



**Filed: 3/5/2009**

09600HB0621ham001

LRB096 03501 RLJ 22330 a

1 AMENDMENT TO HOUSE BILL 621

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 621 by replacing  
3 everything after the enacting clause with the following:

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 weeds  
9 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 mail of the  
14 intended weed or grass cutting, bush or tree trimming, nuisance  
15 bush or tree removal, or pond maintenance when the owners of  
16 the real estate refuse or neglect to cut the weeds or grass,

1 trim the trees or bushes, remove the nuisance bushes or trees,  
2 or maintain the pond. The board may collect from the owners the  
3 reasonable cost of cutting the weeds or grass, trimming the  
4 trees or bushes, removing the nuisance bushes or trees, or  
5 maintaining the pond.

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 for  
18 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 ~~weed-cutting~~ or pond maintenance and before the filing of the  
24 notice, and the lien of the township shall not be valid as to  
25 any mortgagee, judgment creditor, or other lienholder whose  
26 rights 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 has  
3 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. 87-1194; 88-62.)

14 Section 99. Effective date. This Act takes effect upon  
15 becoming law."