



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

SB2509

Introduced 1/28/2020, by Sen. Paul Schimpf

#### SYNOPSIS AS INTRODUCED:

70 ILCS 1801/90	
70 ILCS 1805/39 new	
70 ILCS 1807/90	
70 ILCS 1810/11	from Ch. 19, par. 162
70 ILCS 1815/29	from Ch. 19, par. 829
70 ILCS 1820/14	from Ch. 19, par. 864
70 ILCS 1825/13	from Ch. 19, par. 263
70 ILCS 1830/30	from Ch. 19, par. 530
70 ILCS 1831/90	
70 ILCS 1832/90	
70 ILCS 1835/18	from Ch. 19, par. 718
70 ILCS 1837/90	
70 ILCS 1845/14	from Ch. 19, par. 364
70 ILCS 1850/14	from Ch. 19, par. 414
70 ILCS 1855/17	from Ch. 19, par. 467
70 ILCS 1860/14	from Ch. 19, par. 297
70 ILCS 1863/20	
70 ILCS 1865/14	from Ch. 19, par. 192
70 ILCS 1870/39 new	

Amends 19 Acts relating to port districts. Provides that if a port district has obtained a permit granted by the State and did not perform the activity that was allowed by the permit, the port district shall pay, in the 12 months next following the month the permit expired, no more than half of the permit fee the port district paid when the permit was issued to have the permit reissued.

LRB101 16080 AWJ 65443 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

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 Alexander-Cairo Port District Act is amended  
5 by changing Section 90 as follows:

6 (70 ILCS 1801/90)

7 Sec. 90. Permits.

8 (a) It is unlawful to make any fill or deposit of rock,  
9 earth, sand, or other material, or any refuse matter of any  
10 kind or description, or build or commence the building of any  
11 wharf, pier, dolphin, boom, weir, breakwater, bulkhead, jetty,  
12 bridge, or other structure over, under, or within 40 feet of  
13 any navigable waters within the Port District without first  
14 submitting the plans, profiles, and specifications therefor,  
15 and other data and information as may be required, to the Port  
16 District and receiving a permit. Any person, corporation,  
17 company, municipality, or other agency, that does any of the  
18 things prohibited in this Section, without securing a permit as  
19 provided in this Section, shall be guilty of a Class A  
20 misdemeanor; provided, however, that no such permit shall be  
21 required in the case of any project for which a permit shall  
22 have been secured from a proper governmental agency prior to  
23 the creation of the Port District nor shall any such permit be

1 required in the case of any project to be undertaken by any  
2 city, village, or incorporated town in the District, or any  
3 combination thereof, for which a permit is required from a  
4 governmental agency other than the District before the  
5 municipality can proceed with such project. And in such event,  
6 such municipalities, or any of them, shall give at least 10  
7 days' notice to the District of the application for a permit  
8 for any such project from a governmental agency other than the  
9 District so that the District may be present and represent its  
10 position relative to the application before the other  
11 governmental agency. Any structure, fill, or deposit erected or  
12 made in any of the public bodies of water within the Port  
13 District, in violation of the provisions of this Section, is a  
14 purpresture and may be abated as such at the expense of the  
15 person, corporation, company, municipality, or other agency  
16 responsible. If in the discretion of the Port District it is  
17 decided that the structure, fill, or deposit may remain, the  
18 Port District may fix any rule, regulation, requirement,  
19 restrictions, or rentals or require and compel any changes,  
20 modifications, and repairs as shall be necessary to protect the  
21 interest of the Port District.

22 (b) Notwithstanding any other provision of law, if the  
23 District has obtained a permit granted by the State and did not  
24 perform the activity that was allowed by the permit, the  
25 District shall pay, in the 12 months next following the month  
26 the permit expired, no more than half of the permit fee the

1 District paid when the permit was issued to have the permit  
2 reissued.

3 (Source: P.A. 96-1015, eff. 7-8-10.)

4 Section 10. The Havana Regional Port District Act is  
5 amended by adding Section 39 as follows:

6 (70 ILCS 1805/39 new)

7 Sec. 39. State permit fees. Notwithstanding any other  
8 provision of law, if the District has obtained a permit granted  
9 by the State and did not perform the activity that was allowed  
10 by the permit, the District shall pay, in the 12 months next  
11 following the month the permit expired, no more than half of  
12 the permit fee the District paid when the permit was issued to  
13 have the permit reissued.

