

VILLAGE OF PLAINFIELD

ORDINANCE NO. 3045

AN ORDINANCE AMENDING CHAPTER 6, ARTICLE VI, SECTION 6-227(a)(2)
OF THE CODE OF ORDINANCES OF THE VILLAGE OF PLAINFIELD

AN ORDINANCE RELATING TO MAINTAINING
A PUBLIC NUISANCE/CHRONIC NUISANCE

ADOPTED BY THE
PRESIDENT AND BOARD
OF TRUSTEES OF THE
VILLAGE OF PLAINFIELD
THIS 5TH DAY OF MARCH 2012.

Published in pamphlet form by
the authority of the President
and Board of Trustees of the
Village of Plainfield, Will and
Kendall County, Illinois,
this 6th day of March, 2012.

ORDINANCE NO. 3045

AN ORDINANCE AMENDING CHAPTER 6, ARTICLE VI, SECTION 6-227(a)(2)
OF THE CODE OF ORDINANCES OF THE VILLAGE OF PLAINFIELD

An Ordinance Relating to Maintaining a Public Nuisance/Chronic Nuisance

WHEREAS, the Village of Plainfield ("Village"), Will and Kendall Counties, Illinois, as a home rule municipality in accordance with Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970, enacts this Ordinance pursuant to its home rule authority; and

WHEREAS, pursuant to the laws of the State of Illinois, the Village has the authority to adopt ordinances necessary for the protection of property located within the Village and the general safety and welfare of the residents of the Village; and

WHEREAS the Village has determined in order to protect property located within the Village as well as the general safety and welfare of the residents of the Village, it is in the Village's best interest to amend certain provisions of the Village's Code of Ordinances (the "Code") related to maintaining a public nuisance for the purpose of including provisions for chronic nuisance; and

WHEREAS, the Village President and the Village Board specifically find that the passage of this Ordinance will promote the general health, safety and welfare of the residents of the Village.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF PLAINFIELD, WILL AND KENDALL COUNTY, ILLINOIS, as follows:

SECTION ONE. That the Preamble to this Ordinance and Exhibits are adopted by this reference as if fully set forth herein.

SECTION TWO. That Chapter 6, Article VI, Section 6-227(a)(2) of the Village's Code of Ordinances entitled "Maintaining Public Nuisance; Chronic Nuisance - Definitions" be and hereby is amended as set forth in Section Three below. The text amending this Article of the Village's Code with document markings is attached hereto as Exhibit "A". Deletions from the Code are ~~overstruck~~ and additions to the Code are double underlined.

SECTION THREE.

Sec. 6-227. Maintaining public nuisance; chronic nuisance.

(a) *Definitions:* Unless the context otherwise requires, the following terms as used in this section shall be construed according to the definitions given below:

(2) *Chronic nuisance property* shall mean any property located in the Village upon which three (3) or more instances of maintaining a public nuisance have occurred during any one hundred and eighty (180) day period, through three (3) separate factual events independently investigated by any law enforcement agency. (Ord. No. 1592, § 1, 11-21-94; Ord. No. 1654, § 2, 2-5-96; Ord. No. 2925, § 3; eff. 3- 1-2010; Ord. No. ; eff. 2- -2012)

SECTION FOUR. That any Village Ordinance or Resolution, or part thereof, in conflict with the provisions of this Ordinance is, to the extent of such conflict, expressly repealed.

SECTION FIVE. If any provision of this Ordinance is held invalid by a court of competent jurisdiction, such provision shall be stricken and shall not affect any other provision of this Ordinance.

SECTION SIX. This Ordinance shall be in full force and effect after its passage, approval, and publication in pamphlet form as provided by law.

SECTION SEVEN. This Ordinance shall be numbered as Ordinance No. 3045.

PASSED THIS 5TH DAY OF MARCH, 2012.

AYES: Lamb, Peck, Rippy, Bonuchi, Fay

NAYS: None

ABSENT: Racich

APPROVED THIS 5TH DAY OF MARCH 2012.

MICHAEL P. COLLINS
Michael P. Collins
Village President

ATTESTED AND FILED IN MY OFFICE:

MICHELLE GIBAS
Michelle Gibas
Village Clerk

EXHIBIT A

- (2) *Chronic nuisance property* shall mean any property located in the Village upon which three (3) or more instances of maintaining a public nuisance have occurred during any ~~sixty (60)~~ one hundred and eighty (180) day period, through three (3) separate factual events independently investigated by any law enforcement agency. (Ord. No. 1592, § 1, 11-21-94; Ord. No. 1654, § 2, 2-5-96; Ord. No. 2925, § 3; eff. 3-1-2010; Ord. No. ; eff. 2- -2012)