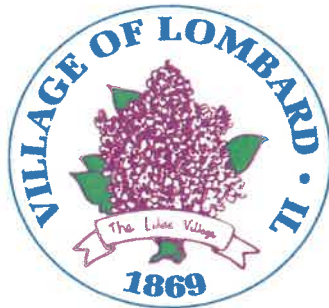



**ORDINANCE 8232
PAMPHLET**

**TEXT AMENDMENTS TO CHAPTER 92.30 ET. SEQ. OF THE VILLAGE CODE
WEEDS AND VEGETATION (NO MOW PROVISIONS)**



PUBLISHED IN PAMPHLET FORM THIS 5TH DAY OF JANUARY, 2024, BY ORDER OF
THE CORPORATE AUTHORITIES OF THE VILLAGE OF LOMBARD, DUPAGE
COUNTY, ILLINOIS.


Elizabeth Brezinski
Village Clerk

ORDINANCE NO. 8232

**AN ORDINANCE GRANTING APPROVAL OF TEXT AMENDMENTS
TO TITLE IX, CHAPTER 92 OF THE LOMBARD VILLAGE CODE**

(Article IV: Weeds and Vegetation (No Mow Provisions))

WHEREAS, the Village of Lombard established Weeds and Vegetation Code provisions which is found in Title IX, Chapter 92.30 et. seq. of the Lombard Code of Ordinances; and,

WHEREAS, the Board of Trustees deem it reasonable to periodically review said Code and make necessary changes; and,

WHEREAS, in order to provide the opportunity for single-family residential property owners the opportunity to promote environmental stewardship to better accommodate Springtime pollination and growth of plants, which in turn supports habitat and food sources for monarchs, bees, and birds, the Public Works & Environmental Concerns Committee (PWECC) supported and the Village Board of Trustees approved a “No Mow ‘Til Mother’s Day” Pilot Program for the 2023 Spring season, and encouraged selected properties to participate in the Program; and

WHEREAS, the Village Board of Trustees finds that the Pilot Program was well received and helped promulgate sustainable environmental practices with minimal negative impacts upon the Village as a whole; and

WHEREAS, with the success of the Pilot Program, the Village Board of Trustees finds that amending the mowing provisions set forth within Chapter 92.30 et. seq. of Village Code, in a manner consistent within the established parameters of the Pilot Program, would further advance such desired environmental practices; and

WHEREAS, a review of the applicable Code provisions was conducted by the PWECC on December 12, 2023; and,

WHEREAS, the PWECC filed its recommendations with the President and Board of Trustees recommending approval of the text amendments described herein and set forth within Section 1 and made a part hereof.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS, as follows:

SECTION 1: That Title IX, Chapter 92, Section 92.30 et. seq. of the Lombard Village Code shall be amended to read in part as follows, with additions highlighted and in underscore.

ARTICLE IV. - WEEDS AND VEGETATION

§ 92.30 - Definitions.

For the purpose of §§ 92.30 through 92.34 of this Code, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

Weeds/grasses. Canada thistles (*Cirsium arvense*) and all of its varieties, perennial sow thistles (*Soncus arvensis*), European bindweed (*Convolvulus arvensis*) leafy spurge (*Tithymalus osula*), Russian Knapweed (*Centaurea repens*), Hoarycress (*Lepidium draba*), ragweed (*Ambrosia*) and all weeds due to pollination, milkweeds, dandelion, Jimson weed, burdock, cockleburs and the like weeds, as well as all grasses, excepting thereform trees, shrubs or plant materials permitted by § 92.33 of this Village Code.

Weed/grass areas. Any lot or parcel of property, or portion of any lot or parcel of property containing in its make up weeds/grasses as defined above.

Wild/uncultivated. Weeds/weed or grass areas with a height in excess of eight inches above the ground.

('70 Code, § 6.20.010) (Ord. 1304, passed 8-21-67; Am. Ord. 2356, passed 1-3-80, Ord. 3617, passed 11/5/92; Ord. 5860, passed 5/18/06; Ord. 6352, passed 6/18/09)

§ 92.31 - Remediation of noxious vegetation.

