

**AN ORDINANCE ESTABLISHING
VACANT, CONDEMNED, AND FORECLOSED
PROPERTY REGISTRATION REGULATIONS
AND CLARIFYING BUILDING-RELATED PUBLIC NUISANCES**

WHEREAS, the City of Rolling Meadows, as a home rule unit of local government as provided by Article VII, Section 6(a) of the Illinois Constitution of 1970, has the authority to exercise any power and perform any function pertaining to its government and affairs including the power to regulate for the protection of the public health, safety, morals, and welfare; and

WHEREAS, it is the legislative findings of the Corporate Authorities of the City that: vacant, condemned, and foreclosed properties frequently are not maintained in a fashion that is attractive, safe, or consistent with the property maintenance requirements of the Municipal Code; that these properties may devolve into public nuisances and contribute to neighborhood blight and instability; that the efficient enforcement of the City's codes and ordinances is frustrated by the absence of responsible owners and the difficulties in identifying them; and that requiring interested parties in these properties to register with the City and fulfill certain obligations as set forth in this Ordinance will promote the public health, safety, and welfare; and

WHEREAS, the City desires to adopt new fees in connection with these regulations, which the City has determined will be commensurate with the best interests of the City and will reasonably approximate the City's costs and expenses in administering these regulations; and

WHEREAS, in order to further impede the creation of blight and public nuisances, the City also desires to enact standards to ensure that the board-up of structures is done in a safe and secure fashion and only as a temporary measure; and

WHEREAS, the City further desires to amend various sections of the Municipal Code in order to clarify and consolidate the existing definitions of building-related public nuisances throughout the Municipal Code and thereby improve the Code's usability and efficiency; and

WHEREAS, the Corporate Authorities of the City of Rolling Meadows have therefore determined that it is in the best interest of the City and its residents to amend the Municipal Code as set forth herein.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Rolling Meadows, Illinois:

Section 1: The recitals set forth above are incorporated herein by reference as the findings of the Corporate Authorities.

Section 2: Chapter 18, entitled "Buildings and Building Regulations," of the Rolling Meadows Municipal Code, is hereby amended to adopt a new Article XII, entitled "Vacant, Condemned, and Foreclosed Property Registration," as set forth in **Exhibit A** attached to and, by this reference, made a part of this Ordinance.

Section 3: Section VI, entitled "Building and construction fees," of Appendix B, entitled "Schedule of Rates, Fees, Fines and Penalties" of the Rolling Meadows Municipal Code is hereby amended by adding a new paragraph 32, as follows:

32. Registration Fee for Vacant, Condemned and Foreclosed Property

[section 18-451, *et seq.*]:

	Fee
Vacant, Condemned, and Foreclosed Property Registration (Annual Fee Per Property)	
Property's First Year Registration	\$300.00
Property's Second and Subsequent Consecutive Year Registration	\$600.00
Amendments to Registration	No charge
Late Fee for New and Renewal Applications	100% of Registration Fee

Section 4: Section 38-34, entitled "Specific nuisances enumerated," of Division 1, entitled "Generally," of Article II, entitled "Nuisances," of Chapter 38, entitled "Environment" of the Rolling Meadows Municipal Code shall be and is hereby amended by amending paragraph (10) as follows:

* * *

(10) *Buildings.* Any of the following buildings, or conditions thereof, are declared to be a public nuisance:

- a. The construction or maintenance of any buildings or structures in violation of any of the building sections of this Code.
- b. Any building that is in an unsanitary condition or in an unsafe or dangerous condition or that in any manner endangers the health or safety of any person, including, without limitation: the accumulation of stagnant water, sewer gas, or other sources of sickness or disease.

- c. Any physical condition, use or occupancy of any premises or its appurtenances considered an attractive nuisance to children, including, without limitation: abandoned wells, shafts, basements, excavations and unsafe fences or structures.
- d. Any premises which has unsanitary sewerage or plumbing facilities.
- e. Any premises designated as unsafe for human habitation or use.
- f. Any premises which is manifestly capable of being a fire hazard, or is manifestly unsafe or unsecured as to endanger life, limb or property.
- g. Any premises from which the plumbing, heating and/or facilities required by this code have been removed, or from which utilities have been disconnected, destroyed, removed or rendered ineffective, or the required precautions against trespassers have not been provided.
- h. Any premises which is unsanitary, or which is littered with rubbish, debris or garbage, or which has an uncontrolled growth of weeds.
- i. Any structure or building that is in a state of dilapidation, deterioration or decay; faulty construction; overcrowded; open, vacant or abandoned; damaged by fire to the extent so as not to provide shelter; in danger of collapse or failure; or dangerous to anyone on or near the premises.
- j. Any structure or building that is partially or entirely boarded up for longer than 60 days, unless: (i) otherwise authorized by the Municipal Code; (ii) approved in writing by the Code Official; or (iii)

a permit has been issued for the structure or building's demolition or repair, which permit must be diligently pursued to completion.