14 Section 15. The Heart of Illinois Regional Port District  
15 Act is amended by changing Section 90 as follows:

16 (70 ILCS 1807/90)

17 Sec. 90. Permits.

18 (a) It shall be unlawful to make any fill or deposit of  
19 rock, earth, sand, or other material, or any refuse matter of  
20 any kind or description, or build or commence the building of  
21 any wharf, pier, dolphin, boom, weir, breakwater, bulkhead,  
22 jetty, bridge, or other structure over, under, in, or within 40

1 feet of any navigable waters within the district without first  
2 submitting the plans, profiles, and specifications for it, and  
3 any other data and information that may be required, to the  
4 district and receiving a permit. Any person, corporation,  
5 company, city or municipality, or other agency that does any of  
6 the things prohibited in this Section without securing a permit  
7 is guilty of a Class A misdemeanor. Any structure, fill, or  
8 deposit erected or made in any of the public bodies of water  
9 within the district in violation of the provisions of this  
10 Section is declared to be a purpresture and may be abated as  
11 such at the expense of the person, corporation, company, city,  
12 municipality, or other agency responsible for it. If in the  
13 discretion of the district it is decided that the structure,  
14 fill, or deposit may remain, the district may fix any rule,  
15 regulation, requirement, restrictions, or rentals or require  
16 and compel any changes, modifications, and repairs that shall  
17 be necessary to protect the interest of the district.

18 (b) Notwithstanding any other provision of law, if the  
19 district has obtained a permit granted by the State and did not  
20 perform the activity that was allowed by the permit, the  
21 district shall pay, in the 12 months next following the month  
22 the permit expired, no more than half of the permit fee the  
23 district paid when the permit was issued to have the permit  
24 reissued.

25 (Source: P.A. 93-262, eff. 7-22-03.)

1           Section 20. The Illinois International Port District Act is  
2 amended by changing Section 11 as follows:

3           (70 ILCS 1810/11) (from Ch. 19, par. 162)

4           Sec. 11. (a) It shall be unlawful to make any fill or  
5 deposit of rock, earth, sand, or other material, or any refuse  
6 matter of any kind or description, or build or commence the  
7 building of any wharf, pier, dolphin, boom, weir, breakwater,  
8 bulkhead, jetty, bridge, or other structure over, under, in, or  
9 within forty (40) feet of any navigable waters within the said  
10 Port District without first submitting the plans, profiles, and  
11 specifications therefor, and such other data and information as  
12 may be required, to the Port District and receiving a permit  
13 therefor; and any person, corporation, company, city or  
14 municipality or other agency, which shall do any of the things  
15 above prohibited, without securing a permit therefor as above  
16 provided, shall be guilty of a Class A misdemeanor. Any  
17 structure, fill or deposit erected or made in any of the public  
18 bodies of water within the Port District, in violation of the  
19 provisions of this section, is hereby declared to be  
20 purpresture and may be abated as such at the expense of the  
21 person, corporation, company, city, municipality or other  
22 agency responsible therefor, or if, in the discretion of said  
23 Port District it be decided that said structure, fill or  
24 deposit may remain, the Port District may fix such rule,  
25 regulation, requirement, restrictions, or rentals or require

1 and compel such changes, modifications and repairs as shall be  
2 necessary to protect the interest of the Port District.

3 (b) Notwithstanding any other provision of law, if the  
4 District has obtained a permit granted by the State and did not  
5 perform the activity that was allowed by the permit, the  
6 District shall pay, in the 12 months next following the month  
7 the permit expired, no more than half of the permit fee the  
8 District paid when the permit was issued to have the permit  
9 reissued.

10 (Source: P.A. 77-2331.)

11 Section 25. The Illinois Valley Regional Port District Act  
12 is amended by changing Section 29 as follows:

13 (70 ILCS 1815/29) (from Ch. 19, par. 829)

14 Sec. 29. (a) It is not lawful to make any fill or deposit  
15 of rock, earth, sand, or other material, or any refuse matter  
16 of any kind or description, or build or commence the building  
17 of any wharf, pier, dolphin boom, weir, breakwater, bulkhead,  
18 jetty, bridge, or other structure over, under, in or within 40  
19 feet of any navigable waters within the Port District without  
20 first submitting the plans, profiles, and specifications  
21 therefor and such other data and information as may be  
22 required, to the Port District and receiving a permit therefor.  
23 Any person, corporation, company, city or municipality or other  
24 agency, which shall do any of the things prohibited by this

1 Section, without securing a permit shall be guilty of a Class A  
2 misdemeanor. Any structure, fill or deposit erected or made in  
3 any public body of water within the Port District, in violation  
4 of this Section, is declared to be a purpresture and may be  
5 abated as such at the expense of the person, corporation,  
6 company, city, municipality or other agency responsible  
7 therefor, or if the Port District decides that such structure,  
8 fill or deposit may remain, the Port District may fix such  
9 rule, regulation, requirement, restrictions or rentals, or  
10 require and compel all changes, modifications and repairs which  
11 are deemed necessary to protect the interest of the Port  
12 District.

13 (b) Notwithstanding any other provision of law, if the  
14 District has obtained a permit granted by the State and did not  
15 perform the activity that was allowed by the permit, the  
16 District shall pay, in the 12 months next following the month  
17 the permit expired, no more than half of the permit fee the  
18 District paid when the permit was issued to have the permit  
19 reissued.

20 (Source: P.A. 77-2830.)

