



Rep. Edward J. Acevedo

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09800HB4077ham002

LRB098 15634 MLW 58090 a

1 AMENDMENT TO HOUSE BILL 4077

2 AMENDMENT NO. _____. Amend House Bill 4077 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Junkyard Act is amended by adding Section
5 3.5 and changing Section 7 as follows:

6 (415 ILCS 95/3.5 new)

7 Sec. 3.5.

8 (a) For the purpose of this Section:

9 "Place of worship" means a church, synagogue, mosque,
10 temple, or other building, structure, or place used
11 primarily for religious worship and includes the grounds of
12 a place of worship.

13 "School" means a public or private primary or secondary
14 school; a primary or secondary school operated by a
15 religious institution; or a public, private, or religious
16 nursery school.

1 (b) Within a municipality with a population of 2,000,000 or
2 more, no person shall establish, maintain, or operate a
3 junkyard or scrap processing facility within 2,640 feet of a
4 school or place of worship. This Section does not apply to
5 junkyards or scrap processing facilities established and in
6 operation on the effective date of this amendatory Act of the
7 98th General Assembly.

8 (415 ILCS 95/7) (from Ch. 121, par. 467)

9 Sec. 7. (a) The Department may, in addition to any other
10 remedies, initiate an appropriate action in the circuit court
11 of the county in which a junkyard or scrap processing facility
12 is located, to prevent the unlawful establishment, operation or
13 maintenance of a junkyard or scrap processing facility which is
14 not in compliance with this Act, or to restrain, correct or
15 abate a violation of this Act, or to prevent any illegal Act,
16 conduct, business or use in or about the premises of such
17 junkyard or scrap processing facility. This subsection (a) does
18 not apply to violations of Section 3.5 of this Act.

19 (a-5) A municipality with a population of 2,000,000 or more
20 may, in addition to any other remedies, initiate an appropriate
21 action in the circuit court of the county in which a junkyard
22 or scrap processing facility is located, to prevent the
23 unlawful establishment, operation or maintenance of a junkyard
24 or scrap processing facility which is not in compliance with
25 Section 3.5 of this Act, or to restrain, correct or abate a

1 violation of Section 3.5 of this Act.

2 (b) Whoever violates any provision of this Act is guilty of
3 a petty offense for a first violation, and of a Class C
4 misdemeanor for second or subsequent violations.

5 (Source: P.A. 84-1308.)

6 Section 99. Effective date. This Act takes effect upon
7 becoming law."