



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
SB0169

Introduced 2/2/2005, by Sen. Terry Link

SYNOPSIS AS INTRODUCED:

65 ILCS 5/11-20-8

from Ch. 24, par. 11-20-8

Amends the Illinois Municipal Code. Provides that the corporate authorities of each municipality may provide for the extermination of pests (now, rats only). Defines "pests" to mean undesirable arthropods (including certain insects, spiders, mites, ticks, and related organisms), wood infesting organisms, rats, mice, birds, and any other obnoxious or undesirable animals. Effective immediately.

LRB094 04278 MKM 34303 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 Illinois Municipal Code is amended by
5 changing Section 11-20-8 as follows:

6 (65 ILCS 5/11-20-8) (from Ch. 24, par. 11-20-8)

7 Sec. 11-20-8. Pest extermination; liens. The corporate
8 authorities of each municipality may provide for the
9 extermination of pests ~~rate~~ in the municipality, and charge to
10 and collect from the owners of and persons interested in
11 private property the reasonable cost and expense of preventing
12 ingress of pests ~~rate~~ to their property and of pest ~~rat~~
13 extermination therein, after notice to such owners or persons
14 as provided by ordinance and failures of such owners or persons
15 to comply. This cost and expense is a lien upon the real estate
16 affected, superior to all other existing liens and
17 encumbrances, except tax liens if within 60 days after such
18 cost and expense is incurred the municipality, or person
19 performing the service by authority of the municipality, in his
20 or its own name, files notice of lien in the office of the
21 recorder in the county in which the real estate is located or
22 in the office of the Registrar of Titles of such county if the
23 real estate affected is registered under "An Act concerning
24 land titles", approved May 1, 1897, as amended. The notice
25 shall consist of a sworn statement setting out (1) a
26 description of the real estate sufficient for identification
27 thereof, (2) the amount of money representing the cost and
28 expense incurred or payable for the service, and (3) the date
29 or dates when such cost and expense was incurred by the
30 municipality. However, the lien of such municipality shall not
31 be valid as to any purchaser, mortgagee, judgment creditor, or
32 other lienor whose rights in and to the real estate arise

1 subsequent to the pest ~~rat~~ extermination and prior to the
2 filing of the notice of such lien in the office of the
3 recorder, or in the office of the Registrar of Titles, as
4 aforesaid. Upon payment of the cost and expense by the owner of
5 or persons interested in the property after notice of lien has
6 been filed, the lien shall be released by the municipality or
7 person in whose name the lien has been filed and the release
8 may be filed of record as in the case of filing notice of lien.
9 The lien may be enforced by proceedings to foreclose as in case
10 of mortgages or mechanics' liens. Actions to foreclose this
11 lien shall be commenced within one year after the date of
12 filing notice of lien.

13 "Pests", as used in this Section 11-20-8, means undesirable
14 arthropods (including certain insects, spiders, mites, ticks,
15 and related organisms), wood infesting organisms, rats, mice,
16 birds, and any other obnoxious or undesirable animals.

17 (Source: P.A. 83-358.)

18 Section 99. Effective date. This Act takes effect upon
19 becoming law.