21 Section 30. The Jackson-Union Counties Regional Port  
22 District Act is amended by changing Section 14 as follows:

23 (70 ILCS 1820/14) (from Ch. 19, par. 864)

24 Sec. 14. (a) It is unlawful to make any fill or deposit of



1 rock, earth, sand, or other material, or any refuse matter of  
2 any kind or description, or build or commence the building of  
3 any wharf, pier, dolphin, boom, weir, breakwater, bulkhead,  
4 jetty, bridge, or other structure over, under, or within 40  
5 feet of any navigable waters within the Port District without  
6 first submitting the plans, profiles, and specifications  
7 therefor, and such other data and information as may be  
8 required, to the Port District and receiving a permit therefor;  
9 and any person, corporation, company, city or municipality or  
10 other agency, which shall do any of the things above  
11 prohibited, without securing a permit therefor as above  
12 provided, shall be guilty of a Class A misdemeanor; provided,  
13 however, that no such permit shall be required in the case of  
14 any project for which a permit shall have been secured from a  
15 proper governmental agency prior to the creation of the Port  
16 District nor shall any such permit be required in the case of  
17 any project to be undertaken by any city, village or  
18 incorporated town in the District, or any combination thereof,  
19 for which a permit is required from a governmental agency other  
20 than the District before the municipality can proceed with such  
21 project. And in such event, such municipalities, or any of  
22 them, shall give at least 10 days' notice to the District of  
23 the application for a permit for any such project from a  
24 governmental agency other than the District so that the  
25 District may be present and represent its position relative to  
26 such application before such other governmental agency. Any

1 structure, fill or deposit erected or made in any of the public  
2 bodies of water within the Port District, in violation of the  
3 provisions of this Section, is a purpresture and may be abated  
4 as such at the expense of the person, corporation, company,  
5 municipality or other agency responsible therefore, or if, in  
6 the discretion of the Port District, it is decided that such  
7 structure, fill or deposit may remain, the Port District may  
8 fix such rule, regulation, requirement, restrictions, or  
9 rentals or require and compel such changes, modifications and  
10 repairs as shall be necessary to protect the interest of the  
11 Port District.

12 (b) Notwithstanding any other provision of law, if the  
13 District has obtained a permit granted by the State and did not  
14 perform the activity that was allowed by the permit, the  
15 District shall pay, in the 12 months next following the month  
16 the permit expired, no more than half of the permit fee the  
17 District paid when the permit was issued to have the permit  
18 reissued.

19 (Source: P.A. 79-1475.)

20 Section 35. The Joliet Regional Port District Act is  
21 amended by changing Section 13 as follows:

22 (70 ILCS 1825/13) (from Ch. 19, par. 263)

23 Sec. 13. (a) It is unlawful to make any fill or deposit of  
24 rock, earth, sand, or other material, or any refuse matter of

1 any kind or description, or build or commence the building of  
2 any wharf, pier, dolphin, boom, weir, breakwater, bulkhead,  
3 jetty, bridge, or other structure over, under, or within 50  
4 feet of any navigable waters within the Port District without  
5 first submitting the plans, profiles, and specifications  
6 therefor, and such other data and information as may be  
7 required, to the Port District and receiving a permit therefor;  
8 and any person, corporation, company, city or municipality or  
9 other agency, which shall do any of the things above  
10 prohibited, without securing a permit therefor as above  
11 provided, shall be guilty of a Class A misdemeanor; provided,  
12 however, that no such permit shall be required in the case of  
13 any project for which a permit shall have been secured from a  
14 proper governmental agency prior to the erection of the Port  
15 District. Any structure, fill or deposit erected or made in any  
16 of the public bodies of water within the Port District, in  
17 violation of the provisions of this section, is a purpresture  
18 and may be abated as such at the expense of the person,  
19 corporation, company, city, municipality or other agency  
20 responsible therefor, or if, in the discretion of the Port  
21 District, it is decided that said structure, fill or deposit  
22 may remain, the Port District may fix such rule, regulation,  
23 requirement, restrictions, or rentals or require and compel  
24 such changes, modifications and repairs as shall be necessary  
25 to protect the interest of the Port District.

26 (b) Notwithstanding any other provision of law, if the

1 District has obtained a permit granted by the State and did not  
2 perform the activity that was allowed by the permit, the  
3 District shall pay, in the 12 months next following the month  
4 the permit expired, no more than half of the permit fee the  
5 District paid when the permit was issued to have the permit  
6 reissued.

7 (Source: P.A. 77-2333.)

