

---

**THE CITY OF AUBURN**  
**SANGAMON COUNTY, ILLINOIS**

---

**ORDINANCE**  
**NUMBER 1489-20**

---

**AN ORDINANCE AMENDING THE CITY CODE TO PROVIDE REGULATIONS  
PERTAINING TO CITY INITIATED DEMOLITIONS OF DANGEROUS AND UNSAFE  
BUILDINGS OR UNCOMPLETED AND ABANDONED BUILDINGS**

---

TOM BEROLA, Mayor  
JULIE BARNHILL, City Clerk

LORI BASIEWICZ  
JASON GARRETT  
LARRY HEMMERLE  
ROD JOHNSON  
BILL KARHLIKER  
JOE POWELL  
BEN ROYER  
TRACY SHEPPARD  
City Aldermen

---

Published in pamphlet form by authority of the Mayor and Aldermen of the City of Auburn  
on October 19, 2020

Sorling Northrup – One North Old State Capitol Plaza, Suite 200, Springfield, IL 62701

**ORDINANCE NO. 1489-20**

**AN ORDINANCE AMENDING THE CITY CODE TO PROVIDE REGULATIONS  
PERTAINING TO CITY INITIATED DEMOLITIONS OF DANGEROUS AND UNSAFE  
BUILDINGS OR UNCOMPLETED AND ABANDONED BUILDINGS**

**WHEREAS**, the City of Auburn, Sangamon County, State of Illinois, (“City”) is a duly organized and existing City created and operating under the provisions of the Illinois Municipal Code and laws of the State of Illinois; and,

**WHEREAS**, the Illinois Municipal Code provides that the corporate authorities of each municipality may cause the demolition, repair or enclosure of dangerous and unsafe buildings or uncompleted and abandoned buildings within the territory of the municipality (65 ILCS 511-31-1); and

**WHEREAS**, the City Code currently provides for penalties and fines related to maintaining dwellings unfit for human habitation, unsightly accumulations of debris, and dangerous buildings; and,

**WHEREAS**, the Mayor and City Council believe it is in the best interest of the City to amend its Code to allow for the demolition of dangerous and unsafe buildings or uncompleted and abandoned buildings.

**NOW THEREFORE, BE IT ORDAINED** by the Mayor and Auburn City Council, Sangamon County, Illinois, as follows:

**Section 1.**     Recitals. The foregoing recitals shall be and are hereby incorporated into and made a part of this Ordinance as if fully set forth in this Section 1.

**Section 2.**     Amendment to City Code. Chapter 8 Section 8-49 of the City Code is hereby amended as follows (added; ~~deleted~~):

**Sec. 8-49. - Alternate enforcement provisions.**

(a) In addition to the actions authorized by other sections of this article the mayor, any member of the board of health or the chief of police may make the investigation authorized by sections 9, 9a, 9b, 9c, 9d, and 9e of an act entitled "An Act in relation to the investigation and prevention of fire and dangerous conditions in and near buildings and other structures," approved June 15, 1909 (L. 1909, p. 266; Ch. 127½, pars. 9—14 Ill. Rev. Stat. 1959 [425 ILCS 25/9a, 9b, 9c]), as now or hereafter amended. If such officer finds that any building or structure is so occupied or situated as to endanger persons or property, or by reason of faulty condition, age, lack of repair or for any other cause is especially liable to fire, or is liable to cause injury by collapsing or otherwise, he shall order the dangerous condition removed or remedied and shall so notify the owner or occupant of the premises. Service of such notice may be in person or by registered or certified mail and any person so notified may appeal from the decision of such officer in the manner provided by law.

(b) In addition to the actions authorized by other sections of this article and by subsection (a) of this section, the city may also proceed under the provisions of sections 23-70.2 and 25-70.3 of the Revised Cities and Villages Act as now or hereafter amended.

(c) In addition to the actions authorized by other sections of this article and by subsection (a) and (b) of this section, the City may also proceed under Section 11-31-1 of the Illinois Municipal Code (65 ILCS 5/11-31-1) to demolish the dangerous and unsafe building.

**Section 3.     Amendment to City Code.** Chapter 13 Section 13-109 of the City Code is hereby amended as follows (added; ~~deleted~~):

**Sec. 13-109. - Penalties.**

Any person, firm or corporation violating or failing to comply with any of the provisions of this article shall, upon conviction, be punished by a fine not to exceed five hundred dollars (\$500.00). Any dwelling that remains unfit for human habitation for a period that exceeds ninety (90) days shall be subject to demolition under Section 11-31-1 of the Illinois Municipal Code (65 ILCS 5/11-31-1).

**Section 4. Severability.** In the event a court of competent jurisdiction finds this ordinance or any provision hereof to be invalid or unenforceable as applied, such finding shall not affect the validity of the remaining provisions of this ordinance and the application thereof to the greatest extent permitted by law.

**Section 5. Repeal and Savings Clause.** All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided, however, that nothing herein contained shall affect any rights, actions, or causes of action which shall have accrued to the City of Auburn prior to the effective date of this ordinance.

**Section 6. Effective Date.** This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

SO ORDAINED this 19<sup>th</sup> day of October, 2020 at the City of Auburn, Sangamon County, Illinois.

	YES	NO	ABSENT	PRESENT
BASIEWICZ	X			
GARRETT	X			
HEMMERLE	X			
JOHNSON	X			
KARHLIKER	X			
POWELL	X			
ROYER	X			
SHEPPARD	X			
BEROLA				
TOTAL	8	0	0	0

**CITY OF AUBURN**

  
TOM BEROLA, Mayor

Attest:

  
JULIE BARNHILL City Clerk