

**BLOOMINGTON POLICE DEPARTMENT**

**STANDARD OPERATING PROCEDURE**

**ABATEMENT OF NUISANCE PROPERTIES**

Reviewed by: Jack McQueen	Effective Date: April 1, 1998
Authorized by: Asst. Chief Ken Bays	Revision Date: December 28, 2015

**PURPOSE**

The purpose of this SOP is to establish policy and procedures in relation to the abatement of the nuisance created by residences, apartments and/or businesses, in compliance with Maintaining a Public Nuisance (720 ILCS 5/37-1) or City Code, Chapter 30.5.

The goal of this SOP is to gain compliance from property owners to correct nuisance situations at properties within the City of Bloomington through voluntary cooperation of the property owner(s). If property owners fail to cooperate with the abatement of nuisance issues at their properties, this SOP provides the resources to abate properties using local and state legal processes.

**SCOPE**

Under the above city code and applicable state laws, any property within the City of Bloomington which becomes a Chronic Nuisance Property or an Aggravated Chronic Nuisance Property is in violation and is subject to their remedies. Any owner who permits property under his or her ownership or control to be a Chronic Nuisance Property or an Aggravated Chronic Nuisance Property shall be in violation and subject to its remedies.

**PROCEDURE**

Any officer or supervisor can request a nuisance abatement screening on a particular address within the City of Bloomington. All requests will be routed through the officer's supervising Lieutenant who will review the request and forward to the Assistant Chief of Administration if it appears to qualify under state statute and/or city ordinance.

Requests will be processed as outlined below:

1. Address Research

CIAU staff will examine both CAD and report incident data to determine the extent and nature of the problem requested addresses. Once the address analysis is complete, the requesting officer and their supervisor(s) will be notified via email from CIAU that indicates the address does or does not qualify for nuisance abatement processes.

2. Notification of Police Administration

If CIAU staff determine the address has a sufficient number of qualifying incidents as either a Chronic Nuisance Property or as an Aggravated Chronic Nuisance Property (City Code, Chapter 30.5 or 720 ILCS 5/37-1), CIAU staff will prepare a summary listing the qualifying reports, dates of incidents and a listing of the current property owners. This summary report will be forwarded to the Assistant Chief of Administration for further review. When an address does not have qualifying offenses but shows a high volume of repeat calls, CIAU may forward a summary report containing descriptive information about the call load to the Assistant Chief of Administration for further consideration.

Upon receipt of the CIAU address report, the Assistant Chief of Administration will review the CIAU report and the pertinent incident report(s).

### 3. Process

If the Assistant Chief of Administration chooses to handle the abatement request informally, the Assistant Chief of Administration or his/her designee will generate a letter, approved by the City Legal Department, to the owner of the property notifying the owner in writing that the property is in danger of becoming a nuisance property under state law or city ordinance.

The letter shall contain:

- The street address or a legal description sufficient for identification of the property.
- A statement that the Assistant Chief of Administration has information that the property may be chronic nuisance property, with a concise description of the nuisance activities that may exist, or that have occurred. The Assistant Chief of Administration shall offer the property owner or property owner's property manager an opportunity to propose a course of action to correct the nuisance activities giving rise to the violations.
- A demand that the owner or property manager respond to the Assistant Chief of Administration within ten (10) days of receipt of the letter to discuss the nuisance activities.
  - If the property owner or property manager fails to respond to the letter or refuses to meet with the Assistant Chief of Police or his/her designee, and a city attorney, the abatement case will be forwarded to the Legal Department for further processing and possible legal action.

## **DISSEMINATION**

When any property has been deemed as a Chronic Nuisance Property or Aggravated Chronic Nuisance Property, a CIAU staff member shall notify officers of the property and list any and all sanctions made against the nuisance property for enforcement.

## **EMERGENCY CLOSING PROCEDURES**

Under City Code, 30.5, if a property is an immediate threat to the public safety and welfare, the City may apply to the court for such interim relief as is deemed by the Chief of Police to be

appropriate. In the event a court determines property to be a Chronic Nuisance Property or an Aggravated Chronic Nuisance Property, the court may order that the property be closed and secured against all use and occupancy for a period of not less than thirty days (30), but not more than one hundred and eighty days (180), or the court may employ any other remedy deemed by it to be appropriate to abate the nuisance. (Ordinance No. 1998-102)