
HOMER TOWNSHIP

ORDINANCE NUMBER HT 2024-0909 ORD 1

AN ORDINANCE CONDEMNING SQUATTERS AND ADOPTING A POLICY OF ASSISTING PROPERTY OWNERS WHO ENCOUNTER SQUATTERS IN HOMER TOWNSHIP

**STEPHEN BALICH, Township Supervisor
VICKI BOZEN, Township Clerk**

*MIKE BONOMO
MIKE CLAUSEN
ROB RIVERA
ANGEL SHAKE*
Trustees

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**A ORDINANCE CONDEMNING SQUATTERS AND ADOPTING A POLICY OF
ASSISTING PROPERTY OWNERS WHO ENOUNTER SQUATTERS
IN HOMER TOWNSHIP**

WHEREAS, Homer Township, Will County, Illinois (the “Township”), is a duly organized and existing township and unit of local government created under the provisions of the laws of the State of Illinois, and is operating under the provisions of Illinois’ Township Code, 60 ILCS 1/1-1, *et seq.*, and all laws amendatory thereto;

WHEREAS, squatters and holdover tenants are existing and growing problems for property owners across Illinois, including in Homer Township;

WHEREAS, property owners and the public face significant frustrations, delays, and costs (including potential property damage and general deterioration of housing stock in the Township, interference with enjoyment of rights of private ownership, and wasteful expenditure of private and public resources) in dealing with squatters and/or holdover tenants who refuse to leave properties despite having no right to continued possession of – or presence on – the properties;

WHEREAS, at present, Illinois laws, including the Illinois Landlord and Tenant Act, among others, provide imperfect procedures for evicting squatters and/or hold over tenants and do not always provide property owners with quick and sufficient remedies, including eviction, to remove squatters and/or holdover tenants;

WHEREAS, the Township Supervisor (the “Supervisor”) and the Township Board of Trustees (the “Board”) are committed to protecting the rights and resources of property owners in the Township, including giving assistance, whenever within Township authority, to property owners to avoid or remove squatters and/or holdover tenants; and

WHEREAS, with the foregoing in mind, the Supervisor and the Board have determined that it is in the best interests of the Township to condemn the actions of squatters and holdover tenants as they are in violation of property owners' rights and to create a policy of assisting or providing services to property owners who encounter the same.

NOW, THEREFORE, BE IT RESOLVED by the Supervisor and Board of Trustees of Homer Township, Will County, Illinois as follows:

Section 01. Recitals. The above recitals and findings are found to be true and correct and are incorporated herein and made a part hereof, as if fully set forth in their entirety.

Section 02. Adoption of Policy. The Supervisor and Board of Trustees hereby declare, in the interest of promoting and protecting the rights of property owners in the Township, that the Township condemns squatters and holdover tenants, and that squatters and holdover tenants are determined to be nuisances to property owners, their neighbors and the Township community. Accordingly, the Supervisor (or his designee) and Township employees (at the Supervisor's direction) are authorized to provide reasonable resources and services or assistance to property owners in the Township encountering squatter or holdover tenants who refuse to relinquish illegal possession of real property.

Any assistance from the Township is conditioned on the owner establishing, at a minimum, proof of title to the property, the absence of any current, written lease or other legal entitlement to possession of the property in favor of the squatter or holdover tenant, and proof of notice to the squatter or holdover tenant to leave the property or to return sole possession to the owner.

Where appropriate, the Township may provide services or assistance to a qualifying property owner, including, but not limited to, the following: assistance in delivering or posting notices, communicating with or coordinating assistance from other police and government

agencies (including the County Sheriff's Office), inspecting property and documenting damaged property (particularly where other police and local governments do not have jurisdiction); denying Township services to identified squatters and holdover tenants who retain illegal possession, and who do not otherwise qualify for services; and assisting owner with terminating utility services to properties and coordinating with applicable health departments regarding uninhabitability determinations for properties.

The Supervisor may draft additional guidelines and regulations to assist in implementing this Ordinance and policy.

Section 03. Severability. The provisions of this Ordinance are hereby declared to be severable, and should any provision of this Ordinance be determined to be in conflict with any law, statute, or regulation by a court of competent jurisdiction, said provision shall be excluded and deemed inoperative, unenforceable, and as though not provided for herein, but such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid application or provision, and all other provisions shall remain unaffected, unimpaired, valid, and in full force and effect.

Section 04. Repeal and Savings Clause. All ordinances, resolutions, rules and orders, or parts thereof, in conflict herewith are, to the extent of such conflict, hereby superseded and repealed, provided, however, that nothing herein contained shall affect any rights, actions, or causes of action which shall have accrued to the Township prior to the effective date of this Ordinance.

Section 05. Effective Date. This Ordinance shall be in full force and effect immediately upon passage and approval by the Supervisor and Board of Trustees of Homer Township, Will County, State of Illinois due to the urgent nature of this matter.

PASSED by the Supervisor and Board of Trustees of Homer Township, Will County, Illinois this 9 day of September 2024, pursuant to a roll call vote, as follows:

	Yes	No	Abstain	Absent	Present
Supervisor Stephen Balich	✓				
Trustee Mike Bonomo	NB				
Trustee Mike Clausen	MC				
Trustee Rob Rivera				✗	
Trustee Angel Shake	A				

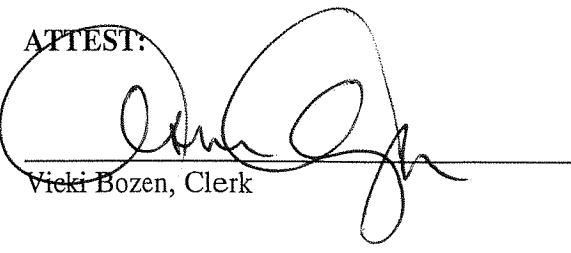
APPROVED by the Supervisor of Homer Township, Will County, Illinois on this _____ day of September 2024.

APPROVED:



Stephen Balich, Supervisor

ATTEST:



Vicki Bozen, Clerk