

# VILLAGE OF CULLOM ORDINANCES

## CHAPTER 7

### PLANTS AND WEEDS

**Section I: (*Weeds – Declared a Nuisance*)** Any weeds such as jimson, burdock, ragweed, thistle, cocklebur or any other weeds of a like kind, found growing in any lot or tract of land in the Village are hereby declared to be a nuisance, and it shall be unlawful to permit any such weeds to grow or remain in any such place.

**Section II: (*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 anywhere in the village; any such plants or weeds exceeding such height are hereby declared to be a nuisance.

**Section III: (*Removal – Notice*)** It shall be the duty an officer of the Village to serve or cause to be served a notice upon the owner or occupant of any premises on which weeds, grass or plants are permitted to grow in violation of the provisions of the Chapter and to demand the abatement of the nuisance within five (5) days.

**Section IV: (*Abatement*)** If the owner or occupant so served does not abate the nuisance within five (5) days, the Village may proceed to abate such nuisance, and the cost to be paid to the Village of Cullom by such owner or occupant for the abatement of any such nuisance hereunder shall be either \$125.00 or \$125.00 per hour for abatement work done under this provision, whatever sum shall be greater.

**Section V: (*Lien*)** Charges for such weed and grass removal shall be a lien upon the premises. Whenever a bill for such charge remains unpaid for sixty (60) days after it has been rendered, the Village Clerk may file with the County Recorder of Livingston County, Illinois a statement of lien claim. This statement shall contain a legal description of the premises, or common street address, the expenses and costs incurred and the date the weeds and grass were cut, and a notice that the Village claims a lien for this amount.

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Notice of such lien shall be mailed to the owner and occupant of the premises of the 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 the following section.

**Section VI: (*Foreclosure of Lien*)** Property subject to a lien for unpaid weed and grass 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 in the case of the foreclosure of statutory liens. Such foreclosure shall be in equity in the name of the Village.

The Village Attorney is hereby authorized and directed to institute such proceedings in the name of the Village in any court of competent jurisdiction over such matter, against any property for which such bill has remained unpaid sixty (60) days after it has been rendered. The owner and or the occupant shall be liable for all expenses, court costs and reasonable attorney's fees incurred by the Village in prosecuting any such legal proceedings.

**Section VII: (*Liability*)** The tenant, owner, possessor or user of the property upon which the weed and grass violation is located shall be jointly and severally liable for the payment of the expenses of weed and grass abatement hereinabove described and as specified in Section VI hereof.

**Section VIII: (*Penalty*)** Any person, firm, or corporation violating any of the provisions of this chapter shall be fined not less than five hundred dollars nor more than five thousand dollars for each offense; any separate offense shall be deemed committed on each day during or on which a violation occurs or continues.