



## CHAMPAIGN COUNTY BOARD ENVIRONMENT and LAND USE COMMITTEE (ELUC) AGENDA

County of Champaign, Urbana, Illinois  
Thursday, October 9, 2014 - 6:30 p.m.

Lyle Shields Meeting Room

Brookens Administrative Center, 1776 E. Washington St., Urbana

### **Committee Members:**

Ralph Langenheim – Chair  
Aaron Esry – Vice-Chair  
Astrid Berkson  
Stan Harper

Alan Kurtz  
Pattsi Petrie  
Jon Schroeder

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**CHAMPAIGN COUNTY BOARD**  
**ENVIRONMENT and LAND USE COMMITTEE (ELUC)**  
**Agenda**

October 9, 2014

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- XII. Designation of Items to be Placed on the Consent Agenda
- XIII. Adjournment

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<http://www.ustream.tv/channel/champco1776>

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**Champaign County Board  
Environment and Land Use Committee (ELUC)  
County of Champaign, Urbana, Illinois**

7

**MINUTES – SUBJECT TO REVIEW AND APPROVAL**

DATE: Thursday, September 4, 2014  
TIME: 6:30 p.m.  
PLACE: Lyle Shields Meeting Room  
Brookens Administrative Center  
1776 E Washington, Urbana, IL 61802

**Committee Members**

Present	Absent
Ralph Langenheim (Chair)	
Aaron Esry (Vice Chair)	
	Astrid Berkson
Stan Harper	
Alan Kurtz	
Pattsi Petrie	
Jon Schroeder	

**County Staff:** Deb Busey (County Administrator), John Hall (Director of Planning & Zoning), Beth Brunk (Recording Secretary)

**Others Present:** Susan Monte (Regional Planning Commission), John Jay (Champaign County Board)

**MINUTES**

**I. Call to Order**

Committee Chair Langenheim called the meeting to order at 6:30 p.m.

**II. Roll Call**

A verbal roll call was taken and a quorum was declared present.

**III. Approval of Minutes**

A. ELUC Committee meeting – August 7, 2014

**MOTION** by Mr. Kurtz to approve the minutes of the August 7, 2014 ELUC meeting as distributed; seconded by Mr. Harper. Upon vote, the **MOTION CARRIED** unanimously.

**IV. Approval of Agenda**

**MOTION** by Mr. Esry to approve the agenda as distributed; seconded by Mr. Kurtz. Upon vote, the **MOTION CARRIED** unanimously.

**V. Public Participation**

Randy Hopkins – favored the map amendment for Case 771-AM-14

1 Clark Bullard, James Beauchamp, Stuart Levy, Glynnis Collins, Frank DiNovo, Sharon DeCelle – Against  
2 resolution to oppose the expansion of the federal definition of “Waters of the United States”  
3

4 Lin Warfel, Scott Kesler, Russell Buhr – For resolution to oppose the expansion of the federal definition  
5 of “Waters of the United States”  
6

7 William Neef – wants County to control Canada thistle on neighbor’s property as noxious weed & tight  
8 turn radius in County subdivision cul-de-sac does not allow a school bus to get through  
9

10 **VI. Communications**

11 None

12  
13 **VII. For Information Only**

14 A. *Cancellation of October 11, 2014 Countywide Residential Electronics Collection*  
15

16 The countywide residential electronics collection scheduled in October has been canceled because the  
17 contractor has withdrawn. Mr. Kurtz asked if we could find another contractor. Ms. Monte replied that  
18 other contracts will be bid in the spring when manufacturers need to fill their quotas. Ms. Petrie inquired if  
19 there would be some education for the public on alternatives for electronic recycling until another collection  
20 occurs. Ms. Monte indicated that cards have been distributed to publicize alternative options available to  
21 residents. Additional money from the grant may be used for a publicity campaign.  
22

23 **VIII. Items to be Approved by ELUC for Recommendation to the County Board**

24 A. *Case 771-AM-14 – Recommendation to Approve a Zoning Map Amendment to change the zoning*  
25 *district designation from B-3 Highway Business to B-4 General Business - Randy & Sue Hopkins*  
26 *dba Atlantic Services, Inc.*  
27

