

ORDINANCE NO. 591

AN ORDINANCE ADOPTING CERTAIN PROCEDURES
IN REGARD TO DANGEROUS AND UNSAFE BUILDINGS
IN THE CITY OF SUMNER, ILLINOIS

WHEREAS, the City of Sumner, Illinois (City) is a duly organized and existing municipal corporation created under the provisions of the laws of the State of Illinois; and

WHEREAS, the City is authorized to demolish, repair or enclose or cause the demolition, repair or enclosure of dangerous and unsafe buildings or uncompleted and abandoned buildings within its corporate boundaries, and may remove or cause the removal of garbage, debris, and other hazardous, noxious or unhealthy substances or materials from those buildings (65 ILCS 5/11-31-1 et seq.); and

WHEREAS, the corporate authorities of the City have determined that it is necessary to amend its existing ordinance in regard to dangerous and unsafe buildings within the corporate boundaries for the purpose of protecting the health, safety and welfare of residents.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Sumner, Illinois as follows:

Section 1: Incorporation of Recitals. The Recitals contained in the preamble of this Ordinance are incorporated in this Ordinance as if set out fully herein.

Section 2: Adoption by Reference. The City may demolish, repair, or enclose or cause the demolition, repair or enclosure of dangerous and unsafe buildings or uncompleted and abandoned buildings within the City and may remove or cause the removal of garbage, debris and other hazardous, noxious, or unhealthy substances or materials from those buildings. Therefore, the City does hereby adopt by reference the applicable provisions of Division 31 of the Illinois Municipal Code (65 ILCS 5/11-31-1 et seq.) and as may be hereafter amended, governing dangerous and unsafe buildings.

Section 3: Additional Penalties. Violation of this Ordinance is hereby determined and defined to constitute a threat to public health, and the enforcement of this Ordinance, being in the public interest and necessary to the safety of the residents of the City, the owner or owners of record of any building found in violation of this Ordinance, in addition to any other remedies provided herein, shall be subject to the following procedures and penalties:

- A. The Chief of Police; or any duly authorized law enforcement officer, may mail or personally deliver a written notice to the owner or owners of record of the building to put the building in a safe condition or to demolish it. If, upon diligent search, the identity or whereabouts of the owner or owners of record is not ascertainable, notice personally delivered or mailed to the

person or persons in whose name the real estate was last assessed is sufficient notice under this paragraph.

- B. If the owner or owners of record of the building do not put the building in a safe condition or demolish it within thirty (30) days of the Notice, the Chief of Police or any duly authorized law enforcement officer may issue a citation for violation of this Ordinance. Failure of the owner or owners of record to put the building in a safe condition or demolish it within ninety (90) days of the Notice, shall constitute a separate violation, and the Chief of Police or any duly authorized law enforcement officer may issue an additional citation, without further notice. Failure of the owner or owners of record to put the building in a safe condition or demolish it within one hundred twenty (120) days of the Notice, shall constitute a separate and continuing violation, and the Chief of Police, or any duly authorized law enforcement officer, may issue an additional citation, without further notice.
- C. The fine for failure to put the building in a safe condition or demolish it within 30 days of the Notice shall be Two Hundred Dollars (\$200.00). The fine for failure to put the building in a safe condition or demolish it within 90 days of the Notice shall be Three Hundred Fifty Dollars (\$350.00). The fine for failure to put the building in a safe condition or demolish it within 120 days of the Notice shall be Five Hundred Dollars (\$500.00), and each day thereafter that the violation continues shall constitute a separate violation, subject to a \$500.00 penalty for each day that such violation continues.

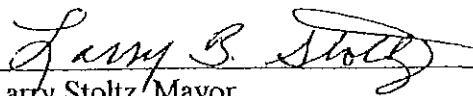
Section 4: Severability. In the event that any section, clause, provision or part of this Ordinance shall be found and determined to be invalid by a court competent jurisdiction, all parts that are severable shall remain in full force and effect. If any part of this Ordinance is found to be invalid in any one or more of its several applications, all valid applications that are severable from the invalid application shall remain in effect.

Section 5: Conflicting Ordinances. All ordinances and parts of ordinances in conflict with this Ordinance are hereby repealed; provided, however, that nothing herein contained shall affect any rights, actions or causes of actions which shall have accrued to the City prior to the effective date of this Ordinance.

Section 6: Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

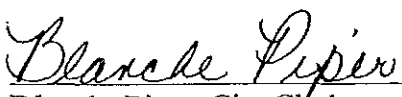
PASSED and ADOPTED by the City Council of the City of Sumner, Illinois and APPROVED by the Mayor this 13th day of September, 2011.

VOTE: 6 Ayes 0 Nays 0 Absent 0 Abstain



Larry Stoltz, Mayor
City of Sumner, Illinois

Attest:



Blanche Piper, City Clerk
City of Sumner, Illinois