

LUDLOW
CHAMPAIGN COUNTY, ILLINOIS

ORDINANCE NO. 2025-__

MAY 13, 2025

**AN ORDINANCE APPROVING CHANGES TO
THE VILLAGE OF LUDLOW MUNICIPAL CODE PERTAINING TO
NUISANCE ORDINANCE AND UNSAFE STRUCTURES**

WHEREAS, the Village of Ludlow, Illinois (the "Village"), is a duly organized and existing Village created under the provisions of the laws of the State of Illinois, and is now operating under the provisions of the Illinois Municipal Code, and all laws amendatory thereof and supplementary thereto with full powers to enact ordinances for the benefit of the residents of the Village; and

WHEREAS, the Village deems it appropriate to adopt the changes contained herein.

NOW, THEREFORE be it ordained by the President and Board of Trustees ("Board") of the Village of Ludlow, Illinois as follows:

Section 1. Incorporation Clause.

The President and the Board find that all the recitals hereinbefore stated as contained in the preambles to this Ordinance are full, true and correct and does hereby, by reference, incorporate and make them part of this Ordinance.

Section 2. Purpose.

This ordinance is approving changes to the Village of Ludlow, Illinois ordinances all as provided herein.

Section 3.

This Ordinance shall be in full force and effect upon passage and shall be published in pamphlet form in accordance with applicable law.

Section 4. Invocation of Authority.

This Ordinance is enacted pursuant to the authority granted to this Village by the Constitution of the State of Illinois and Illinois Compiled Statutes.

Section 5. State law Adopted.

All applicable provisions of the Illinois Compiled Statutes, including the Illinois Municipal Code, as may be amended from time to time, relating to the purposes of this Ordinance are hereby incorporated herein by reference.

Section 6. Ordinance Amendments.

Chapter 25 Nuisances index is amended to include VII Model Form Notices and the following identified ordinance provisions are all hereby amended to now read as follows:

- A. Chapter 25 Article I 25-1-3 shall now read "NOTICE TO ABATE: Whenever the Superintendent, Mayor or Police Chief finds that a nuisance exists, he shall direct the Village Clerk to mail by First-Class USPS Mail to the property address and to the address on file with Champaign County for real estate tax bills and to potentially responsible parties a written notice ordering that the nuisance be abated within a reasonable time. The notice to abate shall contain:
- (A) A description of what constitutes the nuisance;
 - (B) The location of the nuisance;
 - (C) A statement of what condition or state of affairs must be achieved in order for the nuisance to be deemed abated;
 - (D) The date by which abatement must be completed;
 - (E) The date by which a request for a hearing must be filed and a statement of the procedure for so filing;
 - (F) A statement that the responsible party has a right to appeal the abatement order to the Village Board of Trustees.
 - (G) A statement indicating that if the nuisance is not abated by the date prescribed and/or if no request for hearing is made within the time prescribed, this Village will abate the nuisance and assess the costs against the property and/or impose a fine."
- B. Chapter 25 Article I 25-1-6 shall now read "ABATEMENT BY VILLAGE: If the person ordered to abate a nuisance fails to do so, and if the nuisance poses an emergency, this Village may perform the required action to abate. Any Village official who is authorized to abate any nuisance as defined in this Article shall have authority to engage the necessary assistance and to incur the necessary expenses therefor. The official who abates a nuisance shall keep an accurate account of the expenses

incurred. The itemized expense shall be filed with the Village Clerk who shall pay such expenses on behalf of this Village."

