

ORDINANCE PROVIDING FOR CONTROL OF PLANTS AND WEEDS

BE IT ORDAINED by the President and Board of Trustees of the Village of Gifford, Illinois:

Section 1. WEEDS - DECLARED A NUISANCE. Any weeds such as jimson, burdock, ragweed, thistle, cockleburr, wild lettuce, 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 2. HEIGHT. It shall be unlawful for anyone to permit any weed, grass, or plant, other than trees, bushes, flowers, or other ornamental plant to grow to a height exceeding 8 inches anywhere in the Village; any such plant or weed exceeding such height is hereby declared to be a nuisance.

Section 3. BARBERRY BUSHES. It shall be unlawful and a nuisance to plant or permit the growth of the bush of the species of tall, common or European Barberry, further known as *Berberis vulgaris*, or its horticultural varieties, within the Village.

Section 4. REMOVAL - NOTICE. It shall be the duty of the health officer to serve or cause to be served a notice upon the owner or occupant of any premises on which weeds or plants are permitted to grow in violation of the provisions of this article and to demand the abatement of the nuisance within 10 days.

Section 5. ABATEMENT. If the person so served does not abate the nuisance within 10 days the health officer may proceed to abate such nuisance, keeping an account of the expense of the abatement, and such expense shall be charged and paid by such owner or occupant.

Section 6. LIEN. Charges for weed-cutting shall be a lien upon the premises as provided by statute. Whenever a bill for weed-cutting remains unpaid 60 days after it has been rendered the Clerk may file with the Recorder of Champaign County a statement of lien claim. This statement shall contain a legal description of the premises served, the amount of the unpaid bill, and a notice that the Village claims a lien for this amount. Notice of such lien claim shall be mailed by the Clerk to the owner of the premises, if his address is known to the Clerk, whenever such bills remain unpaid for a period of 60 days after they have been rendered. The 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 affect the right to foreclose the lien for unpaid weed-cutting bills as outlined herein. Property subject to a lien for such unpaid bills shall be sold for nonpayment of the same, and the proceeds of the sale shall be applied to pay the charges, after deducting costs, as is the case in the foreclosure of statutory liens. Such foreclosure shall be by bill 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 having jurisdiction over such matter, against any property for which such weed-cutting bill has remained unpaid 30 days after it has been rendered.

Section 7. PENALTY. Any person, firm, or corporation violating any of the provisions of this article shall be fined not less than one dollar nor more than ten dollars for each offense; and a separate offense shall be deemed committed on each day during or on which such nuisance continues unabated after 10 days from receipt of notice.

Presented this 19 day of May, A. D. 1960.

Filed this 5 day of May, A. D. 1960.

Passed this 19 day of May, A. D. 1960.

Published this 27<sup>th</sup> day of May, A. D. 1960.

PASSED AND ADOPTED by the President and Board of Trustees of the Village of Gifford, Illinois, this 19 day of May, A. D. 1960.

ATTEST:   
Village Clerk

APPROVED by the President of said Village who signed the same this 19 day of May, A. D. 1960.

  
Acting President of the Board of Trustees and  
of the Village of Gifford, Illinois