



Office of the City Clerk

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Legislation Details (With Text)

File #: O2021-4125
Type: Ordinance **Status:** Failed to Pass
File created: 9/14/2021 **In control:** City Council
Final action: 5/24/2023

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

Sponsors: Mitchell, Gregory I., Harris, Michelle A.

Indexes: Ch. 14X-12 Vacant Buildings, Ch. 28 Health Nuisances

Attachments: 1. O2021-4125.pdf

Date	Ver.	Action By	Action	Result
5/24/2023	1	City Council	Failed to Pass	
9/21/2022	1	Committee on Budget and Government Operations	Add Co-Sponsor(s)	
9/14/2021	1	City Council	Referred	

ORDINANCE

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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 iudbomont. ludomeht. 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 4Q-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 4^6.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 45-g.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 4Q4j>jnches 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 4GSJnches <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.

CITY OF CHICAGO

OFFICE OF THE CITY CLERK ANNA M, VALENCIA

Chicago City Council Co-Sponsor Form

02021-4125

Document No.: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
(Signature)
fl8th IWard)

Alderman

Date Filed: 2-1, £°2-I-

Removing Co-Sponsor(s)

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

Alderman ..

^
(Signature)

(1 I Ward)

Alderman . . . ; ; d 1 Ward)
(Signature)

Date Filed:

Final Copies To Be Filed With: • Chairman of Committee to which legislation was referred1

• City Clerk

121 NORTH LASALLE STREET, ROOM 107, CHICAGO, ILLINOIS 60602