

**Item #5:**

**Ord. Amending Property Maintenance Code Re: Growth**

**VILLAGE OF LONG GROVE**

**ORDINANCE NO. 2015-O-\_\_**

**AN ORDINANCE AMENDING SECTION 4-14-2 OF THE  
VILLAGE CODE REGARDING THE GROWTH OF  
WEEDS, GRASSES, OR OTHER PLANTS**

Adopted by the  
President and Board of Trustees  
of

the Village of Long Grove

this \_\_\_<sup>th</sup> day of \_\_\_\_\_, 2015

Published in pamphlet form by direction  
and authority of the Village of Long Grove,  
Lake County, Illinois

this \_\_\_<sup>th</sup> day of \_\_\_\_\_, 2015

VILLAGE OF LONG GROVE

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AN ORDINANCE AMENDING SECTION 4-14-2 OF THE  
VILLAGE CODE REGARDING THE GROWTH OF  
WEEDS, GRASSES, OR OTHER PLANTS

**WHEREAS**, Title 4 of the Long Grove Village Code ("**Village Code**") sets forth certain regulations and restrictions known as the "Long Grove Building Regulations" ("**Building Code**") to protect the public health, safety, and welfare from hazards incident to the occupancy of buildings, structures, or premises; and

**WHEREAS**, pursuant to the Illinois Municipal Code, 65 ILCS 5/1-3-2, local governments may adopt all or part of the provisions of public records and any published compilation of rules and regulations which have been prepared by nationally recognized associations, including property maintenance codes; and

**WHEREAS**, Chapter 14 of the Building Code adopts by reference, with various modifications, the 2015 International Property Maintenance Code ("**Property Maintenance Code**"); and

**WHEREAS**, the Property Maintenance Code regulates the mowing of grasses and weeds on all properties within the Village; and

**WHEREAS**, many areas within the Village reflect a rural character that is consistent with a natural, un-mowed vegetation; and

**WHEREAS**, the President and Board of Trustees have determined that it will serve and be in the best interests of the Village to amend the Property Maintenance Code pursuant to this Ordinance;

**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 2 of Chapter 14 of Title 4.**    Section 2, entitled "Amendments," of Chapter 14, entitled "Property Maintenance Code," of Title 4, entitled "Building Regulations," of the Long Grove Village Code shall be and is hereby amended as follows:

**4-14-2            AMENDMENTS**

\*       \*       \*

**Section 302.4 Weeds.** Amend Section 302.4 in its entirety, so that Section 302.4 shall hereafter be and read as follows:

(a)      **Except as provided in Subsection (c) hereof, any ZONING LOT under 40,000 square feet in LOT AREA within a RESIDENTIAL DISTRICT, and any ZONING LOT located within a BUSINESS DISTRICT or OFFICE DISTRICT** ~~All premises and exterior property~~ shall be maintained free from weeds or plant growth in excess of eight inches in height. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.

(b)      Upon failure of the *owner* or agent having charge of a property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with Section 106.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the *owner* or agent responsible for the property.

(c)      **The maintenance requirements set forth in Subsection (a) hereof shall not apply to areas within a Conservation and Scenic Corridor Easement designated by the Village of Long Grove. In addition, the Village Manager may issue a written exemption from the maintenance requirements of Subsection (a) for any ZONING LOT or portion thereof if, upon application to the Village Manager, the Village Manager (or the manager's designee) determines such ZONING LOT or portion thereof to be suitable for the growing of long grasses or other plants in a natural state. In making this determination, the Village Manager (or the Manager's designee) shall consider the size of the area proposed to be left in a natural condition, the improvements thereon, the character of the surrounding properties, and**

whether the requested exemption will further the preservation of the unique character of Long Grove without adversely affecting the use, enjoyment, and value of neighboring properties. Any written exemption issued under this Subsection (c) may be subject to such conditions as the Village Manager (or the Manager's designee) determines to be appropriate in light of the overall objectives of this Section, including without limitation time limitations on such exemptions. In any case, unless renewed in writing by the Village Manager (or the Manager's designee), no exemption shall be for a period in excess of five years.

(d) For purposes of this Section 302.4, terms that are set forth in capital letters shall have the meaning ascribed to such terms in the Long Grove Zoning Code.

Insert the following new **Subsection 302.10. Owner Of Property Required To Cut Or Remove Weeds, Grasses Or Bushes.**

(a) Unmanaged ground cover, weeds, grasses and bushes, including nonnative prairie species such as buckthorn, goldenrod, yellow and white sweet clover and ragweed, shall not be allowed to grow in excess of eight inches on all property within the village, except as authorized pursuant to Section 302.4.

(b) The village may require the property owner to cut weeds, grass, trim trees or bushes or remove bushes, trees, buckthorn, teasel and garlic mustard which constitute a public nuisance or threat to public health, safety or welfare.

\* \* \*

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

PASSED this \_\_\_<sup>th</sup> day of \_\_\_\_\_, 2015

AYES: ( )

NAYS: ( )

ABSENT: ( )

APPROVED this \_\_\_<sup>th</sup> day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Village President

ATTEST:

\_\_\_\_\_  
Village Clerk

DRAFT