217) 384-2460

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**DATE: December 13, 2016**  
**TO: Mayor Prussing**  
**CC: Michelle Brooks, Assistant City Attorney**  
**FROM: James Simon, City Attorney**

**RE: Liquor Issues for Neighborhood Safety Task Force Meeting.**

**1. Introduction:**

Regarding matters of interest to the Neighborhood Safety Task Force, the City's Legal Division provides legal assistance to and representation of the various City departments and divisions in their enforcement of the City's ordinances.<sup>1</sup> In short, the Legal Division handles matters and issues which City departments and divisions refer much like private law firms handle matters and issues which their respective clients refer to them. This memorandum focuses on the Legal Division's involvement with enforcement of the City's Alcoholic Liquors ordinance. Urbana City Code Chapter 3, *et seq.*<sup>2</sup>

The Legal Division becomes involved with the City of Urbana's regulation of alcoholic beverage sales and consumption within the City limits in two ways: (i) reviewing applications for liquor licenses and (ii) enforcing license holders' compliance with the liquor ordinance.

Pursuant to the Liquor Control Act of 1934 (235 ILCS 5/1-1 *et seq.*), the Mayor serves as the Local Liquor Commissioner for the City of Urbana. As Local Liquor Commissioner, the Mayor is ultimately responsible for enforcing the City's Alcoholic Liquors ordinance. The Illinois Liquor Control Commission is responsible for enforcing the Liquor Control Act of 1934.

Under Illinois law, an establishment must apply for and obtain a local liquor license and, thereafter, a State liquor license, in order to sell and/or serve alcoholic beverages for on-premises and/or off-premises consumption within the City corporate limits. Both licenses must be maintained and be current in order to sell and/or serve alcoholic liquor in the City.

Currently, the Urbana City Code allows the following types of establishments to apply for and obtain local liquor licenses: restaurants, bars, clubs, social service organizations, caterers, hotels/motels, convenience/package stores, golf courses, University-related organizations, retirement communities, and video gaming halls. The City Council must

<sup>1</sup> The Legal Division provides legal counsel, representation and advice to City elected officials, departments, and divisions on a wide range of City matters in addition to assisting in the enforcement of the City's ordinances.

<sup>2</sup> Citations to specific sections of the City's Alcoholic Liquors ordinance and the state Liquor Control Act of 1934 have not been provided for this memorandum.

authorize the issuance of a local liquor license by increasing the number of allowable licenses for the classification for which an applicant has applied. In the event the Local Liquor Commissioner revokes an establishment's local liquor license or the establishment voluntarily surrenders or fails to renew its liquor license, the number of liquor licenses for that establishment's category (e.g., bar, restaurant, club, etc.) automatically drops. Thus, at no time are there any City liquor licenses which are unissued. This allows the City and the Local Liquor Commissioner to give greater scrutiny to each liquor license application.

Liquor licenses are renewed annually.

## **2. Legal Division's Involvement in Review of Local Liquor License Applications.**

The Legal Division, along with the departments within the City, reviews local liquor license applications for completeness and eligibility of the applicant. The Legal Division reviews applications for compliance with the City's Alcoholic Liquors ordinance and the Liquor Control Act of 1934. In addition to completeness of the application itself, the Legal Division ascertains whether the applicant (a) is lawfully entitled to transact business within the State of Illinois; (b) is lawfully permitted to have a liquor license; (c) has the proper income tax and liquor tax accounts and identification numbers; and (d) has and maintains liquor liability insurance coverage. In the case of establishments which propose to sell or are selling food, the Legal Division ascertains whether the applicant has a valid permit issued by the Champaign Urbana Public Health District. The Legal Division's review of license applications is the last step in the process before the Mayor, as Local Liquor Commissioner, decides whether the applicant should have a license. If the Mayor decides that issuance of a license is proper, an ordinance is presented to the City Council which increases the number of liquor licenses in the applicant's license classification. This process assures that those applying for local liquor licenses and who wish to sell alcoholic beverages within the City are qualified to do so.

