

# VILLAGE OF HOMEWOOD



**BOARD AGENDA MEMORANDUM**

**DATE OF MEETING: December 12, 2023**

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**To:** Village President and Board of Trustees

**Through:** Napoleon Haney, Village Manager

**From:** Bob Grabowski, Fire Chief

**Topic:** Amendment to Homewood Municipal Code regarding lien filing

## **PURPOSE**

The Illinois Municipal Code authorizes a municipality to remove nuisance vegetation from private property if the property owner refuses or neglects to remove the nuisance vegetation after notice has been given. The municipality is able to recover its costs for removing nuisance vegetation, which includes grass mowing, by recording a lien against the property. The Municipal Code needs to be amended in order to be consistent with State law.

## **PROCESS**

Section 20-87 of the Homewood Municipal Code states the process for recording liens against private property for nuisance vegetation removal. After review by the Village Attorney, it was found that the code should be amended to make it consistent with State law.

State law allows the Village to record a lien within one year after incurring its cost. The current code requires recording within 60 days. While it's in the Village's best interest to record liens as soon as possible, the revision allows the Village more flexibility to recover its costs if it takes longer to prepare liens.

This amendment also removes references to the recorder of deeds. Liens and other real estate related documents in Cook County are recorded through the Cook County Clerk's Office instead.

## **FINANCIAL IMPACT**

- **Funding Source:** N/A
- **Budgeted Amount:** N/A
- **Cost:** N/A

## **LEGAL REVIEW**

Completed

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## **RECOMMENDED BOARD ACTION**

Pass an ordinance amending section 20-87 of the Homewood Municipal Code regarding the procedure for preparing and recording liens.

## **ATTACHMENT(S)**

Ordinance