

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
11 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
15 in the petition or ordinance, as the case may be, is
16 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 annexation, and that exclusion of all or a specifically
22 described portion of the objector's land will not destroy the
23 contiguity of the territory that is proposed to be annexed
24 with the annexing municipality, provided that the objector
25 may also or instead propose the annexation of other territory
26 owned by the objector in order to maintain contiguity.

27 (Source: Laws 1967, p. 3740.)

28 (65 ILCS 5/7-1-4) (from Ch. 24, par. 7-1-4)

29 Sec. 7-1-4. The cause shall be heard without further
30 pleadings. At the hearing the objector may be heard in person

1 or by counsel.

2 Prior to hearing evidence on the validity of the
3 annexation petition or ordinance, the court shall hear and
4 determine any objection under sub-paragraph (4) or (5) of
5 Section 7-1-3. If the court is satisfied that such objection
6 is valid, it shall order the petition or ordinance to be
7 amended to eliminate such objector's land from the territory
8 sought to be annexed or to otherwise alter the boundaries of
9 the territory to be annexed in accordance with that Section.

10 Thereafter upon this hearing the only matter for
11 determination shall be the validity of the annexation
12 petition or ordinance, as the case may be, and the decision
13 of the court shall be final. All petitions shall be supported
14 by an affidavit of one or more of the petitioners, or some
15 one on their behalf, that the signatures on the petition
16 represent a majority of the property owners of record of land
17 in the territory described and a majority of the electors of
18 the territory therein described. Petitions so verified shall
19 be accepted as prima facie evidence of such facts. If the
20 court finds that (1) the annexation petition is not signed by
21 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
24 materially defective; or (4) that the petition or ordinance,
25 as the case may be, is otherwise invalid, the court shall
26 dismiss the petition or ordinance, as the case may be.

27 But if the court finds that the petition or ordinance, as
28 the case may be, is valid, the court shall (1) enter an order
29 describing the territory to be annexed, (2) find that the
30 petition or ordinance, as the case may be, conforms to this
31 Article, and (3) direct that the question of annexation be
32 submitted to the corporate authorities of the annexing
33 municipality or to the electors of the unincorporated
34 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.)