

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 11-20-12 as follows:

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

7 Sec. 11-20-7. The corporate authorities of each
8 municipality may provide for the cutting of weeds or grass, the
9 trimming of trees or bushes, and the removal of nuisance bushes
10 or trees in the municipality, when the owners of real estate
11 refuse or neglect to cut, trim, or remove them and to collect
12 from the owners of private property the reasonable cost
13 thereof. This cost is a lien upon the real estate affected,
14 superior to all other liens and encumbrances, except tax liens;
15 provided that within 60 days after such cost and expense is
16 incurred the municipality, or person performing the service by
17 authority of the municipality, in his or its own name, files
18 notice of lien in the office of the recorder in the county in
19 which such real estate is located or in the office of the
20 Registrar of Titles of such county if the real estate affected
21 is registered under the Torrens system. The notice shall
22 consist of a sworn statement setting out (1) a description of
23 the real estate sufficient for identification thereof, (2) the

1 amount of money representing the cost and expense incurred or
2 payable for the service, and (3) the date or dates when such
3 cost and expense was incurred by the municipality. However, the
4 lien of such municipality shall not be valid as to any
5 purchaser whose rights in and to such real estate have arisen
6 subsequent to the cutting of weeds or grass, the trimming of
7 trees or bushes, or the removal of nuisance bushes or trees
8 ~~weed cutting~~ and prior to the filing of such notice, and the
9 lien of such municipality shall not be valid as to any
10 mortgagee, judgment creditor or other lienor whose rights in
11 and to such real estate arise prior to the filing of such
12 notice. Upon payment of the cost and expense by the owner of or
13 persons interested in such property after notice of lien has
14 been filed, the lien shall be released by the municipality or
15 person in whose name the lien has been filed and the release
16 may be filed of record as in the case of filing notice of lien.

17 The cost of the cutting, trimming, or removal of weeds,
18 grass, trees, or bushes shall not be lien on the real estate
19 affected unless a notice is personally served on, or sent by
20 certified mail to, the person to whom was sent the tax bill for
21 the general taxes on the property for the last preceding year.
22 The notice shall be delivered or sent after the cutting,
23 trimming, or removal of weeds, grass, trees, or bushes on the
24 property. The notice shall state the substance of this Section
25 and the substance of any ordinance of the municipality
26 implementing this Section and shall identify the property, by

1 common description, and the location of the weeds to be cut.

2 (Source: P.A. 88-355.)

3 (65 ILCS 5/11-20-12) (from Ch. 24, par. 11-20-12)

4 Sec. 11-20-12. The corporate authorities of each
5 municipality may provide for the removal of elm trees infected
6 with Dutch elm disease or ash trees infected with the emerald
7 ash borer (Agrilus planipennis Fairmaire) from property not
8 owned by the municipality or dedicated for public use when the
9 owner of such property refuses or neglects to remove any such
10 tree, and to collect from the property owner the reasonable
11 cost thereof. This cost is a lien upon the real estate
12 affected, superior to all other liens and encumbrances, except
13 tax liens; provided that notice has been given as hereinafter
14 described, and further provided that within 60 days after such
15 cost and expense is incurred the municipality, or person
16 performing the service by authority of the municipality, in his
17 or its own name, files notice of lien in the office of the
18 recorder in the county in which such real estate is located or
19 in the office of the Registrar of Titles of such county if the
20 real estate affected is registered under "An Act concerning
21 land titles", approved May 1, 1897, as amended. The notice
22 shall consist of a sworn statement setting out (1) a
23 description of the real estate sufficient for identification
24 thereof, (2) the amount of money representing the cost and
25 expense incurred or payable for the service, and (3) the date

1 or dates when such cost and expense was incurred by the
2 municipality. However, the lien of such municipality shall not
3 be valid as to any purchaser whose rights in and to such real
4 estate have arisen subsequent to the tree removal and prior to
5 the filing of such notice, and the lien of such municipality
6 shall not be valid as to any mortgagee, judgment creditor or
7 other lienor whose rights in and to such real estate arise
8 prior to the filing of such notice. Upon payment of the cost
9 and expense by the owner of or persons interested in such
10 property after notice of lien has been filed, the lien shall be
11 released by the municipality or person in whose name the lien
12 has been filed and the release may be filed of record as in the
13 case of filing notice of lien.

14 The cost of such tree removal shall not be a lien upon the
15 real estate affected unless a notice shall be personally served
16 or sent by registered mail to the person to whom was sent the
17 tax bill for the general taxes for the last preceding year on
18 the property, such notice to be delivered or sent not less than
19 30 days prior to the removal of the tree or trees located
20 thereon. The notice shall contain the substance of this
21 section, and of any ordinance of the municipality implementing
22 its provisions, and identify the property, by common
23 description, and the tree or trees affected.

24 (Source: P.A. 83-358.)

25 Section 99. Effective date. This Act takes effect upon
26 becoming law.