



VIOLATION APPEAL FORM

Waterman Village Hall  
215 West Adams  
Waterman, Illinois 60556  
815/264-3652

Appellant information and must be the assessed owner.

First: \_\_\_\_\_ Last: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
Phone: \_\_\_\_\_ Email address: \_\_\_\_\_  
Citation # \_\_\_\_\_ Date Issued: \_\_\_\_/\_\_\_\_/\_\_\_\_  
Address of Violation: \_\_\_\_\_  
Description of Violation: \_\_\_\_\_

I am appealing the administrative citation indicated above for the following reason(s):

---

---

---

---

---

---

---

The appellant requesting the hearing shall be notified of the time and place set for the hearing at least 10 days prior. Appellant must be present for the hearing. Violation form must be filed with the Village of Waterman Clerk within thirty (30) days of violation notice. **In accordance with Village code 2-2-3 (E), applicant shall pay the sum of one hundred dollars (\$100.00) to the Village Clerk at time of filing appeal.**

\_\_\_\_\_  
Signature of Appellant

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

**For Administrative Use Only**

Appeal Form received date: \_\_\_\_/\_\_\_\_/\_\_\_\_ By: \_\_\_\_\_  
Fee Received: \$ \_\_\_\_\_ ch# \_\_\_\_\_ cash \_\_\_\_\_ Date Hearing Scheduled: \_\_\_\_/\_\_\_\_/\_\_\_\_

### **2-2-3: BUILDING BOARD OF APPEALS:**

A. Board Established; Qualifications: A building board of appeals is hereby authorized in accordance with the building code, title 8 of this code.

B. Composition; Appointment; Terms; Removals; Vacancies: The building board of appeals shall consist of seven (7) members to be appointed by the mayor and with the consent of the board of trustees. The members of the board of appeals shall serve as follows: for the initial appointments, one for one year; one for two (2) years; one for three (3) years; one for four (4) years; one for five (5) years; one for six (6) years; and one for seven (7) years. Successors to each member so appointed shall serve for a term of five (5) years. One of the members so appointed shall be named chairman at the time of his appointment. The appointing authority has the power to remove any member of the board for cause and after public hearing. Vacancies shall be filled for the unexpired term of the member whose place has become vacant. Members of the building board of appeals shall reside within the corporate limits of the village of Waterman or within territory contiguous to the village and not more than one and one-half (1<sup>1</sup>/<sub>2</sub>) miles beyond the corporate limits of the village and not included within any other municipality. Membership on the plan commission, zoning board of appeals or building board of appeals shall not preclude membership on any of the other above referenced commissions or boards.

C. Jurisdiction: To hear and decide appeals from any order, requirement, decision, or determination made by the zoning official and/or code official under title 8 of this code.

D. Meetings And Procedures: Meetings of the building board of appeals shall be held at the call of the chairman and at such other times as the board may determine. The chairman, or in his absence, the acting chairman, may administer oaths and compel the attendance of witnesses. All meetings of the board shall be open to the public. The board shall keep minutes of its proceedings showing the vote, or failure to vote, of each member upon every question, and shall keep records of its examinations and other official actions. All board of appeals action shall be a matter of public record. In addition to those powers previously granted, the building board of appeals, zoning board of appeals and the planning commission are empowered to hold joint meetings where it is deemed appropriate to do so by the chairs of said boards and commissions.

E. Fee: In order to partially defray the expense of the building board of appeals hearings, the applicant shall pay the sum of one hundred dollars (\$100.00) to the village treasurer at the time of filing the appeal.

F. Appeal And Hearing Procedures:

1. Right To Appeal; Application: A person shall have the right to appeal a decision of the building code official to the building board of appeals. The application shall be filed on a form obtained from the code official within thirty (30) days after the notice was served.

2. Meeting For Appeal: The board shall meet upon notice from the chairman, within fourteen (14) days of the filing of an appeal, or at stated periodic meetings.

3. Open Hearing: All hearings before the building board shall be open to the public. The appellant, the appellant's representative, the code official, and any person whose interests are affected shall be given an opportunity to be heard.

4. Procedure: The board shall adopt and make available to the public through the secretary procedures under which a hearing will be conducted. The procedures shall not require compliance with strict rules of evidence but shall mandate that only relevant information be received.

5. Postponed Hearing: When a quorum is not present to hear an appeal, the matter shall be continued to another date convenient to all parties.

6. Board Decisions: The building board of appeals shall uphold, modify, or reverse the decision of the code official by a concurring vote of the majority of members present at the meeting. The decision of the board shall be by resolution. Certified copies shall be furnished to the appellant and to the building code official.

7. Administration: The building code official shall take immediate action in accordance with the decision of the board.

8. Court Review: Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the chief administrative officer. For any court review to which the administrative review law, 735 Illinois Compiled Statutes 5/3-101 et seq., applies, the provisions of that law shall govern to the extent that they may be inconsistent with the provisions of this chapter. (Ord. 2006-15, 11-14-2006)