

Abatement of garbage and/or solid waste

The owner, as defined in this chapter, and any occupant or lessee, of any premises shall remove or have removed from the premises any brush and/or solid waste. It shall be the ultimate responsibility of the owner to keep the premises free of any accumulation of brush and/or solid waste.

Notice shall be given in the following manner:

- 1) Notice by mail on a property owner will be sufficient if the notice is addressed to the name and address of the entity which is shown by the records of Sangamon County as the entity responsible for paying property taxes on that property.
- 2) If the owner or occupant, lessee, or contract for deed buyer of any premises is unable

to be located or refuses to accept service, service may be had by posting a sign on the premises of the property in question regarding the violation.

If the owner of the property has not abated the accumulation of garbage or solid waste within the applicable time limits, the City shall abate the violation by removing the garbage and/or solid waste.

A bill for the cost of the garbage/solid waste abatement shall be mailed to the owner.

If the City has to abate the garbage and /or solid waste.

A bill for the cost of the grass/weed abatement shall be mailed to the owner.

How long do I have to protest the bill?

The owner of the property shall have 45 days after the date of mailing the bill for the cost of abating the

garbage and/or solid waste to file a written protest with the office of the treasurer of the cost of such grass/weed abatement. If such written protest is not filed within 45 days, the cost of the garbage/solid waste abatement shall not be questioned in any subsequent proceeding. The owner, or his or her attorney, may review the evidence the city uses at the hearing.

What are my defenses to the bill?

The city shall provide an opportunity for the owner to show by clear and convincing evidence that the cost of the garbage/solid waste abatement should not be a debt of the owner by

- (1) proving that a document was recorded with the Sangamon County Recorder before the date of the notice of ordinance violation which showed either (a) that another entity was the owner of the property or (b) that the property was subject to a contract for sale in which the contract buyer was

responsible for maintenance of the property;

(2) that a person with no relationship to an owner, tenant or contract purchaser of the property unlawfully deposited garbage or solid waste on the owner's property;

(3) that the city did not follow the notice procedure required by this section or

(4) that the costs of the garbage/solid waste abatement were not reasonable.

No other defenses are relevant and the owner shall have the burden of proof.

If the owner has filed a dispute of abatement within 45 days of postmark date of the mailing of the bill, the city shall conduct an appeals hearing. Such hearing shall be recorded and the person conducting the hearing on behalf of the city shall be empowered to administer oaths and to secure by subpoena both the attendance and testimony of witnesses and the production of relevant books and

papers. Persons appearing at such appeals hearing may be represented by counsel at their expense.

Sections of the Code of Ordinances of the City of Springfield, IL used in creating this pamphlet can be found online at Municode.com.

§ 170.10.06 - Inspections

§ 170.17.01 - Garbage, rubbish, brush, weeds and solid waste.

§ 170.17.15 - Abatement of garbage, solid waste, grass and weeds

**City of Springfield
Office of City Treasurer
300 South 7th Street, Rm 104
Springfield, IL 62701-1687
Phone 217-789-2224
Fax 217-789-2297
Hours
8:00 am - 4:30 pm CST M-F**

How do I protest a statement for the costs of abating garbage and/or solid waste?



**City of Springfield
Office of City Treasurer
300 South 7th Street, Rm 104
Springfield, IL 62701-1687
Phone 217-789-2224
Fax 217-789-2297
Hours
8:00 am - 4:30 pm CST M-F**