

Bond Case Briefs

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MUNICIPAL CORPORATIONS - ILLINOIS

City of Centralia v. Garland

Appellate Court of Illinois, Fifth District - August 9, 2019 - N.E.3d - 2019 IL App (5th) 180439 - 2019 WL 3759819

City filed complaint against owners of docks located on lake, which city had acquired but which laid outside corporate limits, requesting order allowing city to remove such docks at owners' expense for failure to register docks or pay associated annual permit fees, as required by municipal code.

The Circuit Court granted summary judgment in favor of city. Dock owners appealed.

The Appellate Court of Illinois held that:

- Documents presented by parties were public records, and thus Appellate Court was permitted to take judicial notice of such documents;
- Cities and Villages Act granted city power to properly acquire lake; and
- Provision of municipal code subjecting to jurisdiction of municipality all property that is owned by municipality that lies outside corporate limits and does not lie within corporate limits of any municipality applied to subject lake to city's regulation.