

**AN ORDINANCE AMENDING CHAPTER 13 OF THE CODE OF THE CITY OF PEORIA
PERTAINING TO THE DEFINITION OF WEEDS**

WHEREAS, the City Council is a home rule unit of government pursuant to Article VII, Section 6 of the Constitution of the State of Illinois 1970, and may exercise any power and perform any function pertaining to its government and affairs; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PEORIA, ILLINOIS, as follows:

SECTION 1. Chapter 13 of the Code of the City of Peoria is hereby amended by deleting the following stricken words and by adding the following underlined words:

Sec. 13-1. - Definitions- Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Agent means any person who shall have the responsibility for the care, control or maintenance of any property for an owner.

Cultivated means managed and well maintained to a standard of good care taking according to the purpose.

Dumpster means a metal container of one cubic yard or more in volume with an attached lid designed for handling by mechanical means.

Dwelling means a building or portion thereof, designed or used exclusively for residential occupancy, including single-family dwellings, two-family dwellings or multiple-family dwellings but not including hotels or motels.

Garbage includes and means all accumulation of animal, fruit or vegetable matter that attends the preparation, use, cooking and dealing in, or storage of meats, fish, fowl, fruit, vegetable and any other matter, of any nature whatsoever, which is subject to decay, putrefaction, and the generation of noxious and offensive smells or odors, of which, during and after decay, may be a food source for rodents and may serve as breeding or feeding materials for flies and/or other germ carrying insects; bottles, cans, or other food containers which due to their ability to retain water can serve as a breeding place for mosquitoes, or other water breeding insects. It includes rejected household food waste, offal, pet feces, swill and carrion.

Handbill means any printed or written matter, including any sample, device, or any otherwise reproduced literature that is distributed.

- (1) *Commercial handbill* means any handbill which advertises for sale any merchandise, commodity, or thing; directs attention to or advertises any business establishment, theatrical performance, exhibition or event of any kind in which an admission fee is charged for purpose of gain or profit; or is predominantly and essentially an advertisement for benefit or gain.
- (2) *Noncommercial handbill* means any handbill not described in the definition of a commercial handbill.

Highway means the entire width between the boundary lines of every way publicly or privately maintained, which is open to the public for vehicular travel such as a road, street, avenue or alley.

Litter includes garbage, illegal temporary signs, illegally stored items as defined by section 13-37 and rubbish.

Motor vehicle means every self-propelled device in, upon, or by which any person or property may be transported or drawn upon a highway, including automobiles, motorcycles, motor homes, boats, buses, trucks, trailers and other motor-driven and motor-drawn devices similarly used.

- (1) *Inoperable motor vehicle* means a motor vehicle that cannot be physically driven on the highway or does not display a current, valid license plate.
- (2) *Damaged motor vehicle* means a motor vehicle which is substantially wrecked, dismantled or is in an abandoned and deteriorated condition.

Multiple family dwelling means a building of three or more dwelling units.

Native plants means ones that occur naturally in a particular region, ecosystem, or habitat without direct or indirect human intervention.

Newspaper means any paper of general circulation which is regularly published and sold or distributed to the public.

Noxious weeds means any plant or plant product that can directly or indirectly injure or cause damage to crops, including nursery stock or plant products, livestock, poultry, or other interests of agriculture, irrigation, navigation, the natural resources of the United States, the public health, or the environment.

Portable storage device means a reusable cargo container of a rigid construction and rectangular configuration; fitted with devices permitting its ready handling; so designed to be readily filled and emptied; intended to contain one or more articles of cargo or commodities for transportation by one or more transport modes. The term includes completely enclosed units, open top units, fractional height units and other variations fitting into the container system. This definition shall include but not be limited to the following: Portable on demand storage units and intermodal storage containers.

Public place or *public way* means any and all streets, sidewalks, boulevards, alleys, public grounds, or public buildings.

Ratproof means a form of construction which will prevent the entrance and exit of rats, mice and other rodents.

Right-of-way means public property dedicated for a public purpose such as vehicular traffic.

Roadway means that portion of a highway improved, designed or ordinarily used for vehicular traffic.

Stacked condominium means a group of five or more single-family dwelling units attached through the ceiling or floor, or at least partially attached through the ceiling or floor, physically located on top of one another and each unit being under separate ownership, or platted as separate units.

Townhouses means a group or row of two or more attached single-family dwelling units under separate ownership, extending from the basement to the roof.

Trailer means every vehicle without motor power designed for carrying persons or property and for being drawn by a motor vehicle.

Vegetation means any plant life.

Weeds means all noxious vegetation and all grasses, annual plants and vegetation other than trees or shrubs which exceed a height or length of ~~ten~~ fifteen inches; provided, however, this term shall not include cultivated flowers, gardens and native plants.

SECTION 2. This Ordinance shall be in immediately after its passage and publication in pamphlet form. The amended ordinance language will expire on December 31st, 2020 and revert back to the last adopted language.

PASSED BY THE CITY COUNCIL OF THE CITY OF PEORIA, ILLINOIS this _____ day
of _____, 2020.

APPROVED.

Mayor

ATTEST:

City Clerk

EXAMINED AND APPROVED:

Corporation Counsel