

Item #3:
Ord. Amending Village Code Re: Dead Trees Nuisance

VILLAGE OF LONG GROVE

ORDINANCE NO. 2016-O-___

**AN ORDINANCE AMENDING THE NUISANCE PROVISIONS OF THE
LONG GROVE VILLAGE CODE REGARDING DANGEROUS TREES**

Adopted by the
President and Board of Trustees
of
the Village of Long Grove
this 22nd day of November, 2016

Published in pamphlet form by direction
and authority of the Village of Long Grove,
Lake County, Illinois
this 23rd day of November, 2016

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ORDINANCE NO. 2016-O-__**

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WHEREAS, pursuant to Section 11-60-2 of the Illinois Municipal Code, 65 ILCS 5/11-60-2, the Village Board has the authority to define, prevent, and abate nuisances within the Village; and

WHEREAS, pursuant to Title 8, Chapter 9 of the Long Grove Village Code, the Village has adopted regulations defining, and providing for the abatement of, various acts, conduct, and conditions that, when performed, committed, or permitted to exist, are deemed to be nuisances; and

WHEREAS, the President and Board of Trustees have determined that, in addition to those conditions presently enumerated as nuisances in the Village Code, dead, diseased, and damaged trees are dangerous and constitute a nuisance if they are permitted to exist in a condition that creates a significant risk of injury to persons or property other than the property on which the tree is located; and

WHEREAS, the President and Board of Trustees have determined that it is in the best interests of the Village and its residents to amend Section 8-9-1 the Long Grove Village Code, as set forth herein, to define dead, diseased, and damaged trees as a nuisance under certain circumstances;

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Long Grove, County of Lake, State of Illinois, as follows:

SECTION ONE. **Recitals.** The foregoing recitals are incorporated into this Ordinance as findings of the President and Board of Trustees.

SECTION TWO. **Amendment to Section 8-9-1.** Section 8-9-1, entitled “Nuisances Defined; Prohibition;” of Chapter 9, entitled “Nuisance Abatement,” of Title 8, entitled “Health and Sanitation,” of the Long Grove Village Code shall be, and is hereby, amended in part to add a new subsection (S), as follows:

8-9-1: NUISANCES DEFINED; PROHIBITION:

The following acts, conduct and conditions are hereby declared and defined to be nuisances, and when committed, performed or permitted to exist by any individual, firm, association, partnership, corporation, or other legal entity within the territorial limits of the village, are hereby declared to be unlawful and prohibited:

* * *

(S) To own, maintain, or permit the existence of any "dangerous tree" within the village. For purposes of this chapter, a "dangerous tree" means any tree that is dead, diseased, insect-infested, or damaged and that, because of such condition, constitutes a significant risk of injury to persons or damage to property (including without limitation damage to other trees or vegetation through the spread of disease or insect infestation) other than private property on the zoning lot on which such tree is located.

SECTION THREE. Effective Date. This Ordinance shall be in full force and effect after its passage, approval, and publication in pamphlet form in the manner provided by law.

PASSED this 22nd day of November, 2016.

AYES: () Trustees:

NAYS: ()

ABSENT: ()

APPROVED this 22nd day of November, 2016.

ATTEST:

Village President, Angela Underwood

Village Clerk, Amy Gayton