

VILLAGE OF POCAHONTAS

NOTICE OF NUISANCE VIOLATION

TO: _____

You are hereby notified that the Police Chief or his representatives has determined that the property owned by you and/or occupied by you, or under your control as the case may be located at _____, within the corporate limits of this Village contains an unlawful nuisance(s) as defined by **Chapter 25** of the Revised Code of Ordinances as follows:

You are required pursuant to **Chapter 25, Article I, Section 25-1-3** to abate and remove any nuisance(s) within **five (5) days** from the date of this Notice as follows:

Please be advised that within said **five (5) day** period after service of this Notice upon you, you may request a hearing before the President and Board of Trustees of the Village in order for you to contest the findings and conclusions stated herein or request an extension of time within which you shall remediate the condition of your property by removing the items specified and identified herein that constitute a violation of the Village Ordinances. This request shall be in writing and delivered to the Clerk or Deputy Clerk of the Village within said **five (5) days** after you receive said Notice. The hearing shall be scheduled within **thirty (30) days** after the Village receives your request. During the course of said hearing you may be represented by counsel, present evidence on your behalf and cross-examine any witnesses presented by the Village, that the formal rules of evidence shall not apply.

If your appeal or request for extension is denied, you shall then be required to remove all items which the Village contends which constitute a nuisance and violation of Municipal Ordinances within **five (5)** after having received notification of the Board's decision.

If you fail to comply and the nuisance is not abated within the time prescribed the Village shall proceed to issue the appropriate citation which may subject you to the penalties prescribed by the Village Ordinances and State law as well as institute a suit seeking a judicial order permitting the Village to remove all said items which constitute the nuisance from your premises and dispose of same at your expense, impose a monetary penalty and enjoin the continuation of said nuisance.

The Corporate Authorities shall keep an account of the expense incurred for said abatement charges and if this bill is not paid within **thirty (30) days** after it is presented to you, a lien for the costs and expenses incurred by the Village shall be recorded and the property which is subject to the lien may be sold for non-payment of same.

CHIEF OF POLICE
VILLAGE OF POCAHONTAS

Dated this _____ day of _____, 20____.

VILLAGE OF POCAHONTAS
NOTICE OF UNLAWFUL WEED, PLANT, OR GRASS GROWTH

TO: _____

You are hereby notified that the Chief of Police or his representatives has determined that the property owned by you and/or occupied by you, or under your control as the case may be located at _____, within the corporate limits of this Village contains unlawful weed, plant, or grass growth as defined by **Chapter 25, Article II**, of the Revised Code of Ordinances, that being said growth that exceeds **eight (8) inches** in height. Any such weeds, plants, or grass are hereby declared to be a nuisance.

You are required to remove all said growth within **five (5) days** from the date of this Notice.

Please be advised that within said **five (5) day** period after service of notice upon you, that you may request a hearing before the President of the Village in order for you to contest the findings and conclusions stated herein or request an extension of time within which you shall remediate the condition on your property by cutting and removing all said weeds, plants, or grass that are in violation of Village ordinances. This request shall be in writing and delivered to the Clerk or Deputy Clerk of the Village. The hearing shall be scheduled within **five (5) days** after the Village receives your request and shall be conducted by the Mayor or other person appointed by him. If your appeal or request for extension is denied you are then required to cut and remove all said weeds, plants, or grass within **five (5) days** after having received notification of the Mayor or his agent's decision. Oral notification is sufficient if rendered at the time of the hearing.

If you fail to comply the Village shall proceed to issue the appropriate citation which may subject you to the penalties prescribed by the Municipal Ordinances and State law. In addition, the municipal authorities shall proceed to abate said nuisance; that is, cut and remove the offending grass, weeds or plants.

The cost of such growth removal shall be paid by you. Charges for said action, i.e. the cutting or removal of said weeds, plants, or grass including labor shall be a lien upon said premises. A bill for the cost and expenses incurred by the Municipality shall be presented to you and if not paid within **thirty (30) days** of its submission, a Notice of Lien of said cost and expenses incurred by the Village shall be recorded against the property.

Any property subject to said lien may be sold for non-payment of the same and the proceeds of such sale shall be applied to pay the charges after deducting costs, as is the case in the foreclosure of statutory liens. You are also subject to penalties as provided by the terms and provisions of the Village code. The cost and expense of restitution, including all labor and material shall also be imposed as a penalty for each violation.

CHIEF OF POLICE
VILLAGE OF POCAHONTAS

Dated this _____ day of _____, 20____.

VILLAGE OF POCAHONTAS

NOTICE OF UNLAWFUL GARBAGE AND/OR DEBRIS OR TRASH

TO: _____

You are hereby notified that the Chief of Police has determined that property owned by you and/or occupied by you, or under your control as the case may be located at _____, within the corporate limits of this Village contains garbage and/or debris or trash as defined by **Chapter 25, Article III** of the Revised Code of Ordinances of the Village. The accumulation of said garbage, debris, or trash on said premises is hereby declared to be a nuisance and unlawful.

You are required to remove all such material within **five (5) days** from the date you receive this Notice.

Please be advised that within said **five (5) day** period after service of this Notice upon you, you may request a hearing before the President and Board of Trustees of the Village in order for you to contest the findings and conclusions stated herein or request an extension of time within which you shall remediate the condition of your property by removing said garbage, debris, and trash. This request shall be in writing and delivered to the Clerk or Deputy Clerk of the Village within said **five (5) days** after you receive said Notice. The hearing shall be scheduled within **thirty (30) days** after receipt of your request. During the course of said hearing you may be represented by counsel, present evidence on your behalf, and cross-exam any witnesses presented by the Village, that the formal rules of evidence shall not apply. If your appeal is denied, you are then required to remove all said garbage, debris, or trash within **five (5) days** after having received notification of the Board's decision. If you fail to comply the Village shall proceed to issue the appropriate citation, which may subject you to the penalties prescribed by the municipal ordinances and State law as well as institute a suit seeking a judicial order permitting the Village to remove all materials and items in violation of law from your premises and dispose of same at your expense.

