

MEMORANDUM

TO: David A. Hulseberg, Village Manager

FROM: William J. Heniff, AICP, Director of Community Development

DATE: January 21, 2010

RE: Lawn Cutting Agreement

Attached for Village Board consideration is a proposed new program intended to provide an alternate method of addressing selected lawn cutting property maintenance activities within the Village. In lieu of hiring contractors to perform cutting services not in compliance with code and recording a lien said properties, the program would provide the opportunity for the Village to enter into a service agreement with non-profit organizations to undertake the cutting activities.

BACKGROUND

The Community Development Department Code Enforcement Division tracks properties for non-compliance with the grass cutting provisions set forth within the nuisance code provisions. For properties in which grass or weeds exceed eight inches in height, staff sends advisory letters to the property owners requesting that they remedy this situation. However should such attempts fail, Code allows the Village to enter the property and undertake the cutting activities and subsequently lien the property for the costs incurred for the grass cutting through a lien.

In 2009, the Village undertook 36 cut and lien activities – a substantial rise from prior years and largely attributable to foreclosure activities and market downturns. The cutting service had been done by a Village contractor and the contractor met the demands requested by the Village. However, in further consideration of this ongoing need, staff was made aware of a program undertaken in the Village of Roselle that utilizes Cub Scouts to cut grass on properties. The Village program is intended to be roughly modeled after the Roselle program and the Lombard's Parkway Pride Program.

The proposed Village program would be made available to non-profit social agencies. Should an entity come forward desiring to be a part of the program, they would enter into an agreement to provide grass cutting services, on an as-needed basis by the Village. A copy of a Letter of Understanding is attached to be used as part of the program. Should the organization enter into the agreement and provide the requisite insurance, staff would contact the organization to undertake the cutting activities for selected properties. The costs associated with the cutting activity would be paid by the Village, similarly to

contracted cutting activities. However, organizations such as the Cub Scouts could also utilize this public service for merit badge activities. More complex cutting activities (such as those associated with development activity, on commercial properties or requiring more complex equipment than a standard lawnmower) would still be sent to a private contractor for cutting. The costs paid to the organization would be liened against the respective property, similarly to the private contractor option. It is important to ensure that the lien provision remains as part of the community organizational group. If the organization did not receive payment for cutting activities (i.e., they volunteered to do the work), the Village would be unable to record a lien against the respective property.

ACTION REQUESTED

Please place this item on the January 21, 2010 Village Board agenda. Staff recommends that the Village Board adopt the attached ordinance and establishes an Organizational Lawn Cutting Program in the Village.

If you have questions, please contact me.