- 1 AN ACT in relation to municipalities.
- 2 Be it enacted by the People of the State of Illinois,
- 3 represented in the General Assembly:
- 4 Section 5. The Illinois Municipal Code is amended by
- 5 changing Sections 7-1-3 and 7-1-4 as follows:
- 6 (65 ILCS 5/7-1-3) (from Ch. 24, par. 7-1-3)
- 7 Sec. 7-1-3. After the filing of the petition but not less
- 8 than 5 days prior to the date fixed for the hearing, any
- 9 interested person may file with the circuit clerk his
- 10 objections (1) that the territory described in the petition
- or ordinance, as the case may be, is not contiguous to the
- 12 annexing municipality, (2) that the petition is not signed by
- 13 the requisite number of electors or property owners of
- 14 record, (3) that the description of the territory contained
- in the petition or ordinance, as the case may be, is
- inadequate, or (4) that the objector's land is located on the
- 17 perimeter of such territory, that he does not desire
- 18 annexation, and that exclusion of his land will not destroy
- 19 the contiguity of such described property with the annexing
- 20 municipality, or (5) that the objector does not desire
- 21 <u>annexation</u>, and that exclusion of all or a specifically
- 22 <u>described portion of the objector's land will not destroy the</u>
- 23 <u>contiguity of the territory that is proposed to be annexed</u>
- 24 with the annexing municipality, provided that the objector
- 25 <u>may also or instead propose the annexation of other territory</u>
- 26 <u>owned by the objector in order to maintain contiguity</u>.
- 27 (Source: Laws 1967, p. 3740.)
- 28 (65 ILCS 5/7-1-4) (from Ch. 24, par. 7-1-4)
- Sec. 7-1-4. The cause shall be heard without further
- 30 pleadings. At the hearing the objector may be heard in person

or by counsel.

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2 to hearing evidence on the validity of annexation petition or ordinance, the court shall hear 3 4 determine any objection under sub-paragraph (4) or (5) of Section 7-1-3. If the court is satisfied that such objection 5 is valid, it shall order the petition or ordinance to be 6 7 amended to eliminate such objector's land from the territory sought to be annexed or to otherwise alter the boundaries of 8 9 the territory to be annexed in accordance with that Section. this hearing the only 10 Thereafter upon matter for 11 determination shall be the validity of the annexation 12 petition or ordinance, as the case may be, and the decision of the court shall be final. All petitions shall be supported 13 by an affidavit of one or more of the petitioners, or 14 15 one on their behalf, that the signatures on the petition 16 represent a majority of the property owners of record of land in the territory described and a majority of the electors of 17 the territory therein described. Petitions so verified shall 18 be accepted as prima facie evidence of such facts. If the 19 20 court finds that (1) the annexation petition is not signed by 2.1 the requisite number of electors or property owners of 22 record; or (2) that the described property is not contiguous 23 to the annexing municipality; or (3) that the description is materially defective; or (4) that the petition or ordinance, 24 25 as the case may be, is otherwise invalid, the court shall 26 dismiss the petition or ordinance, as the case may be. But if the court finds that the petition or ordinance, as 27 the case may be, is valid, the court shall (1) enter an order describing the territory to be annexed, (2) find that the

the case may be, is valid, the court shall (1) enter an order describing the territory to be annexed, (2) find that the petition or ordinance, as the case may be, conforms to this Article, and (3) direct that the question of annexation be submitted to the corporate authorities of the annexing municipality or to the electors of the unincorporated territory, as the case may be, for final action. A certified

- 1 copy of the order of the court directing that the question of
- 2 annexation be submitted to the corporate authorities shall be
- 3 sent to the clerk of the annexing municipality.
- 4 Appeals shall lie from any final order of the court as in
- 5 other civil actions.
- 6 (Source: P.A. 81-448.)