

**CHAPTER 25**

**NUISANCES**

**ARTICLE I - GENERALLY**

**25-1-1**      **SPECIFIC NUISANCES ENUMERATED.** It is hereby declared to be a nuisance and to be against the health, peace and comfort of the Village, for any person, firm or corporation within the limits of the Village to permit the following; but the enumeration of the following nuisances shall not be deemed to be exclusive:

(A)            **Filth.** To cause or suffer the carcass of any animal or any offal, filth or noisome substance to be collected, deposited or to remain in any place, to the prejudice of others.

(B)            **Deposit of Offensive Materials.** To throw or deposit any offal or other offensive matter, or the carcass of any dead animal in any water course, lake, pond, spring, well or common sewer, street or public highway.

(C)            **Corruption of Water.** To corrupt or render unwholesome, or impure, the water of any spring, river, stream, pond or lake, well, public or private, to the injury or prejudice of others.

(D)            **Highway Encroachment.** To obstruct or encroach upon public highways, private ways, streets, alleys, commons, landing places, and ways to burying places.

(E)            **Manufacturing Gunpowder.** To carry on the business of manufacturing gunpowder, nitroglycerine, or other highly explosive substances, or mixing or grinding the materials therefore, in any building within **three hundred (300) feet** of any valuable building erected at the time such business may be commenced.

(F)            **Powder Magazines.** To establish powder magazines near incorporated towns, at a point different from that appointed according to law by the corporate authorities of the town, or within **eight hundred (800) feet** of any occupied dwelling house.

(G)            **Noxious Odors.** To erect, continue or use any building or other place for the exercise of any trade, employment or manufacture, which, by occasioning noxious exhalations, offensive smells or otherwise, is offensive or dangerous to the health of individuals, or of the public.

(H)            **Unlawful Advertising.** To advertise wares or occupations by painting notices of the same on, or affixing them to fences or other private property, or on rocks or other natural objects without the consent of the owner, or if in the highway or other public place, without permission of the proper authorities.

(I)            **Wells Unplugged.** To permit any well drilled for oil, gas, salt water disposal or any other purpose in connection with the production of oil and gas, to remain unplugged after such well is no longer used for the purpose for which it was drilled.

(J)            **Burn-Out Pits.** To construct or operate any salt water pit or oil field refuse pit, commonly called a "**burn-out pit**" so that salt water, brine or oil field refuse or other waste liquids may escape therefrom in any manner except by the evaporation of such salt water or brine or by the burning of such oil field waste or refuse.

(K)            **Discarded Materials.** To permit concrete bases, discarded machinery and materials to remain around any oil or gas well or to fail to fill any holes, cellars, slush pits and other excavations made in connection with any such well or to restore the surface of the lands surrounding any such well to its condition before the drilling of any such well, upon abandonment of any such oil or gas well.

(L) **Underground Wells.** To permit any salt water, oil, gas or other wastes from any well drilled for oil, gas or exploratory purposes to escape to the surface, or into a mine or coal seam, or into any underground fresh water supply or from one underground stratum to another.

(M) **Harassment.** To harass, intimidate or threaten any person who is about to sell or lease or has sold or leased a residence or other real property, or is about to buy or lease, or has bought or leased a residence or other real property, when the harassment, intimidation, or threat relates to a person's attempt to sell, buy or lease a residence, or other real property, or refers to a person's sale, purchase or lease of a residence or other real property.

(N) **Business.** To establish, maintain, and carry on any offensive or unwholesome business or establishment within the limits of the Village or within **one and one-half (1 1/2) miles** of the Village limits.

(O) **Filthy Premise Conditions.** To keep or suffer to be kept any chicken coop, cow barn, stable, cellar, vault, drain, privy, sewer or sink upon any premises belonging to or occupied by any person, or any railroad car, building, yard, grounds, and premises belonging to or occupied by any person.

(P) **Expectorate.** To expectorate on any public sidewalk or street, or other public building or floor or walk of any public vehicle or hall.

(Q) **Litter on Streets.** It shall be unlawful for any person to deposit or allow trash, paper, cardboard, wire, dirt, rock, stone, glass, brick, lumber, wood or litter of material objects of any size or description to fall upon the streets of the Village from any moving vehicle, or to be thrown from a moving vehicle, or to throw from a moving vehicle and to remain thereon.