* * *

Section 5: Subsection 18-9-1, entitled "Intent and adoption," of Section 18-9, entitled "International Property Maintenance Code adopted with amendments; administration and enforcement," of Article I, entitled "Building Code," of Chapter 18, entitled "Building and Building Regulations" of the Rolling Meadows Municipal Code shall be and is hereby amended to read as follows:

18-9-1: Intent and adoption: This code shall be construed to secure its expressed intent, which is to ensure public health, safety and welfare insofar as they are affected by the continued occupancy and maintenance of structures and premises. Existing structures and premises that do not comply with these provisions shall be altered or repaired to provide a minimum level of health and safety as required herein.

For the purpose of administration and enforcement of this article, there is hereby adopted by reference the 2018 International Property Maintenance Code, including Appendix A, as published by the International Code Council, Inc., pursuant to the authority of 65 ILCS 5/1-3-2.

Any reference in such code to the "code official" or "building official" shall mean the "Community Development Director" and any reference to the "name of the jurisdiction" shall mean the "City of Rolling Meadows". If the provisions of such code are in conflict with state laws or any other city ordinance, the stricter provision shall prevail. At least one copy of the code

shall be kept on file in the Community Development office for public inspection.

For those matters not addressed by the 2018 International Property Maintenance Code, the applicable codes adopted elsewhere in this chapter shall prevail.

Section 6: Paragraph B of subsection 18-9-3, entitled "Amendments to Chapter 2, 2018 International Property Maintenance Code," of Section 18-9, entitled "International Property Maintenance Code adopted with amendments; administration and enforcement," of Article I, entitled "Building Code," of Chapter 18, entitled "Building and Building Regulations" of the Rolling Meadows Municipal Code shall be and is hereby amended by amending the provisions regarding "Public nuisance" to read as follows:

* * *

Public nuisance. Any of the common law, statutory, or enumerated nuisances set forth in Article II, "Nuisances," of Chapter 38, "Environment," of the Rolling Meadows Municipal Code.

* * *

Section 7: Section 18-9, entitled "International Property Maintenance Code adopted with amendments; administration and enforcement," of Article I, entitled "Building Code," of Chapter 18, entitled "Building and Building Regulations" of the Rolling Meadows Municipal Code shall be and is hereby amended by adding a new subsection 18-9-8, entitled "Amendments to Appendix A, 2018 International Property Maintenance Code" to read as follows:

18-9-8: Amendments to Appendix A, 2018 International Property Maintenance

Code:

A. Insert the following new Section A101.2:

A101.2 – Statement of Policy; Time Limitation. It is the public policy of the City of Rolling Meadows that boarding up is a temporary solution to prevent unauthorized entry. The boarding or board-up of any part of a building shall be considered temporary and shall not extend beyond 60 days, unless: (i) otherwise authorized by the Municipal Code; (ii) approved in writing by the Code Official; or (iii) a permit has been issued for the structure's demolition or repair, which permit must be diligently pursued to completion. The boarding-up of any part of a structure or building beyond the time limit provided by this Section A101.2 is a violation of this Code and constitutes a public nuisance."

Section 8: If any provision of this Ordinance or part thereof is held invalid by a court of competent jurisdiction, the remaining provisions of this Ordinance shall remain in full force and effect, and shall be interpreted, applied, and enforced so as to achieve, as near as may be, the purpose and intent of this Ordinance to the greatest extent permitted by applicable law.

Section 9: This Ordinance shall be in full force and effect from and after 10 days from its passage, approval, and publication in pamphlet form in the manner provided by law.

PASSED AND APPROVED by the City Council of Rolling Meadows, Cook

County, Illinois this 11th day of July, 2023.

