



Village of Indian Head Park
201 Acacia Drive
Indian Head Park, IL 60525
Phone (708) 246-3080 x101 Fax (708) 246-7094
www.indianheadpark-il.gov

Chapter 8.36

TREES AND WEEDS

Sections:

- 8.36.010 Purpose and intent.**
 - 8.36.020 Definitions.**
 - 8.36.030 Authority of the village president and board of trustees or their agent.**
 - 8.36.040 Authority of the public works department.**
 - 8.36.050 Failure to comply on private property.**
 - 8.36.060 Insect infestation.**
 - 8.36.070 Noxious weeds.**
 - 8.36.080 Diseases.**
 - 8.36.090 Dead trees or bushes.**
 - 8.36.100 Care and planting in public property.**
 - 8.36.110 Protection of street landscaping.**
 - 8.36.120 Village held harmless.**
 - 8.36.130 Violation-Penalty.**
-
- 8.36.010 Purpose and intent.**
 - A. Promoting the public health, safety, and general welfare.
 - B. Providing of the gradual elimination of items which pose a threat to the purposes listed above.
 - C. Defining and limiting the powers and duties of the administrative officers and bodies as provided in this chapter. (Ord.83-2 1).
 - 8.36.020 Definitions.**

The language set forth in the text of this chapter shall be interpreted in accordance with the following:

- A. The singular number includes the plural and the plural the singular.
- B. The present tense includes the past and future tenses, and the future the present.
- C. The word “shall” is mandatory, while the word “may” is permissive.
- D. The masculine gender includes the feminine.
- E. The following words and terms, wherever they occur in this chapter, shall be interpreted as follows:

“Easement” means a piece of property where the village has rights of access.

“Noxious weeds” means Canada thistles (*Cirsium arvense*) and all of its varieties, perennial sow thistles (*Soncus arvensis*), European binweed (*Convolvulus arvensis*), leafy spurge (*Tithymalus osula*), poison oak, poison ivy, Russian Knapweed (*Centaurea repens*), Hoary cress (*Lepidium draba*), ragweed (*Ambrosia*) and all weeds due to pollination, milkweeds, Jimson weed, burdock, cocklebur and the like weeds.

“Person” means any person, firm, partnership, association, corporation, company, or organization of any kind.

“Private property” means property owned by a person and all other property not otherwise defined as public property.

“Public property” means property rights-of-way, parks median strips or other property not privately owned and easements where the village has rights of access.

“Right-of-way” means an area parallel to and including the roadway measured from the centerline of the roadway a distance determined by dedication.

“Vegetation” means trees, shrubs, flowers, grasses or other plants.

“Village” means the village of Indian Head Park.

8.36.030 Authority of the village president and board of trustees or their agent.

The village president and board of trustees, or their agent, shall have exclusive jurisdiction and supervision of all vegetation planted or growing on public property. (Ord.83-2 3(A))

8.36.040 Authority of the public works department.

A. Public property. The village public works department shall have the authority and it shall be its duty to order to plant, trim, spray, preserve or remove vegetation if there is a violation of this chapter. Whenever a utility or cable company shall move, trim, prune, cut, remove, disturb, alter or perform surgery on any vegetation, the village shall limit the work to be done to the actual necessities of the utility and may assign an inspector to supervise the work done under the provisions of the chapter.

B. Private property. The village public works department shall have the authority and it shall be its duty to order the trimming, preservation, or removal of vegetation upon private property if there is a violation of

this chapter. In order to determine the condition of such vegetation, an agent of the department may enter upon private property with due cause at all reasonable hours for the purpose of inspection thereon, and may cause to be removed such specimens as required for the purpose of analysis. Should removal or treatment be necessary, the owner will receive written notification. The village public works department shall also have the authority and it shall be their duty to supervise any subsequent work. It is unlawful for any person to prevent the village's agent from entering upon private property or to interfere with him in the lawful performance of his duties. At least annually, the trustee for public works or the representative of that department shall submit to the village board a report on the extent of diseased trees in the village, especially the oak leaf miner. Residents will be notified of the control and corrective measure that must be taken. If spraying is deemed necessary, the public works department shall recommend and provide residents with a joint spraying (residents and the municipality) through customary bidding procedures. (Ord. 83-2 3 (B)).

