

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 Illinois Municipal Code is amended by  
5 changing Section 9-2-4.5 as follows:

6 (65 ILCS 5/9-2-4.5)

7 Sec. 9-2-4.5. Special assessment for payment of costs  
8 associated with certain ordinance violations.

9 (a) For the purposes of this Section, the term "compliance  
10 lien" means: ~~For purposes of this Section, "Code" means any~~  
11 ~~municipal ordinance that requires, after notice, the cutting of~~  
12 ~~grass and weeds, the removal of garbage and debris, the removal~~  
13 ~~of inoperable motor vehicles, and rodent and vermin abatement.~~

14 (1) a lien filed under Division 20 of Article 11;  
15 (2) a situation in which (i) a property owner is cited  
16 with a Code violation under Division 31.1 of Article 11,  
17 (ii) non-compliance is found upon reinspection of the  
18 property after the due date for compliance with an order to  
19 correct the Code violation or with an order for abatement,  
20 (iii) costs for services rendered by the municipality to  
21 correct the Code violation remain unpaid at the point in  
22 time that they would become a debt due and owing the  
23 municipality, as provided in Division 31.1 of Article 11,

1 and (iv) a lien has been filed of record by the  
2 municipality in the office of the recorder in the county in  
3 which the property is located; or

4 (3) a lien filed by the municipality with respect to  
5 any unpaid utility bills.

6 (b) In addition to any other method authorized by law, if a  
7 compliance lien has been filed against a property ~~(i) a~~  
8 ~~property owner is cited with a Code violation, (ii)~~  
9 ~~non compliance is found upon reinspection of the property after~~  
10 ~~the due date for compliance with an order to correct the Code~~  
11 ~~violation or with an order for abatement, (iii) costs for~~  
12 ~~services rendered by the municipality to correct the Code~~  
13 ~~violation remain unpaid at the point in time that they would~~  
14 ~~become a debt due and owing the municipality, as provided in~~  
15 ~~Division 31.1 of Article 11 of the Illinois Municipal Code, and~~  
16 ~~(iv) a lien has been filed of record by the municipality in the~~  
17 ~~office of the recorder in the county in which the property is~~  
18 ~~located,~~ then those costs associated with the lien may be  
19 treated collected as an existing, judicially-approved a  
20 special assessment, as though an assessment warrant had been  
21 issued and all conditions precedent had been satisfied. The  
22 municipality may collect those costs as a special assessment on  
23 the property if it complies with the applicable procedures set  
24 forth under Section 9-2-80 through Section 9-2-98. In such  
25 cases, the county recorder or other officer of the county in  
26 which the municipality is located that has the authority to

1 receive State and county taxes and the court rendering judgment  
2 and ordering sale of the delinquent special assessment shall  
3 exempt the municipality from the otherwise applicable special  
4 assessment warrant and certified assessment roll requirements  
5 because the same will be deemed to have occurred by operation  
6 of law ~~under this Division~~. Upon payment of the costs by the  
7 owner of record or persons interested in the property,  
8 including any cost incurred by the municipality for collecting  
9 the costs under this Section, the lien shall be released by the  
10 municipality and the release shall be filed of record in the  
11 same manner as the filing of notice of the lien.

12 (Source: P.A. 93-993, eff. 1-1-05.)

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