

ORDINANCE NO. 2019- 2302

AN ORDINANCE AMENDING 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 25TH DAY OF JUNE, 2019

Published in Pamphlet Form
by Authority of the Corporate
Authorities of Westchester, Illinois
the _____ day of June, 2019.

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WHEREAS, pursuant to Section 5/11-20-6 of the Illinois Municipal Code (65 ILCS 5/11-20-6) the corporate authorities of the Village of Westchester may provide for the destruction of weeds at the expense of the owners of the premises on which the weeds are growing; and

WHEREAS, the Illinois Municipal Code 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 7.40.040, entitled “Failure to abate; abatement by Village,” 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.

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 7.56.040, entitled "Failure to abate; abatement by Village," 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:

7.56.040 - Failure to abate; abatement by Village.

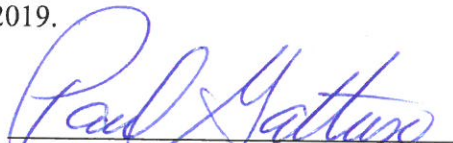
If the owner or occupant of the private property in violation of the provisions of this Chapter fails, neglects or refuses to abate the nuisance within forty-eight (48) hours after receiving notice pursuant to Section 7.56.030 of this Chapter, then representatives of the Village may enter upon the private property to remove or cut all noxious weeds and nuisance greenery in order to abate such nuisance. The Village shall keep an account of the removal cost related the abatement of the nuisance and such removal cost shall be charged and paid by the owner or occupant of the private property.

Section 3. This Ordinance shall be in full force and effect upon its passage and approval as required by law.

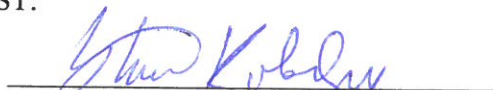
ADOPTED this 25th day of June, 2019, pursuant to a roll call vote as follows:

Angelo A. Calcagno	<u>Aye</u>	Sherby J. Miller	<u>Aye</u>
Cathy Kuratko	<u>Aye</u>	Frank Perry	<u>Aye</u>
Tracy Hart Markey	<u>Aye</u>	Nick Steker	<u>Aye</u>
		President Gattuso	<u>Aye</u>

APPROVED this 25th day of June, 2019.


Paul Gattuso, Village President

ATTEST:


Stanley V. Kolodziej, Village Clerk