

CITY OF MARSHALL

ORDINANCE NO. 2025-O-09

AN ORDINANCE AMENDING CHAPTER 90. VEGETATION. ARTICLE II. WEEDS.  
SECTIONS 90-41 – 90-47 OF THE CODE OF ORDINANCES, CITY OF MARSHALL,  
ILLINOIS.

ADOPTED BY THE  
CITY COUNCIL  
OF THE  
CITY OF MARSHALL

Published in pamphlet form by authority of the City of Marshall, Clark County, Illinois, this  
9<sup>th</sup> day of June, 2025.

It shall only be necessary for notice to be provided one time; except on the case of posting, in which case, notice shall be provided for each violation.

Notice must be provided to the owner for each violation where the city abates the nuisance pursuant to section 90-105 and charges a removal lien pursuant to section 90-106.

The City shall have the right, but not the obligation, to secure an independent contractor to cut, mow, or otherwise destroy the weeds, grass, weed trees, and/or plants constituting the violation. All costs incurred by the City for causing the cutting, mowing, or destruction of weeds, grass, and/or plants shall be charged to the property and/or owner and shall be considered a debt owed to the City. The Office Manager is further authorized to charge the property and/or owner a fee to cover the administrative costs incurred by the City associated by the abatement of the nuisance, including any subsequent lien filing fees and lien removal costs, and all such costs shall be considered debt.

Sec. 90-45. Abatement by city.

If the person so served as provided in section 90-104 does not timely remove the nuisance, the city may proceed to remove such nuisance by cutting such weeds, and the charge therefor shall be charged to and paid for by such owner or occupant. The charge shall be \$150.00 per 8,712 square foot or yardage, or portion thereof, regardless of whether a portion of such yardage is covered by improved structures.

Sec. 90-46. Lien.

Charges for the removal of the nuisance by the city shall be a lien upon the real estate affected, superior to all other liens and encumbrances, except tax liens, provided that within one year after such cost and expense is incurred, the city or person performing the service by authority of the city, in his or its own name, files notice of lien in the office of the recorder in the county or in the office of the registrar of titles of the county if the real estate affected is registered under the Torrens system. The notice shall consist of a sworn statement setting out:

1. A description of the real estate sufficient for identification thereof;
2. The amount of money representing the removal cost and expense incurred or payable for the service; and
3. The date or dates when the removal cost was incurred by the city.

However, the lien of the city shall not be valid as to any purchaser whose rights in and to such real estate have arisen subsequent to the weed cutting and prior to the filing of such notice, and the line of the city shall not be valid as to any mortgagee, judgment creditor or other lienor whose rights in and to such real estate arise prior to the filing of such notice. Upon payment of the cost and expense by the owner or persons interested in such property after notice of lien has been filed, the lien shall be released by the city or person in whose name the lien has been filed and the release may be filed of record as in the case of the filing of the notice of lien.

ATTESTED, filed in my office,  
and published in pamphlet form  
this 9<sup>th</sup> day of June, 2025.

*Clyde R. Rishy*

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CITY CLERK

(SEAL)