



VILLAGE OF MIDLOTHIAN BUILDING DEPARTMENT

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WEEDS AND GRASS – ORDINANCE PROCEDURES

The Village has an ordinance regarding vegetation. This ordinance is located on the Village web site under Village Code 8-4-1(Y) and is given below. When vegetation becomes a nuisance the Building Department is required to follow a set procedure to ensure compliance with the ordinance.

1. Complaint received by Building Department.
2. A door hanger is left at the property requesting the violation be corrected.
3. The property is checked after the notice is left, often within 5 to 7 days.
4. A reminder door hanger or citation is issued at the discretion of the inspector.
5. If a citation is issued and 5 days have passed the address is forwarded to a contractor to be cut.

Resident assistance is encouraged, especially if the violation cannot be viewed from the public way. Please, contact the Building Department via the email address above or call the Building Department number above. Facebook is not the forum to register complaints, as the Building Department does not use or monitor Facebook.

SECTION 8-4-1(Y) FROM THE VILLAGE CODE

1. Duty of Property Owners To Cut Weeds: It is the duty of each owner of real property located within the village not to permit weeds, whether growing or not, to stand on his property at a height greater than eight inches (8") from the ground. Any real estate containing weeds having attained a height of eight inches (8") or more is hereby declared a nuisance. Each property owner shall take such action as is lawful and as often as is necessary to cut weeds and remove them, such that they will not exceed the maximum permitted height.

2. Notice to Owner to Cut Weeds: In the event that a property owner permits weeds on his property to exceed the maximum height, the village clerk shall serve written notice upon him to comply with the provisions of subsection (Y)1 of this section within five (5) days from the date of such notice.

3. Action by Village Upon Failure of Owner to Cut Weeds: If a property owner fails to comply with the provisions of subsection (Y)1 of this section, and the village clerk has given the notice provided for in subsection (Y)2 of this section, at the expiration of the five (5) day period set forth in such notice the village may enter upon the property and cut the weeds. The village clerk shall keep accurate records of the cost incurred by the village in so doing, whether such cost arises out of a contract entered into by the village with others to cut the weeds, or whether the cost arises out of the assignment of village employees to cut the weeds. As soon as reasonably may be after weeds are cut by the village and the cost thereof is determined, the village clerk shall send a written demand to the property owner to reimburse the village for such cost.

4. Lien Upon Real Property: The cost to the village of cutting weeds on the property of an owner who has failed to comply with subsection (Y)1 of this section is a lien in favor of the village against such property. If, after the demand for payment provided for in subsection (Y)3 of this section has been sent by the village, the property owner does not pay to the village the amount demanded, the village clerk shall cause the notice of such lien to be recorded in the office of the Cook County recorder (or, if the property is subject to the Torrens registration system, then in the office of the Cook County registrar of titles) not later than sixty (60) days after such cost is incurred. The notice shall contain a sworn statement setting out: a) a description of the real estate sufficient for identification thereof; b) the amount of money representing the cost and expenses incurred or payable; and c) the date or dates when such cost and expenses were incurred by the village.

5. Release of Lien Upon Payment: Upon payment to the village of the amount demanded in the notice provided for in subsection (Y)3 of this section, if the village has recorded or registered a notice of lien as provided in subsection (Y)4 of this section, the village clerk shall execute and deliver to the property owner a release of such lien, which release may be recorded or registered by the property owner. (Ord. 1142, 10-14-1987)