

ORDINANCE NUMBER: 2026-17

AN ORDINANCE AMENDING VARIOUS SECTIONS OF THE CODE OF ORDINANCES FOR THE VILLAGE OF POPLAR GROVE, ILLINOIS, TITLE V, HEALTH AND SANITATION, CHAPTER 8, CODE ENFORCEMENT HEARING DIVISION TO AUTHORIZE THE ADMINISTRATIVE HEARING OFFICER TO ENTER ORDERS PROHIBITING FURTHER CODE VIOLATIONS OR COMPEL THE REMEDIATION OF EXISTING VIOLATIONS

WHEREAS, the Village of Poplar Grove, Illinois (“Village”) has adopted ordinances governing the administrative hearing procedures and has included such ordinances in Title V “Health and Sanitation”, Chapter 8 “Code Enforcement Hearing Division”; and

WHEREAS, effective January 1, 2026, 65 ILCS 5/1-2.1-4 was amended to provide Administrative Hearing Officers presiding over adjudicatory hearings the authority to enter orders prohibiting code violations and/or to compel remediation of existing violations; and

WHEREAS, in order to reflect the desired changes to the Code Hearing Division Section in accordance with the update to Illinois law, it is necessary to amend Section 5-8-1 “Definitions” and Section 5-8-10 “Findings, Decisions, Order” of Chapter 8 “Code Enforcement Hearing Division” as set forth herein; and

WHEREAS, the Village has determined that it is in the best interest of the Village and its citizens to approve such amendment.

NOW THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Poplar Grove, Illinois as follows:

1. The above recitals are incorporated herein and made a part hereof.
2. Section 5-8-1 “Definitions” of the Code of Ordinances for the Village of Poplar Grove, shall be and hereby is amended, to read as follows (deletions shown as ~~striketroughs~~ and new language as **bold** and **underlined**):

“5-8-1. – DEFINITIONS.

Administrative Hearing Officer. An independent contractor, not a Village employee, officer or agent of the Village, appointed pursuant to the requirements as set forth in Chapter 8 of this Title 5, whose duty it is to:

1. Preside at an administrative hearing called to determine whether or not a code violation exists.
2. Hear testimony and accept evidence from the Code Inspector, the Property Owner, and all interested parties relative to the existence of a code violation;
3. Preserve and authenticate the transcript and record of the hearing and all exhibits and evidence introduced at the hearing;

4. Issue and sign a written finding, decision, and order stating whether a code violation exists;if a violation is found to exist, the hearing officer shall have the authority to include in the written finding, decision, and order prohibiting further code violations and compelling remediation of the existing violations within a specified time frame. This order may also expressly provide that the Village is authorized to take all necessary measures to remedy any code violations.

3. Section 5-8-10 “Findings, Decisions, Order” of the Code of Ordinances for the Village of Poplar Grove, shall be and hereby is amended, to read as follows (deletions shown as ~~strike throughs~~ and new language as **bold and underlined**):

5-8-10. - FINDINGS, DECISIONS, ORDER.

At the conclusion of the hearing, the Hearing Officer shall make a determination on the basis of evidence presented at the hearing whether or not a code violation exists. The determination shall be in writing and shall be designated as Findings, Decision and Order. The findings and order shall include the Hearing Officer's findings of facts, a decision whether or not a code violation exists based upon the findings of fact, and an order ordering the owner to correct the violation **and prohibiting the owner from committing further code violations and/or** dismissing the case in the event a violation is not proved. If a code violation is proved, the order may also impose the sanctions that are provided in the code for the violation proved. **The order may also affirm the Village’s authority to take all necessary action to remediate the proven code violations.** A copy of the findings, decision and order shall be served on the property owner within five days after they are issued; service shall be in the same manner as the report form and summons are served pursuant to Section 5-8-4. Payment of any penalty or fine and the disposition of fine money shall be in the same manner as set forth in the code.

4. 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.
5. 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 _____, 2026

AS FOLLOWS:

VOTING "AYE": _____

VOTING "NAY": _____

ABSENT, ABSTAIN, OTHER _____

APPROVED _____, 2026

PRESIDENT

ATTEST:

VILLAGE CLERK