

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

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

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

13 (60 ILCS 1/110-65)

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

15 (a) If any building or structure is erected, constructed,  
16 reconstructed, altered, repaired, converted, or maintained (or  
17 any building, structure, or land is used) in violation of this  
18 Article or of any ordinance, resolution, or other regulation  
19 made under this Article, the proper authorities of the  
20 township, or any person the value or use of whose property is  
21 or may be affected by the violation, in addition to other  
22 remedies, may institute any appropriate action or proceedings  
23 (i) to prevent the unlawful erection, construction,  
24 reconstruction, alteration, repair, conversion, maintenance,

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

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

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

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

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

16 (65 ILCS 5/11-13-15) (from Ch. 24, par. 11-13-15)

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

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

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

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

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

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

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

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

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