



CITY OF WASHINGTON, ILLINOIS

City Council Agenda Communication

Meeting Date: August 18, 2025 (First Reading Ordinance)
September 2, 2025 (Second Reading Ordinance)

Prepared By: Jon R. Oliphant, AICP, Planning & Development Director

Agenda Item: Nuisance Abatement Costs Payment Timeline Reduction Code Amendment

Explanation: Section 36-8 of the City Code currently requires that a property owner or occupant be notified in writing of the cost incurred for a nuisance abatement. Such cost must be paid within 45 days of the notice date. If payment has not been received in that time, a lien will be recorded with the Tazewell County Recorder of Deeds shortly thereafter.

Occasionally, payment will not be received and a property will be sold prior to the intention to record the lien. In such cases, the City is not able to collect against the new property owner. At the recommendation of the City Attorney, attached is an ordinance that would reduce the payment period and therefore, the lien filing timeframe, from 45 days to seven days. The City Attorney and staff are hopeful that the adoption of this ordinance would help ensure that the City would eventually receive payment for charges incurred for the overwhelming majority of code enforcement cases.

Fiscal Impact: While the City does collect the majority of abatement costs, either during the written notification period or at a later time during a property closing, there are some cases where the City does not receive payment. This code amendment is intended to reduce the likelihood of not receiving payment for the abatement costs.

Action Requested: Staff recommends approval of the attached ordinance. A first reading ordinance is scheduled for the August 18 City Council meeting and a second reading ordinance will be scheduled for the September 2 meeting.

*Item motioned and approved as resolution R-1441 (17-25) on 08/18/2025.
Rescinding resolution requested for R-1441 (17-25).
Item placed as a first reading ordinance consideration on 09/02/2025 agenda.*

ORDINANCE NO. _____

(Synopsis: Approval of this ordinance would reduce the amount of time to pay for nuisance abatement charges from 45 days to seven days).

**AN ORDINANCE AMENDING SECTION 36-8 OF THE WASHINGTON CITY CODE
REGARDING THE TIMELINE FOR LIEN FILING AND PAYMENT OF
NUISANCE ABATEMENT COSTS**

WHEREAS, pursuant to Article 11 of the Illinois Municipal Code (65 ILCS 5/11-1-1, *et seq.*), and its home-rule authority, the City of Washington has the authority to define, prevent, and abate nuisances within the City; and

WHEREAS, Chapter 36 of the Washington City Code sets forth a procedure for the abatement of nuisances within the City, together with a procedure for cost recovery for uncured nuisance violations for which the City has had to undertake abatement; and

WHEREAS, the City Council desires and finds it to be in the best interests of the City to amend the City's cost recovery procedure for such nuisance abatement by reducing the payment and lien filing timeline as set forth herein;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WASHINGTON, TAZEWELL COUNTY, ILLINOIS, AS FOLLOWS:

Section 1. The foregoing recitals shall be and are hereby incorporated as findings of fact as if said recitals were fully set forth herein.

Section 2. Chapter 36, Section 8 of the Code of Ordinances of the City of Washington is hereby amended as follows (additions are indicated by **bold underline**; deletions by ~~strikeout~~):

Sec. 36-8 - Penalty.

- (e) *Notice of abatement costs; time for payment.* The property owner or occupant shall be notified in writing of the cost incurred for the nuisance abatement which must be paid within 45 7 days of the notice date.

Section 3. This Ordinance is hereby ordered to be published in pamphlet form by the City Clerk and said Clerk is ordered to keep at least three (3) copies hereof available for public inspection in the future and in accordance with the Illinois Municipal Code.

Section 4. This Ordinance is in addition to all other ordinances on the subject and shall be construed therewith except as to that part in direct conflict with any other ordinance, and in the event of such conflict, the provisions hereof shall govern.

Section 5. This Ordinance shall be in full force and effect from and after its passage, approval and publication in the manner provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF WASHINGTON,
TAZEWELL COUNTY, ILLINOIS, IN REGULAR AND PUBLIC SESSION this ____ day
of _____, 2025.

AYES: _____

NAYS: _____

APPROVED:

Mayor

ATTEST:

City Clerk