

CHAPTER 4

GROWTH OF WEEDS AND GRASS

SECTION:

6-4-1: Growth of Weeds and Grass

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- (A) Any weeds such as jimson, ragweed, thistle, cocklebur, or other weeds of the like kind, found growing in any lot or tract of land in the Village are hereby declared to be a nuisance, and shall be unlawful to permit any such weeds to grow or remain in any such place.
- (B) It should 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 nine inches (9") anywhere in the Village of Arthur, Illinois; any such plants, grass or weeds exceeding such height are hereby declared to be a nuisance.
- (C) It shall be the duty of the Chief of Police to serve or cause to be served a notice upon the owner or occupant of any said premises on which weeds, grass or plants are permitted to grow in violation of the provisions of this Chapter and to demand the abatement of the nuisance within ten (10) days.

Notice shall be properly served if:

1. Delivered personally to the owner or occupant; or,
 2. Mailed to the owner or occupant by certified mail, return receipt requested, and evidence of delivery received; or,
 3. Posting on the property and mailing by first class mail to the last known address of the owner or occupant.
- (D) If the person so served does not abate the nuisance within ten (10) days, the Village authorities may proceed to abate such nuisance, keeping an account of the expense of the abatement, and such expense shall be charged and paid by such owner or occupant.

- (E) Charges for such weed removal shall be a lien upon the premises. Whenever a bill for such charges remains unpaid for sixty (60) days after it has been rendered, the Clerk may file with the Recorder of Deeds of the County in which the property is located, 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.

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.

- (F) 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. Such foreclosure shall be in equity in the name of the Village.

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 sixty (60) days after it has been rendered.