8 Section 40. The Kaskaskia Regional Port District Act is  
9 amended by changing Section 30 as follows:

10 (70 ILCS 1830/30) (from Ch. 19, par. 530)

11 Sec. 30. (a) It is not lawful to make any fill or deposit  
12 of rock, earth, sand, or other material, or any refuse matter  
13 of any kind or description, or build or commence the building  
14 of any wharf, pier, dolphin, boom, weir, breakwater, bulkhead,  
15 jetty, bridge, or other structure over, under, in, or within 40  
16 feet of any navigable waters within the Port District without  
17 first submitting the plans, profiles, and specifications  
18 therefor, and such other data and information as may be  
19 required, to the Port District and receiving a permit therefor.  
20 Any person, corporation, company, city or municipality or other  
21 agency, which shall do any of the things prohibited by this  
22 Section, without securing a permit therefor shall be guilty of  
23 a Class A misdemeanor. Any structure, fill or deposit erected  
24 or made in any public body of water within the Port District,

1 in violation of this Section is declared to be purpresture and  
2 may be abated as such at the expense of the person,  
3 corporation, company, city, municipality or other agency  
4 responsible therefor, or if, the Port District decides that  
5 such structure, fill or deposit may remain, the Port District  
6 may fix such rule, regulation, requirement, restrictions or  
7 rentals, or require and compel all changes, modifications and  
8 repairs which are deemed necessary to protect the interest of  
9 the Port District.

10 (b) Notwithstanding any other provision of law, if the  
11 District has obtained a permit granted by the State and did not  
12 perform the activity that was allowed by the permit, the  
13 District shall pay, in the 12 months next following the month  
14 the permit expired, no more than half of the permit fee the  
15 District paid when the permit was issued to have the permit  
16 reissued.

17 (Source: P.A. 77-2338.)

18 Section 45. The Massac-Metropolis Port District Act is  
19 amended by changing Section 90 as follows:

20 (70 ILCS 1831/90)

21 Sec. 90. Permits. (a) It is unlawful to make any fill or  
22 deposit of rock, earth, sand, or other material, or any refuse  
23 matter of any kind or description, or build or commence the  
24 building of any wharf, pier, dolphin, boom, weir, breakwater,

1 bulkhead, jetty, bridge, or other structure over, under, or  
2 within 40 feet of any navigable waters within the Port District  
3 without first submitting the plans, profiles, and  
4 specifications therefor, and such other data and information as  
5 may be required, to the Port District and receiving a permit  
6 therefor; and any person, corporation, company, city or  
7 municipality or other agency, which shall do any of the things  
8 above prohibited, without securing a permit therefor as above  
9 provided, shall be guilty of a Class A misdemeanor; provided,  
10 however, that no such permit shall be required in the case of  
11 any project for which a permit shall have been secured from a  
12 proper governmental agency prior to the creation of the Port  
13 District nor shall any such permit be required in the case of  
14 any project to be undertaken by any city, village, or  
15 incorporated town in the District, or any combination thereof,  
16 for which a permit is required from a governmental agency other  
17 than the District before the municipality can proceed with such  
18 project. And in such event, such municipalities, or any of  
19 them, shall give at least 10 days' notice to the District of  
20 the application for a permit for any such project from a  
21 governmental agency other than the District so that the  
22 District may be present and represent its position relative to  
23 such application before such other governmental agency. Any  
24 structure, fill, or deposit erected or made in any of the  
25 public bodies of water within the Port District, in violation  
26 of the provisions of this Section, is a purpresture and may be

1 abated as such at the expense of the person, corporation,  
2 company, municipality, or other agency responsible therefor,  
3 or if, in the discretion of the Port District, it is decided  
4 that such structure, fill, or deposit may remain, the Port  
5 District may fix such rule, regulation, requirement,  
6 restrictions, or rentals or require and compel such changes,  
7 modifications, and repairs as shall be necessary to protect the  
8 interest of the Port District.

9 (b) Notwithstanding any other provision of law, if the  
10 District has obtained a permit granted by the State and did not  
11 perform the activity that was allowed by the permit, the  
12 District shall pay, in the 12 months next following the month  
13 the permit expired, no more than half of the permit fee the  
14 District paid when the permit was issued to have the permit  
15 reissued.

16 (Source: P.A. 96-838, eff. 12-16-09.)

17 Section 50. The Mid-America Intermodal Authority Port  
18 District Act is amended by changing Section 90 as follows:

19 (70 ILCS 1832/90)

20 Sec. 90. Permits.

21 (a) It shall be unlawful to make any fill or deposit of  
22 rock, earth, sand, or other material, or any refuse matter of  
23 any kind or description, or build or commence the building of  
24 any wharf, pier, dolphin, boom, weir, breakwater, bulkhead,

1 jetty, bridge, or other structure over, under, in, or within 40  
2 feet of any navigable waters within the district without first  
3 submitting the plans, profiles, and specifications for it, and  
4 any other data and information that may be required, to the  
5 district and receiving a permit. Any person, corporation,  
6 company, city or municipality, or other agency that does any of  
7 the things prohibited in this Section without securing a permit  
8 is guilty of a Class A misdemeanor. Any structure, fill, or  
9 deposit erected or made in any of the public bodies of water  
10 within the district in violation of the provisions of this  
11 Section is declared to be a purpresture and may be abated as  
12 such at the expense of the person, corporation, company, city,  
13 municipality, or other agency responsible for it. If in the  
14 discretion of the district it is decided that the structure,  
15 fill, or deposit may remain, the district may fix any rule,  
16 regulation, requirement, restrictions, or rentals or require  
17 and compel any changes, modifications, and repairs that shall  
18 be necessary to protect the interest of the district.

