

**VILLAGE OF STRASBURG  
STRASBURG, ILLINOIS**

**ORDINANCE No.: 13-3**

**AN ORDINANCE REGARDING THE UPKEEP OF PROPERTY, THE  
DEFINING OF CERTAIN NUISANCES, AND PROVIDING FOR THE  
ABATEMENT OF SUCH NUISANCES**

---

**ADOPTED BY THE  
BOARD OF TRUSTEES**

**OF THE**

**VILLAGE OF STRASBURG**

THIS 19<sup>th</sup> DAY OF August, 2013.

---

**PUBLISHED IN PAMPHLET FORM BY AUTHORITY OF THE BOARD OF  
TRUSTEES OF THE VILLAGE OF STRASBURG, SHELBY COUNTY,**

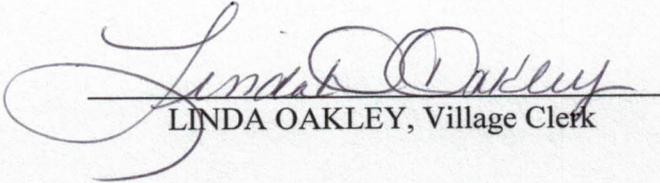
**ILLINOIS**

THIS 19<sup>th</sup> DAY OF August, 2013.

**CERTIFICATE**

I, LINDA OAKLEY, Clerk of the Village of Strasburg, Shelby County, Illinois, do hereby certify the attached to be a true and correct copy of an Ordinance adopted by said Village of Strasburg, at a meeting on the 19<sup>th</sup> day of August, 2013, and that said Ordinance is still in effect.

WITNESS the seal of said Village of Strasburg and my signature this 19<sup>th</sup> day of August, 2013.

  
LINDA OAKLEY, Village Clerk



**ORDINANCE NO. 13-3**

**AN ORDINANCE REGARDING THE UPKEEP OF PROPERTY, THE  
DEFINING OF CERTAIN NUISANCES, AND PROVIDING FOR THE  
ABATEMENT OF SUCH NUISANCES**

**WHEREAS** the Village of Strasburg, Illinois is a municipal corporation and political subdivision of the State of Illinois, duly created, organized and existing under and by virtue of the Constitution and laws of the State of Illinois;

**WHEREAS** the Village of Strasburg, Illinois is authorized, pursuant to 65 ILCS 5/11-60-2, to define, prevent, and abate nuisances;

**WHEREAS** the failure of property owners to maintain their properties in a safe and habitable condition may create a condition within the Village which results in blight and deterioration of property values and of the comfortable enjoyment of life and property for adjacent and surrounding residents and owners and would contribute to the overall detriment of the Village;

**WHEREAS** abandoned properties that are in a dangerous and unsafe condition may present an attractive nuisance for the children of the Village, which could result injury and/or casualty;

**WHEREAS** the Village of Strasburg, Illinois is authorized, pursuant to 65 ILCS 5/11-31-1, *et. seq.*, to take legal action to address unsafe property within the Village, including the seeking of an order for the demolition, repair, enclosure, or remediation of such property; and

**WHEREAS** the Village of Strasburg, Illinois has previously adopted ordinances concerning nuisances, including the accumulation of weeds, garbage, debris, and abandoned and inoperable vehicles, and nothing herein shall be construed so as to modify



such previously adopted ordinances, it being the intent herein to create a new ordinance concerning specifically the condition of the physical structures on real property located in the Village of Strasburg, Illinois.

**NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND THE BOARD OF TRUSTEES OF THE VILLAGE OF STRASBURG, SHELBY COUNTY, ILLINOIS:**

**SECTION 1:** That the findings made in the prefatory portion of this Ordinance are hereby adopted.

**SECTION 2:** It is hereby declared a public nuisance for any person owning, leasing, occupying or having charge or possession of any premises in the Village to allow any building, mobile home, shed, fence or other manmade structure on such premises to exist that is hazardous to public health and/or safety because of its condition, faulty construction, lack of property repair or its openness to intrusion.

**SECTION 3:** Every owner of real property within the Village is required to maintain such property in a manner so as not to violate the nuisance ordinances of the Village, and such owner remains liable for violations hereof regardless of any contract or agreement with any third party regarding such property.

**SECTION 4:** Every occupant, lessee, or holder of any interest in property other than as owner thereof is required to maintain such property in the same manner as is required of the owner thereof, and the duty imposed by Sections 2 and 3 herein on the owner thereof shall in no instance relieve those persons herein referred to from a similar duty.

