



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB4123

Introduced 9/3/2021, by Rep. Andrew S. Chesney

SYNOPSIS AS INTRODUCED:

65 ILCS 5/11-20-7

from Ch. 24, par. 11-20-7

Amends the Illinois Municipal Code. Provides that the corporate authorities of each municipality may require the owner or occupant of a parcel to remove nuisance greenery or maintain the property abutting the parcel between the sidewalk and the roadway. Provides that the owner or occupant of the parcel shall be liable for injuries sustained by a person due to lack of removal of nuisance greenery or lack of maintenance. Provides that, if the owner or occupant of a parcel fails to remove nuisance greenery or maintain the property abutting the parcel between the sidewalk and the roadway, the corporate authorities may provide for the removal of nuisance.

LRB102 19309 AWJ 28075 b

FISCAL NOTE ACT
MAY APPLY

HOUSING
AFFORDABILITY
IMPACT NOTE ACT
MAY APPLY

1 AN ACT concerning local government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Municipal Code is amended by
5 changing Sections 11-20-7 and 11-80-13 as follows:

6 (65 ILCS 5/11-20-7) (from Ch. 24, par. 11-20-7)

7 Sec. 11-20-7. Cutting and removal of neglected weeds,
8 grass, trees, and bushes.

9 (a) The corporate authorities of each municipality may
10 provide for the removal of nuisance greenery from any parcel
11 of private property within the municipality if the owners of
12 that parcel, after reasonable notice, refuse or neglect to
13 remove the nuisance greenery. The municipality may collect,
14 from the owners of that parcel, the reasonable removal cost.

15 (a-5) The corporate authorities of each municipality may
16 require the owner or occupant of a parcel to remove nuisance
17 greenery or maintain the property abutting the parcel between
18 the sidewalk and the roadway. The owner or occupant of the
19 parcel shall be liable for injuries sustained by a person due
20 to lack of removal of nuisance greenery or lack of
21 maintenance. If the owner or occupant of a parcel fails to
22 remove nuisance greenery or maintain the property abutting the
23 parcel between the sidewalk and the roadway, the corporate

1 authorities may provide for the removal under subsection (a).

2 (b) The municipality's removal cost under this Section is
3 a lien upon the underlying parcel in accordance with Section
4 11-20-15.

5 (c) For the purpose of this Section:

6 "Removal of nuisance greenery" or "removal activities"
7 means the cutting of weeds or grass, the trimming of trees or
8 bushes, and the removal of nuisance bushes or trees.

9 "Removal cost" means the total cost of the removal
10 activity.

11 (d) In the case of an abandoned residential property as
12 defined in Section 11-20-15.1, the municipality may elect to
13 obtain a lien for the removal cost pursuant to Section
14 11-20-15.1, in which case the provisions of Section 11-20-15.1
15 shall be the exclusive remedy for the removal cost.

16 The provisions of this subsection (d), other than this
17 sentence, are inoperative upon certification by the Secretary
18 of the Illinois Department of Financial and Professional
19 Regulation, after consultation with the United States
20 Department of Housing and Urban Development, that the Mortgage
21 Electronic Registration System program is effectively
22 registering substantially all mortgaged residential properties
23 located in the State of Illinois, is available for access by
24 all municipalities located in the State of Illinois without
25 charge to them, and such registration includes the telephone
26 number for the mortgage servicer.

1 (Source: P.A. 95-183, eff. 8-14-07; 96-462, eff. 8-14-09;
2 96-856, eff. 3-1-10.)