

ORDINANCE NO. 6438

AN ORDINANCE AMENDING TITLE 9, CHAPTER 92 OF THE LOMBARD CODE IN REGARD TO HEALTH AND SANITATION REGULATIONS

WHEREAS, the Village of Lombard has established and maintains health and sanitation regulations, which is found in Title 9, Chapter 92 of the Code of Lombard, Illinois; and,

WHEREAS, the Village finds that Sections 92.32 through 92.34 should be amended to address the use of contractors and other organizations to address noxious weeds and grasses within the Village; and

WHEREAS, the Board of Trustees deem it reasonable to periodically review said Code to ensure that the regulations adequately meet the health, safety, morals and welfare needs of the Village and make necessary changes when warranted.

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 9, Chapter 92, Sections 92.32 and 92.34 are hereby revised to read in their entirety as follows:

WEEDS, GRASSES, BUSHES, TREES AND VEGETATION

§ 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) 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 with a maximum penalty of \$750 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 June 18, 2009).

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

Passed on first reading this 21st day of January, 2010.

First reading waived by action of the Board of Trustees this ____ day of _____, 2010.

Passed on second reading this 4th day of February, 2010.

Ayes: Trustees Gron, Tross, Wilson, Moreau, Fitzpatrick and Ware

Nays: None

Absent: None

Approved this 4th day of February, 2010.



William J. Mueller, Village President

ATTEST:



Brigitte O'Brien, Village Clerk

Published by me in pamphlet form this 5th day of February, 2010.