

Ordinance # 1875

**AN ORDINANCE AMENDING CHAPTER 18, ARTICLE III, SECTION 18-52(2) TO PROVIDE SERVICE VIA CERTIFIED MAIL**

**WHEREAS**, the Village of Bartonville (the “**Village**”) is an Illinois municipality and a home rule municipality in accordance with the Constitution of the State of Illinois of 1970 and as such, has the authority to create this Ordinance concerning its local government and affairs; and

**WHEREAS**, the Village currently has established a section in the Code of Ordinances (“**Code**”) of the Village related to unfit dwellings and the notice of designation of an unfit dwelling; and

**WHEREAS**, the Board of Trustees of the Village have determined that it is necessary and in the best interests of the health, safety, and welfare of the citizens of the Village to amend the notice provisions set forth in Section 18-52(2) of the Code.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF BARTONVILLE, PEORIA COUNTY, ILLINOIS, AS FOLLOWS:**

**SECTION 1.** The Village of Bartonville hereby finds as fact the recitals set forth above and such recitals are incorporated herein as though fully set forth.

**SECTION 2.** Section 18-52(2) of Chapter 18, Buildings and Building Regulations, Article III, Unfit Dwellings, of the Village’s Code of Ordinances is hereby amended to state as follows:

“(2) *Written notice by delivery or mail; contents.* Within 48 hours of the placarding, a written notice detailing the specific defects or conditions relied upon by the authority designating the dwelling as unfit for habitation will be issued. The notice shall also indicate that the owner has 14 days, from the date of placarding, to repair or otherwise eliminate the specified defects or conditions, and that failure to do so may result in the imposition of a monetary fine and the demolition or repair of the dwelling at the owner's expense. Such notice shall be given by means of personal service or certified mail. If, after reasonable efforts by the Village to locate the owner, personal service or notice by certified mail cannot be made directly on the owner, then such notice may instead be left at the unfit dwelling with a copy mailed via certified mail to the person in whose name the unfit dwelling was last assessed real estate taxes.”

**SECTION 3.** That all ordinances or parts thereof in conflict with this Ordinance are hereby expressly repealed.

**SECTION 4.** If any part or parts of this Ordinance shall be held to be unconstitutional or otherwise invalid, such unconstitutionality or invalidity shall not affect the validity of the remaining provisions of this Ordinance.

**SECTION 5.** This Ordinance shall be in full force and effect from and after its passage, publication, and approval as provided by law.

PASSED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF BARTONVILLE, PEORIA COUNTY, ILLINOIS, THIS 26 DAY OF June, 2023.

AYES: 6

NAYS: -

ABSENT: -

APPROVED this 26 day of June, 2023.

By: Leon Ricca  
Leon Ricca, President

ATTEST: Michelle Carr-Bruce  
Michelle Carr-Bruce, Village Clerk

