

STATE OF ILLINOIS)
) SS
COUNTY OF WINNEBAGO)

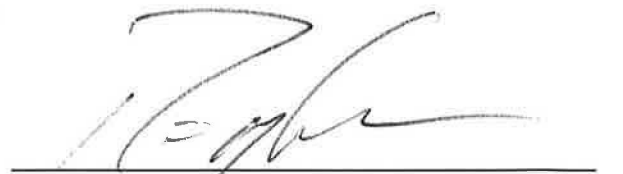
CERTIFICATE OF PUBLICATION IN PAMPHLET FORM

I, the undersigned, do hereby certify that I am the duly qualified and acting Legal Director and ex officio Keeper of the Records and Seal of the City of Rockford, Winnebago and Ogle Counties, Illinois (the "City"), and as such official I am the keeper of the official journal of proceedings, books, records, minutes and files of the City and of the City Council (the "City Council") thereof.

I do further certify that on the 9th day of September, 2015, there was published in pamphlet form, by authority of the City Council, a true, correct and complete copy of Ordinance No. **2015-176-O** and said resolution was so published on said date readily available for public inspection and distribution, in sufficient number, at my office as Legal Director and ex officio Keeper of the Records and Seal located in the City.

IN WITNESS WHEREOF I have affixed hereto my official signature and the seal of the City, this 9th day of September, 2015.

[SEAL]



LEGAL DIRECTOR AND EX OFFICIO
KEEPER OF THE RECORDS AND SEAL

Committee Report Passed:

ORDINANCE NO. 2015-176-0

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
ROCKFORD, WINNEBAGO AND OGLE COUNTIES, ILLINOIS, THAT:**

By passage and approval of this Ordinance, the Mayor and Legal Director are hereby authorized to execute the attached amendments to Section 17-2, Weed Cutting: Liens of the Code of Ordinances of the City of Rockford.

The provisions and sections of this Ordinance shall be deemed severable, and the invalidity of any portion of this Ordinance shall not affect the validity of the remainder.

All orders, resolutions, or ordinances in conflict herewith are hereby repealed insofar as such conflict exists, and this Ordinance shall take effect immediately upon its passage, approval, and publication, as required by law.

A full, true and complete copy of this Ordinance shall be published within ten (10) days after passage in pamphlet form by and under authority of the Corporate Authorities.

APPROVED: September 9, 2015.



MAYOR

AYES: Durkee, McNamara, Frost, Hervey, Newburg, Beach, Elyea
Beck, Chiarelli, Connell

NAYS: _____

ABSENT: Getchius, Thompson-Kelly, McNeely, Oddo (Away)

ABSTAIN: _____

ATTESTED:



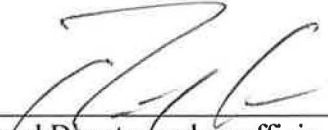
LEGAL DIRECTOR

PASSED: 9/8/15

APPROVED: 9/9/15

PUBLISHED: 9/9/15

FILED in my office this 9th day of September, 2015, and published in pamphlet form this 9th day of September, 2015 by order of the City Council of the City of Rockford, Illinois.




Legal Director and ex officio
Keeper of the Records and Seal

APPROVED BY:



Patrick W. Hayes, Legal Director

RECOMMENDED BY:



Angela Hammer, Assistant City Attorney

Sec. 17-2. - Weed cutting; liens.

(a)

The city may inspect any property to determine if the weeds or other vegetation thereon are noxious, a nuisance, or in violation of any city ordinance. If so determined, the city shall order the same to be cut, pulled or removed by the owner, lessee, tenant, occupant, or person in control of said lot.

(b)

Notwithstanding any other provisions of this Code, the city need give only a two-day written notice for the first occurrence of violation each three calendar years, no other notice shall be required to be sent during this period. The notice shall be sent by first-class U.S. mail to the property owner as shown in the records of the Winnebago County Recorder's Office prior to first action to control or remove weeds.

(c)

Should the property be in violation after the first occurrence within three calendar years, the city shall order the weeds or other vegetation to be cut, pulled or removed without further notification. The city shall advise the property owner of weed/vegetation removal in writing by one of the following two methods:

(1)

If the violation occurred on a lot without city water service, the city shall advise the property owner in writing, sent by ~~certified~~ first-class U.S. mail, of the cost incurred in connection with said control or removal of weeds and/or other vegetation, and that failure of the property owner to reimburse the city for said cost will result in the filing of a lien against the property. The cost shall include the cost of removal [including removal of any debris or rubbish to accomplish said removal]; and an administrative fee of \$100.00 as set forth in the current City of Rockford Fee Schedule, to reimburse the city for the costs of inspection and enforcement, and fees to record and release the lien.

(2)

If the violation occurred on a lot with city water service, the cost of removal of weeds and/or other vegetation [including removal of any debris or rubbish to accomplish said removal] and an administrative fee ~~of \$100.00~~ as set forth in the current City of Rockford Fee Schedule, to reimburse the city for the costs of inspection and enforcement will be added to the city water/rubbish bill for reimbursement of such expense.

Key:

~~Struck-out words~~ = remove from ordinance

Underlined italicized words = add to ordinance

Illinois Statute pertaining to Weed Removal

(65 ILCS 5/11-20-7) (from Ch. 24, par. 11-20-7)

Sec. 11-20-7. Cutting and removal of neglected weeds, grass, trees, and bushes.

(a) The corporate authorities of each municipality may provide for the removal of nuisance greenery from any parcel of private property within the municipality if the owners of that parcel, after reasonable notice, refuse or neglect to remove the nuisance greenery. The municipality may collect, from the owners of that parcel, the reasonable removal cost.

(b) The municipality's removal cost under this Section is a lien upon the underlying parcel in accordance with Section 11-20-15.

(c) For the purpose of this Section:

"Removal of nuisance greenery" or "removal activities" means the cutting of weeds or grass, the trimming of trees or bushes, and the removal of nuisance bushes or trees.

"Removal cost" means the total cost of the removal activity.

(d) 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.

The provisions of this subsection (d), 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.

(Source: P.A. 95-183, eff. 8-14-07; 96-462, eff. 8-14-09; 96-856, eff. 3-1-10.)