

Resolution 2010-7

Resolution of the Board of Trustees of Waupoosee Township, Grundy County, Illinois

Weed cutting

WHEREAS, 60 ILCS 1/105-15 of the Township Code is amended by changing Section 105-15 (Weed cutting) as follows:

NOW THEREFORE, BE IT RESOLVED, by the Board of Trustees of Waupoosee Township, Grundy County, Illinois, as follows:

Section I: Weeds deemed nuisances. Any weeds such as jimson, burdock, ragweed, thistle, cocklebur or other weeds of a like kind found growing in any residential lot or tract of land intended for human residence in the Township are a nuisance, and it is unlawful to permit such weeds to grow or remain in any such place.

Section II: Height limit. It is unlawful for anyone to permit weeds, grass or plants other than trees, corn, beans, or other agricultural products, bushes, flowers or other ornamental plants to grow in height exceeding eight inches anywhere within residential property within the Township.

Section III: Removal-Notice. It shall be the duty of the Township Supervisor and/or his designee to serve or cause to be served a notice in writing upon the owner, agent, occupant or person in possession or charge of any such premises on which such weeds or plants are permitted to grow in violation of the provisions of this ordinance/resolution and to demand abatement of the nuisance within ten (10) days.

Section IV: Failure to abate nuisance. If the person so served with a notice set forth in Section III does not abate the nuisance within 10 days after such notice, the Supervisor and/or his designee shall cause the summary abatement of such nuisance. Summary abatement may be caused by the employment of private contractors or the use of the Township's equipment and personnel. If private contractors are used for this purpose, the Supervisor and/or his designee shall keep an account of the expense thereof, and such expense shall be charged to and paid by such owner or occupant. If the Township's equipment

or personnel are utilized, the Supervisor and/or his designee, shall keep an account of the expense thereof, and such expense shall be charged to and paid by such owner or occupant.

Section V: **Lien for weed removal – Notice.** A. Charges for such weed removal shall be a lien upon the premises. Whenever a bill for such charges remains unpaid for sixty days after it has been rendered, the Township Clerk may file with the recorder of deeds Grundy County, Illinois, a statement of lien claim. This statement shall contain the legal description of the premises, the expenses and costs incurred, and the dates the weeds were cut, and a notice that the Township claims a lien for this amount.

B. Notice of such lien claim shall be mailed to the owner of the premises if his address is known; provided, however, that failure of the Clerk to record such lien claim or to mail such notice, or the failure of the owner to receive such notice shall not affect the right to foreclose the lien for such charges as provided in Section VI.

Section VI: **Foreclosure of lien.** A. Property subject to a lien for unpaid weed cutting charges shall be sold for nonpayment of the same and the proceeds for such sale shall be applied to pay the charges after deducting costs, as is the case with the foreclosure of statutory liens. Such foreclosure shall be in equity in the name of the Township.

B. The Township attorney is authorized and directed to institute such proceedings in the name of the Township in any court having jurisdiction over such matter against any property for which such bill has remained unpaid sixty days after it has been rendered.

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