

ORDINANCE NO. 2021-O-101221A

VILLAGE OF CAMARGO

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AN ORDINANCE AMENDING ARTICLE 3 OF CHAPTER 6 OF THE
"MUNICIPAL CODE OF THE VILLAGE OF CAMARGO OF 1984," AS
AMENDED.

ADOPTED BY THE
BOARD OF TRUSTEES
OF THE
VILLAGE OF CAMARGO

THIS 12th DAY OF OCTOBER, 2021

Published in pamphlet form by authority of the Board of Trustees of the
Village of Camargo, Douglas County, Illinois, this 12th Day of October,
2021.

Article 3. PUBLIC HEALTH NUISANCE

4.301 DEFINITIONS

For the purpose of this chapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

(A) Garbage - This term as used in this Article shall be held to mean and include all putrescible matter.

(B) Rubbish - This term as used in this Article shall be held to mean and include all non-putrescible matter, except trash as defined herein.

(C) Trash - This term as used in this Article shall be held to mean and include ashes, grass, and lawn rakings.

(D) Wastepaper, wood, cardboard, or other flammable material of any kind which endangers the public safety by creating a fire hazard.

(E) Junk, trash or debris, abandoned, broken, discarded or unused furniture, stoves, refrigerators, freezers, cans or other containers, glass, shelving, and/or fencing.

(F) Unused, neglected or abandoned equipment, building materials, scrap materials or other debris and packaging boxes

4.302 DECLARATION OF NUISANCES

It is declared to be a nuisance for any person within the jurisdiction of the Village:

(A) To throw or deposit any offal, tin cans, rubbish, animal excrement, or other offensive matter, or the carcass of any animal in any watercourse, lake, pond, spring, well, sewer or ditch, or on any street, alley or public grounds or public highways.

(B) To permit any cellar, vault, drain, yard or premises to become from any cause foul, offensive, or injurious to public health.

(C) To corrupt or render unwholesome or impure the water of any spring, stream, or lake to the injury or prejudice of others.

(D) To obstruct any watercourse, ravine, or gutter so as to cause water to stagnate therein, or to permit foul or stagnant water to stand upon any premises to the prejudice of others.

(E) To erect or use any building or other place for the exercise of trade, employment or manufacture. Which by occasioning noxious exhalations, offensive smells, or otherwise is offensive or dangerous to the health of individuals or public.

(F) To expectorate upon any sidewalk, depot platform, or upon the floor of any hall, or other public place or building.

(G) To leave open any cellar, cellar door, vault, well, cistern, excavation, ditch, or other hold upon or adjoining any street, alley, or sidewalk without protecting or securing the opening so as not to endanger the safety of persons or animals passing by.

(H) To obstruct or encroach upon any public highway, private way, street, alley, or any way to any burning place within the corporate limits of the Village.

(I) To cause or permit the carcass of any animal or any offal, filth, or noisome substance to be collected or deposited or to remain in any place to the prejudice of others or to be thrown or deposited in any watercourse, lake, pond, spring, well, common sewer, street, or alley.

(J) To knowingly permit any dead animal belonging to person(s) to remain within the Village or within one-half mile thereof, without being buried so as to prevent it from becoming putrid or offensive to any person residing within the Village. In addition to the penalty set out, any person violating this division shall be liable to the Village for the cost of the removal, burial, and abatement of this nuisance.

(K) To erect, keep, or maintain any billboard or board for advertising on any public ground or place or upon any private premises, adjacent to any sidewalk, street, or footway so as to occasion danger or inconvenience to the public.

(L) To commit any offense which is a nuisance according to the common law of the land or made such by state statute.

4.303 STORING OR KEEPING OF ANY OF SUCH SHALL BE
CONSIDERED UNLAWFUL

Exceptions to this ordinance:

1. Accumulation of any of these materials lasting less than 10 days.
2. Storage of such is done in conjunction with a construction project for which a building permit has been issued and which is being prosecuted diligently to completion.
3. Such materials are stored in a secure, enclosed, tight building or behind a fence six feet in height or more with operating and closed gate.