Recent actions undertaken by the Legal Division in conjunction with one or more City departments include: (i) creation of two new classes of liquor licenses for establishments which wish to place video gaming terminals to augment their income and establishments whose primary source of income will be from those terminals; (ii) creation of an ordinance to meet the State's recent requirement that alcoholic beverage servers receive BASSET training and have lawfully issued BASSET training certificates; and (iii) denial of several applications for license due to the applicant being unqualified under state statute and City ordinance.

## **3. Legal Division's Involvement in Enforcement of Liquor Ordinances.**

Periodically, the Legal Division will be notified of a violation of one or more sections of the City's Alcoholic Liquors ordinance. More recently, violations typically have included (a) allowing minors to enter bars unless the owner has applied for an exception to allow persons 19 year olds to enter the establishment; (b) serving alcoholic beverages to minors; (c) selling package goods to minors; (d) failure to maintain the Illinois Liquor Control Commission-issued liquor license; (e) failure to adhere to a Urbana Police Department approved security plan; and (f) selling and serving alcoholic beverages even though the establishment's license is invalid.<sup>3</sup>

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<sup>3</sup> A liquor license cannot be transferred to another person upon the sale of the license holder's establishment.

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When presented with a violation, the City Attorney will send a notice of violation to the establishment's owner. The notice of violation describes the nature of the violation, provides the section of the City's Alcoholic Liquors ordinance which has been violated, and gives the establishment the right to settle the notice of violation or appeal the notice of violation. Pursuant to the City's Alcoholic Liquors ordinance, if the establishment does not wish to settle the notice of violation by entering into a settlement and plea agreement with the City, the City has the authority to either revoke or suspend the establishment's license or impose a fine. If the establishment does not enter into a settlement and plea agreement and if the City imposes a penalty for the violation, the establishment has the right to appeal that penalty. The Mayor, as Local Liquor Commissioner, hears and renders decisions on liquor license penalty appeals.

In the past four years, the Legal Division has issued about 25 notices of violation – mostly for service or sale to minors. The notice of violation provides that the establishment can settle the violation by the payment of a settlement amount and by entering into a plea agreement. The settlement amounts start at \$750 per violation and increase to \$1,500 if there are two violations within 12-month period and \$2,500 if there are three violations within a 12-month period. To date, all notices of violation have been settled by paying the settlement amount provided in the notice of violation and by executing the settlement and plea agreement included with the notice of violation.

Most recently, the City commenced proceedings to revoke an establishment's liquor license for its failure to adhere to an Urbana Police Department-approved security plan which was issued and agreed to by the owner in order for the owner to obtain a temporary liquor license in connection with hosting a special event. If the City revokes the establishment's liquor license, such revocation will cause the State to revoke its liquor license.



**DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES**

**400 South Vine Street  
Urbana, Illinois 61801**

**NEIGHBORHOOD IMPROVEMENT PROJECTS AND ACTIVITIES  
(2005-2016)**

**I. PROBLEM PROPERTY TURN-AROUNDS**

**Redevelopment of Lakeside Terrace as Crystal View Townhomes**

- The Grants Management Division worked cooperatively with the Housing Authority of Champaign County, Homestead Corporation and Brinshore Development to demolish blighted crime-ridden public housing and replace it with 70 units of highly desirable affordable housing with green features.
- The Lakeside Terrace Redevelopment Plan ensured replacement locations for very low-income housing units throughout the community.

**Acquisition and site clearance of Urbana Townhomes – now green space available to be redeveloped into mixed income development**

- Building Safety and Fire worked to enforce Property Maintenance Code compliance resulting in the condemnation of this blighted, crime-ridden property. Grants Management helped to relocate tenants. After bankruptcy of the owner, Legal was able to convince the mortgage holder via a receiver to pay all back taxes and deed the property to the City.
- Building Safety worked with Fire and Public Works to clear the buildings, foundations and site paving. Funding for demolition provided through a combination of CDBG and public works funds. The site is now “greened” and ready for a developer.
- Grants Management working with the Housing Authority to identify a developer to redevelop the site into mixed income housing.

**Condemnation of Hanford Inn and clearance of site for redevelopment**

- Fire Department worked with Legal to vacate unsafe hotel due to numerous Fire Safety Code violations. Grants Management worked with longer term occupants to relocate them to safe housing.
- Building Safety and Economic Development worked with Legal to acquire property, plan for demolition and future redevelopment, demolish and prep for future sale. TIF funds used to assist in demolition through agreement with DigIt developers. Marketing of the cleared site is now underway.