28 On 8/28/14, the Zoning Board of Appeals recommended approval of this map amendment with the standard  
29 right to farm resolution condition.  
30

31 **MOTION** by Mr. Esry to approve the zoning map amendment for Randy and Sue Hopkins dba Atlantic  
32 Services, Inc.; seconded by Mr. Schroeder. Upon vote, the **MOTION CARRIED** unanimously.  
33

34 B. *Resolution to Oppose the Expansion of the Federal Definition of “Waters of the United*  
35 *States” to Include Non-navigable Ditches and Stormwater Flows in Communities FY2015*  
36 *County Planning Contract Proposal*  
37

38 Mr. Kurtz indicated that he has not had the time to thoroughly examine this issue. Ms. Petrie thought  
39 this federal ruling should be examined from a broader national perspective. She would like Jeff Blue,  
40 County Engineer and John Hall, Director of Planning & Zoning to analyze the EPA ruling and advise ELUC  
41 members as to the implications for the County. Mr. Schroeder, Mr. Esry and Mr. Harper were skeptical  
42 of the regulations proposed by the EPA.  
43

44 **MOTION** by Mr. Kurtz to defer the resolution to oppose the expansion of the federal definition of  
45 “Waters of the United States” to the 10/9/14 ELUC meeting so staff can research the ramifications of  
46 the EPA ruling for Champaign County; seconded by Ms. Petrie. Upon vote, the **MOTION CARRIED**  
47 unanimously.  
48

49 **IX. Monthly Reports**

50 A. July 2014  
51

52 **MOTION** by Mr. Esry to receive and place on file the Planning & Zoning Monthly Reports for July 2014;  
53 seconded by Mr. Kurtz. Upon vote, the **MOTION CARRIED** unanimously.  
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**X. Other Business**

Mr. Schroeder commented that the County may want to establish a noxious weed officer in the future maybe through the University's Weed Science Department. Mr. Esry noted that the County had another complaint about Canada thistle in the Broadlands area. Mr. Hall stated that there are extensive state statutes on noxious weeds in place but the County has not done everything that the rule requires due to limited resources. In most cases, the landowner complies once they have been notified of the violation by the Planning & Zoning Department.

**XI. Chair's Report**

None

**XII. Semi-Annual Review of Closed Session Minutes**

Ms. Busey reported that the State's Attorney has recommended that the closed session minutes should remain closed pursuant to Resolution No. 7969.

**XIII. Designation of Items to be Placed on the Consent Agenda**

VIII. A.

**XIV. Adjournment**

**MOTION** by Mr. Schroeder to adjourn; seconded by Mr. Kurtz. Upon vote, the **MOTION CARRIED** unanimously. There being no further business, Mr. Langenheim adjourned the meeting at 7:41 p.m.

DATE:	September 30, 2014
TO:	Environment and Land Use Committee
FROM:	Susan Monte, RPC Planner
RE:	RPC Survey of Fire Chiefs in Unincorporated Champaign County
ACTION REQUEST:	For Information Only

### Background

At the August 7, 2014 ELUC meeting, staff provided an update regarding Work Item #11 of the 2013 County Planning Contract: “Amend relevant Champaign County ordinances to include provisions of Policy 6.2.1.” Work Item #11 is based on LRMP Policy 6.2.1:

“The County will require public assembly, dependent population, and multifamily premises built, significantly renovated, or established after 2010 to comply with the Office of State Fire Marshal life safety regulations or equivalent.”

ELUC members approved the RPC staff recommendation to survey of fire chiefs in unincorporated Champaign County, to obtain information regarding:

- preference with regard to obtaining information about building activity within the district;
- preferred means to notify fire chief;
- update of fire chief contact information;
- opportunities of fire protection district staff to train to conduct safety inspections of public assembly, dependent population, and multifamily premises in fire protect district;
- related concerns and suggestions.