(R) **Accumulation of Junk And Trash.** To deposit or pile up any rags, old rope, paper, iron, brass, copper, tin, aluminum, used lumber, derelict truck trailers, camping trailers, or boats, appliances, construction materials, demolition debris, ashes, garbage, refuse, plastic, brush, litter, weeds, slush, lead, glass bottles or broken glass upon any residential home lot, piece or parcel of land or upon any public or private alley, street or public way within the Village.

(S) **Rodents.** To cause or permit any condition or situation to exist that shall attract, harbor, or encourage the infestation of rodents.

(T) **Bringing Nuisances into the Village.** To bring into the Village or keep therein for sale or otherwise, either for food or for any other purpose, any dead or live animal or any matter, substance, or thing which shall be a nuisance or which shall occasion a nuisance in the Village, or which may or shall be dangerous or detrimental to health.

(U) **Offensive Liquids.** To keep nauseous, foul or putrid liquid or substance or any liquid or substance likely to become nauseous, foul, offensive, or putrid, nor permit any such liquid to be discharged, placed, thrown, or to flow from or out of any premise into or upon any adjacent premises or any public street or alley, nor permit the same to be done by any person connected with the premises.

(V) **Dense or Offensive Smoke.** To cause or permit the emission of dense smoke from any fire, chimney, engine, oil burner or any other agency in the Village so as to cause annoyance or discomfort to the residents thereof.

(W) **Scrap Tires, Both Mounted and Dismounted.** To keep any scrap tires, either mounted or dismounted, in open view, or so as to allow such tires to accumulate stagnant water so as to provide a breeding ground for mosquitoes and other pests.

(X) **Motor Transport Engines.** To operate motor vehicle transport engines in the nighttime between the hours of **eight (8:00) o'clock P.M.** and **six (6:00) o'clock**

**A.M.**, in any place in which a majority of the buildings, within a radius of **four hundred (400) feet** are used exclusively for residence purposes, excluding state and federal highways.

(Y) **Accumulation of Debris.** To store, dump or permit the accumulation of debris, refuse, garbage, trash, tires, buckets, cans, wheelbarrows, garbage cans or other containers in a manner that may harbor mosquitoes, flies, insects, rodents, nuisance birds or other animal pests that are offensive, injurious or dangerous to the health of individuals or the public.

(Z) **Generally.** To commit any act which is a nuisance according to the common law of the land or made such by statute of the State. **(See 740 ILCS Secs. 55/221 – 55/222)**

Nothing in this Section shall be construed to prevent the corporate authorities of this Village from declaring what shall be nuisances, and abating them within the Village limits.

**25-1-2 NUISANCES DETRIMENTAL TO HEALTH GENERALLY.** No building, vehicle, structure, receptacle, yard, lot, premise, or part thereof shall be made, used, kept, maintained or operated in the Village if such use, keeping or maintaining shall be dangerous or detrimental to health.

**25-1-3 NOTICE TO ABATE.** Whenever the Mayor or Police Chief finds that a nuisance exists, he shall direct the Village Clerk to mail (certified) to the party responsible for the nuisance and to the party on whose property the nuisance exists a written notice ordering that the nuisance be abated within a reasonable time. The notice to abate shall contain:

- (A) A description of what constitutes the nuisance;
- (B) The location of the nuisance;
- (C) A statement of what condition or state of affairs must be achieved in order for the nuisance to be deemed abated;
- (D) The date by which abatement must be completed;
- (E) The date by which a request for a hearing must be filed and a statement of the procedure for so filing;
- (F) A statement that the responsible party has a right to appeal the abatement order to the Village Board of Trustees.
- (G) A statement indicating that if the nuisance is not abated by the date prescribed and/or if no request for hearing is made within the time prescribed, this Village will abate the nuisance and assess the costs against the property and/or impose a fine.

**25-1-4 HEARING.** Any person ordered to abate a nuisance may have a hearing with the Police Chief or his designated representative ordering the abatement. A request for a hearing must be made in writing and delivered to the Village Clerk within the time stated in the notice; otherwise, it will be presumed that a nuisance exists, and that such nuisance must be abated as ordered. The hearing shall not be a formal trial-type proceeding, but appropriate procedural safeguards shall be observed to ensure fairness. At the conclusion of the hearing, the Police Chief or his designated representative shall render his decision and the reasons therefor in writing. If he finds that a nuisance exists, he shall order it abated within an additional time which must be reasonable under the circumstances.

