

Ordinance No__145

AN ORDINANCE TO AMEND SECTION 10-101 OF CHAPTER 10 OF THE VILLAGE CODE AND ADDING NEW SECTIONS WHICH NEW SECTIONS SHALL BE DESIGNATED AS SECTION 10-102 AND 10-103 OF SAID CODE.

THE VILLAGE OF UNIONVILLE ORDAINS:

1. That the Code of Ordinances of the Village of Unionville, Chapter 10, Section 10-101, be amended to read as follows:

Sec. 10-101. Duty to cut and destroy.

It shall be the duty of each owner, possessor or occupier of land, and of every person having charge of any land within the Village, to cut or remove and destroy all noxious weeds. Noxious weeds shall be defined as all grasses, annual plants, and vegetation other than trees and shrubs: provided, however, this term shall not include cultivated flowers and gardens. All noxious weeds shall be cut or removed and destroyed on or before May 1 of each year. Thereafter, all noxious weeds shall be cut or removed and destroyed before they reach a height of six inches on land adjacent to a residence or a height of eight inches on vacant land., commercial property, or other nonresidential property and, in any case, as necessary to prevent all noxious weeds from going to seed or otherwise spreading or becoming a detriment to public health. Noxious weeds are hereby declared to be a public nuisance.

2. That the Code of Ordinances of the Village of Unionville, Chapter 10, Section 10-102, be added to read as follows:

Sec. 10-102. Notice to cut and destroy.

If the provisions of section 10-101 are not complied with, the Village Council President or his designee shall be required to serve written notice, no more than once per calendar year upon the owner, possessor, occupant, or other person having charge of any land within the village, to comply with the provisions of Section 10-101. If the person upon whom the notice is served falls, neglects, or refuses to cut or remove, or to cause to be cut or removed, or otherwise destroyed such noxious weeds within 5 days after receipt of said notice, or if no person can be found within the Village who either is or claims to be the owner of such land the Village Council President or his designee or any duly authorized contractor engaged by the Village may enter upon the property and cause such noxious weeds to be cut down and destroyed. All expenses of such cutting and destroying, including any and all costs incurred in the removal or relocation of debris, junk, or other miscellaneous obstructions which would be necessary or convenient for carrying out the requirement of this section shall be paid by the owner of such land plus an administrative service charge of \$110.00 per parcel, per cutting or destroying. The Village Council President or his designee or the contractor engaged by the Village may enter upon such lands as often as necessary to cut and destroy noxious weeds and shall not be liable for damages in any action of trespass therefore. As an alternative to service of written notice as set forth above the Village Council President or his designee may give general notice to every owner, possessor or occupier of land, and to every person having charge of any land within the village, by publication at least once in a newspaper of general circulation in the village that weeds not cut by May 1 of that year, and as often thereafter as necessary, will be cut by the village and the owner of the property charged with the cost

of the same, including any cost incurred in the removal or relocation of debris, junk, or other miscellaneous obstructions which would be necessary or convenient for carrying out the requirement of this chapter.

3. That the Code of Ordinances of the Village of Unionville, Chapter 10, Section 10-103, be added to read as follows:

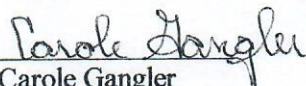
Sec. 10.103, Count and collection of expenses incurred.

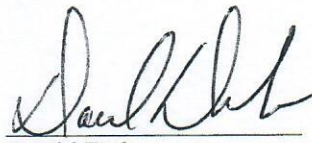
- a. The Village Council President or his designee shall keep an accurate account of the expenses incurred in carrying out the provisions of Section 10-102 with respect to each parcel of land entered upon therefore. The amount of such expense incurred in the destruction of such noxious weeds shall constitute a debt due the village by the person so failing to comply with Section 10-102 and the Village may maintain an appropriate action in a court of law for the collection thereof.
- b. If the costs of destroying noxious weeds is provided in Section 10-102 remains uncollected an unpaid on September 30 following the cutting of the noxious weeds, the Village Council President or his designee shall certify the costs to the Village Council, and shall, thereupon, become a lien upon the property on which such noxious weeds were located, and shall become and form, part of the taxes next to be assessed upon such lot or land, and shall bear interest at the same rate as taxes, and shall be collected and enforced by the same officer and in the same manner as all other special assessments of the village; and the same, when collected, shall be paid into the general fund to reimburse the outlay therefrom.

Ordinance No. 145 was adopted on the 16th day of July 2007, by a 2/3 vote of the Unionville Village Council as follows

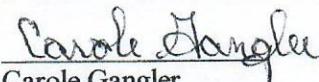
Motion by
Michael Gremel
Yeas 6

Supported by
Gary Rish
Nays 0


Carole Gangler
Village Clerk


David Duke
Village President

I certify that this is a true copy of Ordinance NO. 145 that was adopted at a regular meeting of the Unionville Village Council on July 16, 2007 and published in the Newsweekly on July 25, 2007


Carole Gangler
Village Clerk