This memorandum describes the survey responses received.

Attachment B contains a copy of seven survey questions, which included two open-ended questions.

RPC staff administered the survey via phone during August 18-28, 2014. If contacted via phone, and upon fire chief request, staff provided the survey questions via email. As of September 30, 2014, 10 of 21 fire chiefs notified via phone or phone message had provided responses, a response rate of 48%.

As described, the main survey intent was to obtain feedback from fire chiefs of fire protection districts serving unincorporated Champaign County areas. For this reason, fire chiefs of the City of Champaign Fire Department and City of Urbana Fire Department were not asked to participate.

The ten survey responses are summarized beginning on the next page.

<p>Question 1.</p> <p>Confirm mailing address. Specify if, in addition to mail notices from the County regarding an upcoming zoning case public hearing at the County ZBA, you would like to be additionally notified via either phone or email.</p>	<p>1 correction received regarding contact information for an interim acting fire chief.</p> <p>9 responses received to confirm contact information.</p> <p>7 of 10 respondents indicated they would like to be contacted via email (in addition to regular mail) regarding upcoming zoning cases at the County ZBA.</p>
<p>Question 2.</p> <p>Interested in receiving additional information regarding any building activity (e.g., new construction or building expansions) within district?</p>	<p>All 10 respondents indicated they would like to receive information regarding any building activity (e.g., new construction or building expansions) within their district.</p>
<p>Question 3.</p> <p>If this information were posted on the Champaign County website, is that something you would find useful?</p>	<p>7 respondents indicated ‘no.’</p> <p>3 respondents indicated ‘yes.’</p>
<p>Question 4.</p> <p>If ‘No,’ is there another way you’d like to obtain this information (e.g., quarterly or monthly mailing)?</p>	<p>Of the 7 ‘No’ respondents,  1 indicated ‘monthly mailing’  2 indicated ‘either quarterly or monthly mailing’  4 indicated ‘quarterly mailing’</p> <p>Of the 3 ‘Yes’ respondents,  1 indicated “the more info the better”  1 indicated ‘quarterly mailing’  1 indicated ‘either quarterly or monthly mailing’</p>
<p>Question 5a.</p> <p>Do you think that you and your volunteer staff have had sufficient available time, resources, and sufficient opportunities to obtain training to inspect these types of facilities for life safety code compliance?</p> <p>-----</p> <p>Question 5b.</p> <p>Concerns/comments to share with County ELUC members regarding types of resources available to you/your volunteer staff to obtain this training?</p>	<p>7 respondents indicated ‘no.’</p> <p>1 respondent indicated ‘we have an inspector that handles the inspections.’</p> <p>1 respondent indicated ‘chief is trained.’</p> <p>-----</p> <p>7 respondents indicated ‘no.’</p> <p>1 responded: “Create more time. Firefighters work 40 plus hours; don’t like to add more at the end of their day.”</p> <p>1 responded: “wants to know about road closures in the County. Stumbled across a closure by accident.”</p> <p>1 responded: “major training is done through Illinois Fire Safety Institute. Last one was about 3 years ago.”</p>

continued

<p>Question 6.</p> <p>In general, what are the biggest challenges that your fire protection district faces?</p>	<p>9 respondents answered. Responses are listed below:</p> <p>“Time.”</p> <p>“Lack of code enforcement and codes present in district.”</p> <p>“Retention of volunteers. The last 5 years have been bad.”</p> <p>“Lack of time.”</p> <p>“Lack of funding and lack of volunteers.”</p> <p>“Money.”</p> <p>“Needs more staff during the day. The night staff is fine.”</p> <p>“Money, volunteers.”</p> <p>“Staffing, not enough volunteers.”</p>
<p>Question 7.</p> <p>Are there any other comments or suggestions to share with us at this time?</p>	<p>6 respondents answered. Responses are listed below:</p> <p>“Most training is 40 hours and firefighters all work 40-hour jobs.”</p> <p>“Likes mailing that keep fire chiefs up-to-date. He uses them at his meetings.”</p> <p>“We have two churches, no multifamily buildings or assisted living buildings.”</p> <p>“There is an old abandoned building, an old gas station falling in, an eyesore, sold for taxes. [--- ] is unincorporated, who can he talk to about how to get rid of [this building]?”</p> <p>“We are responsible for inspecting these public assemblies ... as a district. It is a job for local municipalities. Should outside of village boundaries be responsibility of a village?”</p> <p>“We are faced with limited space in our current station. But perhaps our largest issue is the replacement of Wilber Road.”</p>

