

ORDINANCE NO. 2015- 2126

AN ORDINANCE AMENDING SECTION 7.56.060, ENTITLED “PENALTIES,” OF CHAPTER 7.56, ENTITLED “NOXIOUS WEED AND NUISANCE GREENERY,” OF TITLE 7, ENTITLED “PUBLIC PEACE, SAFETY AND MORALS,” OF THE WESTCHESTER MUNICIPAL CODE

WHEREAS, the Illinois General Assembly provides for corporate authorities of municipalities, such as the Village of Westchester, to provide for the removal of weeds at the expense of the owners of the premises on which the weeds are growing (65 ILCS 5/11-20-6); and

WHEREAS, the Illinois General Assembly also provides for the removal of nuisance greenery, such as overgrown grass, bushes or trees, from any parcel of private property within the Village if the owners of that parcel, after reasonable notice, refuse or neglect to remove the nuisance greenery (65 ILCS 5/11-20-7); and

WHEREAS, the Village has enacted regulations for weed and nuisance greenery control through the provisions set forth in Chapter 7.56, entitled “Noxious Weed and Nuisance Greenery Control,” of Title 7, entitled “Public Peace, Safety and Morals,” of the Westchester Municipal Code; and

WHEREAS, it is deemed necessary, desirable and in the best interest of the Village to amend the provisions of Section 7.56.060, entitled “Penalties,” of Chapter 7.56, entitled “Noxious Weed and Nuisance Greenery Control,” regarding the Village’s regulatory authority and enforcement of weed and nuisance greenery control; and

WHEREAS, this Ordinance shall take effect immediately upon its passage, due to the urgency of implementing new penalty provisions in order to seek immediate compliance with the restrictions on overgrown grass and noxious weeds.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Westchester, Cook County, Illinois, as follows:

Section 1: That the recitals set forth above are found to be true and correct and are hereby adopted as part of this Ordinance.

Section 2: Section 7.56.060, entitled "Penalties," of Chapter 7.56, entitled "Noxious Weed and Nuisance Greenery Control," of Title 7, entitled "Public Peace, Safety and Morals," of the Westchester Municipal Code is hereby amended as follows:

7.56.060 - PENALTIES.

Any person in violation of this chapter shall be fined in the amount of \$50.00 for the first violation. Any person in violation of this chapter, which violation has been committed within one year of any prior violation of this chapter, shall be fined in the amount of \$100.00 for such second violation, in the amount of \$200.00 for any such third violation, in the amount of \$400.00 for any such fourth violation and in the amount of \$750.00 for each subsequent violation that has occurred within twelve (12) months of a prior violation. A separate offense shall be deemed to be committed each day that any such violation of any provision of this chapter shall continue.

Section 3: This Ordinance shall be in full force and effect immediately upon its passage, approval and publication in pamphlet form, due to the urgency of implementing the new penalty provisions in order to seek immediate compliance with the restrictions on overgrown grass and weeds.

ADOPTED this 26th day of May, 2015, pursuant to a roll call vote as follows:

Angelo A. Calcagno	<u>Aye</u>	Celestine Reda	<u>Aye</u>
Carl C. Celestino	<u>Aye</u>	Nick Steker	<u>Aye</u>
Frank Perry	<u>Aye</u>	Tom Yurkovich	<u>Aye</u>
		President Pulia	<u>Aye</u>

APPROVED this 26th day of May, 2015.



Sam D. Pulia, Village President

ATTEST:



Sherby J. Miller, Village Clerk

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AN ORDINANCE AMENDING SECTION 7.56.060, ENTITLED "PENALTIES,"
OF CHAPTER 7.56, ENTITLED "NOXIOUS WEED AND NUISANCE GREENERY,"
OF TITLE 7, ENTITLED "PUBLIC PEACE, SAFETY AND MORALS,"
OF THE WESTCHESTER MUNICIPAL CODE

PASSED AND APPROVED BY
THE PRESIDENT AND BOARD OF TRUSTEES
THIS 26TH DAY OF MAY, 2015

Published in Pamphlet Form
by Authority of the Corporate
Authorities of Westchester, Illinois
the _____ day of May, 2015.