**SECTION 5:** The requirements of this Ordinance shall be primarily enforced by the Village Clerk. Upon discovery of a violation, the Village Clerk shall have the



authority to issue a Warning of Ordinance Violation to the individual found to be in violation, which shall, at a minimum, identify the violation for which it is being issued, shall include the address in which the violation has occurred, shall require the violator to cease the violation(s) or abate the violation(s) within ten (10) days, and shall state that a complaint for an ordinance violation may be filed with the Circuit Court if the nuisance is not so abated within the time period stated. Such Warning shall be sent to the violator by either certified mail, return receipt requested, or by personal service.

**SECTION 6:** Any person violating the provisions of this Ordinance beyond the ten (10) day period set forth in Section 5 above shall be subject to a fine of not less than fifty dollars (\$50.00) nor greater than five hundred dollars (\$500.00), plus court costs. A separate offense may be deemed committed on each day during or on which violation occurs or continues.

**SECTION 7:** In addition to or in lieu of the actions authorized under this Ordinance, the Village may request a court of competent jurisdiction for injunctive relief, a cease and desist order, or any other necessary or convenient relief to abate all nuisances.

**SECTION 8:** Upon such violations as described herein, the Village Clerk is authorized to direct the Attorneys for the Village to file the appropriate legal action to prosecute alleged violators of this Ordinance and to seek the maximum recovery available for the Village.

**SECTION 9:** In addition to the foregoing, the Village shall have such other powers to abate nuisances as may be provided by law.



**SECTION 10:** Nothing herein shall be construed so as to limit or prevent the Village from also seeking relief from the Circuit Court under 65 ILCS 5/11-31-1 for the demolition, repair, enclosure, or remediation of unsafe property that is dangerous and unsafe or uncompleted and abandoned.

**SECTION 11:** If the provisions of this Ordinance conflict with provisions found in any other adopted ordinances or regulations of the Village, or with any federal or State of Illinois law, the more restrictive provision of ordinance or law will control.

**SECTION 12:** That the Village Clerk is hereby instructed to cause to be filed a duly certified copy of this Ordinance in the Office of the County Clerk of Shelby County, Illinois.

**SECTION 13:** That this Ordinance shall be in full force and effect from and after its passage, approval, and publication as provided by law and may be viewed in the office of the Village Clerk.

**SECTION 14:** That if any section, subdivision, sentence or clause of this Ordinance is for any reason held invalid or to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance.

Placed on file this 19<sup>th</sup> day of August, 2013.

Read and on roll call passed and approved this 19<sup>th</sup> day of August, 2013.

TRUSTEES:

Shane Corley yea

Tom Grove yea

Sara Kramer yea

Anita Renshaw yea

Dawn Schlechte absent

Chuck Wade yea

YEAS: 5

NAYS: 0

ABSENT: 1

**VILLAGE OF STRASBURG, ILLINOIS**

Michael Antonacci  
MICHAEL ANTONACCI,  
Village President

ATTEST:

Linda Oakley  
LINDA OAKLEY, Village Clerk

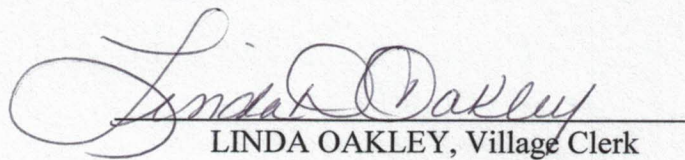


STATE OF ILLINOIS        )  
  ) SS.  
COUNTY OF SHELBY        )

I, LINDA OAKLEY, Clerk of the Village of Strasburg, Shelby County, Illinois, do hereby certify that the foregoing pages constitute a true and correct copy of Ordinance Number 13-3 of said Village, entitled "An Ordinance Regarding the Upkeep of Property, the Defining of Certain Nuisances, and Providing for the Abatement of Such Nuisances," passed and approved on the 19<sup>th</sup> day of August, 2013, and was furthermore posted in the municipal building, commencing on Aug. 19<sup>th</sup>, 2013, and continuing for at least ten days thereafter, as well as in two other prominent locations in the Village.

I do further certify that said Ordinance has been spread at length upon the permanent records of said Village, where it now appears and remains in my office in Strasburg, Illinois, as such Village Clerk. Copies of such Ordinance are also available for public inspection upon the request in the Office of the Village.

DATED this 19<sup>th</sup> day of August, 2013.

  
LINDA OAKLEY, Village Clerk