## **NUISANCES 25-1-5**

**25-1-5**      **APPEAL.** Any party aggrieved by the decision of the Police Chief may appeal to the Board of Trustees. Such appeal shall be taken by filing with the Village Clerk within **five (5) days** of such decision a written statement indicating the basis for the appeal.

The appeal shall be heard by the Board of Trustees at the next regular or special meeting after such filing. Their findings shall be conclusive and if a nuisance is found to exist, it shall be ordered abated within a time reasonable under the circumstances.

**25-1-6**      **ABATEMENT BY VILLAGE.** If the person ordered to abate a nuisance fails to do so, or if the nuisance poses an emergency, this Village may perform the required action to abate. Any Police Chief or his designee who is authorized to abate any nuisance as defined in this Article shall have authority to engage the necessary assistance and to incur the necessary expenses therefor. The official who abates a nuisance shall keep an accurate account of the expenses incurred. The itemized expense shall be filed with the Village Clerk who shall pay such expenses on behalf of this Village. **(See 65 ILCS Sec. 6/11-60-2)**

**25-1-7**      **FAILURE TO COMPLY WITH NOTICE.** If the person notified to abate a nuisance shall neglect or refuse to comply with the requirements of such notice by abating such nuisance within the time specified, such person shall be guilty of a violation of this Code. The Village shall not be required to issue another notice where the condition or violation is at first abated, but later resumed and/or repeated.

**(See 65 ILCS Sec. 5/11-60-2 and 720 ILCS Secs. 5/47-5; 5/47-10 and 5/47-15)**

**[See Section 1-1-20 for penalty.]**

**ARTICLE II - WEEDS**

**25-2-1**        **DEFINITION.** "Weeds" as used in this Code shall include, but not be limited to the following:

Burdock, Rag Weed (giant), Rag Weed (Common), Thistle, Cocklebur, Jimson, Blue Vervain, Common Milk Weed, Wild Carrot, Poison Ivy, Wild Mustard, Rough Pigweed, Lambsquarter, Wild Lettuce, Curled Dock, Smartweeds (all varieties), Poison Hemlock, Wild Hemp, Johnson Grass, grass and all other noxious weeds as defined by the statutes of the State of Illinois.

**25-2-2**        **HEIGHT.** It shall be unlawful for anyone to permit any weeds, grass, or plants, other than trees, bushes, flowers or other ornamental plants, to grow to a height exceeding **eight (8) inches** anywhere in the Village. Any such plants, weeds, or grass exceeding such height are hereby declared to be a nuisance.

**25-2-3**        **NOTICE.** The Police Department or any other person so designated by the Mayor may issue a written notice for removal of weeds or grass. Such weeds or grass shall be cut by the owner or occupant within **five (5) days** after such notice has been duly served.

**25-2-4**        **SERVICE OF NOTICE.** Service of the notice provided for herein may be effected by handing the same to the owner, occupant or lessee of the premises, or to any member of his household of the age of **fifteen (15) years** or older found on the premises or by mailing such notice to the last known residence address of the owner; provided, that if the premises are unoccupied and the owner's address cannot be obtained, then the notice may be served by posting the same upon the premises.

**25-2-5**        **ABATEMENT.** Upon notification in writing by any authorized agent or representative of the Village, including the Village Clerk, Village Attorney, or police officer, the owner of property upon which weeds have grown, shall cut or remove the weeds within **three (3) days** of the date of mailing of said notice. Failure to cut or remove the weeds within the time specified shall cause the summary abatement of this nuisance, and the Village may cut or remove, or provide for the cutting and/or removal of said weeds, and may collect from such owner the reasonable cost thereof. The penalty for failure to abate the violation of this Article shall be not less than **One Hundred Dollars (\$100.00)** nor more than **Seven Hundred Fifty Dollars (\$750.00)** and shall be assessed against the owner of the property for each offense; and each day that such violation or nuisance continues shall be deemed as a separate offense. The cost and fines are a lien upon the real estate affected. **(Ord. No. 07-007)**

**25-2-6**        **LIEN.** Charges for such weed or grass removal shall be a lien upon the premises. A bill representing the cost and expense incurred or payable for the service shall be presented to the owner. If this bill is not paid within **thirty (30) days** of submission of the bill, a notice of lien of the cost and expenses thereof incurred by the Village shall be recorded in the following manner:

- (A)            A description of the real estate sufficient for identification thereof.

(B) The amount of money representing the cost and expense incurred or payable for the service.