- C. Chapter 25 Article II 25-2-4 shall now read "SERVICE OF NOTICE: Service of the notice provided for herein may be effected by handing the same to the owner, occupant or lessee of the premises, or to any member of his household of the age of thirteen (13) years or older found on the premises or by mailing by First-Class USPS Mail to the property address and to the address on file with Champaign County for real estate tax bills and to potentially responsible parties provided, that if the premises are unoccupied and the owner's address cannot be obtained, then the notice may be served by posting the same upon the premises."
- D. Chapter 25 Article III 25-3-3 shall now read "SERVICE OF NOTICE: Service of notice provided for herein may be effected by handing of the same to the owner, occupant, or lessee of the premises, or to any member of his household of the age of thirteen (13) years or older found on the premises or by mailing by First-Class USPS Mail to the property address and to the address on file with Champaign County for real estate tax bills and to potentially responsible parties provided that if the premises are unoccupied and the owner's address cannot be obtained, then the notice may be served by posting the same upon the premises."
- E. Chapter 25 Article IV 25-4-3 shall now read "NOTICE TO OWNER: The Police Chief or a designated representative shall notify by personal delivery, ticketing publicly parked vehicles or mail by USPS First-Class Mail to the private property owner where it is located or the owner of the motor vehicle, informing him/her/it that he/she shall dispose of any inoperable vehicles under his control. If the owner fails to dispose of said inoperable vehicle(s) after seven (7) days from the issuance of the notice, the Police Chief or a designated representative may authorize a towing service to remove and take possession of the inoperable vehicle or parts thereof."
- F. Chapter 25 Article VII 25-7-1 shall be included and state "MODEL FORM NOTICES: Following this provision are Model Notice Forms that the Village may, at its discretion, utilize, modify or substitute for so long as any notice used complies with this ordinance, language contained in said Model Notice Forms shall not modify, substitute for or override any portion of the within ordinance. The ordinance and notices are not intended to waive or relinquish any other avenue of relief that the Village may pursue under applicable authorities, such as Illinois statutes or court rules."

G. The prior FORM NOTICE OF DANGEROUS AND/OR UNSAFE BUILDING/STRUCTURE shall now read as provided on Exhibit A attached hereto and by reference incorporated herein.

To the extent the foregoing conflict with terms of the existing code of ordinance, the foregoing shall prevail. All other portions of ordinances which are not otherwise amended shall remain in full force and effect.

Section 7. Headings.

The headings for the articles, sections, paragraphs and sub-paragraphs of this Ordinance are inserted solely for the convenience of reference and form no substantive part of this Ordinance nor should they be used in any interpretation or construction of any substantive provisions of this Ordinance.

Section 8. Severability.

The provisions of this ordinance are hereby declared to be severable and should any provision, clause, sentence, paragraph, sub-paragraph, section, or part of this Ordinance be determined to be shall be excluded and deemed inoperative, unenforceable, and as though not provided for herein, and all other provisions shall remain unaffected, unimpaired, valid and in full force and effect. It is hereby declared to be the legislative intent of the Board of Trustees that this Ordinance would have been adopted had not such unconstitutional or invalid provision, clause, sentence, paragraph, sub-paragraph, section, or part thereof had not been included.

Section 9. Superseder and Publication.

All code provisions, ordinances, resolutions and orders, or parts thereof, in conflict herewith, are to the extent of such conflict hereby superseded. A full, true and complete copy of this ordinance shall be published in pamphlet form or in a newspaper published and of general circulation within the Village as provided by the Illinois Municipal Code, as amended.

Section 10. Effective Date.

This Ordinance shall be in full force and effect upon passage and approval, as provided by the Illinois Municipal Code, as amended.

PRESENTED, PASSED, APPROVED AND ADOPTED BY THE PRESIDENT and the BOARD OF TRUSTEES, at its regular meeting on this 13th day of May, A.D., 2025, by a roll call vote as follows:

Motioned for approval by Trustee_____

With a second by Trustee_____roll call vote:

AYE VOTES:

NAY VOTES:

ABSTAIN:

ABSENT:

SO PASSED, ADOPTED, APPROVED AND ENACTED IN AND AT THE VILLAGE OF LUDLOW, COUNTY OF CHAMPAIGN, STATE OF ILLINOIS, THIS 13TH DAY OF MAY, 2025 A.D.

Steve Thomas, President ATTEST:

Village Clerk

(SEAL)

Recorded in the Municipal Records: May 13, 2025.

Published in pamphlet form: May 13, 2025.

CERTIFICATE

I, Dawn Good-Adwell, certify that I am the duly elected and acting municipal clerk of the Village of Ludlow Champaign County, Illinois.