4.304 REMOVAL NOTICE

It shall be the duty of the Village Ordinance Official to serve or cause to be served a notice in writing upon the occupant or owner of the premises which are in violation and to demand the abatement of the nuisance within the ten (10) days.

Such notice to be served either by:

1. Depositing the notice in the U.S. Mail, prepaid first-class postage regardless of whether the addresses accepts or refuses delivery; or
2. Personal service; or
3. Posting of notice upon the property.

4.305 ABATEMENT

If the person so served does not abate the nuisance within ten (10) days, the Village authorities may proceed to abate such nuisance, keeping an account of the expense of the abatement, and such expense shall be charged and paid by such owner or occupant. Charges will be calculated as:

1. Written Warning for the initial notification per violation.
2. \$150 for each violation remaining ten (10) days AFTER delivery of the Written Notice.
3. \$300 for each violation remaining ten (10) days AFTER delivery of the Second Notice.
4. Last and final notification will be a mandatory court date that will also include the fees mentioned above, all court costs, and potentially a lien against the property.

All fees are due no later than ten (10) days after the notice of violation.

All responsible persons, owning, managing or having control or charge or occupancy of any such private property shall, without delay, destroy or remove such public nuisance, as defined above, from their property or such public nuisance will be destroyed or removed and such nuisance abated by Village authorizes.

4.306 RIGHT OF ENTRY

It shall be unlawful for any person, owner, agent of the owner, lessee, or anyone in possession of any premises within the Village to refuse the authorized agent, or his/her agents or employees, to enter upon the premises at any time during the hours of daylight for the purpose of the abatement of the prohibited conditions or to interfere in any way whatsoever with the authorized person(s) in any work which may be necessary to undertake to remedy the nuisance.

4.307 LIABILITY

The authorized person or his/her agents or employees charged with the enforcement of this ordinance, acting in good faith and without malice for the Village in the discharge of his/her duties, shall not hereby render him/herself personally liable, and he/she is relieved from all personal liability for any damages which may accrue to persons or property as a result of any act required or by reason of any act or omission in the discharge of his/her duties.

PRESENTED, PASSED APPROVED, AND ADOPTED by the President and Trustees of the Village of Camargo, Illinois, at a duly conducted meeting thereof this 12th day of October, 2021.

APPROVED:

Bart Dann
Village of Camargo President

ATTEST:

Salisa A. Dann
Village of Camargo Clerk

VOTING ON SAID ORDINANCE NO: 2021-O-101221A

Trustee	Aye	Nay
Nancy George	_____	_____
Jim Hardway	_____	_____
Jim Lansford	_____	_____
Jeane Breiland	_____	_____
Laura Miller	_____	_____
Gary Gilpin	_____	_____

STATE OF ILLINOIS)
) SS
COUNTY OF DOUGLAS)

CERTIFICATE

I, Salisa A. Dann, certify that I am the duly elected and acting municipal clerk of the Village of Camargo, Douglas County, Illinois.

I further certify that on, October 12, 2021, the Corporate Authorities of such Municipality passed and approved Ordinance No. 2021-O-101221A entitled:

Article 3: Public Health Nuisance

I further certify that the attached copy of said ordinance is a true and correct copy of said ordinances, as appears from the records of the Village of Camargo, Illinois.

The pamphlet from of Ordinance 2021-O-101221A, including the Ordinance and a cover sheet thereof was prepared, a copy of such ordinance was posted in the municipal building, commencing on October 12, 2021, and continuing for at least ten (10) days thereafter. Copies of such ordinance were also available for public inspection upon request in the office of the municipal clerk.

DATED at Camargo, Illinois this 12th day of October, 2021.

Salisa A. Dann
Village of Camargo Clerk

(Seal)