Fire Chief Survey Followup:

This September, the local Fire Chief serving as Secretary to the Champaign County Fire Chief Association offered to distribute an email version of this survey to local fire chiefs who were unable to be contacted via phone by RPC staff earlier this August. Additional survey responses that may be received containing current contact information and preferences with regard to added phone or email notifications will be shared with Department of Planning and Zoning staff.

Attachments:

- A LRMP Policy 6.2.1 Background
- B Fire Chief Survey

Champaign County Land Resource Management Plan (LRMP)

LRMP Policy 6.2.1 – Background

LRMP Goal 6 Public Health and Public Safety

Champaign County will ensure protection of the public health and public safety in land resource management decisions.

Objective 6.2 Public Assembly Land Uses

Champaign County will seek to ensure that public assembly, dependent population, and multifamily land uses provide safe and secure environments for their occupants.

Policy 6.2.1

The County will require public assembly, dependent population, and multifamily premises built, significantly renovated, or established after 2010 to comply with the Office of State Fire Marshal life safety regulations or equivalent.

Survey of Fire Chiefs of  
Fire Protection Districts that Serve Unincorporated Champaign County

1. Occasionally, the Champaign County Department of Planning and Zoning staff will need to contact you to provide notice of a proposed development to be reviewed by the Zoning Board of Appeals. The Department will typically mail out the notification. I have your mailing address as : \_\_\_\_\_
  - a. Is this correct? Y/N
  - b. If not, what is the mailing address for mail addressed to the Fire Chief?
  - c. In addition to a mail notification, would you prefer to also receive either an email or a phone message about the notification? Y/N

If Yes: \_\_\_\_\_
  
2. Would you, as Fire Chief, be interested in receiving additional information about any building activity (e.g., new construction or building expansions) within your Fire Protection District? Y/N
  
3. If this information were posted on the Champaign County website, is that something you would find useful? Y/N
  
4. If No, \_\_\_\_\_ Is there another way you'd like to obtain this information (e.g., quarterly or monthly mailing? )
  
5. Regarding opportunities you and your staff may have had to train to conduct safety inspections of a public assembly (*e.g. a church*), a dependent population (*e.g., an assisted living facility or group day care center*), or multi-family buildings for Life Safety Code for compliance:
  - a. Do you think that you and your volunteer staff have had sufficient available time, resources, and sufficient opportunities to obtain training to inspect these types of facilities for "Life Safety Code" compliance ? Y / N
  - b. Are there any concerns or comments that you would like to share with County Environmental Land Use Committee members regarding the types of resources available to you or your volunteer staff to obtain this training?
  
6. In general, what are the biggest challenges that your Fire Protection District faces?
  
7. Are there any other comments or suggestions you have to share with us at this time?

*Thanks very much for participating and providing your responses to this survey.*

DATE:	September 30, 2014
TO:	Environment and Land Use Committee
FROM:	Susan Monte, RPC Planner
RE:	Update: Establishment of a Cooperative Weed Management Area for East Central Illinois
ACTION REQUEST:	For Information Only

### Background

At the September 4, 2014 ELUC meeting, a citizen shared his increasing frustrations regarding problem that he and other landowners presently contend with —repeated occurrences of invasive species on his land. This memorandum summarizes current local efforts to form a Cooperative Weed Management Area (CWMA) in east central Illinois.

