



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB3407

Introduced 2/24/2011, by Rep. Marlow H. Colvin

SYNOPSIS AS INTRODUCED:

55 ILCS 5/5-12017	from Ch. 34, par. 5-12017
60 ILCS 1/110-65	
65 ILCS 5/11-60-2	from Ch. 24, par. 11-60-2

Amends the Counties Code, Township Code, and the Illinois Municipal Code. Provides that the proper authorities of the county, township, or municipality where a nuisance is located may take measures to abate the nuisance, including but not limited to, hiring a contractor to fix the violation. The property owner of record where the nuisance is located shall reimburse the county, township, or municipality for expenses related to the abatement, and if the property owner does not pay the costs, the unpaid amount shall be placed on the property owners's property tax statement, to be collected by the county, township, or municipality.

LRB097 10570 KMW 50923 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 Counties Code is amended by changing Section
5 5-12017 as follows:

6 (55 ILCS 5/5-12017) (from Ch. 34, par. 5-12017)

7 Sec. 5-12017. Violations. In case any building or structure
8 is erected, constructed, reconstructed, altered, repaired,
9 converted or maintained or any building, structure or land is
10 used in violation of this Division or of any ordinance,
11 resolution or other regulation made under authority conferred
12 thereby, the proper authorities of the county or of the
13 township in which the building, structure, or land is located,
14 or any person the value or use of whose property is or may be
15 affected by such violation, in addition to other remedies, may
16 institute any appropriate action or proceedings in the circuit
17 court to prevent such unlawful erection, construction,
18 reconstruction, alteration, repair, conversion, maintenance or
19 use, to restrain, correct, or abate such violation, to prevent
20 the occupancy of said building, structure or land or to prevent
21 any illegal act, conduct, business, or use in or about such
22 premises.

23 Any person who violates the terms of any ordinance adopted

1 under the authority of this Division shall be guilty of a petty
2 offense punishable by a fine not to exceed \$500, with each week
3 the violation remains uncorrected constituting a separate
4 offense.

5 After bringing action, the proper authorities of the county
6 where the nuisance is located may take measures to abate the
7 nuisance, including but not limited to, hiring a contractor to
8 fix the violation. The property owner of record where the
9 nuisance is located shall reimburse the county for expenses
10 related to the abatement, and if the property owner does not
11 pay the costs, the unpaid amount shall be placed on the
12 property owners's property tax statement, to be collected by
13 the county.

14 (Source: P.A. 92-347, eff. 8-15-01.)

15 Section 10. The Township Code is amended by changing
16 Section 110-65 as follows:

17 (60 ILCS 1/110-65)

18 Sec. 110-65. Violations; remedies; misdemeanor.

19 (a) If any building or structure is erected, constructed,
20 reconstructed, altered, repaired, converted, or maintained (or
21 any building, structure, or land is used) in violation of this
22 Article or of any ordinance, resolution, or other regulation
23 made under this Article, the proper authorities of the
24 township, or any person the value or use of whose property is

1 or may be affected by the violation, in addition to other
2 remedies, may institute any appropriate action or proceedings
3 (i) to prevent the unlawful erection, construction,
4 reconstruction, alteration, repair, conversion, maintenance,
5 or use, (ii) to restrain, correct, or abate the violation,
6 (iii) to prevent the occupancy of the building, structure, or
7 land, or (iv) to prevent any illegal act, conduct, business, or
8 use in or about the premises.

9 (b) The violation of the terms of any ordinance adopted
10 under this Article shall be deemed a Class B misdemeanor.

11 (c) After bringing action, the proper authorities of the
12 township where the nuisance is located may take measures to
13 abate the nuisance, including but not limited to, hiring a
14 contractor to fix the violation. The property owner of record
15 where the nuisance is located shall reimburse the township for
16 expenses related to the abatement, and if the property owner
17 does not pay the costs, the unpaid amount shall be placed on
18 the property owners's property tax statement, to be collected
19 by the township.

20 (Source: P.A. 79-1359; 88-62.)

21 Section 15. The Illinois Municipal Code is amended by
22 changing Section 11-60-2 as follows:

23 (65 ILCS 5/11-60-2) (from Ch. 24, par. 11-60-2)

24 Sec. 11-60-2. The corporate authorities of each

1 municipality may define, prevent, and abate nuisances. The
2 corporate authorities of each municipality may take measures to
3 abate a nuisance, including but not limited to, hiring a
4 contractor to fix the violation. The property owner of record
5 where the nuisance is located shall reimburse the municipality
6 for expenses related to the abatement, and if the property
7 owner does not pay the costs, the unpaid amount shall be placed
8 on the property owners's property tax statement, to be
9 collected by the municipality.

10 (Source: Laws 1961, p. 576.)