

VILLAGE OF BUCKNER

ORDINANCE NO. 22-11-01

ADOPTED BY THE VILLAGE BOARD
OF THE
VILLAGE OF BUCKNER

THIS 15TH DAY OF DECEMBER 2022

Published in pamphlet form by the authority of
the Village Board of Buckner, Illinois
Franklin County, Illinois
this 15th day of December, 2022

CERTIFICATE

I, Mary Ann Mulpas, certify that I am the appointed and acting municipal clerk of the Village of Buckner, Franklin County, Illinois.

I further certify that on December 15, 2022, the Corporate Authorities of such Municipality passed and approved an Ordinance No. 22-11-01, entitled Dilapidated Buildings, which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 22-11-01, and a cover sheet thereof, was prepared, and a copy of such Ordinance is available at the Buckner Community Building (Village Hall, 200 Main Street, Buckner, Illinois) commencing on December 15, 2022, and continuing for at least ten (10) days thereafter. Copies of such Ordinance are also available for public inspection upon request in the office of the Village Clerk.

DATED at Buckner, Illinois this 15th day of December 2022.

Mary Ann A. Mulpas
Village Clerk

ORDINANCE 22-11-01

DILAPIDATED BUILDINGS

I. Closing of Vacant Structures

(1) All properties within the Village of Buckner corporate limits that are abandoned shall be maintained to ensure safety. Structures will be enclosed to prevent access through broken windows, missing doors, holes in walls, etc. A written warning and a 20-day abatement period will be issued.

(2) If infraction is not corrected within 20 days, a \$100.00 fine will be given. A second 20-day abatement will be issued.

(3) If infraction is still not corrected, or if fine is not paid, the Village of Buckner will proceed with legal action against the property owner.

(4) If a building is structurally unsound, the Village of Buckner will contact the property owner, stating concerns of building/home. A 90-day abatement period will be issued. The owner shall correct the problem by rebuilding, demolition, or any means necessary. If abatement is ignored, the Village of Buckner will take legal action, condemning the building/home. And all costs will be at the owner's expense.

II. Unsafe Structure

An unsafe structure is one that is found by the Village to be dangerous to the life, health, property, or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible,

III. Structure Unfit for Human Occupancy

A structure is unfit for human occupancy whenever the Village of Buckner finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is unsanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this Ordinance, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.

IV. Primary Responsibilities of Occupants

Every occupant above the age of eighteen (18) years shall be primarily responsible as to that part of any building, structure, or premises over which such occupant shall have a right to possession or control, for the following:

- (1) To keep the same in a clean and sanitary condition.
- (2) To not permit rubbish, garbage, or other materials to accumulate so as to create a vermin harborage.

- (3) To dispose of rubbish, garbage, and other material in the manner provided by Village ordinances.
- (4) The extermination of insects and vermin, after twenty-one (21) continuous days of occupancy where:
 - (a) the dwelling contains only one dwelling unit, or only the occupant's dwelling unit of a dwelling containing more than one dwelling unit is infested, and
 - (b) infestation has resulted from some cause other than the failure of an owner to maintain the dwelling in vermin proof or reasonably insect proof condition or prior to the commencement of the occupancy.
- (5) To not do anything to cause intentional interruption or disconnection of any utility for which the occupant is liable.
- (6) To remove any abandoned or inoperative vehicle or machinery owned by the occupant as provided by Village ordinance.

V. Unfit Dwelling Units

In addition to any other rights and powers granted the Village of Buckner under the provisions of this Ordinance, the Village of Buckner may designate and find unfit for human habitation any dwelling, dwelling unit, rooming house, hotel, motel, rooming unit, multiple dwelling, or premises and may so placard the same, upon determining that one or more or all of the following conditions exist:

- (1) The building, structure, or premises lacks illumination, ventilation, sanitation, heat, or other facilities adequate to protect the health and safety of the occupants or of the public.
- (2) The building, structure or premises is damaged, decayed, unsanitary, unsafe or vermin infested in such a manner and to such extent as to create a serious hazard to the health and safety of the occupants or of the public.
- (3) The building, structure, or premises, because of the location thereof, the general conditions existing, the state of the premises or number of occupants, is so unsanitary, unsafe, overcrowded or otherwise detrimental to the health and safety that it creates a serious hazard to the health and safety of the occupants or of the public.

VI. Utilities not to be Provided

The Village of Buckner may refuse to provide and/or may disconnect water, sewer, and garbage service until or unless a valid occupancy or temporary occupancy permit is obtained and presented by the owner to the Village's Mayor.

Ordinance No.22-11-01

PASSED AND APPROVED THIS 15th Day of December 2022

Motion by: Travis Elko

Second by: Charles Mulpas

Roll Call Votes were: Dolderer, Nicole: aye
Elko, Travis: aye
Kanady, Michael: aye
Sheeler, Marilyn: aye
Mulpas, Charles: aye
Young, Courtney: absent



Mayor



Village Clerk

ADDENDUM TO ORDINANCE NO. 06-11

Up dated from September 18, 2015
Board Meeting
Village of Buckner

Abandoned Building/Home - Any home or building that is not a primary residence. This includes mobile homes.