AYES: Reyez, Koehler, O'Brien, Vinezeano, Boucher

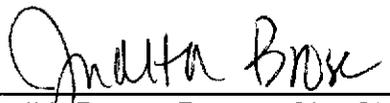
NAYS: 0

ABSENT: McHale, Budmats



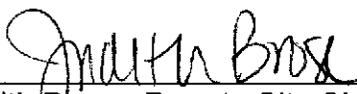
Lara Sanoica, Mayor

ATTEST:



Judith Brose, Deputy City Clerk

Published this 14th day of July, 2023.



Judith Brose, Deputy City Clerk

EXHIBIT A
New Article XII of Chapter 18
VACANT, CONDEMNED, AND FORECLOSED
PROPERTY REGISTRATION

ARTICLE XII. – VACANT, CONDEMNED, AND FORECLOSED PROPERTY REGISTRATION

Sec 18-451. Purpose

The purposes of this Article are to:

- A. Minimize the length of time that properties within the City are vacant, with particular emphasis upon those properties that have been vacant for over two years, or six months in the case of a property that is out of compliance with the City's property maintenance, building, health, water, sewer and fire codes.
- B. Ensure that vacant, condemned, and foreclosed properties do not decline to the point that they constitute a public nuisance or blight and are instead maintained in a manner that is safe and consistent with the property maintenance requirements of the Municipal Code.
- C. Improve the efficient enforcement of the City's codes and ordinances by identifying responsible owners of vacant, condemned, and foreclosed properties.
- D. Impose certain obligations upon the owners of vacant, condemned, and foreclosed properties, consistent with the foregoing purposes, that will promote the public health, safety, and welfare.

Sec 18-452. Definitions

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Director means the City's Community Development Director or their designee.

Owner means, without limitation, every person, agent, operator, firm, corporation, entity, or service company, who alone or jointly or severally with others, and with or without the right of possession:

- A. Has the legal or equitable title to, or having control of, any building, dwelling, dwelling unit, land or structure; or
- B. Has care, charge, or control of any building, dwelling, dwelling unit, building, land or structure, in any capacity, including, but not limited to agent, executor, administrator, trustee, or guardian of the estate of the holder of legal title pursuant to a court order, trust agreement or other such similar agreement; or
- C. Is a mortgagee which under the terms of a mortgage has a contractual responsibility for the property, or pursuant to a provision in the mortgage

agreement, the mortgagee is authorized to act to secure or repair the property under any circumstance or where mortgagor no longer takes responsibility for the property; or is a mortgagee in possession of any such property; or is a mortgagee that has instituted *foreclosure proceedings* against the mortgagor; or

- D. Is an officer, member of a board of managers, or trustee of the association of unit owners of a condominium or townhouse complex with direct control over the property pursuant to applicable State law, declaration and/or bylaws.
- E. Is an agent, trustee, or other person appointed by the courts and vested with possession or control of any property; or
- F. Is a party under an installment contract, articles of agreement for deed, articles of deed or any other such similar agreement.

Regulated Property means a building, together with the real property where the building is located, that must be registered under this Chapter because the building, in part or in whole, is any of the following:

- A. Presently ordered vacated or condemned, or found by administrative adjudication or a court of competent jurisdiction to be unfit for occupancy, pursuant to the applicable provisions of this Code.
- B. The subject of any type of foreclosure proceeding including, without limitation, the issuance or filing of: a notice of default, notice of foreclosure, *lis pendens*, notice of sheriff's sale or foreclosure sale, or a deed in lieu of foreclosure or sale.
- C. Both (i) unoccupied, as it lacks the habitual presence of human beings who have a legal right to be on the premises; and (ii) satisfies any of the following criteria:
 - 1. Is unsecured, or is secured by boarding or similar means.
 - 2. Has been the site of criminal activity within the previous six months.
 - 3. Is unoccupied and, since it was most recently occupied, was the subject of a completed foreclosure proceeding.
 - 4. Has been unoccupied for over 60 days, during which time the Director has issued an order to correct public nuisance conditions, and the same have not been corrected within the allotted time pursuant to the applicable provisions of this Code.
 - 5. Has been unoccupied for over 180 days.
- D. **Exception:** A Regulated Property does not include buildings which are undergoing construction, renovation, or rehabilitation; which are in compliance with all applicable requirements of law; and for which construction, renovation or rehabilitation is proceeding diligently to completion.

Sec. 18-453 Responsibility of Owner.

