



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB5760

Introduced 2/9/2010, by Rep. Jehan A. Gordon

SYNOPSIS AS INTRODUCED:

55 ILCS 5/5-1114

from Ch. 34, par. 5-1114

Amends the Counties Code. Provides that in actions for the violation of any county ordinance, the first process shall be a summons, "a notice to appear", or a warrant. Provides that the county sheriff of the county where the violation occurs may issue a notice to appear. In the case of a violation of a county's building code or property maintenance code, the county's code enforcement officer may issue the notice to appear.

LRB096 19147 RLJ 34538 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 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. Except as provided in
8 Section 10-302.5 of the Illinois Highway Code, in all actions
9 for the violation of any county ordinance, the first process
10 shall be a summons, a notice to appear, or a warrant. A warrant
11 or summons for the arrest of an accused person may issue from
12 the circuit court upon the affidavit of any person that an
13 ordinance has been violated, and that the person making the
14 complaint has reasonable grounds to believe that the party
15 charged is guilty thereof. Every person arrested upon a warrant
16 or summons shall be taken, without unnecessary delay, before
17 the proper judicial officer for trial. The county sheriff of
18 the county where the violation occurs may issue a notice to
19 appear. In the case of a violation of a county building code or
20 property maintenance code, the county code enforcement officer
21 provided for by the county in its respective building or
22 property maintenance code may issue the notice to appear.

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