### Cooperative Weed Management Areas

A CWMA consists of local partnerships that serve to address the threat of invasive plants across jurisdictional boundaries. Attachment A is an excerpt from the Midwest Invasive Plant Network’s 2011 publication *CWMA Cookbook: A Recipe for Success*. Much information about developing a CWMA is available from these sources:

- Illinois DNR Invasive Species Campaign <http://www.dnr.illinois.gov/conservation/invasivespecies>
- Midwest Invasive Plant Network <http://www.mipn.org/>

Attachment B illustrates locations of the few existing CWMA’s in Illinois at present:

- River to River CWMA <http://www.rtrcwma.org/>
- Northeast Illinois Invasive Plant Partnership <http://niipp.net>

### Next Steps

Meetings to organize a CWMA in our region are underway. On September 29<sup>th</sup>, IDNR Invasive Species Campaign Coordinator Chris Evans held a CWMA Workshop in Champaign County. A follow up meeting to coordinate local efforts of interested parties will take place on October 9, 2014. More information about the meeting location can be obtained from Sandra Mason, University of Illinois Extension, email [slmason@illinois.edu](mailto:slmason@illinois.edu), or phone 217-333-7672.

### Attachments:

- A Excerpt from *CWMA Cookbooks: A Recipe for Success*
- B CWMA’s in the Northeast and Midwest
- C Related Champaign County LRMP Goal, Objectives and Policies

Excerpt from *CWMA Cookbook: A Recipe for Success, A Step-by-Step Guide on How to Develop a Cooperative Weed Management Area in the Eastern United States*, Midwest Invasive Plant Network, revised 2001.

## What is a Cooperative Weed Management Area?

Cooperative Weed Management Areas, or CWMA, are partnerships of federal, state, and local government agencies, tribes, individuals, and other interested groups that manage noxious weeds or invasive plants in a specific area (as defined by the Western Weed Coordinating Committee). CWMA may have different names in different parts of the country, for example, Partnerships for Regional Invasive Species Management (PRISMs), Cooperative Invasive Species Management Areas (CISMAs), or Invasive Species Teams or Partnerships. They can be organized in a variety of ways, but they share six basic characteristics:

- 1) They operate within a defined geographic area, distinguished by a common geography, weed problem, community, climate, political boundary, or land use.
- 2) They involve a broad cross-section of landowners and natural resource managers within the CWMA boundaries.
- 3) They are governed by a steering committee.
- 4) They have a long-term commitment to cooperation, usually through a formal agreement among partners.
- 5) They have a comprehensive plan that addresses the management of invasive species within their boundaries.
- 6) They facilitate cooperation and coordination across jurisdictional boundaries.

CWMA include local citizens, city, county, state, tribal and federal leaders, and both nonprofit organizations and for-profit corporations to more effectively control invasive plants across property lines. Some CWMA have been started by government agencies taking a larger, region-wide approach to invasive plant management, while others have been formed by concerned citizens partnering with agencies, organizations, and corporations that can provide additional resources. No matter where the impetus comes from to start a CWMA, the goal is the same: to work together with all interested parties in the area for more effective invasive plant management.



Using cut-and-swap treatment to control Japanese knotweed, Adirondack Park Invasive Plant Program, New York.  
Photo: Hilary Smith, The Nature Conservancy

Many local communities have established informal partnerships to work with others to manage invasive plants. However, the formal agreement created to form a Cooperative Weed Management Area establishes a long-term relationship and a mechanism for ongoing resource sharing.

## Why form a CWMA?

**CWMAs cross boundaries.** Groups that have an agreement in place that allows cooperation across land ownership boundaries can address invasive plants on the landscape as a whole, rather than piecemeal. Coordinated invasive plant management efforts are likely to be much more effective than treating a particular species at different times and with different methods on separate properties.

**CWMAs allow partners to share and leverage limited resources** for the benefit of all. One partner may have a group of dedicated volunteers, another may have tools or herbicides they are willing to share, and another may have the ability to send press releases to media contacts. Partners joining together have access to more resources.