Section 1 a) All Properties within the Village of Buckner corporate limits will be mowed. If excessive weeds or grass grow over 8 inches, except in cases due to extreme or unusual weather, the property owner will receive a written warning from the Village and will be given 7 days to comply.

b) If property owner does not comply within 7 days of written warning, the fine for infraction will be \$75.00. A second warning will be issued. A 7 day period will be give to correct infraction.

c) If second 7 day period is ignored, the Village will mow and the fine will be \$200.00. If fine is unpaid, a lien on property or small claims will be filed.

Section 2 a) All properties within the Village of Buckner corporate limits will be kept orderly and free of garbage and clutter. A written warning will be issued with a 7 day abatement period.

b) If property owner does not comply within 7 days of written warning, a \$75.00 fine will be issued, and a second warning will be given to correct infraction. 7 days will be given.

Section 2 (continued)

c) If second warning is ignored, a \$200.00 fine will be issued. If infraction is not corrected, the Village will file an Ordinance violation suit with Franklin County, and take all necessary action to ensure compliance. All costs will be at property owner's expense.

This Ordinance section supersedes all other ordinances pertaining to these issues.

Passed this 18th Day of September 2015

Approved this 18th Day of September 2015.

Klinge aye, Gowers aye, Hefner aye, Rozhon aye.

Mayor

Village Clerk

(seal)

Village of Buckner

Ordinance No. 06-11

**Adopted by the Village Board
of the
Village of Buckner**

this 16th day of June 2011

**Published in pamphlet form by the authority of the
Village Board of Buckner, Illinois, Franklin County.
Illinois this 16th day of June 2011**

Ordinance No. 06-11

**An Ordinance of the Village of Buckner, Illinois providing regulations
For upkeep of property, buildings, and overall condition of storage of
materials on property.**

Be it ordained by the President and Village of Buckner Board of Trustees of
the Village of Buckner, Franklin County, Illinois as follows:

For the purpose of this Ordinance the following terms and their meaning
applies --

Garbage --any material that should be discarded in a trash bag, garbage can or
that is normally picked up by a trash service.

Clutter --excessive objects in yard that are not kept in an orderly fashion,
offensive in nature to surrounding neighbors as to neatness of neighborhood..

Excessive Weeds/Grass --Grass or weeds that are eight (8) inches or higher.
This is not considered when weather conditions make it impossible to mow and
yard growth exceeds limits. However, as weather permits, yard work should be
done to ensure compliance with Ordinance.

Abandoned building/home -- any home or building that is not a primary
residence. This includes mobile homes.

Section 1 a) All properties within the Village of Buckner corporate limits will be
mowed. If excessive weeds or grass grow over 8 inches, except in cases due to
extreme or unusual weather, the property owner will receive a written warning
from the Village, and will be given 7 days to comply.

b) If property owner does not comply within 7 days of written warning,
the fine for infraction will be \$25.00 . A second warning will be issued. A 7 day
period will be given to correct infraction.

c) If second 7 day period is ignored, the Village will mow and the fine
will be \$100.00. If fine is unpaid, a lien on property or small claims will be filed.

Section 2 a) All properties within the Village of Buckner corporate limits will be
kept orderly and free of garbage and clutter. A written warning will be issued with
a 7 day abatement period.

b) If property owner does not comply within 7 days of written
warning, a \$25.00 fine will be issued, and a second warning will be given to
correct infraction. 7 days will be given.

c) If second warning is ignored, a \$100.00 fine will be issued. If infraction is not corrected, the Village will file an Ordinance violation suit with Franklin County, and take all necessary action to ensure compliance. All costs will be at property owner's expense.

Section 3 a) All properties within the Village of Buckner corporate limits that are abandoned shall be maintained to ensure safety. Structure will be enclosed to prevent access through broken windows, missing doors, holes in wall, etc. A written warming and a 20 day abatement period will be issued.

b) If infraction is not corrected within 20 days, a \$100.00 fine will be given. A second twenty day abatement will be issued.

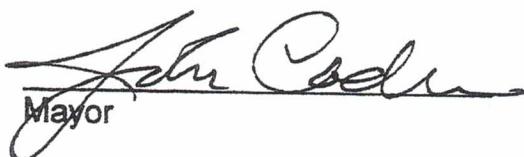
c) If infraction is still not corrected, or if fine is not paid, the Village of Buckner will proceed with legal action against property owner.

d) If a building is structurally unsound, the Village of Buckner will contact property owner, stating concerns of building/home. A 90 day abatement period will be issued, The owner shall correct problem by rebuilding, demolition or any means necessary. If abatement is ignored, the Village of Buckner will take legal action, condemning building/home. And all costs will be at the owner's expense.

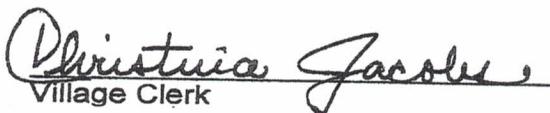
This Ordinance supersedes all other ordinances pertaining to these issues.
Passed this 16th day of June 2011.

Approved this 17th day of June 2011.

Eubanks aye, Mand aye, Avery aye, Mulpas aye, Galayda aye, Helfrich absent.



John Cade
Mayor



Christua Jacobs
Village Clerk

(seal)