- a. It shall be unlawful for any person, firm, or corporation owning or controlling any lot or parcel of property to permit the growth of weeds/grasses or weed/grass areas in a wild/uncultivated state. All such weeds/grasses or weed/grass areas shall be cut, pulled, or destroyed by the owner or person in control of said lot or parcel of property so as not to constitute weeds/grasses in a wild/uncultivated state.
- b. **The provisions set forth in Subsection 92.31(a) above shall not apply starting from April 1 and concluding on the second Sunday in May in a given calendar year, in the following limited instances:**
 1. **The property is improved with a single-family detached residence;**
 2. **The single-family detached residence is inhabited; and**
 3. **As of April 1 of the given calendar year, the subject property does not have an open code violation case of the provisions set forth within Subsection 92.31(a).**
- c. **Any property meeting the criteria of Subsection 92.31(b)(1) and (2) above, shall be subject to the provisions of Subsection 92.31(a) beginning on the Saturday following the second Sunday in May in the same calendar year.**

('70 Code, § 6.20.020) (Ord. 1304, passed 8-21-67; Am. Ord. 2356, passed 1-3-80, Ord. 3716, passed 11/5/92; Ord. 5860, passed 5/18/06; Ord. 6352, passed 6-18-09)

Cross reference— Penalty, see § 92.99

§ 92.32 - Expense of remediation.

When the person, firm, or corporation owning or controlling any lot or parcel of property fails to maintain the weeds/grasses or weed/grass areas growing thereon, so as to prevent said weeds/grasses or weed/grass areas from existing in a wild/uncultivated state, the Village Manager shall cause the weeds/grasses or weed/grass areas to be brought into compliance with this Code, and the reasonable expense incurred by the village and/or individuals or organizations directed by the village in doing so shall be charged against the owner, and may be recovered in an appropriate action at law.

('70 Code, § 6.20.030) (Ord. 1304, passed 8-21-67; Am. Ord. 2356, passed 1-3-80, Ord. 3617, passed 11/5/92; Ord. 5860, passed 5/18/06; Ord. 6352, passed 6-18-09; Ord. 6438, passed 2/4/10)

Cross reference— Penalty, see § 92.99

§ 92.33 - Xeriscaping.

In cases where the person, firm, or corporation owning or controlling any lot or parcel of property, landscapes said lot or parcel of property either with vegetation native to the region, so as to reduce or eliminate required maintenance, or a vegetable/flower garden that does not extend into the front, side or corner side yard setbacks, said person, firm or corporation shall provide upon request of the Director of Community Development a landscape plan, including plan box detailing the species of vegetation planted, or other documentation required by the Director to show compliance with § 92.31 of this Code.

('70 Code, § 6.20.035) (Ord. 2356, passed 1-3-80, Ord. 3617, passed 11/5/92; Ord. 6738, passed 6/21/12)

Cross reference— Penalty, see § 92.99

§ 92.34 - Lien.

(A) In addition to all other remedies provided by law, the village may record a lien on the real estate on which the weeds/grasses or weed/grass areas are growing, for the reasonable costs incurred by the village and/or its agents for the cutting, removal, or destruction of such weeds/grasses or weed/grass areas, pursuant to 65 ILCS 5/11-20-7, if said weeds/grasses or weed/grass areas are maintained in a wild/uncultivated state.

(B) Upon a finding of guilty, such owner shall be fined a minimum of \$50.00 with a maximum penalty of \$750.00 per day per violation. A payment in full or such lien by the

owner shall constitute a defense to the prosecution hereby commenced. In addition to the amount due, pursuant to the ordinances of the Village of Lombard, legal fees in the amount of \$200.00, relative to the preparation and recording of this lien claim, as well as actual costs incurred for the recording of this lien, must be paid prior to the issuance of any release of lien.

(70 Code, § 6.20.040) (Ord. 1304, passed 8-21-67; Am. Ord. 1408, passed 7-1-68; Am. Ord. 2356, passed 1/3/80; Ord. 5860, passed 5/18/06; Ord. 6352, passed 6-18-09; Ord. 6438, passed 2/4/10)

SECTION 2: That this ordinance shall be in full force and effect after its passage, approval and publication in pamphlet form as provided by law.

Passed on first reading this ____ day of _____, 2024.

First reading waived by action of the Board of Trustees this 4th day of January 2024.

Passed on second reading this 4th day of January 2024.

Ayes: Trustee Puccio, Dudek, Honig, Militello and Bachner


Nays: None

Absent: Trustee LaVaque

Approved by me this 4th day of January 2024.


Keith T. Giagnorio, Village President

ATTEST:


Elizabeth Brezinski, Village Clerk

Published by me in pamphlet form this 5th day January 2024.


Elizabeth Brezinski, Village Clerk