



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB1909

Introduced 2/17/2011, 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's code enforcement officer may issue the notice to appear under specified circumstances. Requires that a copy of the violation notice be served upon the property owner either personally or by first class mail. Sets forth notice requirements.

LRB097 08075 KMW 48198 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. In the case of a
18 violation of a county building code or property maintenance
19 code, the county code enforcement officer provided for by the
20 county in its respective building or property maintenance code
21 may issue the notice to appear. At least 30 days before the
22 county code enforcement officer issues a notice to appear, a
23 copy of the violation notice shall be served upon the property

1 owner either personally or by first class mail. The violation
2 notice shall be sent to the address where the violation is
3 observed and to the property owner's address on file with the
4 recorder of deeds.

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