

## ORDINANCE NO. 2025-26

### AN ORDINANCE OF THE VILLAGE OF POPLAR GROVE, ILLINOIS AMENDING SECTION 5-8-2, CODE HEARING DIVISION ESTABLISHED, AND SECTION 5-8-12, JUDGMENT ON FINDINGS, DECISION, ORDER, OF ARTICLE V, CHAPTER 8 CODE ENFORCEMENT HEARING DIVISION ESTABLISHED

WHEREAS, the Village of Poplar Grove, Illinois (“Village”) has adopted a Code of Ordinances (“Code”); and

WHEREAS, through Section 5-8-2 of Article V of the Village’s Code, the Village has adopted division 31.1, Building Code Violations, 65 ILCS 5/11-31.1, to expedite the prosecution and correction of code violations; and

WHEREAS, Section 5-8-12, titled Judgment on Findings, Decision, Order, of Article V of the Village’s Code, proscribes the process after a final determination of the code violation has been decided; and

WHEREAS, the Village, by adopting 65 ILCS 5/1-2.1 *et. seq.*, may enforce the final determination in the same manner as a judgment entered by a court of competent jurisdiction; and

WHEREAS, the Village desires to adopt 65 ILCS 5/1-2.1 *et. seq.* and amend Sections 5-8-2 and 5-8-12 to reflect such adoption.

NOW THEREFORE, be it ordained by the Village President and Village Board of the Village of Poplar Grove, Illinois as follows:

1. The above recitals are incorporated herein and made a part hereof.
2. The Village adopts 65 ILCS 5/1-2.1 *et. seq.* to govern Administrative Adjudication Processes for the Village.
3. Section 5-8-2. Code hearing division established, of Article V of the Village’s Code shall be amended to read as follows (additions shown as **bolded** and underlined and deletions as ~~strikethroughs~~):

“The Village hereby adopts division 31.1, Building Code Violations 65 ILCS 5/11-31.1 **and adopts division 2.1, Administrative Adjudications, 65 ILCS 5/1-2.1 *et. seq.***, and all amendments and modifications thereto and establishes a code hearing division within the police department and in conjunction with the city attorney acting as its legal department. The function of the code hearing division is to expedite the prosecution and correction of code violations in the manner set forth in this article.”

4. Section 5-8-12. Judgment on Findings, Decision, Order, of Article V of the Village’s Code shall be amended to read as follows (additions shown as **bolded** and underlined and deletions as ~~strikethroughs~~):

(a) Any fine, other sanction or costs imposed or part of any fine, other sanction or costs imposed remaining unpaid after the exhaustion of, or the failure to exhaust judicial review procedures under the Illinois Administrative Review law shall be a debt due and owing the Village, and as such may be collected in accordance with applicable law.

“(b) After expiration of the period within which judicial review under the Illinois Administrative Review Law may be sought for a final determination of the code violation, **unless stayed by a court of competent jurisdiction, the findings, decision, and order of the hearing officer may be enforced in the same manner as a judgment entered by a court of competent jurisdiction.** ~~the Village may commence a proceeding within the Circuit Court of Boone County for purposes of obtaining a judgment on the findings, decision and order. The Village may consolidate multiple findings, decisions and orders against a person in such proceedings. Upon commencement of the action, the Village shall file a certified copy of the findings, decision and order which shall be accompanied by a certification that recites facts sufficient to show that the findings, decision and order was issued in accordance with this chapter and the applicable state Laws. Service of the summons and a copy of the petition may be by any method provided by section 2-203 of the Code of Civil Procedure, or by certified mail, return receipt requested; provided that the total amount of fines, other sanctions or costs imposed by the findings, decision and order does not exceed \$2,500.00. If the Court is satisfied that the findings, decision and order were entered in accordance with the requirements of this chapter and the applicable state law, and that the property owner had an opportunity for a hearing under this chapter and for judicial review as provided in this chapter, the Court shall render judgment in favor of the Village and against the property owner for the amount indicated in the findings, decision and order plus costs. Such judgment shall have the same effect and may be enforced in the same manner as other judgments for the recovery of money and the court may also issue such other orders and injunctions as are requested by the Village to enforce the order of the Hearing Officer to correct a violation.”~~

5. Except as amended by this Ordinance, all other provisions and terms of the Village Code of Ordinances shall remain in full force and effect as previously enacted except that those ordinances, or parts thereof, in conflict herewith are hereby repealed to the extent of such conflict.
6. This Ordinance shall be in full force and effect after its approval, passage and publication in pamphlet form as required by law.

PASSED UPON MOTION BY \_\_\_\_\_

SECONDED BY \_\_\_\_\_

BY ROLL CALL VOTE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2025

AS FOLLOWS:

VOTING "AYE": \_\_\_\_\_

\_\_\_\_\_

VOTING "NAY": \_\_\_\_\_

\_\_\_\_\_

ABSENT, ABSTAIN, OTHER \_\_\_\_\_

\_\_\_\_\_

APPROVED \_\_\_\_\_, 2025

ATTEST:

\_\_\_\_\_  
CLERK

\_\_\_\_\_  
PRESIDENT