

**ORDINANCE 2015 -10**

**AN ORDINANCE AMENDING THE WEST DUNDEE MUNICIPAL CODE,  
TITLE 4, CHAPTER 3 SECTION 4-3-3 B,  
INCREASING THE CHARGE FOR GRASS & WEED ABATEMENT TO A MINIMUM  
OF THREE HUNDRED (\$300) DOLLARS, PLUS TWO HUNDRED AND FIFTY DOLLARS  
(\$250) FOR EACH HOUR IN EXCESS OF ONE (1) HOUR**

**WHEREAS**, the Village of West Dundee, Kane County, Illinois, is a Home Rule municipality as contemplated under Article VII, Section 6 of the Constitution of the State of Illinois, and the passage of this Ordinance constitutes an exercise of the Village's Home Rule powers and functions as granted in the Constitution of the State of Illinois; and

**WHEREAS**, Chapter 65 ILCS 5-11-20-6 and 5-11-20-7 grants to the Village of West Dundee the power to declare weeds, grass or plants other than trees, bushes, flowers or other ornamental plants to grow to a height exceeding ten inches (10") a nuisance; and

**WHEREAS**, the Village President and Board of Trustees are aware of the health, sanitation and safety issues created by such weeds, grass and plants and desires to regulate the height of such weeds, grass and plants to the safety of all persons; and

**WHEREAS**, it is the responsibility of all property owners to maintain their own property to the appropriate community standards in order to maintain the visual aspects of the community and its neighborhoods, as well as to not adversely affect the property values of adjacent and surrounding properties; and

**WHEREAS**, the Village President and Board of Trustees has studied the issue and on the basis of that evidence finds that it is in the best interest of the Village and the public to amend the Village Code, Title 4, Health, Sanitation and Safety, Chapter Three, Plants and Weeds, Section 4-3-3 B, Abatement by Village, concerning the minimum hourly and minimum charge assessed to property owners for Village abatement of weeds, grass or plants that exceed ten inches (10") in height, to increase the minimum charge to three hundred dollars (\$300) per hour, plus an additional charge of two hundred and fifty dollars (\$250) for each hour in excess of one (1) hour, in order to promote the welfare of the citizens of the Village.

**NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES, VILLAGE OF WEST DUNDEE, KANE COUNTY, ILLINOIS, that**

Section 1: The facts and statements contained in the preambles to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

Section 2: Pursuant to Title 4, Health, Sanitation and Safety, and Chapter 65 of the Illinois Compiled Statutes, the charge for Village abatement of weeds, grass or plants that exceed ten inches (10") in height, to a minimum charge of three hundred dollars (\$300), plus an additional charge two hundred and fifty dollars (\$250) for each hour in excess of one (1) hour.

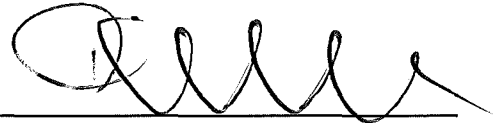
Section 3: If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 4: That all ordinances, resolutions and orders, or parts thereof, in conflict with the provisions of this Ordinance are to the extent of such conflict repealed.

Section 5: That this Ordinance shall be in full force and effect from and after its passage and approval as provided by law and after publication in pamphlet form pursuant to the authority of the Board of Trustees.

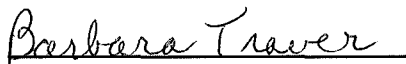
**PASSED**, by the Board of Trustees of the Village of West Dundee, Kane County, Illinois, and approved by the President of said Village this 1<sup>st</sup> day of June, 2015.

AYES: Trustee Yuscka, Pflanz, Kembitzky, Price and Hanley  
NAYS: Trustee Wilbrandt  
ABSENT: N/A  
ABSTAIN: None



Christopher Nelson  
Village President

ATTEST:

  
Barbara Traver  
Village Clerk