The Owner of a building who has been served written notice of the Determination of Director or who knows or should reasonably know from all of the facts and circumstances that their building satisfies the definition of a Regulated Property, must register the building with the City as a Regulated Property within 15 calendar days of the written notice or when the Owner knew or should have known the property was a Regulated Property, and must meet all other requirements set forth in this Article.

Sec. 18-454. Determination of Director.

The Director may determine, in the exercise of the Director's discretion, that a building satisfies the definition of a Regulated Property and require that the Owner register within 15 calendar days of serving written notice of the determination and meet any other requirements set forth in this Article. In making the determination, the Director may consider, without limitation, the observable presence or absence of the following conditions:

1. Evidence that the property is actively being marketed for sale or rent.
2. Any construction or legal repairs undertaken within the preceding three months.
3. Windows and doors that are secured from trespass; boarded up; damaged; removed; or destroyed.
4. Utilities necessary for habitation including water, sewer, natural gas, and electricity.
5. Statements by neighbors, passers-by, delivery agents, or government agents regarding activity observed on the property.
6. Timely responses to governmental notices.
7. Mail returned as undeliverable or forwarded to a location outside the City.
8. Personal property within the building, including the relative value of any personal property that remains.
9. Damage by vandalism or graffiti.
10. Unlawful occupancy by vagrants, transients, or trespassers.
11. The proportion of building's square footage or units that is unoccupied.
12. For non-residential property, if business operations have substantially ceased, including if: (i) business operations are not conducted for at least 150 hours in any 30 day period or (ii) businesses that are commonly open to the public are not open to the public for at least 150 hours in any 30 day period.

Sec. 18-455. Notice Procedures.

- A. Where the Director has made a determination that a building is a Regulated Property as provided by this Article, a notice of the Director's determination shall be served upon all known Owners in any one of the following manners:
 - 1. Personal service upon a party or its employees or agents.
 - 2. Service by certified mail at the party's address.
 - 3. Service by first class mail postage prepaid at the party's address.
 - 4. Service by posting a copy of notice upon the property.
- B. Where the Director's determination concerns a Regulated Property that has been registered with the City as provided in this Article, notice need only be served upon the local agent identified in the registration.
- C. Where service is provided by certified or first class mail, notice shall be deemed to be given on the day that the notice is deposited in the mail.
- D. Failure of actual receipt of the notice served by the Director shall not excuse an Owner's failure to comply with this Article.
- E. Each notice shall contain (i) a summary of the Director's determination; (ii) a statement of any obligations that apply to the Owner as a result of the Director's determination; and (iii) notice of the Owner's right to appeal the Director's determination as provided in this Article.

Sec. 18-456. Registration Requirement and Owner's Obligations Concerning Regulated Property

Owners of a Regulated Property must comply with this Section. Every Owner of a Regulated Property shall be jointly and severally liable with every other Owner to meet the following obligations on an ongoing basis until such time that the building is no longer a Regulated Property.

A. Annual Registration.

- 1. **Form.** The Regulated Property shall be registered with the Director on a form provided by the Director. At a minimum, the form shall contain the following information:
 - i. **Owners and Contact Information.** The name, mailing address, email address, and telephone number of each Owner. Where an Owner is a corporation, limited liability company, partnership, limited partnership, trust, or real estate investment trust, the name and address of any of the following shall be provided:
 - a. For corporation, a corporate officer and the chief operating officer;
 - b. For a partnership, the managing partner;
 - c. For a limited liability company, the managing member;