8.36.050 Failure to comply on private property.

A. The village public works department or its agent may go upon a property whose owner fails to comply within thirty days or in the case of "Dutch Elm Disease" and "Oak Wilt Disease." Fifteen days after written notification, and cut down, remove, or treat such nuisance, and the owner shall be assessed the cost of treatment plus fifteen percent for processing costs. Burning will be permitted for all vegetation except of "Dutch Elm Disease" and "Oak Wilt Disease". In the case where the owner is a nonresident of Indian Head Park, notice shall be served by certified mail, addressed to said owner at this last know address.

B. Whenever such charges shall remain unpaid for a period of thirty from the date of the bill herein provided for the village attorney is authorized to:

1. Institute suit in the name of the village to enforce collection of such charge; or

2. File a sworn statement showing such obligation in the office of the recorder of deeds of the county, and filing of such statement shall be deemed notice of the lien for payment of such charges. (Ord. 83-2 3(c)).

8.36.060 Insect infestation.

It is unlawful to permit major infestations of bagworms, tentworms, oak leaf miners, elmbark beetles (cause of Dutch elm disease), oak beetles (cause of oak wilt disease) or other insects which pose a threat to the health of other vegetation within the village. Such problem shall be treated by accepted practices. For Dutch elm disease and oak wilt disease, prompt removal from the village is the only accepted practice. (Ord. 83-2 4(A))

8.36.070 Noxious weeds.

It is unlawful for any person owning or controlling any plot of ground to permit the growth of noxious weeds to exceed six inches in height. All weeds shall be cut, pulled, destroyed or sprayed with an efficient chemical weed killer by the owner of person in control of said plot. (Ord. 83-2 4(B)).

8.36.080 Diseases.

Any contagious disease that could infest vegetation shall be controlled by property method of spraying and/or removal if necessary base upon the advice of a recognized expert. (Ord.83-2 4D)

8.36.090 Dead trees or bushes.

It is unlawful to let stand any dead tree or bush if it is considered to be a safety hazard. (Ord.83-2 4(D)).

8.36.100 Care and planting in public property.

All vegetation planted in the public right-of-way bordering on private property is to be maintained by the individual property owners. Other public property may be maintained or planted by local residents if they so desire, as long as the vegetation is not prohibited in this chapter and is not placed so as to cause a safety hazard and as long as it is free from infection and insect infestation. The planting of the following trees on public property is prohibited;

Common Name	Botanical Name
Box Elder	Acer Negundo
Silver Maple	Acer Saccharinum
Tree of Heaven	Ailanthus Glandulosa
Catalpa	Catalpa (all species)
Black Walnut	Juglans Nigra
Common Mulberry	Morus Alba
Cottonwood	Populos Deltoides
BlackCherry	Prunus Deltoides
Black Locust	Robinia Pseudoacacia
Willow	Saliz (all species)
Chinese Elm	Ulmus Chinensis
Poplar	Populus

(Ord.83-2 4(E))

836.110 Protection of street landscaping.

No person shall in the case of street landscapaing do, or cause to be done by others, any of the following acts;

- A. Secure, fasten or run any rope, wire, sign, unprotected electrical installation or other device or material to, around, or through a tree or shrub;
- B. Break, injure, mutilate, deface, kill, or destroy or permit any fire to burn where it will injure any tree or shrub;
- C. Permit any toxic chemical, has, smoke, salt brine, oil or other injurious substance to seep, rain. Or be emptied upon or about any tree or shrub;
- D. Erect, alter, repair, or raze any building or structure without placing suitable guard around all nearby public trees or shrubs which may be injured by such operation;

- E. Knowingly permit any unprotected electric wires to come in prolonged contact with any public tree or shrub;
- F. Remove any guard, stake or other device or material intended for the protection of a public tree or shrub, or close or obstruct any open space about the base of a public tree or shrub designed to permit access of air, water, and fertilizer. (Ord.83-2 4(f))

8.36.120 Village held harmless.

Nothing in this chapter shall prevent a resident from spraying or trimming trees or shrubs, or removing dead or diseased trees or shrubs, on public easements and rights of way bordering private property of said resident. However, said resident assumes all liability and holds the village harmless for any results of his actions. (Ord.83-2 6)

8.36.130 Violation-Penalty.

Any person violating any provision of this chapter shall be fined not less than twenty-five dollars no more than five hundred dollars for each offense, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues, and such person shall reimburse the village or property owner for the cost of resultant damage or replacement. (Ord. 83-2 5)