19 (b) Notwithstanding any other provision of law, if the  
20 district has obtained a permit granted by the State and did not  
21 perform the activity that was allowed by the permit, the  
22 district shall pay, in the 12 months next following the month  
23 the permit expired, no more than half of the permit fee the  
24 district paid when the permit was issued to have the permit  
25 reissued.

26 (Source: P.A. 90-636, eff. 7-24-98.)



1 Section 55. The Mt. Carmel Regional Port District Act is  
2 amended by changing Section 18 as follows:

3 (70 ILCS 1835/18) (from Ch. 19, par. 718)

4 Sec. 18. (a) It is unlawful to make any fill or deposit of  
5 rock, earth, sand, or other material, or any refuse matter of  
6 any kind or description, or build or commence the building of  
7 any wharf, pier, dolphin, boom, weir, breakwater, bulkhead,  
8 jetty, bridge, or other structure over, under or within 40 feet  
9 of any navigable waters within the Port District without first  
10 submitting the plans, profiles, and specifications therefor,  
11 and such other data and information as may be required, to the  
12 Port District and receiving a permit therefor; and any person,  
13 corporation, company, city or municipality or other agency,  
14 which shall do any of the things above prohibited, without  
15 securing a permit therefor as above provided, shall be guilty  
16 of a Class A misdemeanor. However, no such permit shall be  
17 required in the case of any project for which a permit shall  
18 have been secured from a proper governmental agency prior to  
19 the creation of the Port District nor shall any such permit be  
20 required in the case of any project to be undertaken by any  
21 city, village or incorporated town in the District, or any  
22 combination thereof, for which a permit is required from a  
23 governmental agency other than District before the  
24 municipality can proceed with such project. In such event, the

1 municipalities, or any of them, shall give at least 10 days'  
2 notice to the District of the application for a permit for any  
3 such project from a governmental agency other than the District  
4 so that the District may be present and represent its position  
5 relative to such application before such other governmental  
6 agency. Any structure, fill or deposit erected or made in any  
7 of the public bodies of water within the Port District, in  
8 violation of the provisions of this Section, is a purpresture  
9 and may be abated as such at the expense of the person,  
10 corporation, company, municipality or other agency responsible  
11 therefor, or if in the discretion of the Port District, it is  
12 decided that such structure, fill or deposit may remain, the  
13 Port District may fix such rule, regulation, requirement,  
14 restrictions, or rentals or require and compel such changes,  
15 modifications and repairs as shall be necessary to protect the  
16 interest of the Port District.

17 (b) Notwithstanding any other provision of law, if the  
18 District has obtained a permit granted by the State and did not  
19 perform the activity that was allowed by the permit, the  
20 District shall pay, in the 12 months next following the month  
21 the permit expired, no more than half of the permit fee the  
22 District paid when the permit was issued to have the permit  
23 reissued.

24 (Source: P.A. 77-2339.)

25 Section 60. The Ottawa Port District Act is amended by

1 changing Section 90 as follows:

2 (70 ILCS 1837/90)

3 Sec. 90. Permits.

4 (a) It is unlawful to make any fill or deposit of rock,  
5 earth, sand, or other material, or any refuse matter of any  
6 kind or description, or build or commence the building of any  
7 wharf, pier, dolphin, boom, weir, breakwater, bulkhead, jetty,  
8 bridge, or other structure over, under, or within 40 feet of  
9 any navigable waters within the District without first  
10 submitting the plans, profiles, and specifications therefor,  
11 and any other data and information as may be required, to the  
12 District and receiving a permit therefor; and any person,  
13 corporation, company, municipality, or other agency, that does  
14 any of the things prohibited in this Section, without securing  
15 a permit, shall be guilty of a Class A misdemeanor. No permit  
16 shall be required in the case of any project for which a permit  
17 has been secured from a proper governmental agency before the  
18 creation of the District nor shall any permit be required in  
19 the case of any project to be undertaken by one or more  
20 municipalities located within the District for which a permit  
21 is required from a governmental agency other than the District  
22 before the municipality can proceed with the project. And in  
23 such event, one or more of the municipalities shall give at  
24 least 10 days' notice to the District of the application for a  
25 permit for any such project from a governmental agency other

1 than the District so that the District may be present and  
2 represent its position relative to the application before the  
3 other governmental agency. Any structure, fill, or deposit  
4 erected or made in any of the public bodies of water within the  
5 District, in violation of the provisions of this Section, is a  
6 purpresture and may be abated as such at the expense of the  
7 person, corporation, company, municipality, or other agency  
8 responsible therefor, or if, in the discretion of the District,  
9 it is decided that the structure, fill, or deposit may remain,  
10 the District may fix such rule, regulation, requirement,  
11 restriction, or rental or require and compel any change,  
12 modification, or repair as shall be necessary to protect the  
13 interest of the District.