**Focus on Silver/Vawter/Colorado Apartment Safety**

- CD, Fire, Police, and Public Works worked cooperatively to conduct intensive inspections and remediations of problematic properties in the Silver/Vawter area, many owned by Platinum

Properties. Code compliance, security plans, and nuisance abatement were required and fines imposed. Several properties have been improved and/or sold to other owners.

- CD worked with Legal, Police, and Fire to condemn and vacate 1302, 1304, and 1401 East Silvers Street due to unsafe conditions, including need to reconstruct unsafe walkways. CD worked with Legal to ensure exterior walkways were replaced to become code compliant.
- Due to delayed action on correction of problems, City filed suit against owner for and was awarded fines of over \$450,000. Building Safety worked closely with Attorneys Brooks and Simon to prepare for the successful suit.

#### **Encouraged renovation and repositioning of Colorado Place, Stone Ridge Square, Park Edge and the Pointe Apartments.**

- CD, Legal, Police, Fire, Public Works and Mayor's office worked with owners of these properties to make property improvements and suggest alternative management techniques to mitigate criminal activities, resulting in turn-arounds from high-crime/police calls to problem-free housing.
- PD, CD, FD worked with owner of the Pointe to install perimeter fencing to limit unauthorized access to the development and improve safety for residents.
- Property owners (Brad Barker and Chris Creek) serve as role models to other apartment owners seeking to turn-around problem properties.

#### **Redevelopment of Dunbar Court into Hamilton on the Park Apartments**

- Grants Management worked cooperatively with Housing Authority and Benoit Development, to demolish older public housing and replace it with 36 units of mixed income, affordable housing development.
- Problem Properties team (police, Fire, CD, PW, Legal) worked with owner to install perimeter fencing around entire property and to implement other safety measures.

#### **Transition of Country Club apartments into University Park Apartments – from absentee owned condos to locally owned apartments**

- CD worked to convince the Urbana & Champaign Sanitary District not to shut off water to an apartment complex that had converted to condominium ownership and was under poor management
- Building Safety worked with PD and FD to require the Country Club manager to either vacate units or bring them into compliance.
- After owner bankruptcy, CD, PD and FD worked with new owner Green Street Realty to improve property and code compliance, so that the complex is now trouble-free and secure for residents.

#### **Preparation of redevelopment plan for Aspen Court apartments, including extensive renovations to be completed in 2017**

- CD worked with the current owner and with the Housing Authority to market the project to developers for redevelopment.
- CD currently working with purchaser on application to secure tax credits.
- Ownership transfer to TWG Developers expected to occur in early 2017, and extensive renovations to follow.

### **Clearance of Barnes Mobile Home Park**

- Mayor's Office and Grants Management staff worked cooperatively to find suitable replacement housing for residents of a blighted mobile home park, as a condition of City purchase of the property for a future public works storage facility.

## **II. NEIGHBORHOOD IMPROVEMENTS**

### **Single Family Home Rehabilitation and Rebuilds**

- The Grants Management Division has worked with Habitat for Humanity to purchase, clear, and rebuild dozens of single-family homes in north and east Urbana. A total of 46 homes have been built in Urbana, including 28 in the past ten years.
- Working with Habitat for Humanity, Grants Management obtained a grant for over \$500,000 from the Illinois Housing Development Authority in 2015 to purchase and clear 15 vacant, dilapidated structures. Clearance of properties almost complete.
- Grants Management provides grants for up to five whole house rehabilitation projects each year for income-qualifying home owners in the target area.
- Grants Management also provides emergency grants, access grants, and bi-annual neighborhood clean-ups

### **Construction of a landscaped pathway connecting Adams and Lenore**

- Using CDBG funds, Grants Management worked with Public Works and nearby neighborhood groups to install the solar-lit landscaped pathway to allow for better continuity between neighborhoods.

### **Supported the Lierman Neighborhood garden through lot acquisition and provision of water**

- Grants Management acquired commercial lot at Washington and Lierman using CDBG acquisition funds. CD prepared lease to allow for Lierman Neighborhood Action Committee to use the lot for a community garden. Public Works installed a water source for the garden so that it would be available for use of the neighborhood.

