

**TITLE 4
GENERAL PROPERTY MAINTENANCE**

**CHAPTER 2
PROPERTY MAINTENANCE; NOXIOUS WEEDS**

<u>SUBJECT</u>	<u>SECTION</u>
DEFINITIONS.....	4-2-1
DECLARATION OF NUISANCE	4-2-2
REQUIREMENT TO ABATE	4-2-3
MAINTENANCE OF RETENTION OR DETENTION PONDS	4-2-4
NOTICE OF VIOLATION.....	4-2-5
TOWNSHIP AUTHORIZED TO CAUSE ABATEMENT	4-2-6
RECOUPMENT OF COSTS.....	4-2-7

4-2-1. PROPERTY MAINTENANCE; NOXIOUS WEEDS.

As used in this title: (1) "noxious weeds" shall have the same meaning as defined in 505 ILCS 100/2 (5); (2) "weeds" shall include any weeds grasses or plants, other than trees, bushes, flowers or other ornamental plants, of a height exceeding eight inches.
(Ord. 1993-04, 10-5-1993)

4-2-2. DECLARATOIN OF NIUSANCE.

Any noxious weeds found growing on any real estate within the unincorporated areas of Palos Township are hereby declared to be a nuisance and no owner of such real estate shall permit any such noxious weeds to grow or remain in any such place. (Ord. 1993-04, 10-5-1993)

4-2-3. REQUIREMENT TO ABATE WEEDS.

No owner of any real estate in residential areas of unincorporated Palos Township shall allow any weeds to grow to a height in excess of eight inches. Failure to keep such weeds cut to said eight inch maximum height shall constitute a violation of this ordinance.
(Ord. 1993-04, 10-5-1993)

4-2-4. MAINTENANCE OF RETENTION OR DETENTION PONDS.

No owner or property owners association shall fail to properly maintain any retention or detention pond on any real stat in any residential area of unincorporated Palos Township. Failure to properly maintain such retention or detention pond shall constitute a violation of this Ordinance. (Ord. 1993-04, 10-5-1993)

4-2-5. NOTICE OF VIOLATION.

The Township Board of Trustees or its duly authorized agents shall serve official notice by mail to the owner of any premises on which noxious weeds or other weeds are growing; or, to the owner or property owners association where any retention or detention pond is not being properly maintained in violation of this ordinance, and shall demand abatement of the nuisance within 7 days of receipt of such notice; and, in the case of weeds growing in excess of eight inches; or, a retention or detention pond not being properly maintained, or noxious weeds growing, shall state the Township's intention to cut such weeds, or properly maintain such pond, or destroy such noxious weeds, unless said owner or property owners association does so within 7 days of receipt of such notice. (Ord. 1993-04, 10-5-1993)

4-2-6. TOWNSHIP AUTHORIZED TO CAUSE ABATEMENT.

If any such owner or property owners association, so notified pursuant to 4-2-5 above fails to abate the nuisance by destroying any noxious weeds or fails to cut any other weeds to a height of eight inches or less, or fails to properly maintain such pond within 7 days after receipt of notice by mail, the Township Board of Trustees may, through its duly authorized agents, proceed to abate such nuisance or cause such weeds to be cut, keeping an account of the cost of such abatement or cutting. The Township shall be allowed to recover the reasonable costs of such abatement or weed cutting from the owner of such property, or such property owners association. (Ord. 1993-04, 10-5-1993)

4-2-7. RECOURPMENT OF COSTS.

The Township shall immediately forward a bill for such costs to said owner or property owners association. If any such bill remains unpaid for 10 working days after it has been rendered, the Township may place a lien for such costs against the real estate affected, superior to all other liens and encumbrances, except tax liens; provided that within 60 days after such cost is incurred, the Township, or the person performing the service by authority of the Township in his or its own name, files notice of lien in the Office of the Cook County Recorder of Deeds. Such lien shall not be valid against any purchaser whose right in and to such real estate shall have arisen subsequent to the weed cutting and prior to the filing of such notice, and the lien shall not be valid as to any mortgagee judgment creditor or other lien holder whose rights in and to such real estate have arisen prior to the filing of such notice. Upon payment of a cost and expense by the owner of or persons interested in the real estate after notice of lien has been filed, the lien shall be released by the Township, or the person in whose name the lien has

been filed, and the owner or other person interested in such property may file such release in the Office of the Cook County Recorder of Deeds. (Ord. 1993-04, 10-5-1993)

4-2-8. HOLD HARMLESS.

Neither the Township nor any of its agents shall be liable for any damage to property occasioned in the enforcement of this ordinance. (Ord. 1993-04, 10-5-1993)