14 (b) Notwithstanding any other provision of law, if the  
15 District has obtained a permit granted by the State and did not  
16 perform the activity that was allowed by the permit, the  
17 District shall pay, in the 12 months next following the month  
18 the permit expired, no more than half of the permit fee the  
19 District paid when the permit was issued to have the permit  
20 reissued.

21 (Source: P.A. 96-1522, eff. 2-14-11.)

22 Section 65. The Seneca Regional Port District Act is  
23 amended by changing Section 14 as follows:

24 (70 ILCS 1845/14) (from Ch. 19, par. 364)

1           Sec. 14. (a) It is unlawful to make any fill or deposit of  
2 rock, earth, sand, or other material, or any refuse matter of  
3 any kind or description, or build or commence the building of  
4 any wharf, pier, dolphin, boom, weir, breakwater, bulkhead,  
5 jetty, bridge, or other structure over, under, or within 40  
6 feet of any navigable waters within the Port District without  
7 first submitting the plans, profiles, and specifications  
8 therefor, and such other data and information as may be  
9 required, to the Port District and receiving a permit therefor;  
10 and any person, corporation, company, city or municipality or  
11 other agency, which shall do any of the things above  
12 prohibited, without securing a permit therefor as above  
13 provided, shall be guilty of a Class A misdemeanor; provided,  
14 however, that no such permit shall be required in the case of  
15 any project for which a permit shall have been secured from a  
16 proper governmental agency prior to the creation of the Port  
17 District nor shall any such permit be required in the case of  
18 any project to be undertaken by any city, village or  
19 incorporated town in the District, or any combination thereof,  
20 for which a permit is required from a governmental agency other  
21 than the District before the municipality can proceed with such  
22 project. And in such event, such municipalities, or any of  
23 them, shall give at least 10 days' notice to the District of  
24 the application for a permit for any such project from a  
25 governmental agency other than the District so that the  
26 District may be present and represent its position relative to

1 such application before such other governmental agency. Any  
2 structure, fill or deposit erected or made in any of the public  
3 bodies of water within the Port District, in violation of the  
4 provisions of this section is a purpresture and may be abated  
5 as such at the expense of the person, corporation, company,  
6 municipality or other agency responsible therefor, or if in the  
7 discretion of the Port District, it is decided that such  
8 structure, fill or deposit may remain, the Port District may  
9 fix such rule, regulation, requirement, restrictions, or  
10 rentals or require and compel such changes, modifications and  
11 repairs as shall be necessary to protect the interest of the  
12 Port District.

13 (b) Notwithstanding any other provision of law, if the  
14 District has obtained a permit granted by the State and did not  
15 perform the activity that was allowed by the permit, the  
16 District shall pay, in the 12 months next following the month  
17 the permit expired, no more than half of the permit fee the  
18 District paid when the permit was issued to have the permit  
19 reissued.

20 (Source: P.A. 77-2335.)

21 Section 70. The Shawneetown Regional Port District Act is  
22 amended by changing Section 14 as follows:

23 (70 ILCS 1850/14) (from Ch. 19, par. 414)

24 Sec. 14. (a) It is unlawful to make any fill or deposit of

1 rock, earth, sand, or other material, or any refuse matter of  
2 any kind or description, or build or commence the building of  
3 any wharf, pier, dolphin, boom, weir, breakwater, bulkhead,  
4 jetty, bridge, or other structure over, under, or within 40  
5 feet of any navigable waters within the Port District without  
6 first submitting the plans, profiles, and specifications  
7 therefor, and such other data and information as may be  
8 required, to the Port District and receiving a permit therefor;  
9 and any person, corporation, company, city or municipality or  
10 other agency, which shall do any of the things above  
11 prohibited, without securing a permit therefor as above  
12 provided, shall be guilty of a Class A misdemeanor; provided,  
13 however, that no such permit shall be required in the case of  
14 any project for which a permit shall have been secured from a  
15 proper governmental agency prior to the creation of the Port  
16 District nor shall any such permit be required in the case of  
17 any project to be undertaken by any city, village or  
18 incorporated town in the District, or any combination thereof,  
19 for which a permit is required from a governmental agency other  
20 than the District before the municipality can proceed with such  
21 project. And in such event, such municipalities, or any of  
22 them, shall give at least 10 days' notice to the District of  
23 the application for a permit for any such project from a  
24 governmental agency other than the District so that the  
25 District may be present and represent its position relative to  
26 such application before such other governmental agency. Any

1 structure, fill or deposit erected or made in any of the public  
2 bodies of water within the Port District, in violation of the  
3 provisions of this section, is a purpresture and may be abated  
4 as such at the expense of the person, corporation, company,  
5 municipality or other agency responsible therefor, or if, in  
6 the discretion of the Port District, it is decided that such  
7 structure, fill or deposit may remain, the Port District may  
8 fix such rule, regulation, requirement, restrictions, or  
9 rentals or require and compel such changes, modifications and  
10 repairs as shall be necessary to protect the interest of the  
11 Port District.