(C) The date or dates when said cost and expense was incurred by the Village and shall be filed within **sixty (60) days** after the cost and expense is incurred.

**25-2-7** **PAYMENT.** Notice of such lien claim shall be mailed to the owner of the premises if his address is known. Upon payment of the cost and expense after notice of lien has been filed, the lien shall be released by the Village or person in whose name the lien has been filed and the release shall be filed of record in the same manner as filing notice of the lien. All lien and release filing fees shall be paid by the owner of the property.

**25-2-8** **FORECLOSURE OF LIEN.** Property subject to a 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 is the case in the foreclosure of statutory liens. Such foreclosure shall be in the name of the Village after the lien is in effect for **sixty (60) days**.

**(See 65 ILCS Secs. 5/11-20-6 and 5/11-20-7)**

**[See Section 1-1-20 for penalty.]**

**ARTICLE III - GARBAGE AND DEBRIS**

**25-3-1**     **NUISANCE.** The storage or accumulation of garbage and debris, and other types of waste, upon the open area of any lot or parcel of land in this Village for a period of **seven (7) days** or more, constitutes a menace to the public health and comfort and is offensive to the public welfare and is hereby declared to be a public nuisance and shall be subject to abatement. **(Ord. No. 07-005)**

**25-3-2**     **NOTICE TO PERSON.** The Chief of Police or a designated representative may issue a written notice for removal of garbage or debris. Such garbage or debris shall be removed by the owner or occupant within **five (5) days** after such notice has been duly served.

**25-3-3**     **SERVICE OF NOTICE.** Service of notice provided for herein may be effected by handing of the same to the owner, occupant, or lessee of the premises, or to any member of his household of the age of **fifteen (15) years** or older found on the premises or by mailing such notice to the last known residence address of the owner; provided that if the premises are unoccupied and the owner's address cannot be obtained, then the notice may be served by posting the same upon the premises.

**25-3-4**     **ABATEMENT.** Upon notification in writing by any authorized agent or representative of the Village, including the Village Clerk, Village Attorney, or police officer, the owner of property upon which garbage or debris has been placed shall remove the garbage or debris within **three (3) days** of the date of mailing of said notice. Failure to remove the garbage or debris within the time specified shall cause the summary abatement of this nuisance. The Village may remove or provide for the removal of said garbage and debris, and may collect from such owner the reasonable cost thereof. A fine of **Three Hundred Dollars (\$300.00)** shall be assessed against the owner of the property for each offense; and each day that such violation or nuisance continues shall be deemed as a separate offense. The cost and fines are a lien upon the real estate affected. **(Ord. No. 07-005)**

**25-3-5**     **LIEN.** Charges for such removal shall be a lien upon the premises. A bill representing the cost and expense incurred or payable for the service shall be presented to the owner. If this bill is not paid within **thirty (30) days** of submission of the bill, a notice of lien of the cost and expenses thereof incurred by the Village shall be recorded in the following manner:

- (A)           A description of the real estate sufficient for identification thereof.
- (B)           The amount of money representing the cost and expense incurred or payable for the service.
- (C)           The date or dates when said cost and expense was incurred by the Village and shall be filed within **sixty (60) days** after the cost and expense is incurred.

**25-3-6**      **PAYMENT.** Notice of such lien claim shall be mailed to the owner of the premises if his address is known. Upon payment of the cost and expense after notice of lien has been filed, the lien shall be released by the Village or person in whose name the lien has been filed and the release shall be filed of record in the same manner as filing notice of the lien.

**25-3-7**      **FORECLOSURE OF LIEN.** Property subject to a lien for unpaid charges shall be sold non-payment of the same, and the proceeds of such 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 in the name of the Village, after lien is in effect for **sixty (60) days**. Suit to foreclose this lien shall be commenced within **two (2) years** after the date of filing notice of lien.

**(See 65 ILCS Sec. 5/11-20-13 and 720 ILCS Sec. 5/47-10)**

**[See Section 1-1-20 for penalty.]**

**ARTICLE IV - GRAFFITI**

**25-4-1**      **NUISANCE.** Graffiti in public view is hereby declared a public nuisance, and shall be subject to abatement. It is unlawful for the owner and/or occupant of any fixed real or personal property which is in public view to place or allow any graffiti, defined as any sign, symbol, marking, drawing, name, initial, word, diagram, sketch, picture or letter, which incites violence by reference to gang or criminal activity, depicts or expresses obscenity by referring to sexual activity or contains defamatory material about a public or private person.

