

**Springfield, IL Municipal Code - 39.12. - Defenses to code violations**

From:

[https://library.municode.com/il/springfield/codes/code\\_of\\_ordinances?nodeId=TITIIIAD\\_CH39ADADHE\\_S39.12DECOVI](https://library.municode.com/il/springfield/codes/code_of_ordinances?nodeId=TITIIIAD_CH39ADADHE_S39.12DECOVI)

Amended 7/05/2016

-----  
§ 39.12. - Defenses to code violations.

It shall be a defense to a code violation charged under this chapter if the owner, his attorney, or any other agent or representative proves to the hearing officer's satisfaction that:

- (a) The code violation alleged in the notice did not in fact exist at the time of the alleged violation; or
- (b) The code violation has been removed or remedied at the time of the hearing, but only if (i) the property at which the code violation arose is not also classified as a chronic nuisance under section 98.06, (ii) the property at which the code violation arose has not, in the 24-month period immediately preceding the present enforcement, been the source of any other code violation that resulted in an administrative court judgment being rendered in favor of the city, or (iii) the property at which the code violation arose has not, in the 24-month period immediately preceding the present enforcement, been the source of three or more citations issued by the department of public works, which have arisen from no less than three separate inspections by the city; or
- (c) The code violation has been caused by the current building occupants and that in spite of reasonable attempts by the owner to maintain the dwelling free of such violations, the current occupants continue to cause the violations; or
- (d) An occupant or resident of the property has refused entry to the owner or his agent to all or a part of the dwelling for the purpose of correcting the code violation and that in spite of reasonable attempts by the owner to gain entry, the occupant or resident of property refused entry.

(Ord. No. 291-6-98, § 1(Exh. B), 6-2-98; Ord. No. 347-7-99, § 1 (Exh. A), 7-6-99; Ord. No. 585-10-03, § 1(Exh. 1), 10-21-03; Ord. No. 412-08-09, § 1(Exh. A), 8-5-09; Ord. No. 251-07-16, § 1, 7-5-16)