

AN ORDINANCE
AMENDING CHAPTER 10, ENTITLED "GARBAGE AND REFUSE", AND
CHAPTER 25, ENTITLED "VEGETATION", OF THE CODE OF
ORDINANCES, CITY OF URBANA, ILLINOIS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
URBANA, ILLINOIS, as follows:

Section 1. That Chapter 10, entitled "Garbage and Refuse",
of the Code of Ordinances, City of Urbana, Illinois, is hereby
amended to read as follows:

A. Subsection (c) of Section 10-2, entitled "Disposal
of garbage", shall read as follows:

(c) No accumulated garbage within the city shall
be allowed to become offensive to sight or smell, or dangerous to
the health of occupants of the neighborhood; but it shall be
removed often enough to meet the requirements of the health authority
for the promotion of healthful conditions in the city, and in any
event shall be removed within one (1) day following an order from
the administrator of the department of community development services
or the fire chief to remove such and properly dispose of same.

B. Subsection (b) of Section 10-4, entitled "Removal
of useless junk and debris", shall read as follows:

(b) Every person who is the owner or occupant of
property within the city, or the agent in charge of such property
for a nonresident owner, is charged with the duty of keeping such
property free from useless junk and debris of practically no value;
and for public health and safety, each owner, occupant or agent
having charge of such property shall be notified in writing by the
administrator of the department of community development services
or the fire chief or the health officer to remove such junk or
debris. It shall be the duty of such owner, occupant or agent to
immediately remove such junk or debris and satisfactorily dispose
of the same to the satisfaction of the administrator of the department
of community development services or the fire chief or the health
officer, within ten (10) days of receipt of the notice.

Section 2. That Chapter 25, entitled "Vegetation", of
the Code of Ordinances, City of Urbana, Illinois, is hereby amended
to read as follows:

A. Subsections (a) and (b) of Section 25-63, entitled
"Notice to record owners and occupants", shall read as follows:

(a) Upon it coming to the attention of the administrator
of the department of community development services or the fire chief
that a nuisance exists, the administrator or the fire chief shall cause

written notice in substantially the form set forth in subsection (b) to be served on each of the record owners of the parcel upon which the nuisance is located. Such notice shall be served upon the record owners either by personal service or by certified mail, return receipt requested. The administrator or the fire chief shall also at the same time cause to be mailed by first class postage a copy of the notice set forth in subsection (b) to be sent to the occupant.

(b) The notice required under this article shall be in substantially the following form:

TO: _____
(Owner/Occupant)

AT: _____
(Location)

OWNER/OCCUPANT OF THE PREMISES
KNOWN AND DESCRIBED AS:

(Common Address)

(Brief Legal Description)

YOU ARE HEREBY NOTIFIED THAT THE ABOVE DESCRIBED
LOCATION HAS BEEN DECLARED A NUISANCE BY

(Inspector's Name)

THE CAUSES FOR THIS DECISION ARE:

(Insert the facts as to unsafe condition)

IF THE AFOREMENTIONED PLANTS ARE NOT REMOVED OR
A WRITTEN REQUEST FOR APPEAL HAS NOT BEEN RECEIVED
BY THE ADMINISTRATOR OF THE DEPARTMENT OF COMMUNITY
DEVELOPMENT SERVICES OR THE FIRE CHIEF ON OR BEFORE
THE _____ DAY OF _____, 19____, THE CITY
OF URBANA, ILLINOIS, WILL PROCEED TO REMOVE SUCH
PLANTS WITH THE COSTS THEREOF TO BE ASSESSED TO
THE PROPERTY OWNER.

DATED AT URBANA, ILLINOIS, THIS _____ DAY OF _____, 19____.

BUILDING OFFICIAL, DEPARTMENT
OF COMMUNITY DEVELOPMENT
SERVICES

Copies of this Notice were also mailed to the following:

B. Subsections (a) and (b) of Section 25-64, entitled "Alternative notice upon failure of personal service and certified mail", shall read as follows:

(a) If any of the record owners are not personally served or fail or refuse receipt of the certified mail containing the notice, then the administrator of the department of community development services or the fire chief shall do each of the following:

(1) Send an exact copy of the notice, which was addressed to each of the record owners, to the person who last paid the general taxes on the parcel upon which the nuisance was discovered at such person's address as shown by the records of the county collector; and

(2) Post in a conspicuous place on the premises where the nuisance is located, a notice substantially in the form set forth in subsection (b); and

(3) Shall cause to be published one time in the newspaper of general daily circulation in the city, a copy of the notice so posted pursuant to subsection (a) (2).

(b) The notice required under this section shall be in substantially the following form:

NOTICE OF NUISANCE VEGETATION LOCATED AT _____, URBANA, ILLINOIS.

TO ALL WHO MAY HAVE ANY LEGAL INTEREST IN THE ABOVE DESCRIBED LOCATION. THE DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES, URBANA, ILLINOIS, HAS DECLARED CERTAIN PLANTS ON THE AFOREMENTIONED LOCATION TO CONSTITUTE A NUISANCE.

