

## Initiatives to Support

### Topic: Cell Tower Siting

**Issue:** Illinois State Law allows cellular towers by right in all unincorporated areas, and provides counties with no authority over the siting, height, and setbacks of cellular towers. This law has led to the proliferation of cellular towers in unincorporated areas, despite county efforts to encourage appropriate siting and co-location on existing towers.

**Recommendation: Support** legislation previously offered through the re-writing of the telecommunications bill that would :

- Provide counties with more authority in the siting, height, and setback for cellular towers.
- Require new cellular towers to provide capacity for multiple telecommunication carriers.
- Require telecommunication companies to post a bond to ensure the removal of any tower that is obsolete or no longer in use.

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### Topic: Holding Mortgagees Responsible for Abating Code Violations on Vacant Properties

**Issue:** Property maintenance issues resulting from vacancies are becoming more prevalent in the current economy due to mortgage default and now plague unincorporated neighborhoods throughout Lake County. Currently, a mortgagee (typically a financial institution) cannot be held responsible until the foreclosure process is complete and the deed is transferred to the mortgagee and recorded. As a result, nuisance violations arising from foreclosure-related vacancies typically do not get resolved for several months.

**Recommendation: Support** legislation to allow counties to hold a mortgagee responsible for failure to maintain or secure vacant property in the unincorporated areas prior to foreclosure deed transfer and recordation. Such legislation would:

- Force financial institutions to become better property stewards (and in turn reduce the incidence of violations and violation-related inspections.)
- Help Lake County achieve more prompt compliance, thereby necessitating fewer follow-up inspections and lower administrative costs.

Additional maintenance costs would be borne by mortgagees (typically financial institutions) if this legislation was passed. In 2011, Illinois municipalities have already sought similar powers (HB 1109, SB 16).

## Initiatives to Support

### **Topic: Changing Language for Law Enforcement Hiring Procedures**

**Issue:** A change to the Illinois Employee Credit Privacy Act (820 ILCS 70/1 et seq.) now forbids employers from inquiring about an applicant's or employee's credit history or obtaining a credit report. The Lake County Sheriff's Merit Commission has traditionally collected these reports (with permission from applicants) to determine the applicant's maturity, judgment and imperviousness to unseemly influences. However, Illinois legislators exempt state law enforcement and investigative units from the term "employer" when considering applications for hire. The Lake County Sheriff's Merit Commission would like to expand that language exemption to all county law enforcement and possibly local law enforcement units. The purpose is to clarify and set clear and consistent employment standards and practices.

**Recommendation: Support** the expansion of Illinois Employee Credit Privacy Act (820 ILCS 70/1 et seq) allowing the Lake County Sheriff's Merit Commission to be held on the same statute as state law enforcement and investigative units. To modify this would simply require an amendment to Section 5(3) by inserting "county and municipal law enforcement and investigative units" immediately following "state law enforcement or investigative units," thereby including these local units to have the same exemption afforded the state law enforcement entities. This would be budget neutral for the state legislative change. It would have little financial or workload impact for the county and local entities. The Commission has historically sought waivers and done credit histories and then considered them during the deputy candidate certification process.

## Initiatives to Sponsor

### **Topic: Establishment of Affordable Housing Trust Fund**

**Issue:** In Lake County, the free market is unable to meet the demand for affordable housing without intervention due to land and property costs. Statistics demonstrate that housing costs exceed the reach of many residents, from young people starting out to seniors to those who have struggled with medical crisis or job layoff. Additionally, a lack of housing options – especially near job centers – translates into increased traffic congestion and environmental degradation, lower quality of life for commuters and residents, and a disincentive to employers seeking to move into or stay in Lake County. The lack of affordable housing undermines individuals and families, neighborhoods and communities, business and the environment.

**Recommendation: Support** the creation of a Lake County Housing Trust Fund that will catalyze the increase and preservation of affordable housing opportunities in Lake County, with a focus on serving low and moderate income households and neighborhoods. By offering a flexible and creative financing source that is designed to leverage other dollars as well as local policy, the HTF will help overcome market barriers to affordable housing and make possible projects that otherwise may not occur. The types of projects that would potentially be funded include, but are not limited to:

- housing production, including new construction, redevelopment and rehabilitation
- acquisition of vacant or improved property for affordable housing production
- down-payment assistance to homebuyers
- rehab assistance to homeowners
- preservation of existing affordable housing
- foreclosure assistance and counseling
- any other activity that the County Board determines would address the County's strategic priorities, e.g., housing near business or transportation centers, employer-assisted housing for new business centers, etc.

The County requires state authorization to establish a recording fee on any real estate related document. If the state adopted such enabling legislation, the County Board would enact an ordinance to impose such a fee. The ordinance would direct that funds be collected and disbursed to the County Treasurer for deposit in the HTF. Up to 10% of the fund may be used annually by the County for its administrative costs related to the administration of the HTF program.

## Initiatives to Sponsor

### **Topic: Abandoned Inoperable Vehicles from Nuisance Properties**

**Issue:** Nuisance properties in unincorporated neighborhoods often contain inoperable, abandoned vehicles on their premises. Currently Lake County code enforcement staff can declare these vehicles a nuisance and levy a fine on property owners for failure to dispose of the vehicles, which are often in an advanced state of deterioration. However, the Lake County Sheriff's Office is currently prohibited from removing inoperable motor vehicles from unincorporated property without first serving notice to the property owner upon which the vehicle has been abandoned. If the vehicle owner cannot be located in cases of property vacancy, the Sheriff's Department must apply for a junking certificate from the Illinois Secretary of State prior to arranging for the abandoned vehicle's removal which may take several months.

**Recommendation: Sponsor legislation providing** county authority in the unincorporated areas to declare inoperable motor vehicles as "hazardous, dilapidated" motor vehicles which, under current law, would allow the Sheriff's Office to immediately remove any such vehicle upon its identification. Such authority would assist Lake County in preventing and eliminating blight in unincorporated areas through improved property maintenance tools. Such authority has been granted to the City of Chicago in previous legislation (per 65 ILCS 5/11-40-3.1) in support of its property maintenance policies.