- d. For a limited partnership, the general partner;
 - e. For a trust, the trustee;
 - f. For a real estate investment trust, the general partner or an officer.
 - ii. **Local Agent.** If the Owner does not reside in the City, a local agent shall be designated and authorized to accept service, on behalf of the Owner, of any notice, order, or summons issued concerning the registration, maintenance, or nuisance conditions of the Regulated Property. Such agent must be over the age of 21 years and must be located within 30 miles of any City border. The registration shall include the name of the designated local agent, their permanent street address for mailing, their telephone number, and their email address. This agent shall be responsible for securing and maintaining the Regulated Property.
 2. **Fee.** The registration must be accompanied by the applicable fee set forth in Appendix B to this Municipal Code. Fees shall not be pro-rated or refunded. If a new, renewal, or amended registration is filed more than 30 calendar days after the applicable due date, the late fee set forth in Appendix B shall apply in addition to any other penalty. The Director may:
 - i. In his sole and absolute discretion and without right to appeal, waive the late fee for good cause shown.
 - ii. Waive the registration fee that would apply to a new owner where the new owner affirms that they are actively rehabilitating or demolishing the property within the next year as shown by the new owner's Property Restoration Plan.
 3. **Expiration and Renewal.** Each registration shall expire, and must be renewed, no later than January 1 of each calendar year.
 4. **Amendments.** The Owner must file an amended registration at once, but in no event later than 15 calendar days after, the change of any of the information contained in the annual registration form. A new registration, and not an amendment, must be filed for any change in ownership.
- B. **Property Restoration Plan.** Concurrent with the Owner's submission of a new or renewal registration, the Owner will submit a Property Restoration Plan that is accepted by the Director, as follows:
1. **Contents.** The Plan shall be in a form prescribed by the Director and shall contain, at a minimum, a plan of action and time schedule to achieve the following outcomes:

- i. The temporary and immediate securing, by boarding up or other means, any doors, windows, or other openings that are not secure from unlawful entry.
 - ii. The permanent repair of any doors, windows, or other openings which are boarded up or otherwise secured by any means other than conventional methods used in the design of the building or permitted for new construction of similar type.
 - iii. The remediation of any public nuisance conditions that exist within or upon the Regulated Property.
 - iv. Where the Owner proposes to demolish the Regulated Property, the Owner's plan and time schedule for such demolition.
 - v. Ongoing maintenance of the Regulated Property in conformance with this chapter.
 - vi. The date that the Regulated Property will be habitable and occupied or offered for occupancy or sale. The Plan shall include date(s) of commencement and completion of all actions required to achieve habitability.
2. **Acceptance by Director.** The Director shall review the proposed Property Restoration Plan in accordance with the standards below and determine whether to accept or deny the Plan. The Director shall send notice to the Owner of their determination. In considering the appropriateness of the Plan, the director shall include the following in his or her consideration and shall make written findings as to each:
- i. The purposes of this Article and the intent of the City Council to minimize the time a building is boarded or otherwise vacant.
 - ii. The effect of the Regulated Property and the proposed Plan on adjoining property.
 - iii. The length of time the Regulated Property has been vacant, condemned, or under foreclosure.
 - iv. The presence of any public nuisances on the Regulated Property.
 - v. The likelihood that the Plan or portion(s) thereof will prevent or ameliorate the condition(s) it is designed to address.
3. **Failure to Submit or Correct.** If the Owner fails to submit a Plan as provided by this subsection, or fails to timely revise a Plan that is not accepted by the Director, the Director may determine and impose a Property Restoration Plan for the Regulated Property and provide notice of the same to the Owner.

4. **Plans Binding.** The Owner is required to comply with all requirements of the Property Restoration Plan. It is a violation of this Article for an Owner to act contrary to, or fail to implement, an approved Property Restoration Plan for a Regulated Property.
- C. **Code Compliance Inspection.** The Owner shall, within 30 calendar days of the date of registration, allow access to the interior and exterior of the Regulated Property. The inspection will determine the extent of the Regulated Property's compliance with the Municipal Code including, without limitation, its provisions relating to property maintenance, building, health, water, sewer and fire codes and the necessary requirements or compliance with the Property Restoration Plan for the Regulated Property. The Owner shall permit additional inspections to occur at reasonable times and upon reasonable notice by the City. The Director may require amendments to the Property Restoration Plan to reflect the conditions identified by an inspection.
- D. **Liability Insurance.** The Owner shall, within 15 calendar days of the date of registration, obtain liability insurance for the Regulated Property; maintain such insurance continually until the property is no longer a Regulated Property; and file evidence of such insurance with the Director, in the following minimum amounts:
 1. \$500,000 for a residential building of 1-3 units.
 2. \$750,000 for a residential building of 4-11 units.
 3. \$1,000,000 for a residential building of 12-48 units.
 4. \$2,000,000 for all other residential and commercial buildings.The Director may waive this requirement where there exists no Owner that has standing to purchase liability insurance for the Regulated Property
- E. **Property Maintenance.** The Owner shall, within 15 calendar days of the date of registration, complete the removal of all:
 1. Combustible materials from the Regulated Property in compliance with applicable fire regulations.
 2. Waste, rubbish or debris from the interior and exterior of the Regulated Property.
 3. Excessive vegetation, including noxious weeds and grass in excess of eight inches, from the Regulated Property in accordance with this Municipal Code.
- F. **Securing of Exterior.** The Owner shall, within 15 calendar days of the date of registration, lock, board, barricade and/or secure all windows, doors, and other openings to the interior of the Regulated Property in order to prohibit entry by unauthorized persons.
- G. **Board Up Restrictions.** It is the policy of the City that boarding up is a temporary solution to prevent unauthorized entry. Any building on a Regulated Property must be secured to prevent unauthorized entry and

