

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 Township Code is amended by changing
5 Section 105-15 as follows:

6 (60 ILCS 1/105-15)

7 Sec. 105-15. Weed cutting.

8 (a) The township board may provide for the cutting of
9 weeds or grass, the trimming of trees or bushes, the removal of
10 nuisance bushes or trees, or the maintenance of a retention
11 pond or detention pond on any real estate in residential areas
12 in the township no sooner than 7 days after notifying the owner
13 or the appropriate property owners association by a means of
14 notice listed below ~~mail~~ of the intended weed or grass
15 cutting, bush or tree trimming, nuisance bush or tree removal,
16 or pond maintenance when the owners of the real estate refuse
17 or neglect to cut the weeds or grass, trim the trees or bushes,
18 remove the nuisance bushes or trees, or maintain the pond. The
19 board may collect from the owners the reasonable cost of
20 cutting the weeds or grass, trimming the trees or bushes,
21 removing the nuisance bushes or trees, or maintaining the
22 pond. The 7-day advance notice required under this Section may
23 be served by certified mail, by personal service, or by

1 posting the notice on the property in a prominent location.
2 The service of the notice by posting on the property is legally
3 sufficient if the posting and date of the notice are proven by
4 introduction of a date-stamped photograph showing the notice
5 posted on the property.

6 (b) This cost is a lien upon the real estate affected,
7 superior to all other liens and encumbrances except tax liens,
8 if within 60 days after the cost and expense is incurred, the
9 township or person performing the service by authority of the
10 township in his or its own name files a notice of lien in the
11 office of the recorder in the county in which the real estate
12 is located or in the office of the registrar of titles of the
13 county if the real estate affected is registered under the
14 Registered Titles (Torrens) Act. The notice shall consist of a
15 sworn statement setting out (i) a description of the real
16 estate sufficient for its identification, (ii) the amount of
17 money representing the cost and expense incurred or payable
18 for the service, and (iii) the date or dates when the cost and
19 expense was incurred by the township. The lien of the township
20 shall not be valid, however, as to any purchaser whose rights
21 in and to the real estate have arisen after the weed or grass
22 cutting, bush or tree trimming, nuisance bush or tree removal,
23 or pond maintenance and before the filing of the notice, and
24 the lien of the township shall not be valid as to any
25 mortgagee, judgment creditor, or other lienholder whose rights
26 in and to the real estate arise before the filing of the

1 notice. Upon payment of the cost and expense by the owner of or
2 persons interested in the property after the notice of lien
3 has been filed, the lien shall be released by the township or
4 person in whose name the lien has been filed. The release may
5 be filed of record as in the case of filing a notice of lien.

6 (c) No provision of this Section applies to any nature
7 preserve or other area that has been designated as a
8 conservation area.

9 (d) In addition to any lien or foreclosure action related
10 thereto, a township may institute a civil action or proceeding
11 to recover the amount of money owed for any service performed
12 pursuant to subsection (a).

13 (Source: P.A. 96-564, eff. 8-18-09.)