

Ordinance No. 9116

**VILLAGE OF SPARLAND,  
Marshall County, Illinois**

**AN ORDINANCE Regarding the Nuisance of Vegetation in Excessive Height**

**WHEREAS**, the Village Board has considered in open session the modification of the Village Code regulating vegetation of excessive height pursuant to 65 ILCS 5/11-20-6 and 65 ILCS 5/11-20-7;

**NOW, THEREFORE, BE IT ORDAINED** By The VILLAGE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF SPARLAND, MARSHALL COUNTY, ILLINOIS, AS FOLLOWS:

**SECTION ONE.**

- A. Any weeds, brush and grass in excess of six (6) inches found growing on any tract or parcel of land within the Village of Sparland corporate limits are hereby declared to be a nuisance.
- B. Notice to abate. The Village President or her designee is hereby authorized and empowered to notify the owner, owner's agent or occupant of any premises on which weeds or plants have grown in violation of this section of the Village Code and to demand the abatement of the nuisance within five days.
- C. Abatement by Village authorized; payment of costs. If the nuisance is not abated within five days of receipt or posting of the notice described in subsection (B) above, or within five days of the date of refusal of delivery of such notice, the Village may proceed to abate such nuisance, keeping an account of the expense of the abatement, including but not limited to, labor charges, equipment charges and all other charges determined by the Village to be applicable to the cost of the Village in abating the nuisance, and such expense shall be charged to and paid by the property owner.
- D. The Village's removal cost under this Ordinance is a lien upon the underlying parcel in accordance with Section 11-20-15.
- E. (1) In the case of an abandoned residential property as defined in Section 11-20-15.1, the municipality may elect to obtain a lien for the removal cost pursuant to Section 11-20-15.1, in which case the provisions of Section 11-20-15.1 shall be the exclusive remedy for the removal cost.  
(2) The provisions of this subsection, other than this sentence, are inoperative upon certification by the Secretary of the Illinois Department of Financial and Professional Regulation, after consultation with the United States Department of Housing and Urban Development, that the Mortgage Electronic Registration System program is effectively registering substantially all mortgaged residential properties located in the

State of Illinois, is available for access by all municipalities located in the State of Illinois without charge to them, and such registration includes the telephone number for the mortgage servicer.

- F. Any person who is the owner or person in occupancy of real estate where the grasses or weeds are of a height in excess of four (4) inches shall be subjected to citation for allowing a nuisance, and upon conviction shall be fined not less than \$100.00 (One Hundred Dollars) nor more than \$300.00 (Three Hundred Dollars) for each violation. Each day on which the nuisance occurs and continues shall be deemed a separate offense.

**SECTION TWO.** All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

**SECTION THREE.** This Ordinance shall be in full force and effect ten days after its passage and publication as provided by law.

Passed and Approved by the Village President and Board of Trustees of the Village of Sparland, Illinois, this 1 day of September, A.D. 2016.

Ayes: 3 + Mayor

Nays: 0

Absent: 3 Mayor voted aye to break tie

Approved:

Debra A. Patten  
Village President

ATTEST:

Maellie  
Village Clerk