12 (b) Notwithstanding any other provision of law, if the  
13 District has obtained a permit granted by the State and did not  
14 perform the activity that was allowed by the permit, the  
15 District shall pay, in the 12 months next following the month  
16 the permit expired, no more than half of the permit fee the  
17 District paid when the permit was issued to have the permit  
18 reissued.

19 (Source: P.A. 77-2336.)

20 Section 75. The Southwest Regional Port District Act is  
21 amended by changing Section 17 as follows:

22 (70 ILCS 1855/17) (from Ch. 19, par. 467)

23 Sec. 17. (a) It is unlawful to make any fill or deposit of  
24 rock, earth, sand, or other material, or any refuse matter of



1 any kind or description, or build or commence the building of  
2 any wharf, pier, dolphin, boom, weir, breakwater, bulkhead,  
3 jetty, bridge, or other structure over, under, or within 40  
4 feet of any navigable waters within the Port District without  
5 first submitting the plans, profiles, and specifications  
6 therefor, and such other data and information as may be  
7 required, to the Port District and receiving a permit therefor;  
8 and any person, corporation, company, city or municipality or  
9 other agency, which shall do any of the things above  
10 prohibited, without securing a permit therefor as above  
11 provided, shall be guilty of a Class A misdemeanor; provided,  
12 however, that no such permit shall be required in the case of  
13 any project for which a permit shall have been secured from a  
14 proper governmental agency prior to the creation of the Port  
15 District nor shall any such permit be required in the case of  
16 any project to be undertaken by any city, village or  
17 incorporated town in the District, or any combination thereof,  
18 for which a permit is required from a governmental agency other  
19 than the District before the municipality can proceed with such  
20 project. And in such event, such municipalities, or any of  
21 them, shall give at least 10 days' notice to the District of  
22 the application for a permit for any such project from a  
23 governmental agency other than the District so that the  
24 District may be present and represent its position relative to  
25 such application before such other governmental agency. Any  
26 structure, fill or deposit erected or made in any of the public

1 bodies of water within the Port District, in violation of the  
2 provisions of this Section, is a purpresture and may be abated  
3 as such at the expense of the person, corporation, company,  
4 municipality or other agency responsible therefor, or if in the  
5 discretion of the Port District, it is decided that such  
6 structure, fill or deposit may remain, the Port District may  
7 fix such rule, regulation, requirement, restrictions, or  
8 rentals or require and compel such changes, modifications and  
9 repairs as shall be necessary to protect the interest of the  
10 Port District.

11 (b) Notwithstanding any other provision of law, if the  
12 District has obtained a permit granted by the State and did not  
13 perform the activity that was allowed by the permit, the  
14 District shall pay, in the 12 months next following the month  
15 the permit expired, no more than half of the permit fee the  
16 District paid when the permit was issued to have the permit  
17 reissued.

18 (Source: P.A. 77-2337.)

19 Section 80. The America's Central Port District Act is  
20 amended by changing Section 14 as follows:

21 (70 ILCS 1860/14) (from Ch. 19, par. 297)

22 Sec. 14. (a) It is unlawful to make any fill or deposit of  
23 rock, earth, sand, or other material, or any refuse matter of  
24 any kind or description, or build or commence the building of

1 any wharf, pier, dolphin, boom, weir, breakwater, bulkhead,  
2 jetty, bridge, or other structure over, under, or within 50  
3 feet of any navigable waters within the Port District without  
4 first submitting the plans, profiles, and specifications  
5 therefor, and such other data and information as may be  
6 required, to the Port District and receiving a permit therefor;  
7 and any person, corporation, company, city or municipality or  
8 other agency, which shall do any of the things above  
9 prohibited, without securing a permit therefor as above  
10 provided, shall be guilty of a Class A misdemeanor; provided,  
11 however, that no such permit shall be required in the case of  
12 any project for which a permit shall have been secured from a  
13 proper governmental agency prior to the creation of the Port  
14 District nor shall any such permit be required in the case of  
15 any project to be undertaken by the City of Venice, the City of  
16 Madison, the City of Granite City or the Bi-State Development  
17 Agency, or any combination thereof, for which a permit is  
18 required from a governmental agency other than the District  
19 before the city or such agency can proceed with such project.  
20 And in such event, such cities and such agency, or any of them,  
21 shall give at least 10 days' notice to the District of the  
22 application for a permit for any such project from a  
23 governmental agency other than the District so that the  
24 District may be present and represent its position relative to  
25 such application before such other governmental agency. Any  
26 structure, fill or deposit erected or made in any of the public

1 bodies of water within the Port District, in violation of the  
2 provisions of this section, is a purpresture and may be abated  
3 as such at the expense of the person, corporation, company,  
4 city, municipality or other agency responsible therefor, or if,  
5 in the discretion of the Port District, it is decided that said  
6 structure, fill or deposit may remain, the Port District may  
7 fix such rule, regulation, requirement, restrictions, or  
8 rentals or require and compel such changes, modifications and  
9 repairs as shall be necessary to protect the interest of the  
10 Port District.