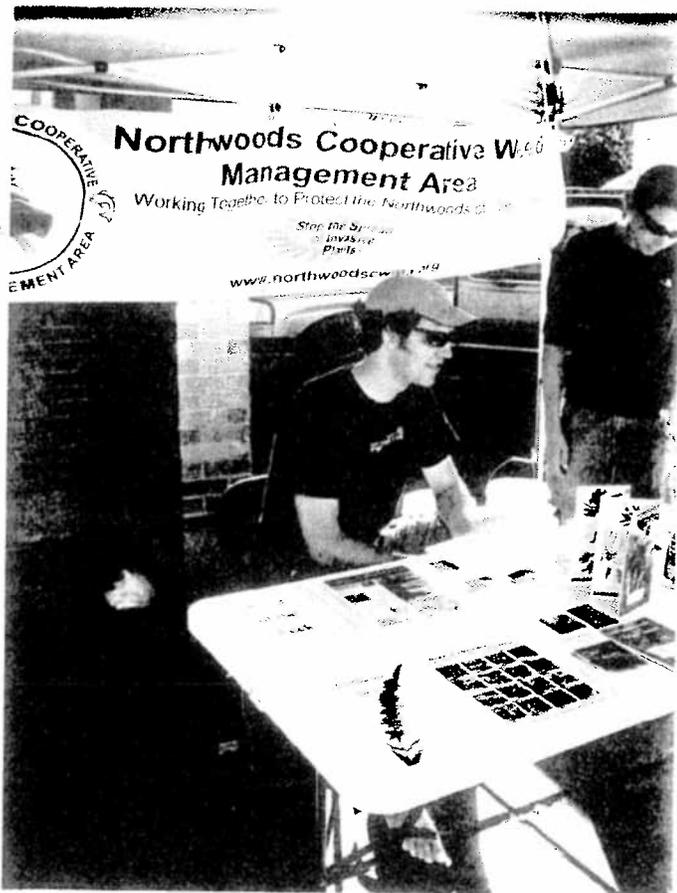
**CWMAs are highly visible, building community awareness and participation.** Cooperative

efforts can bring the issue of invasive plants to the attention of state and federal legislators and demonstrate broad support from the community for preventing and controlling invasive species.

**CWMAs can improve control efforts** by training all partners in the use of best management practices. Training local landowners in control methods can reduce non-target damage and help them select the most appropriate methods for their situation.

**CWMAs can provide an early detection and rapid response network** by ensuring that all the partners are aware of and are able to identify and respond to new invasive species in the area.

