

SB1893



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB1893

Introduced 2/26/2021, by Sen. John F. Curran

SYNOPSIS AS INTRODUCED:

55 ILCS 5/5-1077

from Ch. 34, par. 5-1077

Amends the Counties Code. Provides that a county board may adopt reasonable regulations for the control and eradication of diseased, damaged, dead, or insect-infested trees, including trees: with Dutch elm disease or elm blight; infested by the Emerald Ash Borer, Asian Longhorn Beetle, Gypsy Moth, or other parasitic organisms; or that have been severely damaged or at a risk of falling (currently, the county board may regulate for the control and eradication of Dutch elm disease or elm blight). Provides that a county board may adopt an ordinance declaring it to be a nuisance to keep or maintain any diseased, damaged, dead, or insect-infested tree which presents a risk of falling onto any public way or public property, including utility easements and watercourses. Provides that the ordinance may authorize the county to remove nuisance trees when the property owner fails to do so in a timely manner after receiving notice thereof and to have a lien placed on the subject property for the costs of the tree removal.

LRB102 10307 AWJ 15740 b

FISCAL NOTE ACT
MAY APPLY

HOUSING
AFFORDABILITY
IMPACT NOTE ACT
MAY APPLY

A BILL FOR

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 Counties Code is amended by changing
5 Section 5-1077 as follows:

6 (55 ILCS 5/5-1077) (from Ch. 34, par. 5-1077)

7 Sec. 5-1077. Eradication of nuisance trees ~~fungous elm~~
8 ~~disease~~. A county board may adopt reasonable regulations for
9 the control and eradication of diseased, damaged, dead or
10 insect infested trees, including trees: (i) with a fungous
11 disease of elms caused by Graphium ulmi, ~~(commonly known as~~
12 Dutch elm disease or elm blight); (ii) infested by the Emerald
13 Ash Borer, Asian Longhorn Beetle, Gypsy Moth, or other
14 parasitic organism; or (iii) that have been severely damaged
15 or at a risk of falling. A county board may adopt an ordinance
16 declaring it to be a nuisance to keep or maintain any diseased,
17 damaged, dead, or insect-infested tree which presents a risk
18 of falling onto any public way or public property, including
19 utility easements and watercourses. The ordinance may
20 authorize the county to remove nuisance trees when the
21 property owner fails to do so in a timely manner after
22 receiving notice thereof and to have a lien placed on the
23 subject property for the costs of the tree removal. Such

1 regulations shall be applicable to all area outside the
2 corporate limits of any municipality. No such regulation shall
3 permit the use of poisonous sprays.

4 (Source: P.A. 86-962.)