may not remain boarded up for longer than six months after its first registration as a Regulated Property unless an extension of that time is approved by the Director in writing for good cause shown. A building that is boarded up beyond the time limit provided by this subsection is hereby declared a public nuisance and in violation of this Article.

- H. **Security Service.** Upon written notice of the Director, the Owner shall provide bonded, licensed, and insured security guard service at the building between the hours of three o'clock (3:00) P.M. and eight o'clock (8:00) A.M. The security service shall remain employed until the Director gives written notice that the service is no longer required. The Director may require a security service be provided where the Director makes a written determination that both:
1. The Regulated Property: constitutes an attractive nuisance; is a fire hazard; is the location of illegal or improper use, occupancy, or maintenance; or is otherwise dangerous to human life or the public welfare.
 2. Boarding and securing the Regulated Property is insufficient to prevent the actual or threatened harm to human life or the public.
- I. **Release by Director.** A Regulated Property shall remain designated as such until such time as the Director determines in writing, in the Director's sole discretion, that the nuisance associated with the property has been abated and therefore the property is no longer subject to the requirements of this Article. The Owner of a Regulated Property may apply to the Director for such a determination.

Sec. 18-457 Appeal of Determination of Director

- A. An affected Owner may file an appeal with the City Manager regarding the Director's designation of a Regulated Property or the Director's acceptance of the Property Restoration Plan. Such appeal shall be in writing and shall be filed with the City Manager within 15 calendar days of the date of service of the written notice of determination.
- B. The appeal procedure provided by this Section is provided as a safeguard against arbitrary, ill-considered, or erroneous administrative decisions. It is intended to avoid the need for resort to legal action by establishing local procedures to review and correct administrative errors. It is not, however, intended as a means to subvert the clear purposes, meanings, or intents of this Article or the rightful authority to enforce the requirements of this Article.
- C. The filing of an appeal stays the effect of the subject determination until the appeal is resolved.
- D. The appeal shall contain a complete statement of the reasons the Owner disputes the Director's determination, shall set forth specific facts in support thereof, and shall include all evidence the Owner relies upon to support the appeal. The burden is upon the Owner to present clear and convincing evidence that the Director's determination was in error.

- E. The City Manager shall decide the appeal on the basis of facts presented by the owner in his or her written appeal and the Director's written determination. The City Manager may, but is not required to, seek additional information from the Owner in deciding the appeal. If the Owner fails to cooperate and comply with the request of the City Manager for additional information within twenty-one (21) calendar days after service of the Manager's request in writing, then the appeal shall be deemed withdrawn and waived. The City Manager shall send written notice of the Manager's decision to the Owner within twenty-one (21) calendar days of the Manager's receipt of the appeal and all additional information as requested by the City Manager.

The City Manager's decision concerning an appeal shall constitute the final administrative decision of the City for the purpose of judicial review, which judicial review must be filed within thirty-five (35) calendar days of the date of the City Manager's written decision.

Sec. 18-457 Enforcement and Penalties

- A. Any person found to be in violation of any provision of this article shall be subject to the general penalty provided in Appendix B to this Municipal Code. Each day that a violation continues after due notice has been served shall be deemed a separate offense.
- B. Prosecution under this section is a remedy cumulative to any and all other remedies at law and equity, including but not limited to the remedies provided in the Municipal Code, the City's Property Maintenance Ordinance, and/or under any applicable state statutes.
- C. All fees, costs, or charges assessed or incurred by the City pursuant to this article shall be a lien upon the real property. The lien shall be superior to all subsequent liens and encumbrances. The Director shall file a notice of lien within two years after such cost and expense is incurred in the office of the Cook County Clerk, Recordings Division. The lien may be enforced by proceedings to foreclose, such as in the case of mortgage's and mechanic's liens.