

# CITY OF WASHINGTON

## PLANNING & DEVELOPMENT DEPARTMENT

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### MEMORANDUM

TO: Public Works Committee  
FROM: Jon R. Oliphant, AICP, Planning & Development Director  
SUBJECT: ROW/Vacant Lot Maintenance  
DATE: June 26, 2018

Staff requests feedback at the July 2 Public Works Committee meeting on two items pertaining to the maintenance of private property and right-of-way:

1. The City has historically required that the property owner maintain the adjoining right-of-way. However, there is no clear language that mandates this. A draft amendment is enclosed that would attempt to codify this requirement. Germantown Hills, Morton, Pekin, and Peoria are among the local cities that have similar language within their respective codes. This language would set 30 percent as the maximum degree of slope that a property owner would be compelled to mow for the property and right-of-way. The City could waive the need to mow for higher slopes unless there was an impact to the public's health, safety, and general welfare.
2. The City's nuisance code does not allow for grass and weeds to grow on any lot beyond eight inches in height. This is the standard for any property in the city regardless of whether it is improved or not. Staff asks for feedback to determine whether different standards should be applicable for undeveloped properties. Attention should be given to the impact that maintenance (or lack thereof) would have on the enjoyment of adjacent properties and any potential life safety problems that may result.

Enclosure

**ORDINANCE NO. \_\_\_\_\_**

(Synopsis: Approval of this ordinance would require that property owners maintain the right-of-way adjacent to their property).

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF  
THE CITY OF WASHINGTON, ILLINOIS BY ADDING CHAPTER 96.07 ENTITLED "UNLAWFUL  
GROWTH IN RIGHT-OF-WAY"**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WASHINGTON,  
TAZEWELL COUNTY, ILLINOIS, as follows:**

**Section 1.** That § 96.07 of Chapter 96 of the Washington Municipal Code of Ordinances titled "Unlawful Growth in Right-of-Way" is hereby amended by adding § 96.07 in its entirety:

**"§ 96.07 UNLAWFUL GROWTH IN RIGHT-OF-WAY"**

It shall be unlawful for any owner of any property within the city limits to permit the growth of grass or weeds to a height exceeding eight (8) inches on any right-of-way located between the property line of the property and the roadway portion of an adjoining roadway or alley, inclusive of all parkways, sidewalks, and waterways found therein. When a parcel or right-of-way that has a slope of greater than 30 degrees has nuisance greenery in a natural state and such area has not been graded, improved, or otherwise maintained, enforcement of the height requirement can be waived by the City, unless noxious growths adversely affect the public's health, safety, and general welfare. This applies to all property in the city limits which is improved or subdivided. Vegetation in the curb, curb line, and gutter is prohibited regardless of height or type."

**Section 2.** That this ordinance shall be in full force and effect from and after its passage, approval, and publication as provided by law.

**Section 3.** That all ordinances or parts thereof in conflict herewith are hereby expressly repealed.

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

**AYES:** \_\_\_\_\_

**NAYS:** \_\_\_\_\_

\_\_\_\_\_  
Mayor

**ATTEST:**

\_\_\_\_\_  
City Clerk