

**ORDINANCE NO. 2021-07-14-02**

**VILLAGE OF MAPLETON, ILLINOIS**

**AN ORDINANCE AMENDING CHAPTER 7 (NUISANCES)  
OF THE VILLAGE CODE (WEEDS)**

**WHEREAS**, it has come to the attention of the Village of Mapleton Board of Trustees that unkept weeds, grass, trees and bushes are a nuisance within the Village; and

**WHEREAS**, Section 11-60-2 of the Illinois Municipal Code (65 ILCS 5/11-60-2) authorizes municipalities to define, prevent and abate nuisances; and

**WHEREAS**, Section 11-20-7 of the Illinois Municipal Code (65 ILCS 5/11-20-7) provides for the removal of nuisance weeds, grass, trees and bushes by municipalities; and

**WHEREAS**, the Village Board has determined that it is in the best interests of the Village and its citizens that the provisions of the Village Code regarding nuisance weeds, grass, trees and bushes be revised;

**NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND THE BOARD OF TRUSTEES OF THE VILLAGE OF MAPLETON, ILLINOIS:**

Section 1: The following new Section 7-12, Weeds, shall be added to Chapter 7, Nuisances, of the Village Code, immediately after Section 7-11:

Sec. 7-12 Weeds.

(a) "Weeds" means (i) all nuisance vegetation and (ii) all weeds, grass and other vegetation other than trees and shrubs which exceed a height or length of eight inches or more; provided, however, that this term shall not include cultivated flowers and gardens.

(b) It shall be unlawful for any owner or person in control of any property to permit the growth of Weeds thereon.

(c) It shall also be unlawful for an owner or person in control of any property to permit the growth of Weeds on any right-of-way located between the property line of the property and the roadway portion of an adjoining highway inclusive of all parkways, sidewalks and waterways found therein. When a parcel or right-of-way because of dangerously steep gradient, or for other similar reasons, has growth in a natural state and has not been previously graded, improved or otherwise maintained, enforcement of the height requirement shall be waived, unless nuisance growths adversely affect health or obstructions to traffic safety are present.

(d) It shall be unlawful for an owner or person in control of any property to permit

the encroachment of vegetation including all Weeds, flowers, bushes, hedges, trees or any other plant growth to encumber any public place or public way.

(e) In case of violation of Subsection (b), (c) or (d) of this Section 7-12, the Village shall notify the owner by certified mail, at the address to which the last property tax bill on the property was sent, that if said Weeds are not removed within five (5) days after service of notice, the Village will cause said Weeds to be removed and charge the owner for its costs in doing so.

(f) The Village shall, after the removal is completed, notify the owner of the removal activity and the cost thereof. If the cost of removal is not promptly paid, the Village may file a lien against the property with the Recorder of Deeds of Peoria County, as provided by Section 11-20-7 and 11-20-15 of the Illinois Municipal Code (65 ILCS 5/11-20-7 and 11-20-15). The Village Board may take such action with respect to such lien as it deems in the best interests of the Village.

Section 2: This Ordinance shall be effective upon its passage as provided by law.

PASSED AND APPROVED THIS 14th DAY OF JULY, 2021.

<u>5</u>	AYES
<u>0</u>	NAYS
<u>1</u>	ABSENT

VILLAGE OF MAPLETON, ILLINOIS

SEAL



By: Elizabeth Rench  
Elizabeth Rench, Village President

Attest: Patricia S. Briggs  
Patricia S. Briggs, Village Clerk

321-1113