

CITY OF WASHINGTON

PLANNING & DEVELOPMENT DEPARTMENT

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MEMORANDUM

TO: Mayor Manier and City Council
FROM: Jon R. Oliphant, AICP, Planning & Development Director
SUBJECT: First Reading Ordinance – ROW Maintenance
DATE: July 10, 2018

Summary: While the City has historically required that the property owner maintain the adjoining right-of-way, there is no clear language that mandates this. Staff recommends approval of the attached code amendment to formally make this a requirement.

Background: The amendment would establish code enforcement of the right-of-way in the same manner as with private property and provide penalties for any lack of maintenance. Germantown Hills, Morton, Pekin, and Peoria are among the local cities that have similar language within their respective codes. Staff has referred to those ordinances when drafting the attached version.

The Public Works Committee recommended approval of the ordinance at its meeting on July 2. A first reading ordinance is scheduled for the July 16 City Council meeting with a second reading scheduled for August 6.

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. 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