I further certify that on May 13, 2025, the corporate authorities of such municipality passed and approved the foregoing Ordinance No. 2025-O- _____ entitled:

**AN ORDINANCE APPROVING CHANGES TO
THE VILLAGE OF LUDLOW MUNICIPAL CODE PERTAINING TO
NUISANCE ORDINANCE AND UNSAFE STRUCTURES**

The pamphlet form of Ordinance No. 2025-O- _____, including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on May 13, 2025, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

DATED at Ludlow, Illinois, this ____ day of _____, A.D. 2025.

Dawn Good-Adwell, Village Clerk

VILLAGE OF LUDLOW
CHAMPAIGN COUNTY, ILLINOIS

ORDINANCE NO. 2025-____

**AN ORDINANCE APPROVING CHANGES TO
THE VILLAGE OF LUDLOW MUNICIPAL CODE PERTAINING TO
NUISANCE ORDINANCE AND UNSAFE STRUCTURES**

PASSED BY THE BOARD OF TRUSTEES AND
APPROVED BY THE PRESIDENT OF THE
VILLAGE OF LUDLOW, ILLINOIS
THIS 13TH DAY OF MAY, 2025

PUBLISHED IN PAMPHLET FORM BY AUTHORITY OF THE PRESIDENT AND BOARD OF
TRUSTEES OF THE VILLAGE OF LUDLOW CHAMPAIGN COUNTY, ILLINOIS, THIS 13TH DAY OF
MAY, 2025

Exhibit A

VILLAGE OF LUDLOW
NOTICE OF DANGEROUS AND/OR UNSAFE BUILDING/STRUCTURE

TO: _____

You, as owner(s) of the property lawfully described below, are hereby notified by the undersigned **Village of Ludlow, Champaign County, Illinois**, that said property has upon it a building/structure which is:

(A) Dangerous and/or unsafe in that said building or structure has become so dilapidated, decayed, unsafe, unsanitary or which so utterly fails to provide the amenities essential to decent living, that it is unfit for human habitation or is likely to cause sickness or disease, so as to cause injury to the health, morals, safety, or general welfare of those living therein now or hereafter; or

(B) Dangerous and/or unsafe in that said building or structure has light, air or sanitation facilities which are inadequate to protect the health, morals, safety, and general welfare of human beings who live or may live therein; or

(C) Dangerous and/or unsafe in that the condition of the building or structure is unsafe, unsanitary, or dangerous to the health, morals, safety, and general welfare of the people of this Village; or

(D) Dangerous and/or unsafe in that the building or structure is uncompleted and/or abandoned; or

(E) Dangerous and/or unsafe pursuant to any of the terms and provisions of the Village of Ludlow Code of Ordinances, **Chapter 25, Nuisances, Article V, Building as Nuisance**.

This building has been found to be a dangerous and unsafe building by the Village officials. This Notice shall remain on this building until it is repaired, vacated, or demolished in accordance with the Notice which has been given the owner, occupant, lessee, mortgagee, or agent of this building, or person or persons in whose name or names such building was last assessed, and all other persons having an interest in said building as shown by the land records of the County Recorder of Deeds. It is unlawful to remove this Notice until such notice is complied with.

That said building/structure is hereby declared to be a public nuisance and shall be repaired, vacated, or demolished as provided in the Village of Ludlow Code of Ordinances, **Chapter 25, Nuisances, Article V, Building as Nuisance.**

The property is hereby legally described as follows: _____

Unless such building/structure is repaired, put into safe condition or demolished and all debris removed within **fifteen (15) days** of the mailing of this Notice, the Village may apply to the Circuit Court for an order authorizing such action to be taken by the Village with respect to the above-described building/structure. Any costs incurred by the Village to restore the buildings to a safe condition or to demolish the building and remove debris may be recovered from the owners of the above-described property pursuant to Chapter 65, Paragraph 5/11-31-1, Illinois Compiled Statutes.

That the said costs incurred by the Village may be a lien on the property which lien shall be superior to all prior existing liens and encumbrances with only those exceptions noted in 65 ILCS 5/11-31-1. The Village may file Notices of Lien in the office of the County Recorder of Deeds. Said lien may be enforced by proceeding to foreclosure as in the case of mortgages or mechanics of lien.

Dated this ____ day of _____, 20____.