**25-4-2**      **ABATEMENT.** Upon notification in writing by any authorized agent or representative of the Village, including the Village Clerk, Village Attorney, or police officer, the owner of property upon which graffiti has been illegally placed shall remove the graffiti within **three (3) days** of the date of mailing of said notice. Failure to remove the graffiti within the time specified shall cause the summary abatement of this nuisance, and the Village may remove or provide for the removal of said graffiti. A fine of **Three Hundred Dollars (\$300.00)** shall be assessed against the owner of the property for each offense; and each day that such violation or nuisance continues shall be deemed as a separate offense.

**25-4-3**      **REMEDIES NOT EXCLUSIVE.** The remedies set forth in this Article are cumulative and not exclusive. The Village may pursue any available civil remedies in addition to prosecuting violations in municipal court and following the abatement procedures of this Article.

**(Ord. No. 07-006)**

**[See Section 1-1-20 for penalty.]**

**ARTICLE V - INOPERABLE MOTOR VEHICLES**

**25-5-1**      **DEFINITIONS.** Whenever the following terms are used in this Chapter, they shall have the meanings respectively ascribed to them in this Section:

**"INOPERABLE MOTOR VEHICLE":** Any motor vehicle from which, for a period of at least **seven (7) days**, the engine, wheels or other parts have been removed; or on which the engine, wheels or other parts have been altered, damaged or otherwise so treated that the vehicle is incapable of being driven under its own motor power. "Inoperable Motor Vehicle" shall not include a motor vehicle which has been rendered temporarily incapable of being driven under its own motor power in order to perform ordinary service or repair operations.

**"OPERABLE HISTORIC VEHICLE":** A vehicle over **twenty-five (25) years** of age which is capable of being driven under its own motor power and which is licensed in accordance with the applicable Illinois statutes and in accordance with the applicable vehicle tax provisions of this Code. **(65 ILCS 5/11-40-3)**

**25-5-2**      **NUISANCE DECLARED; EXCEPTIONS.** The location or presence of any inoperable motor vehicles on any lot, tract, parcel of land or portion thereof, occupied or unoccupied, improved or unimproved, within the Village shall be deemed a public nuisance; and it shall be unlawful for any person to cause or maintain such public nuisance by wrecking, dismantling, rendering inoperable, abandoning or discarding his vehicle or vehicles on the proper of another or to suffer, permit or allow the same to be placed, located, maintained or to exist upon his own real property or any premises leased or occupied by him; provided, that this Section shall not apply to:

- (A)            A vehicle or part thereof which is completely enclosed within a building in a lawful manner, where it is not visible from the street or other public or private property;
- (B)            A vehicle or part thereof which is stored or parked in a lawful manner on private property in connection with the business of a licensed vehicle dealer, or a vehicle on the premises of a licensed business engaged in wrecking or junking of vehicles, if such businesses are otherwise permitted by the ordinances of the Village; or
- (C)            Operable historic vehicles. **(625 ILCS 5/11-40-3)**

**25-5-3**      **NOTICE TO REMOVE; HEARING.**

(A)            **Notice to Remove.**

- (1)            **Vehicle on Private Property.** Whenever such public nuisance exists in the Village in violation hereof, the Police Department shall give not less than **seven (7) days'** notice to the owner of the real property, the occupant or lessee, if any, of the premises whereon such public nuisance exists to abate or remove the same, stating the nature of the public nuisance on private property, that it must be removed and abated within **seven (7) days** and, further, that a request for a hearing must be made before the expiration of said **seven (7) day** period by the aggrieved person, such notice to be personally served or to be

mailed, by certified or registered mail with a **five (5) day** return receipt requested and by regular mail, to the owner, the occupant or the lessee of the private premises whereupon such public nuisance exists. If notice by mail is returned undelivered by the United States post office, official action to abate said nuisance shall be continued to a date not less than **ten (10) days** from the date of such return.

- (2) **Vehicle on Public Property.** Whenever such public nuisance exists in the Village in violation hereof, the Police Department shall give not less than a **seven (7) day** notice, stating the nature of the public nuisance on the public property or on a public right of way, that it must be removed and abated within **seven (7) days** and, further, that a request for a hearing must be made before the expiration of said **seven (7) day** period, such notice personally served or to be mailed, by certified or registered mail with a **five (5) day** return receipt requested, to the owner, the occupant or the lessee of the public premises or to the owner, the occupant or the lessee of the premises adjacent to the public right of way whereupon such public nuisance exists. If notice by mail is returned undelivered by the United States post office, official action to abate said nuisance shall be continued to a date not less than **seven (7) days** from the date of such return.

