



City of Chicago



O2021-4125

Office of the City Clerk

Document Tracking Sheet

Meeting Date:	9/14/2021
Sponsor(s):	Mitchell (7) Harris (8)
Type:	Ordinance
Title:	Amendment of Municipal Code Chapters 7-28 and 14X-12 to further regulate standards for maintenance of weeds and vegetation at vacant buildings and other vacant structures
Committee(s) Assignment:	Committee on Budget and Government Operations

Budget

ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO

SECTION 1. Section 7-28-120 of the Chicago Municipal Code is hereby amended by deleting the language struck through, and inserting the language underscored, as follows:

7-28-120 Weeds – Penalty for violation – Abatement – Lien.

(a) Any person who owns or controls property within the city must cut or otherwise control all weeds on such property so that the average height of such weeds does not exceed ten-six inches. Any person who violates this subsection shall be subject to a fine of not less than \$600 nor more than \$1,200. Each day that such violation continues shall be considered a separate offense to which a separate fine shall apply.

(b) All weeds which have not been cut or otherwise controlled, and which exceed an average height of ten-six inches, are hereby declared to be a public nuisance. If any person has been convicted of violating subsection (a) and has not cut or otherwise controlled any weeds as required by this section within ten days after the date of the conviction or finding of liability or ~~judgement~~, judgment, the city may cause any such weeds to be cut at any time. In such event, the person who owns or controls the property on which the weeds are situated shall be liable to the city for any and all costs and expenses incurred by the city in cutting the weeds, plus a penalty of up to three times the amount of the costs and expenses incurred by the city. Such monies may be recovered in an appropriate action instituted by the corporation counselor or in a proceeding initiated by the department of streets and sanitation or the department of health at the department of administrative hearings. The penalties imposed by this subsection shall be in addition to any other penalty provided by law.

(Omitted text is unaffected by this ordinance)

SECTION 2. Section 14X-12-1202.3.3 of the Chicago Municipal Code is hereby amended by deleting the language struck through, and inserting the language underscored, as follows:

14X-12-1202.3.3 Vegetation and weeds.

Grass and weeds on the *premises* must be kept below ten-six inches (~~254~~ 152.4 mm) in height. Dead or damaged trees, tree limbs, or shrubbery must be cut and removed from the *premises*.

SECTION 3. Section 14X-12-1203.2.1 of the Chicago Municipal Code is hereby amended by deleting the language struck through, and inserting the language underscored, as follows:

14X-12-1203.2.1 Presumption.

A *structure* is legally presumed to have been *vacant* for more than 30 days if either:

1. It is *vacant* and has not been secured in accordance with Section 14X-12-1202.6.
2. It is *vacant* and more than one window, door, or other opening, in any combination, is boarded up and either:

2.1. The yard contains grass or weeds more than ~~40-6~~ inches (~~254-152.4~~ mm) in height.

(Omitted text is unaffected by this ordinance)

SECTION 4. Section 14X-12-1204.2.1 of the Chicago Municipal Code is hereby amended by deleting the language struck through, and inserting the language underscored, as follows:

14X-12-1204.2.1 Presumption.

A *structure* is legally presumed to have been *vacant* for more than 30 days if either:

1. It is *vacant* and has not been secured in accordance with Section 14X-12-1202.6.
2. It is *vacant* and more than one window, door, or other opening, in any combination, is boarded up and either:

2.1. The yard contains grass or weeds more than ~~40-6~~ inches (~~254-152.4~~ mm) in height.

(Omitted text is unaffected by this ordinance)

SECTION 5. Section 14X-12-1205.3.1.1 of the Chicago Municipal Code is hereby amended by deleting the language struck through, and inserting the language underscored, as follows:

14X-12-1205.3.1.1 Presumption.

A *structure* is legally presumed to have been *vacant* for more than 30 days if either:

1. The building is *vacant* and has not been secured in accordance with Section 14X-12-1202.6.
2. The building is *vacant* and more than one window, door, or other opening, in any combination, is boarded up and (i) the yard contains grass or weeds more than ~~40-6~~ inches in height, or (ii) the yard contains an accumulation of junk and debris, or (iii) snow and ice have not been removed from the walk leading to the building's main entrance and/or from the public sidewalk adjoining such building in the manner and within the period of time provided in Section 10-8-180 of the *Municipal Code*.

SECTION 6. Section 14X-12-1205.4.1.1 of the Chicago Municipal Code is hereby amended by deleting the language struck through, and inserting the language underscored, as follows:

14X-12-1205.4.1.1 Presumption.

A *structure* is legally presumed to have been *vacant* for more than 30 days if either:

1. The building is *vacant* and has not been secured in accordance with Section 14X-12-1202.6.

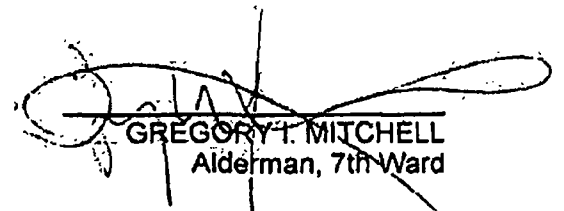
2. The building is *vacant* and more than one window, door, or other opening, in any combination, is boarded up and (i) the yard contains grass or weeds more than ~~10.6~~ inches in height, or (ii) the yard contains an accumulation of junk and debris, or (iii) snow and ice have not been removed from the walk leading to the building's main entrance and/or from the public sidewalk adjoining such building in the manner and within the period of time provided in Section 10-8-180 of the *Municipal Code*.

SECTION 7. Section 14X-12-1205.5.2 of the Chicago Municipal Code is hereby amended by deleting the language struck through, and inserting the language underscored, as follows:

14X-12-1205.5.2 Weeds and vegetation.

The *mortgagee* must maintain all grass and weeds on the *premises* below ~~10.6~~ inches (~~254~~152.4 mm) in height. The *mortgagee* must cut and remove all dead or damaged trees, tree limbs, and shrubbery.

SECTION 8. This ordinance shall take effect 10 days after passage and publication.


GREGORY T. MITCHELL
Alderman, 7th Ward



CITY OF CHICAGO

OFFICE OF THE CITY CLERK
ANNA M. VALENCIA

Chicago City Council Co-Sponsor Form

Document No.: 02021-4125

Subject: Amendment of Municipal Code Chapters 7-28 and 14X-12 to further regulate standards for maintenance of weeds and vegetation at vacant buildings and other vacant structures

Adding Co-Sponsor(s)

Please **ADD** Co-Sponsor(s) Shown Below – (Principal Sponsor's Consent Required)

Alderman Alderman Michelle Harris *Michelle A Harris* (8th Ward)
(Signature)

Alderman _____ (_____) Ward
(Signature)

Date Filed: September 21, 2022

Principal Sponsor: *[Signature]*
(Signature)

Removing Co-Sponsor(s)

Please **REMOVE** Co-Sponsor(s) Below – (Principal Sponsor's Consent NOT Required)

Alderman _____ (_____) Ward
(Signature)

Alderman _____ (_____) Ward
(Signature)

Date Filed: _____

Final Copies To Be Filed With:

- Chairman of Committee to which legislation was referred
- City Clerk