### **Planning and Approval of the 33-unit Highland Green development, including supportive housing for veterans**

- CD worked with Farr Associates to conduct a design charrette for this City-owned property adjacent to Crystal View Townhomes.
- The City selected Brinshore Development to develop the site in conjunction with Homestead Corporation and the Housing Authority, with the assistance of CDBG and HOME funds and low-income housing tax credits.
- CD worked together with Police, Fire and Public Works on preliminary design and site layout for the new development. Public Works worked with adjacent property owner to effect agreement for sewer easement to facilitate development.
- Project has been fully approved and funded and will soon start construction

### **Neighborhood Infrastructure Improvements**

- Using TIF 3 and CDBG funds, the City has completed a number of major infrastructure improvements projects in north and east Urbana, including street re-pavements, sidewalks, lighting, and improvements to both King Park and King School. The next scheduled CDBG project is completion of street lighting on Kinch Street.

### **Completion of Neighborhood Plans, with Emphasis on Safety**

- CD Planning Intern Aaron Bond worked with Lierman Neighborhood Action Committee to conduct an extensive neighborhood survey and prepare a neighborhood assessment that has been used by the neighborhood and the city to further positive goals in this neighborhood.
- CD Planning Intern Maximilian Mahalek worked with the Southeast Urbana Neighborhood Association to conduct a survey and prepare a neighborhood plan with an emphasis on crime prevention. Implementation of this plan is currently underway by the Planning Division, working in concert with SUNA.
- The Planning Division prepared a neighborhood plan for the Crystal Lake Neighborhood, with a focus on affordable housing loss due to Carle expansion and improved integration with the park.
- Habitat for Humanity is working with the University of Illinois Department of Urban and Regional Planning and CD to prepare a neighborhood plan for the King Park Neighborhood.

## **III. ONGOING PROGRAMS/TOOLS**

### **Systematic inspections of all rental units, including single-family homes.**

- Rental Registration Ordinance prepared by CD and Legal and adopted in 2007, thereby requiring registration of apartment owners, expanding systematic inspections to single- and two-family rentals and providing a legal mechanism to control over-occupancy and achieve code compliance.
- CD staff performs systematic inspections of 9,600 rental units in the City, including single and two-family rentals. Rental properties in Urbana are identified using the property coding of the Champaign County Assessor's Office.
- Upon sale or transfer of a property where the new owner address is different from the property address, the City sends notice to the new owner with rental registration requirements, including a registration form and requesting a statement indicating the property status (vacant, rental, owner occupied).
- When the property is indicated as rental, the owner returns a completed registration form and applicable payment to the City. Staff then inputs the property ownership, management and other required registration information into the rental database, which completes the registration process.

### **Tenant Relocation Assistance**

- Working with a host of other agencies and non-profits, Grants Management compiled a Quick Response Guide to assist tenants who lose housing due to code compliance or other issues beyond their control.
- Grants Management established a tenant relocation fund to assist emergency relocations on a short-term basis. This fund has since been supported through the Social Service grants process.

- Working with the C-U Tenant Union, the City prepared a Tenant Relocation Ordinance providing for landlord responsibility of tenant relocation costs and provisions, when relocation is required due to building code issues.

#### **Aggravated Nuisance Ordinance**

- At Mayor's direction, Legal drafted an Aggravated Nuisance Ordinance to require security plans for properties where a pattern of serious crimes occur at a single address. This has been a successful deterrent for the Police Department in encouraging improvements of problem properties before they get worse.

#### **Annual Certified Housing inspections**

- CD works with Fire and the University of Illinois to inspect all certified housing facilities to ongoing ensure code compliance on an annual basis.

#### **Complaint Inspections**

- CD works with Fire, Police, and Public Works when any department discovers commercial or residential issues that are of a public safety concern, such as hoarding, unsafe structures, poor conditions of owner occupied housing, etc. Legal assists Police in identifying potential for legal action or mental health professional consultation.

#### **Vacant Property Registry**

- CD maintains a registry of vacant properties in the City. Owners must register vacant properties on an annual basis, to ensure that they are secured, being maintained, and marketed for future occupancy. Fees and fines are applied.