

# VILLAGE OF CORNELL

## ORDINANCE 19.2

### PLANTS AND WEEDS

#### BE IT ORDAINED THAT:

**SECTION I: (Weeds – Declared a Nuisance)** Any weeds such as jimson, burdock, ragweed, thistle, cocklebur, or other weeds of a like kind, found growing in any lot or tract of land in the Village are hereby declared to be a nuisance, and it shall be unlawful to permit any such weeds to grow or remain in any such place.

**SECTION II: (Height)** It shall be unlawful for any owner, occupant, lessee, tenant, or person in control of any property in the Village to permit any weeds, grass, or plants, other than trees, bushes, flowers, or other ornamental plants to grow to a height exceeding twelve inches anywhere in the Village; any such plants or weeds exceeding such height are hereby declared to be a nuisance.

**SECTION III: (Removal – Notice)** It shall be the duty of the Village officials or similar officer to serve or cause to be served a notice upon the owner, occupant, lessee, tenant or person in control of any premises on which weeds or plants are permitted to grow in violation of the provisions of this Ordinance and to demand the abatement of the nuisance within 10 (Ten) days.

**SECTION IV: (Abatement)** If the person or persons so served does/do not abate the nuisance within 10 (Ten) days, the Village may proceed to abate such nuisance, and the cost to be paid to the Village of Cornell by such owner or occupant for the abatement of any such nuisance hereunder shall be either \$50 (Fifty Dollars) or \$25 (Twenty-five Dollars) per hour for abatement work done under this provision, whatever sum shall be greater.

**SECTION V: (Lien)** Charges for such weed removal shall be a lien upon the premises. Whenever a bill for such charge remains unpaid for 60 (sixty) days after it has been rendered, the Clerk may file with the County Recorder of Livingston County, Illinois a statement of lien claim. This statement shall contain a legal description of the premises, or common street address, the expenses and costs incurred and the date the weeds were cut, and a notice that the Village claims a lien for this amount.

Notice of such lien shall be mailed to the owner and occupant of the premises of the address is known.

Provided, however, that failure of the Clerk to record such lien claim or to mail such notice, or the failure of the owner to receive such notice, shall not effect the right to foreclose the lien for such charges as provided in the following Section.

**SECTION VI: (Foreclosure of Lien)** Property subject to lien for unpaid weed cutting charges shall be sold for non-payment of the same and the proceeds of such sale shall be applied to pay the charges after deducting costs, as in the case of the foreclosure of statutory liens. Such foreclosure shall be in equity in the name of the Village.

The Village Attorney is hereby authorized and directed to institute such proceedings in the name of the Village in any Court of competent jurisdiction over such matter, against any property for which such bill has remained unpaid 60 (sixty) days after it has been rendered. The owner and/or occupant shall be liable for all expenses, court costs, and attorney's fees incurred by the Village in prosecuting any such legal proceedings.

**SECTION VII: (Liability)** The owner, lessee, tenant, occupant, or person using or controlling the property upon which the weed violation is located shall be jointly and severally liable for the payment of the expenses of weed abatement hereinabove described and as specified in Section VI hereof.

**SECTION VIII: (Penalty)** Any person, firm, entity, or corporation violating any of the provisions of this Ordinance shall be fined not less than \$50 (Fifty Dollars) or more than \$500 (Five Hundred Dollars) for each offense. Any separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

In addition, any person, firm, entity, or corporation violating any provision of this Ordinance shall be responsible for the payment of all costs incurred by the Village of Cornell including but not limited to all court costs and attorney's fees that the Village may incur in bringing an action against that person, firm, entity, or corporation to enforce this Ordinance.

Motion made by Carol Burgone, seconded by Don Leonard, that the Ordinance be passed.

**PASSED AND APPROVED** this 9<sup>th</sup> day of December, 2024  
pursuant to a roll call vote as follows:

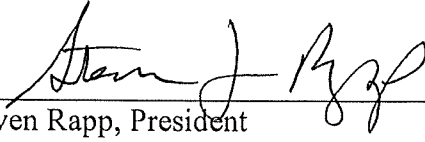
Ayes: 5

Not Voting: 0

Nays: 0

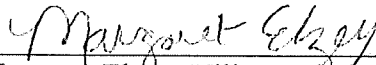
Abstaining: 0

Approved by me this 9<sup>th</sup> day of December, 2024.



Steven Rapp, President  
Board of Trustees for the  
Village of Cornell

Attested to this 9<sup>th</sup> day of December, 2024.



Margaret Elzey, Village Clerk