10-15-2025-2

A Public Nuisance Ordinance

by the County Board of the County of White, State of Illinois

Section 1. Definition

For the purposes of this chapter, the word "nuisance" is hereby defined as any person doing an unlawful act, or omitting to perform a duty, or suffering or permitting any condition or thing to be or exist, which act, omission, condition or thing either:

A. Injuries endanger the comfort, repose, health or safety of others; or
B. Offends decency; or
C. Is offensive to the senses; or
D. Unlawfully interferes with, obstructs or tends to obstruct or renders dangerous for passage any public or private street, highway, sidewalk, stream, ditch, or drainage; or
E. In any way renders other persons insecure in life or the use of property; or
F. Essentially interferes with the comfortable enjoyment of life and property, or tends to depreciate the value of the property of others.

Section 2. Illustrative Enumeration

The maintaining, using, placing, depositing, leaving, permitting to be or remain on any public or private property of any of the following items, conditions, or actions are hereby declared to be and constitute a nuisance; provided, however, this enumeration shall not be deemed or constructed to be conclusive, limiting or restrictive:

A. Noxious weeds and other rank vegetation.
B. Accumulation of rubbish, roach, refuse, junk, and other abandoned materials, metals, lumber or other things.
C. Any condition which provides harborage for rats, mice, snakes and other vermin.
D. Any building or other structure which is in such a dilapidated condition that it is unfit for human habitation or kept in such an unsanitary condition that it is a menace to the health of people residing in the vicinity thereof or presents a more than ordinary dangerous fire hazard in the vicinity where it is located.
E. All unnecessary or unauthorized noises and annoying vibrations, including animal noises.
F. All disagreeable or obnoxious odors and stenches, as well as the conditions, substances, or other causes which give rise to the emission or generation of such odors and stenches.
G. The carcasses of animals or fowl not disposed of within reasonable time after death.
H. The pollution of any public well or cistern, stream, lake, canal or body of water by sewage, dead animals, creamery, industrial waste or other substances.
I. Any building, structure or other place or location where any activity which is in violation of local, state or federal law is conducted, performed or maintained.
J. Any accumulation of stagnant water permitted or maintained on any lot or piece of ground.

K. Dense smoke, noxious fumes, gas, soot, or cinders, in unreasonable quantities.

Section 3. Prohibited

It shall be unlawful for any person to cause, permit, maintain, or allow the creation or maintenance of a nuisance.

Section 4. Notice to Abate

Whenever a nuisance is found to exist within the county, the Administrator of the County Health Department or successor multiple county health department or some other duly designated officer of the county shall give written notice to the owner or occupant of the property upon which such nuisance exists or upon the person causing or maintaining the nuisance.

Section 5. Content of Notice

The notice to abate a nuisance issue under the provision of this chapter shall contain:

A. An order to abate the nuisance or to request a hearing within a state time, which shall be reasonable under the circumstances.
B. The location of the nuisance, if the same, is stationary.
C. A description of what constitutes the nuisance.
D. A statement of acts necessary to abate the nuisance.
E. A statement that if the nuisance is not abated as directed and no request for hearing is made within the prescribed time, the county will abate such nuisance and assess the cost therefore against such person.

Section 6. Service of Notice

The notice to abate a nuisance shall be served as any other legal process may be served pursuant to law.

Section 7. Abatement by County

Under the failure of the person upon whom notice to abate a nuisance was served pursuant to the provisions of this chapter to abate the same, the Administrator of the County Health Department or its successor multiple county health department, or other duly designated officer of the county shall proceed to abate such nuisance and shall prepare a statement of costs incurred in the abatement thereof.

Section 8. County's Costs Declared Lien

Any and all costs incurred by the county in the abatement of a nuisance under the provisions of this chapter shall constitute a lien against the property upon which such nuisance existed, which lien shall be filed, proven and collected as provided by law.

Such lien shall be notice to all persons from the time of its recording, and shall bear interest at the legal rate thereafter until satisfied.

Section 9. Penalties

Any person or corporation who fails to comply with the provision of this ordinance shall, upon conviction thereof be fined a sum not more than $ 500.00 and/or sentenced up to six months imprisonment, or both, for each offense. Each day a violation of this ordinance shall continue shall constitute a separate offense.

PASSED AND APPROVED AND ORDAINED by the White County Board Members on this 15th day of October, A.D., 2025.

Amanda Cannon

County Board Vice Chair

ATTEST: _____

Kayci Hell

County Clerk