

1 AN ACT in relation to municipalities.

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

4 Section 5. The Illinois Municipal Code is amended by
5 changing Section 11-20-8 as follows:

6 (65 ILCS 5/11-20-8) (from Ch. 24, par. 11-20-8)

7 Sec. 11-20-8. Pest extermination; liens. The corporate
8 authorities of each municipality may provide for the
9 extermination of pests rats in the municipality, and charge
10 to and collect from the owners of and persons interested in
11 private property the reasonable cost and expense of
12 preventing ingress of pests rats to their property and of
13 pest rat extermination therein, after notice to such owners
14 or persons as provided by ordinance and failures of such
15 owners or persons to comply. This cost and expense is a lien
16 upon the real estate affected, superior to all other existing
17 liens and encumbrances, except tax liens if within 60 days
18 after such cost and expense is incurred the municipality, or
19 person performing the service by authority of the
20 municipality, in his or its own name, files notice of lien in
21 the office of the recorder in the county in which the real
22 estate is located or in the office of the Registrar of Titles
23 of such county if the real estate affected is registered
24 under "An Act concerning land titles", approved May 1, 1897,
25 as amended. The notice shall consist of a sworn statement
26 setting out (1) a description of the real estate sufficient
27 for identification thereof, (2) the amount of money
28 representing the cost and expense incurred or payable for the
29 service, and (3) the date or dates when such cost and expense
30 was incurred by the municipality. However, the lien of such
31 municipality shall not be valid as to any purchaser,

1 mortgagee, judgment creditor, or other lienor whose rights in
2 and to the real estate arise subsequent to the pest rat
3 extermination and prior to the filing of the notice of such
4 lien in the office of the recorder, or in the office of the
5 Registrar of Titles, as aforesaid. Upon payment of the cost
6 and expense by the owner of or persons interested in the
7 property after notice of lien has been filed, the lien shall
8 be released by the municipality or person in whose name the
9 lien has been filed and the release may be filed of record as
10 in the case of filing notice of lien. The lien may be
11 enforced by proceedings to foreclose as in case of mortgages
12 or mechanics' liens. Actions to foreclose this lien shall be
13 commenced within one year after the date of filing notice of
14 lien.

15 "Pests", as used in this Section 11-20-8, means
16 undesirable arthropods (including certain insects, spiders,
17 mites, ticks, and related organisms), wood infesting
18 organisms, rats, mice, birds, and any other obnoxious or
19 undesirable animals.

20 (Source: P.A. 83-358.)

21 Section 99. Effective date. This Act takes effect on
22 January 1, 2004.