

ORDINANCE NO. 18 - _____

**AN ORDINANCE AMENDING SECTION 86-2 (EXCESSIVE HEIGHT OF WEEDS,
PLANTS AND GRASS; DECLARED NUISANCE)
OF THE WESTMONT MUNICIPAL CODE OF ORDINANCES**

WHEREAS, the Village of Westmont (the “Village”), is a municipal corporation duly organized and operating pursuant to the laws of the State of Illinois; and

WHEREAS, the Mayor and Board of Trustees (the “Board of Trustees”) are charged with duties and responsibilities concerning the promotion of life, health and safety of Village residents and businesses and create and adopt certain regulations in fulfillment of those duties and responsibilities; and

WHEREAS, pursuant to Section 11-20-6 of the Illinois Municipal Code, the Village may provide for the destruction of weeds, and pursuant to Division 80 of the Illinois Municipal Code, the Village may regulate the use of public rights-of-way; and

WHEREAS, after careful consideration of the recommendations of the Village Manager and Community Development Department, the Board of Trustees desires to adopt certain regulations regarding the limited private maintenance of public parkways.

NOW THEREFORE, BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Westmont, DuPage County, Illinois, as follows:

Section 1: The above-stated recitals are hereby restated and incorporated into this Section 1 as though fully set for herein.

Section 2: Chapter 86, Section 86-2 (Excessive Height of Weeds, Plants and Grass; Declared Nuisance) of the Westmont Code of Ordinances is hereby amended by adding a new Subsection 86-2 (b), and renumbering Section 86-2 accordingly to read as follows (amendments are indicated by underlined and **shaded** text; deletions are indicated by ~~strikeouts~~):

Sec. 86-2. - Excessive height of weeds, plants and grass; declared nuisance.

- (a) It shall be unlawful for any person to permit weeds, grass or plants, other than trees, bushes, flowers, ornamental plants or approved native/natural landscaping, to grow to a height exceeding eight inches (8”) anywhere in the village. Any such plants or weeds exceeding such height are hereby declared to be a nuisance.
- (b) Property owners, tenants and/or homeowners’ associations shall maintain the entire public parkway area abutting and between their private property and the public roadway or alley (for the full width or span of their property), so the minimum vegetation in such public parkway areas includes healthy grass not more than eight inches (8”) in height.

The failure to maintain the public parkway as required by this section is hereby declared to be a nuisance.

Section 3: All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of the conflict.

Section 4: This ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

PASSED AND APPROVED by the Mayor and Board of Trustees of the Village of Westmont, DuPage County, Illinois, this 13th day of September, 2018.

Ayes: _____ Nays: _____ Absent: _____

APPROVED:

Ronald J. Gunter, Mayor

ATTEST:

Virginia Szymski, Village Clerk