
**THE CITY OF BLUE ISLAND
COOK COUNTY, ILLINOIS**

**ORDINANCE
NUMBER 2022-032**

**AN ORDINANCE OF THE CITY OF BLUE ISLAND, COOK
COUNTY, ILLINOIS, AMENDING TITLE IX, CHAPTER 95,
“WEEDS” OF THE CODE OF BLUE ISLAND, ILLINOIS**

**FRED BILOTTO, Mayor
RAEANN CANTELO-ZYLMAN, City Clerk
JAIRO FRAUSTO, City Treasurer**

**DEXTER JOHNSON
LUIZ MONTOYA
NANCY RITA
BILL FAHRENWALD
GABRIEL McGEE
CANDACE CARR
JOSH ROLL**

Aldermen

ORDINANCE NUMBER

2022- 032

**AN ORDINANCE OF THE CITY OF BLUE ISLAND, COOK COUNTY, ILLINOIS,
AMENDING TITLE IX, CHAPTER 95, “WEEDS” OF
THE CODE OF BLUE ISLAND, ILLINOIS**

WHEREAS, the City of Blue Island, Cook County, Illinois (the “*City*”) is a duly organized and existing City created under the provisions of the laws of the State of Illinois and operating under the provisions of the Illinois Municipal Code, and all laws amendatory thereof and supplementary thereto, with full powers to enact ordinances and adopt resolutions for the benefits of the residents of the City; and

WHEREAS, the Mayor and City Aldermen may from time to time amend the text of the City Code of Blue Island (the “*Code*”) when it is determined to be in the best interests of the health, safety and welfare of the City and its residents; and

WHEREAS, the City currently regulates nuisances within the City; and

WHEREAS, the Mayor and City Aldermen find that the following amendments to the Code of Blue Island, Illinois, as set forth herein, are in the best interests of the health, safety and welfare of the City and its residents.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Aldermen of the City of Blue Island, Cook County, Illinois as follows:

Section 1. That the above recitals and legislative findings are found to be true and correct and are hereby incorporated herein and made a part hereof, as if fully set forth in their entirety.

Section 2. That the Mayor and City Aldermen find and determine that the adoption of this Ordinance is in the best interests of the City as well as in the best interests of the public.

Section 3. That Chapter 95 (“*Nuisances*”) of Title IX (“*General Regulations*”) of the Code

of Blue Island, Illinois is hereby amended by adding the underlined language as follows:

CHAPTER 95 – WEEDS

§ 95.01 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

TALL GRASS. Grass of any kind that exceeds eight inches in height, except for grass on public property which is intended to exceed eight inches in height, such as is or may be found in prairies, wetlands, detention ponds, or other similar areas.

NOXIOUS WEEDS. Canada thistles, and all of its varieties, perennial sow thistles, European bindweed, leafy spurge, Russian knapweed, Johnson grass, giant foxtail, hoary cress and ragweed, and other weeds of whatever kind.

§ 95.02A ALLOWING GROWTH OF NOXIOUS WEEDS PROHIBITED, WEEDS AND TALL GRASS DECLARED A NUISANCE

No owner of real estate within the city shall knowingly permit the growth of noxious weeds or tall grass on the real estate their Property.

Weeds and tall grass that exist on property within the City are hereby declared to be a nuisance. Where such a nuisance is found to exist on private property or on the public parkway abutting private property, the City may issue a violation notice to the property owner for adjudication through the circuit court or the City's administrative adjudication system. The violation notice and any penalties imposed shall be independent of, and in addition to, any proceedings to abate the nuisance and lien the property for costs as stated in Sections 95.04 and 95.05 below. Penalties for violations of this section are graduated and are set forth in § 10.99.

§ 95.02B IMPROPERLY MAINTAINED LANDSCAPING DECLARED A NUSIANCE

(A) All landscaping, including but not limited to trees, shrubs, plants, flowers, and the like, that exist on any property must be properly maintained in order for the landscaped areas to fulfill the purposes for which they were established. The owner of the property and any tenant on the Property where landscaping exists shall be jointly and severally responsible for the maintenance of all landscape materials on the property. Such maintenance shall include all actions necessary to keep the landscaped areas free of litter, weeds and debris and to keep plantings healthy and orderly and aesthetically pleasing in appearance. Improperly maintained landscaping on property within the City is hereby declared a nuisance.

(B) Where such a nuisance is found to exist on private property or on the public parkway abutting private property, the City may issue a violation notice to the property owner for adjudication through the Circuit Court or the City's administrative adjudication system. The violation notice and any penalties imposed shall be independent of, and in addition to, any

proceedings to abate the nuisance and lien the property for costs pursuant to §§ 95.04 through 95.06 of this chapter. Penalties for violations of this section are graduated and are set forth in § 10.99 below.

§ 95.03 HEIGHT OF WEEDS.

No owner of real estate within the city shall permit any weeds, grass or plants, other than trees, flowers or other ornamental plants, to grow thereon to a height in excess of ~~ten~~ eight inches.

§ 95.04 CITY TO CUT UPON REFUSAL OF OWNER.

