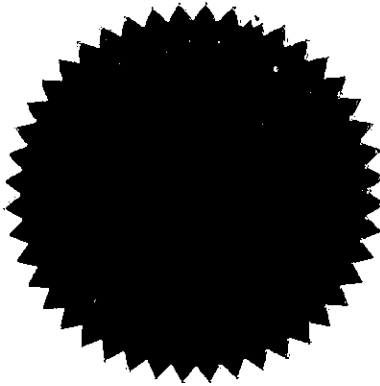


PUBLISHED IN PAMPHLET FORM THIS 19th DAY OF August, 2002  
BY ORDER OF THE CORPORATE AUTHORITIES OF THE VILLAGE OF LOMBARD,  
DUPAGE COUNTY, ILLINOIS.

*Suzan L. Kramer*  
Suzan L. Kramer  
Village Clerk



AMENDMENT TO TITLE 9, CHAPTER 99, SECTION 99.02  
TREES AND SHRUBS  
DUTCH ELM DISEASE

PAMPHLET

ORDINANCE 5184

AN ORDINANCE AMENDING TITLE 9, CHAPTER 99,  
SECTION 99.02 OF THE LOMBARD VILLAGE  
CODE IN REGARD TO TREES AND SHRUBS

BE IT ORDAINED by the President and Board of Trustees of the Village of Lombard,  
DuPage County, Illinois as follows:

SECTION 1: That Title 9, Chapter 99, Section 99.02 (D) CONTROL OF DUTCH ELM  
DISEASE be amended to read as follows:

“(1) Any elm tree infected with “Dutch Elm Disease” as determined by Village  
of Lombard Forestry Division personnel is a public nuisance and shall be removed within  
thirty (30) days following notification of such infection. It is unlawful for any person,  
being the owner of the property whereon such tree is situated, to possess or keep such a  
tree after the expiration of the thirty (30) day period following notification of the  
infection on their property.

(2) Elm trees or parts thereof in a dead or dying condition that serve as a  
breeding place for the Elm Bark Beetle (*Hylurgopinus rufipes* or *scolytus multistriatus*)  
are a public nuisance and it is unlawful for the person owning such property whereon the  
same is situated to possess or keep same in such condition more than thirty (30) days  
following notification of the condition on their property.

(3) The Village Manager or his agent to enforce this division may enter upon  
private property at all reasonable hours for the purpose of inspecting trees thereon, and  
may cause to be removed such specimens as are required for the purpose of analysis to  
determine whether or not the same is infected, and to cause to be removed such diseased  
trees upon failure of the owner to do so after due notification.

(4) It is unlawful for any person, firm, or corporation to prevent the Village  
Manager or his agent entering on private property for purposes of carrying out his duties  
hereunder or to interfere with such Village Manager in the lawful performance of his  
duties.

(5) In cases where the property owner fails to remove the elm tree or elinwood  
as required by this chapter, the Village Manager or his agents may go upon such property  
to cut down and remove such nuisance, and the owner shall be assessed the cost of  
removal. In cases where the owner is a nonresident of Lombard, notice shall be served by  
certified mail, addressed to said owner at his last known address.

(6) Whenever such charges shall remain unpaid for a period of thirty (30) days  
from the date of the bill herein provided for, the Village Attorney is authorized to:

(a) Institute suit in the name of the village to enforce collection of such charge; or  
 (b) To file a sworn statement showing such obligation in the office of the Recorder of Deeds of the county; and the filing of such statement shall be deemed notice of the lien for payment of such charges."

SECTION 2: That this Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

Passed on first reading this 18th day of July, 2002.

First reading waived by action of the Board of Trustees this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

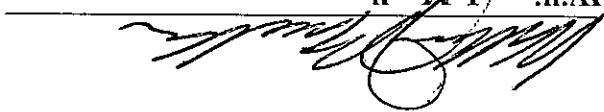
Passed on second reading this 15th day of August, 2002.

Ayes: Trustees Destephano, Tross, Koenig, Sebby, Florey, Soderstrom

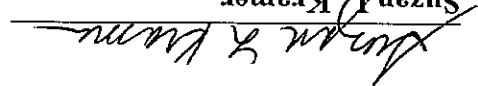
Nays: None

Absent: None

Approved by me this 15th day of August, 2002.

  
 William J. Mueller  
 Village President

ATTEST:

  
 Susan L. Kramer  
 Village Clerk

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