

Chapter 222

PROPERTY MAINTENANCE

[HISTORY: Adopted by the Board of Trustees of the Village of Port Byron as indicated in article histories. Amendments noted where applicable.]

GENERAL REFERENCES

Nuisances — See Ch. 208.

ARTICLE I

Nuisance Vegetation

[Adopted 9-5-1967 by Ord. No. 67-20 (Title 4, Ch. 2, Art. 4, of the 1993 Code)]

§ 222-1. Weeds as nuisance.

Any weeds, such as jimson, burdock, ragweed, thistle, cocklebur or other weeds of a like kind, found growing in any lot or tract of land in the Village are hereby declared to be a nuisance, and it shall be unlawful to permit any such weeds to grow or remain in any such place.

§ 222-2. Height.

It shall be unlawful for anyone to permit any weeds, grass or plants, other than trees, bushes, flowers or other ornamental plants, to grow to a height exceeding 12 inches anywhere in the Village; any such plants or weeds exceeding such height are hereby declared to be a nuisance.

§ 222-3. Removal; notice.¹

It shall be the duty of the enforcing officer to serve or cause to be served a notice upon the owner or occupant of any premises on which weeds or plants are permitted to grow in violation of the provisions of this article and to demand the abatement of the nuisance within 10 days.

§ 222-4. Abatement.²

If the person so served does not abate the nuisance within 10 days, the Village Clerk may proceed to abate such nuisance, keeping on account of the expense of the abatement, and such expense shall be charged and paid by such owner or occupant.

§ 222-5. Lien.

¹. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. VI).

². Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. VI).

- A. Charges for such weed removal shall be a lien upon the premises. Whenever a bill for such charges remains unpaid for 60 days after it has been rendered, the Clerk may file with the Recorder of Deeds of Rock Island County a statement of lien claim. This statement shall contain a legal description of the premises, the expenses and costs incurred and the date the weeds were cut, and a notice that the Village claims a lien for this amount.
- B. Notice of such lien claim shall be mailed to the owner of the premises if his address is known; provided, however, that failure of the Clerk to record such lien claim or to mail such notice, or the failure of the owner to receive such notice, shall not affect the right to foreclose the lien for such charges as provided in the following section.

§ 222-6. Foreclosure of lien.

- A. Property subject to a lien for unpaid weed-cutting charges shall be sold for nonpayment of the same, and the proceeds of such sale shall be applied to pay the charges after deducting costs, as is the case in the foreclosure of statutory liens.
- B. The Village Attorney is hereby authorized and directed to institute such proceedings, in the name of the Village in any court having jurisdiction over such matter against any property for which such bill has remained unpaid 60 days after it has been rendered.