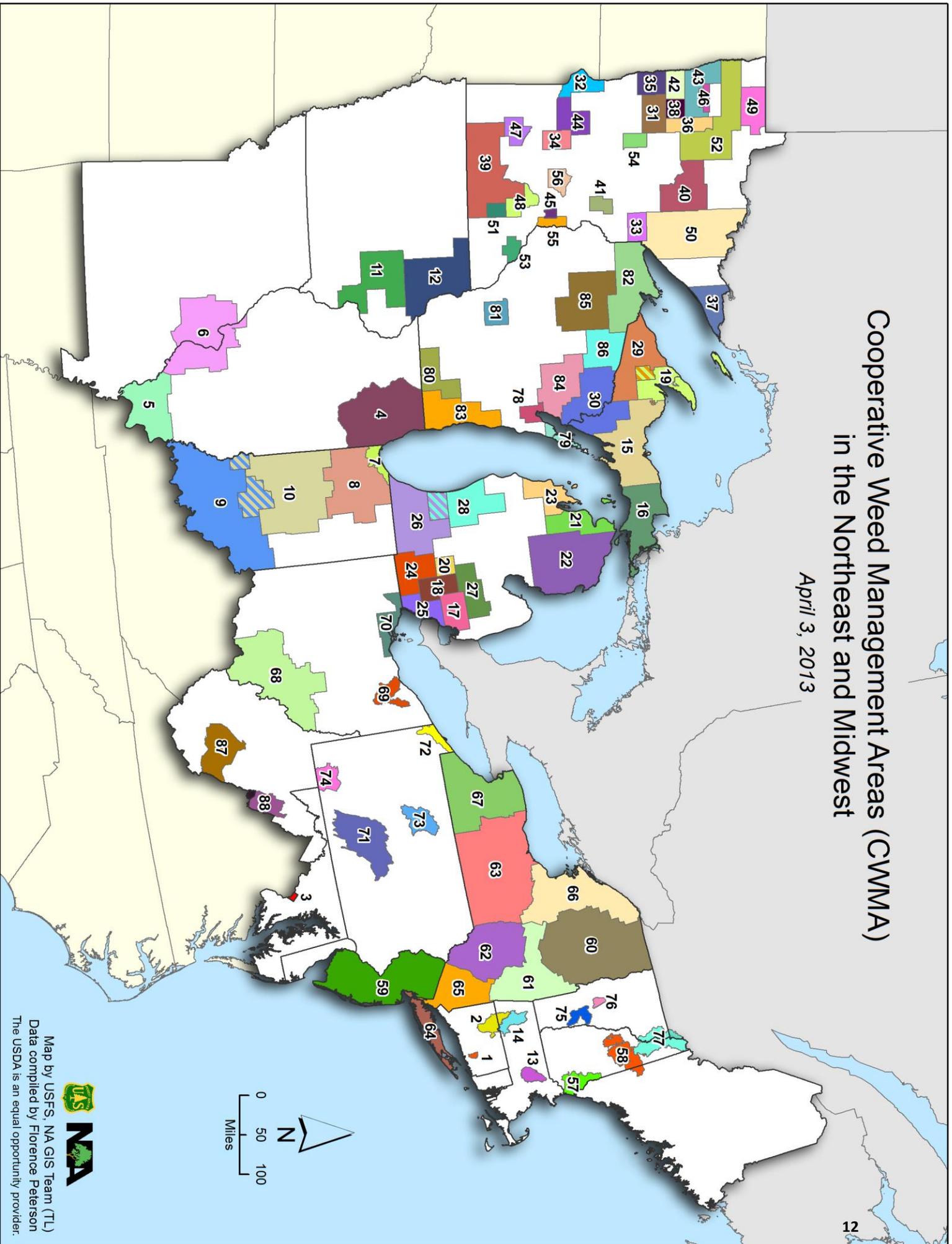
**CWMAs can help secure funding.** An established CWMA can access multiple funding sources, including government grants, private foundation grants, and donations. The “working together” concept is attractive to many funders.



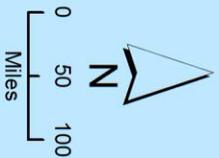
The Northwoods CWMA in northern Wisconsin rented a table at the local farmer's market to educate the community about invasive plants. Photo: Northwoods CWMA

# Cooperative Weed Management Areas (CWMA) in the Northeast and Midwest

April 3, 2013



Map by USFS, NA GIS Team (TL)  
Data compiled by Florence Peterson  
The USDA is an equal opportunity provider.



