

AN ACT concerning local government.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

Section 5. The Counties Code is amended by changing Section 5-12017 as follows:

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

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

Any person who violates the terms of any ordinance adopted

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

Except in relation to county-owned property, this Section does not authorize any suit against a county or its officials for any act relating to the administration, enforcement, or implementation of this Division or any ordinance, resolution, or other regulation adopted pursuant to this Division.

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

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

(60 ILCS 1/110-65)

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

(a) If any building or structure is erected, constructed, reconstructed, altered, repaired, converted, or maintained (or any building, structure, or land is used) in violation of this Article or of any ordinance, resolution, or other regulation made under this Article, the proper authorities of the township, or any person the value or use of whose property is or may be affected by the violation, in addition to other remedies, may institute any appropriate action or proceedings

(i) to prevent the unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance,

or use, (ii) to restrain, correct, or abate the violation, (iii) to prevent the occupancy of the building, structure, or land, or (iv) to prevent any illegal act, conduct, business, or use in or about the premises.

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

(c) Except in relation to township-owned property, this Section does not authorize any suit against a township or its officials for any act relating to the administration, enforcement, or implementation of this Article or any ordinance, resolution, or other regulation adopted pursuant to this Article.

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

Section 15. The Illinois Municipal Code is amended by changing Section 11-13-15 as follows:

(65 ILCS 5/11-13-15) (from Ch. 24, par. 11-13-15)

Sec. 11-13-15. In case any building or structure, including fixtures, is constructed, reconstructed, altered, repaired, converted, or maintained, or any building or structure, including fixtures, or land, is used in violation of an ordinance or ordinances adopted under Division 13, 31 or 31.1 of the Illinois Municipal Code, or of any ordinance or other regulation made under the authority conferred thereby, the proper local authorities of the municipality, or any owner or

tenant of real property, within 1200 feet in any direction of the property on which the building or structure in question is located who shows that his property or person will be substantially affected by the alleged violation, in addition to other remedies, may institute any appropriate action or proceeding (1) to prevent the unlawful construction, reconstruction, alteration, repair, conversion, maintenance, or use, (2) to prevent the occupancy of the building, structure, or land, (3) to prevent any illegal act, conduct, business, or use in or about the premises, or (4) to restrain, correct, or abate the violation. When any such action is instituted by an owner or tenant, notice of such action shall be served upon the municipality at the time suit is begun, by serving a copy of the complaint on the chief executive officer of the municipality, no such action may be maintained until such notice has been given.

In any action or proceeding for a purpose mentioned in this section, the court with jurisdiction of such action or proceeding has the power and in its discretion may issue a restraining order, or a preliminary injunction, as well as a permanent injunction, upon such terms and under such conditions as will do justice and enforce the purposes set forth above.

If an owner or tenant files suit hereunder and the court finds that the defendant has engaged in any of the foregoing prohibited activities, then the court shall allow the plaintiff a reasonable sum of money for the services of the plaintiff's

attorney. This allowance shall be a part of the costs of the litigation assessed against the defendant, and may be recovered as such.

An owner or tenant need not prove any specific, special or unique damages to himself or his property or any adverse effect upon his property from the alleged violation in order to maintain a suit under the foregoing provisions.

Except in relation to municipality-owned property, this Section does not authorize any suit against a municipality or its officials for any act relating to the administration, enforcement, or implementation of this Division or any ordinance, resolution, or other regulation adopted pursuant to this Division.

(Source: P.A. 80-419.)

Section 20. The Park Commissioners Land Sale Act is amended by adding Section 10 as follows:

(70 ILCS 1235/10 new)

Sec. 10. Sale of water park facility.

(a) The Rockford Park District may sell all or part of a water park facility owned by the District that has more than 4 distinct amusement attractions located on land exceeding 40 acres but less than 50 acres, no portion of which consists of a neighborhood park or a nature preserve, if:

(1) the board of commissioners of the Rockford Park

District authorizes the sale by a vote of 80% or more of all commissioners in office at the time of the vote; and

(2) the sale price equals or exceeds the average of 3 independent appraisals commissioned by the Rockford Park District.

(b) This Section is repealed on December 31, 2019.

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