

ORDINANCE NO. 15-6
AN ORDINANCE CONCERNING WEEDS

WHEREAS, the Board of Trustees of the Village of Ina, Illinois have been made aware of the presence of weeds within the Village limits which are a nuisance and jeopardize the health, safety and welfare of the residents of the Village; and

WHEREAS, this Ordinance is adopted pursuant to the powers granted to municipalities in Chapter 65 of the Illinois Compiled Statutes, Sections 5/11-1-1, 5/11-20-6, and 5/11-20-7; and

WHEREAS, the Board of Trustees of the Village of Ina, Illinois has determined that it is necessary for the public health, safety and welfare of the Village of Ina to enact certain regulations concerning weeds hereinafter set forth;

NOW, THEREFORE, BE IT ORDAINED by the Board of Trustees of the Village of Ina, Illinois as follows:

1. **DEFINITION.** "Weeds" as used in this Ordinance shall include, but not be limited to the following:

Burdock, Rag Weed (giant), Rag Weed (Common), Thistle, Cocklebur, Jimson, Blue Vervain, Common Milk Weed, Wild Carrot, Poison Ivy, Wild Mustard, Rough Pigweed, Lambsquarter, Wild Lettuce, Curled Dock, Smartweeds (all varieties), Poison Hemlock, Wild Hemp and Johnson Grass and all other noxious weeds as defined by the statutes of the State of Illinois.

2. **HEIGHT.** It shall be unlawful for anyone to permit any weeds, grass, or plants, other than trees, bushes, flowers or other ornamental plants to grow to a height exceeding **eight inches (8")** anywhere in the Village. Any such plants or weeds exceeding such height are hereby declared to be a nuisance.

3. **NOTICE.** The Mayor or any other person so designated by the Mayor may issue a written notice for removal of weeds, grass or plants. Such weeds, grass or plants shall be cut by the owner or occupant within **five (5) days** after such notice has been duly served.

4. **SERVICE OF NOTICE.** Service of the notice provided for herein may be effected by handing the same to the owner, occupant or lessee of the premises, or to any member of his household of the age of **fifteen (15) years** or older found on the premises or by mailing such notice to the last known residence address of the owner; provided, that if the premises are unoccupied and the owner's address cannot be obtained, then the notice may be served by posting the same upon the premises.

5. **ABATEMENT.** If the person so served does not abate the nuisance within **five (5) days**, the Village may proceed to abate such nuisance, keeping an

account of the expense of the abatement, and such expense shall be charged and paid by such owner or occupant.

6. **LIEN.** Charges for such weed removal shall be a lien upon the premises. A bill representing the cost and expense incurred or payable for the service shall be presented to the owner. If this bill is not paid within **thirty (30) days** of submission of the bill, a notice of lien of the cost and expenses thereof incurred by the Village shall be filed within **sixty (60) days** after the cost and expense is incurred and shall be recorded in the following manner:

- (A) A description of the real estate sufficient for identification thereof.
- (B) The amount of money representing the cost and expense incurred or payable for the service.
- (C) The date or dates when said cost and expense was incurred by the Village.

7. **PAYMENT.** Notice of such lien claim shall be mailed to the owner of the premises if his address is known. Upon payment of the cost and expense after notice of lien has been filed, the lien shall be released by the Village or person in whose name the lien has been filed and the release shall be filed of record in the same manner as filing notice of the lien. All lien and release filing fees shall be paid by the owner of the property.

8. **FORECLOSURE OF LIEN.** Property subject to a lien for unpaid weed cutting charges shall 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. Such foreclosure shall be in the name of the Village after the lien is in effect for **sixty (60) days**.