(B) **Hearing Prior to Removal.** In the event that a hearing is timely requested, a public hearing prior to the removal of the vehicle or part thereof as a public nuisance is to be held before a person designated by the Village. When such a hearing is requested by the owner, the occupant or the lessee of the public or private premises or by the owner, the occupant or the lessee of the premises adjacent to the public right of way on which said vehicle is located, within **seven (7) days** after service of notice to abate the nuisance, any resolution or order requiring the removal of a vehicle or part thereof shall include a description of the vehicle and the correct identification number and license number of the vehicle, if available at the site.

**25-5-4 REMOVAL WITH PERMISSION OF OWNER OR OCCUPANT.** If within **seven (7) days** after receipt of notice from the Police Department or its agents to abate the nuisance, as herein provided, the owner, the occupant or lessee of the premises shall give his written permission to the Village for removal of the inoperable motor vehicle from the premises, the removal shall be at the expense of said owner. The giving of such permission shall be considered compliance with the provisions of this Chapter.

**25-5-5 DISPOSAL OF INOPERABLE VEHICLES.** If such public nuisance is not abated by the owner, occupant or lessee after notice is given in accordance with this Chapter, official action may be taken by the Village to abate such nuisance at the expense of the owner, occupant and/or lessee. Inoperable vehicles or parts thereof may be disposed of by removal to a scrapyard or demolishers for processing as scrap or salvage.

**25-5-6**      **AUTHORITY TO ENFORCE; ENTRY POWERS.** The Police Department and/or their employees or agents, may enter upon private property for the purposes specified in this Chapter to examine vehicles or parts thereof, obtain information as to the identity of vehicles and to remove or cause the removal of a vehicle or parts thereof declared to be a nuisance pursuant to this Chapter but shall comply with the fourth amendment of the United States Constitution.

**25-5-7**      **EFFECT OF PROVISIONS ON TRAFFIC OBSTRUCTIONS.** Nothing in this Chapter shall affect statutes or ordinances that permit immediate removal of a vehicle left on public property which constitutes an obstruction to traffic.

**25-5-8**      **PENALTY.** Any person, firm or corporation violating any of the provisions of this Chapter shall be subject to the penalty provided in **Section 1-1-20** of this Code. Each day that a vehicle remains inoperable after notice has been given shall constitute a separate offense.

**(Ord. No. 14-09; 08-12-14)**

**(See 65 ILCS Sec. 5/11-40-3)**

**[See Section 1-1-20 for penalty.]**

**ARTICLE VI - DANGEROUS AND UNSAFE PROPERTIES**

**25-6-1**      **ADOPTION BY REFERENCE.** The Village may demolish, repair, or enclose or cause the demolition, repair, or enclosure of dangerous and unsafe buildings or uncompleted and abandoned buildings within the Village and may remove or cause the removal of garbage, debris, and other hazardous, noxious, or unhealthy substances or materials from those building. Therefor, the Village does hereby adopt by reference the applicable provisions of Chapter 65 of the Illinois Compiled Statutes, Sections 5/11-31-1 and 5/11-31-1.1 governing dangerous and unsafe buildings.

**ARTICLE VII - PENALTIES AND SPECIAL ASSESSMENT**

**25-7-1**      **SPECIAL ASSESSMENT.** In addition to any other method authorized by law, if (i) a property owner is cited with a Code violation under this Chapter, requiring the cutting of grass and weeds, the removal of garbage and debris, the removal of inoperable motor vehicles, or rodent and vermin abatement, (ii) noncompliance is found upon reinspection of the property after the due date for compliance with an order to correct the Code violation or with an order for abatement; (iii) costs for services rendered by the municipality to correct the Code violation remain unpaid at the point in time that they would become a debt due and owing the municipality, as provided in Chapter 65 of the Illinois Compiled Statutes, Section 5/11-31-1.1 et seq., and (iv) a lien has been filed of record by the municipality in the office of the Recorder of Deeds in the county in which the property is located, then those costs may be collected as a special assessment on the property pursuant to **65 ILCS 5/9-2-4.5**. Upon payment of the costs by the owner of record or persons interested in the property, the lien shall be released by the municipality and the release shall be filed of record in the same manner as the filing of notice of the lien.