



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB3148

by Rep. Frances Ann Hurley

SYNOPSIS AS INTRODUCED:

50 ILCS 810/1

from Ch. 111 1/2, par. 3401

50 ILCS 810/5 new

Amends the Building Code Violation Notice Posting Act. Provides that a municipality, township, or county that has a building code shall, in addition to any other notice required by law, post a notice containing a large red "X", of not less than 2 feet by 2 feet in size, conspicuously on the front of any building or structure the designated building code enforcement officer has determined to be a dilapidated structure. Provides that a police officer or fire fighter who, while in the performance of his or her duties, determines that a building or structure is a dilapidated structure, he or she shall post a red "X" on the building or structure and immediately notify the designated building code enforcement officer. Requires the building code enforcement officer to examine the building or structure within 24 hours after receiving notice and determine if the building is dilapidated and whether the "X" should remain. Limits home rule powers.

LRB100 09718 AWJ 19887 b

1 AN ACT concerning local government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Building Code Violation Notice Posting Act
5 is amended by changing Section 1 and by adding Section 5 as
6 follows:

7 (50 ILCS 810/1) (from Ch. 111 1/2, par. 3401)

8 Sec. 1. Unless the context clearly indicates otherwise, the
9 following terms have the following meaning in this Act:

10 "Municipality" means any city, village or incorporated
11 town which has enacted a building code.

12 "County" means any county which has enacted a building
13 code.

14 "Building code" means any municipal or county ordinance or
15 resolution regulating the construction and maintenance of all
16 structures within the municipality or county.

17 "Building code department" means the agency or officer of
18 the municipality or county charged with administration of the
19 building code.

20 "Dilapidated structure" means a residential or commercial
21 building or structure that meets the definition of a dangerous
22 or structurally unsound building or structure found in the unit
23 of local government's building code.

1 "Unit of local government" means a municipality, township,
2 or county that has a building code.

3 (Source: Laws 1963, p. 2414.)

4 (50 ILCS 810/5 new)

5 Sec. 5. Notices for dilapidated structures.

6 (a) In addition to any other notice required by law, every
7 unit of local government shall post a notice containing a large
8 red "X", of not less than 2 feet by 2 feet in size,
9 conspicuously on the front of any building or structure that
10 the designated building code enforcement officer has
11 determined to be a dilapidated structure.

12 (b) In addition to any other notice required by law, a
13 police officer or fire fighter who, while in the performance of
14 his or her duties, determines that a building or structure is a
15 dilapidated structure, he or she shall post the notice required
16 in subsection (a) and immediately notify the designated
17 building code enforcement officer in the unit of local
18 government in which the building or structure is located.
19 Within 24 hours after receiving notice of a dilapidated
20 structure by a police officer or fire fighter, the designated
21 building code enforcement officer shall examine the building or
22 structure and determine if the building or structure is a
23 dilapidated structure and whether the red "X" should remain.

24 (c) A home rule unit of local government shall post notices
25 in a manner consistent with this Section. This Section is a

1 limitation under subsection (i) of Section 6 of Article VII of
2 the Illinois Constitution on the concurrent exercise by home
3 rule units of powers and functions exercised by the State.