

CITY OF SUMNER

ORDINANCE NO. 542

AN ORDINANCE ADOPTING CERTAIN PROCEDURES
REGARDING DANGEROUS AND UNSAFE BUILDINGS
AND AUTHORIZING THE ENFORCEMENT
OFFICERS TO ENFORCE SUCH PROCEDURES
WITHIN THE CITY OF SUMNER, ILLINOIS

ADOPTED BY THE

CITY COUNCIL

CITY OF SUMNER, ILLINOIS

THIS 14th DAY OF March, 2006

Published in pamphlet form by authority of the City of Sumner, Lawrence County, Illinois, this
14th day of March, 2006.

Posted 3-15-06

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BE IT ORDAINED BY THE CITY OF SUMNER, ILLINOIS, that:

This Ordinance shall take effect and be effective from the date of its passage as provided by law.

WHEREAS, the City of Sumner is authorized, pursuant to 65 ILCS 5/11-31-1 to demolish repair or enclose or cause the demolition, repair or enclosure of dangerous and unsafe buildings or uncompleted and abandoned buildings, and remove or cause the removal of garbage, debris and other hazardous, noxious or unhealthy substances or materials from those buildings; and,

WHEREAS, it is necessary to adopt certain procedures and authorize certain officials to enforce this Ordinance and to administer the demolition, repair or enclosure, and removal of garbage, debris and other hazardous, noxious or unhealthy substances or materials from those buildings that are a continuing hazard to the City following appropriate notice.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SUMNER, ILLINOIS, as follows:

Section 1. The position of City Enforcement Officer is hereby created. The Sumner City Enforcement Officer is hereby authorized, pursuant to 65 ILCS 5/11-31-1, to enforce this ordinance and to administer the demolition, repair or enclosure, and removal of garbage, debris and other hazardous, noxious or unhealthy substances or materials from property burdened by structures that are open, vacant, and an immediate and continuing hazard to the City following appropriate notice.

Section 2. The Dangerous and Unsafe Building Procedures, which are attached hereto and hereby incorporated by reference as though fully stated herein are hereby adopted.

DANGEROUS AND UNSAFE BUILDING PROCEDURES

1. Pursuant to 65 ILCS 5/11-31-1, the City of Sumner Enforcement Officer may determine to have a residential or commercial building demolished, repaired or enclosed, and any garbage, debris and any other hazardous, noxious or unhealthy substances or materials removed to avoid any immediate and continuing hazard to the City.

2. Requirement: The structure must be:

- A. Three stories or less in height; and
- B. Open; and
- C. Vacant; and,
- D. Be an immediate and continuing hazard to the City.

3. Notice Requirements: Prior to taking any action, the Enforcement Officer shall:

A. Obtain an ownership and lien search report from a Lawrence County Abstract Company including the permanent tax identification number and the common address of the subject property.

B. Place a sign (2 feet x 2 feet minimum size) on the front of the structure. The sign must state:

- 1. The address of the property.
- 2. Date the sign is place in front of the structure.

3. The following language: "The City of Sumner finds that this structure is open, vacant, and an immediate and continuing hazard to the County and that unless this structure is demolished, repaired or enclosed, and unless any and all garbage, debris and other hazardous, noxious or unhealthy substances or material are removed within thirty (30) days of notice, then the City of Sumner will proceed to demolish, repair or enclose, and remove any and all garbage, debris and other hazardous, noxious or unhealthy substances or materials from this property, and may place a lien on this property for the cost thereof. A person objecting to the proposed actions of the City of Sumner may file his or her objection in proper form in a court of competent jurisdiction."

C. Not later than thirty (30) days after posting the notice, the Enforcement Officer shall cause to be sent by certified mail, return receipt requested, a notice to the owner of record of the subject property and any mortgagee or lienholder of recorder. This notice shall be in the form attached hereto.

D. Not later than thirty (30) days after posting the sign, the Enforcement Officer shall publish in *The Sumner Press* for three (3) consecutive weeks a notice stating:

- 1. The permanent tax identification number the subject property.
- 2. The common address of the subject property.

3. The following language: "The City of Sumner finds that this structure is open, vacant, and an immediate and continuing hazard to the County and that unless this structure is demolished, repaired or enclosed, and unless any and all garbage, debris, and other hazardous, noxious or unhealthy substances or materials are removed within thirty (30) days of this notice, then the City of Sumner will proceed to demolish, repair or enclose, and remove any and all garbage, debris and other hazardous, noxious, or unhealthy substances or materials from this property, and may place a lien on this property for the cost thereof. A person objecting to the proposed actions of the City of Sumner may file his or her objection in proper form in a court of competent jurisdiction."

This Ordinance shall be in full force and effect from and after its passage, approval and recording, and, according to law, published in pamphlet form.

Adopted by the City Council of the City of Sumner, Illinois at a regular meeting on the 14th day of March, 2006.

Blanche Pipin
City Clerk

Approved by the Mayor of the
City of Sumner, Lawrence
County, Illinois this 14th
day of March, 2006.

Betty L. Brian
Mayor

Publishing by posting a copy hereof in three (3) prominent places with the City of Sumner, Illinois on March, 2006.

Blanche Pipin
City Clerk

STATE OF ILLINOIS)
)
COUNTY OF LAWRENCE) ss:

I, Blanche Piper, certify that I am the duly elected and acting municipal clerk of the City of Sumner, Lawrence County, Illinois, and further certify that the foregoing constitutes a true and correct copy of Ordinance No. 542 of said City, passed at a meeting of the Council of said City of Sumner on the 14th day of March, 2006. I do further certify that, prior to the making of the certificate, the said Ordinance has been spread at length upon the permanent records of said City.

IN TESTIMONY HEREOF, I have hereunto set my hand and affixed the seal of said City, this 14th day of March, 2006.

(SEAL)

Blanche Piper
CITY

CERTIFIED MAIL

NOTICE TO OWNER AND MORTGAGEE PURSUANT TO
AN ORDINANCE ADOPTING CERTAIN PROCEDURES REGARDING
DANGEROUS AND UNSAFE BUILDINGS AND AUTHORIZING THE
ENFORCEMENT OFFICER TO ENFORCE SUCH PROCEDURES

OWNER:

MORTGAGEE:

SUBJECT REAL ESTATE: (Legal Description)

COMMON ADDRESS: _____

PIN: _____

THE CITY OF SUMNER FINDS THAT THIS STRUCTURE IS OPEN, VACANT, AND AN IMMEDIATE AND CONTINUING HAZARD TO THE COUNTY AND THAT UNLESS THIS STRUCTURE IS DEMOLISHED, REPAIRED OR ENCLOSED, AND UNLESS ANY AND ALL GARBAGE, DEBRIS AND OTHER HAZARDOUS, NOXIOUS OR UNHEALTHY SUBSTANCES OR MATERIAL ARE REMOVED WITHIN THIRTY (30) DAYS OF NOTICE, THEN THE CITY OF SUMNER WILL PROCEED TO DEMOLISH, REPAIR OR ENCLOSE, AND REMOVE ANY AND ALL GARBAGE, DEBRIS AND OTHER HAZARDOUS, NOXIOUS OR UNHEALTHY SUBSTANCES OR MATERIALS FROM THIS PROPERTY, AND MAY PLACE A LIEN ON THIS PROPERTY FOR THE COST THEREOF. A PERSON OBJECTING TO THE PROPOSED ACTIONS OF THE CITY OF SUMNER MAY FILE HIS OR HER OBJECTION IN PROPER FORM IN A COURT OF COMPETENT JURISDICTION.

DATED: _____, 2006.

ENFORCEMENT OFFICER