The corporate authorities shall keep an account of the expense incurred for said abatement, charges and if this bill is not paid within **thirty (30) days** after it is presented to you, a lien for the costs and expenses thereof incurred by the Village shall be recorded and the property which is subject to the lien may be sold for non-payment of same.

CHIEF OF POLICE
VILLAGE OF POCAHONTAS

Dated this _____ day of _____, 20_____.

VILLAGE OF POCAHONTAS
NOTICE OF INOPERABLE VEHICLE

TO: _____

You are hereby notified that the Police Department has determined that an “inoperable vehicle(s)” owned by you and/or stored by you, or under your control as the case may be is located at _____, within the corporate limits of this Village. That this constitutes an unlawful nuisance(s) as defined by **Chapter 25, Article IV, Section 25-4-1** of the Revised Code of Ordinances.

You are required to abate and remove any and all inoperable vehicles within **seven (7) days** from the date of this Notice.

Please be advised that within said **seven (7) day** period after service of this Notice upon you, you may request a hearing before the President and Board of Trustees of the Village in order for you to contest the findings and conclusions stated herein or request an extension of time within which you shall remediate the condition of your property by removing said inoperable vehicle(s) that constitute a violation of the Village Ordinances. This request shall be in writing and delivered to the Clerk or Deputy Clerk of the Village within said **seven (7) days** after you receive said Notice. The hearing shall be scheduled within **thirty (30) days** after the Village receives your request. During the course of said hearing you may be represented by counsel, present evidence on your behalf and cross-examine any witnesses presented by the Village, that the formal rules of evidence shall not apply.

If your contest or request for extension is denied, you shall then be required to remove all the inoperable vehicles which the Village contends constitute a nuisance and a violation of Village Ordinances within **seven (7) days** after having received notification of the Board’s decision.

If you fail to comply and the nuisance is not abated within the time prescribed, the Village shall proceed to issue the appropriate citation which may subject you to the penalties prescribed by the Village Ordinances and State law as well as institute a suit seeking a judicial order permitting the Village to removal all said items which constitute the nuisance from your premises and dispose of same at your expense, impose a monetary penalty and enjoin the continuation of said nuisance.

The Corporate Authorities shall keep an account of the expense incurred for said abatement charges and if this bill is not paid within **thirty (30) days** after it is presented to you, a lien for the costs and expenses incurred by the Village shall be recorded and the property which is subject to the lien may be sold for non-payment of same.

CHIEF OF POLICE
VILLAGE OF POCAHONTAS

Dated this _____ day of _____, 20_____.

VILLAGE OF POCAHONTAS
NOTICE OF DERELICT

TO: _____

You are hereby notified that the Chief of Police or other person designated by him to act on his behalf, has received a complaint, or a member of the Police Department has personally observed or has reasonable and probable cause to believe and conclude that a derelict _____ owned, stored, housed, or possessed by you or under your control as the case may be, is presently located _____, within the corporate limits of the Village, that same is in view of the general public and is an unlawful nuisance(s) as defined by **Chapter 25, Nuisances, Article IV, et seq.** of the Village Revised Code of Ordinances. This/these _____ is/are hereby declared to be a nuisance.

Pursuant to said ordinance you are ordered and required to abate said nuisance by removing and disposing of the object(s) described herein within **seven (7) days** after you receive a copy of this Notice.

Please be advised that within said **seven (7) day** period after service of this Notice upon you, you may request a hearing before the Village in order for you to contest the findings and conclusions stated herein or request an extension of time within which you shall remediate the condition of your property by removing the items specified and identified herein that constitute a violation of the Village Ordinances. This request shall be in writing and delivered to the Clerk or Deputy Clerk of the Village within **seven (7) days** after you receive said Notice. The hearing shall be scheduled within **thirty (30) days** after the Village received your request before a person appointed by the Mayor. During the course of said hearing you may be represented by counsel, present evidence on your behalf and cross-examine any witnesses presented by the Village, that the formal rules of evidence shall not apply.

If your appeal or request for extension is denied, you shall then be required to remove all items which the Village contends which constitute a nuisance and violation of Village Ordinances within **seven (7) days** after having received notification of the decision.

If you fail to comply and the nuisance is not abated within the time prescribed the Village shall proceed to issue the appropriate citation which may subject you to the penalties prescribed by the Village Ordinances and State law as well as institute a suit seeking a judicial order permitting the Village to remove all said items which constitute the nuisance from your premises and dispose of same at your expense, impose a monetary penalty and enjoin the continuation of said nuisance.

The Corporate Authorities shall keep an account of the expense incurred for said abatement charges and if this bill is not paid within **thirty (30) days** after it is presented to you, a lien for the costs and expenses incurred by the Village shall be recorded and the property which is subject to the lien may be sold for non-payment of same.

CHIEF OF POLICE
VILLAGE OF POCAHONTAS

Dated this ____ day of _____, 20____.

VILLAGE OF POCAHONTAS
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 Pocahontas, Bond 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 Code of Ordinances, **Chapter 25, Nuisances, Article V, Dangerous and Unsafe Properties**.

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 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 **ninety (90) days** of the receipt of this Notice, the Village shall 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 shall 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 shall be a lien on the property which lien shall be subordinate to all prior existing liens and encumbrances. The Village shall 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. A suit to foreclosure this lien shall be commenced within **three (3) years** after the date of filing Notice of Lien.

Dated this ____ day of _____, 20____.