IF THE AFOREMENTIONED PLANTS ARE NOT REMOVED OR A WRITTEN REQUEST FOR APPEAL HAS NOT BEEN RECEIVED BY THE ADMINISTRATOR OF THE DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES OR THE FIRE CHIEF ON OR BEFORE THE _____ DAY OF _____, 19____, THE CITY OF URBANA, ILLINOIS, WILL PROCEED TO REMOVE SUCH PLANTS WITH THE COSTS THEREOF TO BE ASSESSED TO THE PROPERTY OWNER.

DATED AT URBANA, ILLINOIS, THIS _____ DAY OF _____, 19____.

BUILDING OFFICIAL, DEPARTMENT
OF COMMUNITY DEVELOPMENT
SERVICES

Copies of this Notice were also mailed to the following:

C. Section 25-65, entitled "Courtesy notice to persons with legal interest", shall read as follows:

Nothing in this article shall be considered to bar or prevent the administrator of the department of community development services or the fire chief from sending copies of the notices which were sent to the record owner to any person whom the administrator or the fire chief believes may have any legal interest in the subject premises, but such courtesy shall not be deemed to be jurisdictional.

D. Subsections (a) and (b) of Section 25-66, entitled "Failure to comply with notice; hearing", shall read as follows:

(a) If, after receipt of notice by the last of the respondents so served, or publication of such notice as described in section 25-65, the plants have not been removed or the nuisances otherwise abated within fifteen (15) days of the last respondent so served or date of publication, the administrator of the department of community development services or the fire chief shall direct the removal of the aforementioned plants or otherwise abate such nuisances, unless at least one of the respondents, within the fifteen (15) day period, files a written request for hearing before the environmental committee.

(b) The hearing shall take place at the next regularly scheduled environment committee meeting, unless the meeting is scheduled to occur less than ten (10) days after the receipt by the administrator of the department of community development services or the fire chief of the request for a hearing; then the hearing shall take place at a special environment committee meeting not less than ten (10) days nor more than thirty (30) days after the receipt of the request.

E. Subsections (a), (b), (c) and (d) of Section 25-67, entitled "Order of environment committee; abatement of nuisance; record of costs", shall read as follows:

(a) The respondent shall have fifteen (15) days in which to comply with the actions ordered by the environment committee. If the administrator of the department of community development services or the fire chief, finds the respondent not in compliance after this time, then such actions may be accomplished by or under the direction of the administrator or the fire chief or a designated agent thereof.

(b) This designated agent of the administrator of the department of community development services or the fire chief may include a private contractor or the director of public works with obligation to accomplish such actions for the city.

(c) The actions taken by the administrator of the department of community development services or the fire chief or a designated agent thereof may include removal of all vegetation (except for species, not listed in section 25-61, being actively cultivated for agronomic or ornamental purposes) if the nuisance is prevalent on the subject real estate.

(d) An accurate record of the costs of such plant removal or nuisance abatement shall be kept by the administrator or fire chief, who shall certify the costs thereof and cause the costs as shown thereon to be charged against the owner according to law. Such costs shall be a lien on the property as provided in the Illinois Municipal Code.

F. Section 25-68, entitled "Statement of costs; protest; hearing", shall read as follows:

The administrator of the department of community development services or the fire chief shall, within ten (10) days after determining the costs pursuant to section 25-67, mail a true and correct statement of the costs to the respondent. If the respondent is dissatisfied with the amount of such charge, then the respondent may file a protest with the mayor within ten (10) days of the mailing of the statement of costs to the respondent. The mayor shall then hold a hearing within a reasonable time to adjust or affirm such costs.

G. Section 25-69, entitled "Penalty for violations", shall read as follows:

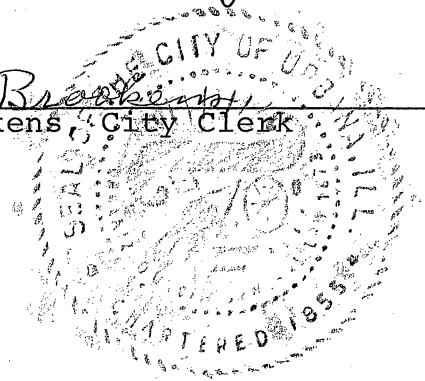
Any respondent who refuses to comply with the actions ordered by the environment committee or by the administrator of the department of community development services or the fire chief, and does not request a hearing within the time allowed by this article, after the allotted fifteen (15) days, shall upon conviction thereof be punished by a fine of not less than twenty-five dollars (\$25.00) and not more than two hundred dollars (\$200.00) for each offense, and each day that such violation continues shall be deemed a separate offense. Any fine imposed by a court shall be in addition to the costs of removing plants or abating nuisances upon the subject real estate, as provided for in this article.

Section 3. This Ordinance shall be effective upon its passage and approval.

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a regular meeting of said Council on the 15th day of June, 1981.


PASSED by the City Council this 15th day of June, 1981.

Ruth S. Brookens
Ruth S. Brookens, City Clerk



APPROVED by the Mayor this 19th day of June,

1981.



Jeffrey T. Markland, Mayor