

Bond Case Briefs

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MUNICIPAL ORDINANCE - ILLINOIS

Bockweg v. Konopiots

Appellate Court of Illinois, First District - September 27, 2013 - N.E.2d - 2013 IL App (1st) 121122

Property owner brought action against excavation company seeking monetary damages, but not an injunction, caused by excavation of adjacent property. The Circuit Court entered judgment on a jury verdict in favor of owner, but denied request for attorney fees. Owner appealed.

The Appellate Court held that once property owner established that excavator violated excavation ordinance and she was awarded damages for the violation, there was no doubt that she successfully enforced the ordinance and was entitled to an award of attorney fees and costs pursuant to statute.