

VILLAGE OF HAMMOND
PIATT COUNTY, ILLINOIS

ORDINANCE #2023-15

“Addition to Nuisance Ordinance #2020-03”

ADOPTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF HAMMOND THIS
13th DAY OF December, 2023

Published in pamphlet form by authority of the Village Board of the Village of Hammond, Piatt
County, Illinois

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PIATT COUNTY, ILLINOIS
ORDINANCE #2023-15

BE IT ORDAINED by the President and Board of Trustees of the Village of Hammond, Piatt County, Illinois, that:

SECTION 1: Definition – Prohibition

The following acts, conduct, and conditions are hereby declared and defined to be nuisances, and when committed, performed, or permitted to exist by any individual, firm, association, or corporation within the territorial limits of the Village of Hammond, Piatt County, Illinois, are hereby declared to be unlawful and prohibited:

- A. To erect or maintain any temporary structure within the Village for more than 48 hours without a permit. For the purpose of this Ordinance, “temporary structure” shall include, but not be limited to: tents, carports, shipping containers, scaffolding, tarps or other coverings, and any structure which is designed to be easily transported or dismantled after its function has been fulfilled. “Temporary structure” shall not include small, prefabricated utility buildings not exceeding 100 square feet, when used for residential accessory purposes.

SECTION 2: Non-Summary Abatement – Notice

- A. Except where otherwise provided above or in the Ordinances of the Village of Hammond, the Village Board may serve or cause to be served a notice, in writing, upon the owner, agent, occupant, or person in possession, charge or control of any lot, building or premises or item of personalty in or upon which any nuisance exists, requiring them to abate the same within a 14-day period, in such manner as the notice shall direct.
- B. If the person so served and notified does not abate the nuisance within the 14 days, the Village Board may proceed to abate the nuisance in any or all manner allowable by law, including, without limiting the generality thereof, the following:
 1. Seeking to impose a monetary penalty as defined by Section 4 of this Ordinance by instituting and Ordinance enforcement action; and/or
 2. Seeking to impose a lien upon said property for any unpaid penalties and charges against said property; and/or
 3. Seeking to enjoin the continuation of the nuisance by the filing of a lawsuit in a court of competent jurisdiction.
- C. In addition, the officials of the municipality shall be authorized to take legal action to abate any nuisance which, while not specifically defined within this Ordinance, shall constitute the

unreasonable, unwarrantable, or unlawful use by a person or property, real or personal, or personal conduct which is improper, indecent, or unlawful and which works an obstruction or injury to a right of another, or of the public, and produces such material annoyance, inconvenience, discomfort, or hurt that the law will presume an actionable nuisance. Legal action may be taken to abate nuisances which are public or which are both public and private in nature.

SECTION 3: Summary Abatement. Whenever, in the opinion of the Village, the maintenance or continuation of a nuisance creates an imminent threat of serious injury to persons or serious damage to real or personal property, and the continuation of the nuisance poses a substantial threat of injury to persons or property, the Village may proceed immediately and summarily to abate such nuisance.

SECTION 4: Penalty. Any person, firm, or corporation violating any provisions of this Ordinance shall be notified as follows:

1. Place phone call to homeowner notifying them of the violation on their property and giving them 10 days in which to fix the violation.
2. If compliance is not met in the 10 days, a non-certified letter will be sent reiterating the violation that needs to be corrected. Allow another 10 days.
3. If compliance is still not met, a certified violation letter is mailed to the homeowner. The first fine will be charged at this time for non-compliance and due within 10 days. The fine structure is as follows:

- 1st Offense: \$180.00
- 2nd Offense-committed within 12 months of any prior offense: \$330.00
- 3rd Offense-committed within 12 months of any prior offense: \$580.00

Each day that a violation continues beyond the 10-day notice period described above shall constitute a separate offense.

Notice shall be deemed to be properly served by:

- a. Depositing the notice in U.S. mail, prepaid first-class postage regardless of whether the addressee accepts or refuses delivery; or
- b. Personal service; or
- c. Posting of notice upon property.

SECTION 5: Conflicts with Other Codes. Nothing in this Ordinance shall invalidate, modify, or otherwise interfere with the provisions of Village Ordinance #2020-03.

This Ordinance shall be in full force and effect forthwith upon its passage and approval, as required by law.

Passed by the Board of Trustees of the Village of Hammond, Piatt County, Illinois, this 13th day of December 2023, by the following roll call vote:

AYES: 4

NAYS: 0

ABSENT: 2

Brenda Sebens
Village Clerk, Village of Hammond
Piatt County, Illinois

Marsha Burgener
President, Board of Trustees
Village of Hammond, Piatt County, Illinois

State of Illinois)
) ss.
 County of Piatt)
 Certificate of Publication)

I, Brenda Sebens, certify that I am the duly appointed and acting Municipal Clerk of the Village of Hammond, Piatt County, Illinois.

I further certify that on December 13, 2023, the Corporate Authorities of such municipality passed and approved Ordinance #2023-15, entitled ""Addition to Nuisance Ordinance #2020-03", which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance #2023-15, including the Ordinance and a cover sheet thereof, was prepared and a copy of such Ordinance was posted in the municipal building commencing on December 14, 2023 and continuing for at least 10 (ten) days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the Municipal Clerk.

Dated at Hammond, Illinois, this 13th day of December, 2023.

(SEAL)

Brenda Sebens
 Municipal Clerk