(A) In the event that the owner of real estate neglects or refuses to destroy or cut the weeds, tall grass, or improperly maintained landscaping as herein provided, the Superintendent of Public Works shall proceed to destroy or cut the weeds, tall grass, or improperly maintained landscaping.

(B) The Superintendent shall keep an account of the cost and expense.

(C) The cost and expense shall be charged to and paid by the owner of the real estate.

§ 95.05 LIEN.

(A) The cost and expense of the destruction or cutting of weeds, tall grass, or improperly maintained landscaping shall be a lien upon the real estate superior to all other liens and encumbrances, except tax liens. Whenever a bill for the cost and expense remains unpaid for 60 days after it has been rendered, the City Clerk shall file in the office of the county Recorder of Deeds or Registrar of Titles a verified notice of lien setting forth:

- (1) A legal description of the real estate;
- (2) The amount of money representing the cost and expense incurred or payable for the service;
- (3) The date or dates when such cost and expense was incurred by the city; and
- (4) A notice that the city claims a lien for said amount.

(B) A duplicate original of the notice of lien shall be mailed to the owner of the premises, if known, and, in the event the owner or the owner's residence is not known, then to a prior lien or encumbrancer or agent of owner or occupant of the real estate.

§ 95.06 RELEASE AND ENFORCEMENT OF LIEN.

(A) Upon payment of the cost and expense by the owner of, or other persons interested in such real estate after notice of such lien has been filed, the lien shall be released by the city to the person paying such costs and expense, or otherwise filed of record as in the case of filing notice of lien.

(B) The lien hereinabove provided for shall be enforced in the manner now provided by law for the enforcement of mechanics liens.

Section 4. If any section, paragraph, clause or provision of this Ordinance shall be

held invalid, the invalidity thereof shall not affect any other provision of this Ordinance.

Section 5. All ordinances, resolutions, motions or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 6. This ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

(Intentionally left blank)

ADOPTED this 26th day of **April, 2022**, pursuant to roll call as follows:

	YES	NO	ABSENT	PRESENT	ABSTAIN
Alderman JOHNSON	X				
Alderman FAHRENWALD	X				
Alderman RITA	X				
Alderman MONTOYA	X				
Alderman MCGEE			X		
Alderman CARR	X				
Alderman ROLL	X				
Mayor BILOTTO					
	6		1		

APPROVED by the Mayor on **April 26, 2022**.

FRED BILOTTO
MAYOR OF THE CITY OF BLUE ISLAND,
COUNTY OF COOK AND STATE OF ILLINOIS

ATTESTED and Filed in my office this
26th day of **April, 2022**.

RAEANN CANTELO-ZYLMAN, CITY CLERK

PUBLISHED in pamphlet form this
26th day of **April, 2022**.

RAEANN CANTELO-ZYLMAN, CITY CLERK

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

CERTIFICATE

I, RAEANN CANTELO-ZYLMAN, certify that I am the duly elected and acting Municipal Clerk of the City of Blue Island of Cook County, Illinois.

I further certify that on **April 26, 2022** the Corporate Authorities of such municipality passed and approved Ordinance No. **2022 - 032** Entitled: **ORDINANCE: AN ORDINANCE OF THE CITY OF BLUE ISLAND, COOK COUNTY, ILLINOIS, AMENDING TITLE IX, CHAPTER 95, "WEEDS" OF THE CODE OF BLUE ISLAND, ILLINOIS.**

Which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. **2022 - 032** including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance posted in the municipal building commencing on **April 26, 2022** and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

DATED at Blue Island, Illinois, this **26th** day of **April, 2022.**

CORPORATE SEAL


CITY CLERK



STATE OF ILLINOIS)
)
COUNTY OF COOK)

 ss.

CERTIFICATION

I, RAEANN CANTELO-ZYLMAN, DO HEREBY CERTIFY THAT I am the duly elected City Clerk of the City of Blue Island, Illinois, as such City Clerk, I am the keeper of the minutes and records of the Proceedings of the City Council of the said City and have in my custody the RESOLUTIONS and BOOKS of the records of said City.

I DO FURTHER CERTIFY that the attached and foregoing is a true and correct copy of the certain **ORDINANCE: AN ORDINANCE OF THE CITY OF BLUE ISLAND, COOK COUNTY, ILLINOIS, AMENDING TITLE IX, CHAPTER 95, "WEEDS" OF THE CODE OF BLUE ISLAND, ILLINOIS.**

ORDINANCE NO. 2022-032 which was adopted at a regular meeting of the City Council of the City of Blue Island, Illinois held on the **26th day of April, 2022**; that at said meeting **6** Alderman were present; that at said meeting, on motion duly made and seconded that the Resolution did pass and on the roll being called the vote of each Aldermen present on the question of the passage of said Resolution was duly and separately taken by Ayes and Nays and their names and votes recorded in the minutes of **6** Alderman voted Aye and **1** Alderman voted Nay and **0** Alderman voted Abstain and **1** Alderman Absent.

I DO FURTHER CERTIFY that the original Ordinance which the foregoing is a true copy, is entrusted to my care for safe keeping, and that I am the lawful keeper of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of the City of Blue Island aforesaid, at the said City in the County and State aforesaid, this **26th** day of **April, 2022**.

CORPORATE SEAL



City Clerk