11 (b) Notwithstanding any other provision of law, if the  
12 District has obtained a permit granted by the State and did not  
13 perform the activity that was allowed by the permit, the  
14 District shall pay, in the 12 months next following the month  
15 the permit expired, no more than half of the permit fee the  
16 District paid when the permit was issued to have the permit  
17 reissued.

18 (Source: P.A. 77-2334.)

19 Section 85. The Upper Mississippi River International Port  
20 District Act is amended by changing Section 20 as follows:

21 (70 ILCS 1863/20)

22 Sec. 20. Permits.

23 (a) It shall be unlawful to make any fill or deposit of  
24 rock, earth, sand, or other material, or any refuse matter of

1 any kind or description, or build or commence the building of  
2 any wharf, pier, dolphin, boom, weir, breakwater, bulkhead,  
3 jetty, bridge, or other structure over, under, in, or within 40  
4 feet of any navigable waters within the District without first  
5 submitting the plans, profiles, and specifications for it, and  
6 any other data and information that may be required, to the  
7 District and receiving a permit. Any person, corporation,  
8 company, municipality, or other agency that does any of the  
9 things prohibited in this Section without securing a permit is  
10 guilty of a Class A misdemeanor. Any structure, fill, or  
11 deposit erected or made in any of the public bodies of water  
12 within the District in violation of the provisions of this  
13 Section is declared to be a purpresture and may be abated as  
14 such at the expense of the person, corporation, company, city,  
15 municipality, or other agency responsible for it. If in the  
16 discretion of the District it is decided that the structure,  
17 fill, or deposit may remain, the District may fix any rule,  
18 regulation, requirement, restrictions, or rentals or require  
19 and compel any changes, modifications, and repairs that shall  
20 be necessary to protect the interest of the District.

21 (b) Notwithstanding any other provision of law, if the  
22 District has obtained a permit granted by the State and did not  
23 perform the activity that was allowed by the permit, the  
24 District shall pay, in the 12 months next following the month  
25 the permit expired, no more than half of the permit fee the  
26 District paid when the permit was issued to have the permit

1 reissued.

2 (Source: P.A. 96-636, eff. 8-24-09.)

3 Section 90. The Waukegan Port District Act is amended by  
4 changing Section 14 as follows:

5 (70 ILCS 1865/14) (from Ch. 19, par. 192)

6 Sec. 14. (a) It is unlawful to make any fill or deposit of  
7 rock, earth, sand, or other material, or any refuse matter of  
8 any kind or description, or build or commence the building of  
9 any wharf, pier, dolphin, boom, weir, breakwater, bulkhead,  
10 jetty, bridge, or other structure over, under, in, or within 40  
11 feet of any navigable waters within the Port District without  
12 first submitting the plans, profiles, and specifications  
13 therefor, and such other data and information as may be  
14 required, to the Port District and receiving a permit therefor;  
15 and any person, corporation, company, city or municipality or  
16 other agency, which shall do any of the things above  
17 prohibited, without securing a permit therefor as above  
18 provided, shall be guilty of a Class A misdemeanor; provided,  
19 however, that no such permit shall be required in the case of  
20 any project for which a permit shall have been secured from a  
21 proper governmental agency prior to the creation of the Port  
22 District. Any structure, fill or deposit erected or made in any  
23 of the public bodies of water within the Port District, in  
24 violation of the provisions of this section, is a purpresture

1 and may be abated as such at the expense of the person,  
2 corporation, company, city, municipality or other agency  
3 responsible therefor, or if, in the discretion of the Port  
4 District, it is decided that said structure, fill or deposit  
5 may remain, the Port District may fix such rule, regulation,  
6 requirement, restrictions, or rentals or require and compel  
7 such changes, modifications and repairs as shall be necessary  
8 to protect the interest of the Port District.

9 (b) Notwithstanding any other provision of law, if the  
10 District has obtained a permit granted by the State and did not  
11 perform the activity that was allowed by the permit, the  
12 District shall pay, in the 12 months next following the month  
13 the permit expired, no more than half of the permit fee the  
14 District paid when the permit was issued to have the permit  
15 reissued.

16 (Source: P.A. 77-2332.)

17 Section 95. The White County Port District Act is amended  
18 by adding Section 39 as follows:

19 (70 ILCS 1870/39 new)

20 Sec. 39. State permit fees. Notwithstanding any other  
21 provision of law, if the District has obtained a permit granted  
22 by the State and did not perform the activity that was allowed  
23 by the permit, the District shall pay, in the 12 months next  
24 following the month the permit expired, no more than half of

1 the permit fee the District paid when the permit was issued to  
2 have the permit reissued.