

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 5-1114 as follows:

6 (55 ILCS 5/5-1114) (from Ch. 34, par. 5-1114)
7 Sec. 5-1114. Violation of ordinance.

8 (a) Except as provided in Section 10-302.5 of the Illinois
9 Highway Code or subsection (b) of this Section, in all actions
10 for the violation of any county ordinance, the first process
11 shall be a summons or a warrant. A warrant or summons for the
12 arrest of an accused person may issue from the circuit court
13 upon the affidavit of any person that an ordinance has been
14 violated, and that the person making the complaint has
15 reasonable grounds to believe that the party charged is guilty
16 thereof. Every person arrested upon a warrant or summons shall
17 be taken, without unnecessary delay, before the proper judicial
18 officer for trial.

19 (b) In the case of a violation of the property maintenance
20 code of the county by a repeat offender, service of process
21 against the owner of the property that is the subject of the
22 violation may be a notice to appear. The notice may be issued
23 by a code enforcement officer of the county where the violation

1 occurred subject to the approval of an ordinance administrator.
2 The notice to appear shall, at a minimum, state the address of
3 the property that is the subject of the code violation, the
4 language and citation of the code provision that was violated,
5 the facts that the violation is based on, the date, time, and
6 location for the appearance by the property owner, and that
7 failure to correct the violation prior to the hearing date may
8 result in a fine. The notice to appear shall be served upon the
9 property owner, either personally, or by delivery confirmation
10 mail and first class mail. The violation notice shall be sent
11 to the address where the violation is observed and to the
12 property owner's address on file with the Supervisor of
13 Assessments office. The county shall simultaneously post the
14 notice on the property where the violation occurred. The date
15 to appear shall be no sooner than 15 days after the notice is
16 served upon the owner. If the owner of the property fails to
17 appear in response to the notice, the Court may issue a warrant
18 or summons in accordance with subsection (a) of this Section.
19 For the purposes of this Section, "repeat offender" means a
20 person who has been found guilty of 2 or more similar
21 violations of a property maintenance code at the same location
22 in a 36-month period.

23 (Source: P.A. 89-120, eff. 7-7-95.)