ID #	CWMA Name	State(s)
1	Eightmile River Invasive Species Management Area (ERISMA)	CT
2	Farmington River Coordinating Committee	CT, MA
3	District of Columbia CWMA	DC
4	Northeast Illinois Invasive Plant Partnership (NIIPP)	IL
5	River to River CWMA	IL
6	Gateway CWMA	IL, MO
7	Indiana Coastal CWMA	IN
8	Northwest Indiana CWMA	IN
9	Southern Indiana Cooperative Invasive Management (SICIM)	IN
10	West Central Indiana CWMA	IN
11	Hawkeye CWMA	IA
12	Northeast Iowa CWMA	IA
13	SuAsCo Cooperative Invasive Species Management Area	MA
14	Westfield Invasive Species Partnership (WISP)	MA
15	Central Upper Peninsula CWMA	MI
16	Eastern Upper Peninsula CWMA	MI
17	Headwaters Cluster	MI
18	Huron Arbor Cluster	MI
19	Keweenaw Invasive Species Management Area (KISMA)	MI
20	Mid Michigan Cluster	MI
21	North Central CWMA	MI
22	Northeast Michigan CWMA	MI
23	Northwest Michigan Invasive Species Network	MI
24	Raisin Cluster	MI
25	Southeast Michigan Lakeplain Cluster	MI
26	Southwest Corner Cluster	MI
27	Three County Cluster	MI
28	West Michigan Cluster	MI
29	Western Peninsula Invasives Coalition (WePIC)	MI, WI
30	Wild Rivers Invasive Species Coalition (WRISC)	MI, WI
31	Becker County CWMA	MN
32	Big Stone - Traverse County CWMA	MN
33	Carlton County CWMA	MN
34	Central Minnesota CWMA	MN
35	Clay County CWMA	MN
36	Clearwater County Weed Task Force	MN
37	Cook County Invasive Team	MN
38	Eastern Mahnomen County CWMA	MN
39	Greater Blue Earth CWMA	MN
40	Itasca County Cooperative Invasive Species Management Area	MN
41	Kanabec County Weed Management Area Partnership (KCWMAP)	MN
42	Norman County CWMA	MN
43	Polk County CWMA	MN
44	Pope - Swift CWMA	MN
45	Ramsey County CWMA	MN
46	Red Lake County CWMA	MN
47	Redwood County CWMA	MN
48	Rice - Scott CWMA	MN
49	Roseau County CWMA	MN
50	St. Louis County CWMA	MN
51	Steele County Invasive Species Management Area	MN
52	Thief River Watershed Cooperative Weed Management Area (TRWCWMA)	MN
53	Wabasha County CWMA	MN
54	Wadena County CWMA	MN
55	Washington County CWMA	MN
56	Wright County CWMA	MN
57	Coastal Watershed Invasive Plant Partnership (CWIPP)	NH
58	White Mountain Early Detection Network	NH
59	New Jersey Invasive Species Strike Team	NJ
60	Adirondack Park Invasive Plant Program (APIPP)	NY
61	Capital - Mohawk Partnership for Regional Invasive Species Management	NY
62	Catskill Region Invasive Species Partnership (CRISP)	NY
63	Finger Lakes Partnership for Regional Invasive Species Management	NY
64	Long Island Invasive Species Management Area (LIISMA)	NY
65	Lower Hudson Partnership for Regional Invasive Species Management	NY
66	SLELO Partnership for Regional Invasive Species Management	NY
67	Western New York Partnership for Regional Invasive Species Management	NY
68	Appalachian Ohio Weed Control Partnership (AOWCP)	OH
69	Crooked River CWMA	OH
70	Lake Erie CWMA	OH
71	Juniata Cooperative Weed Management Area (JCWMA)	PA
72	Lake Erie Watershed CWMA	PA
73	Sinnemahoning Invasive Plant Management Area	PA
74	Southern Laurel Highlands Plant Management Partnership	PA
75	Ottawaquechee Cooperative Invasive Species Management Area (OCISMA)	VT
76	Upper White River Cooperative Weed Management Area	VT
77	Upper Connecticut River Invasive Species Management Area	VT, NH
78	Brown County Invasive Plant Group	WI
79	Door County Invasive Species Team	WI
80	Invasives Removal Squad	WI
81	Monroe County Invasive Plant Team	WI
82	Northwoods CWMA (NCWMA)	WI
83	Southeastern Wisconsin Invasive Species Consortium (SEWISC)	WI
84	Timberland Invasives Partnership (TIP)	WI
85	Upper Chippewa Invasive Species Cooperative	WI
86	Wisconsin Headquarters Invasives Partnership (WHIP)	WI
87	New River Gorge Cooperative Weed and Pest Management Area	WV
88	Potomac Highlands Cooperative Weed and Pest Management Area	WV, VA

Related Champaign County Land Resource Management Plan (LRMP)  
Goal, Objectives, and Policies

Goal 8 Natural Resources

Champaign County will strive to conserve and enhance the County's landscape and natural resources and ensure their sustainable use.

Objective 8.5 Aquatic and Riparian Ecosystems

Champaign County will encourage the maintenance and enhancement of aquatic and riparian habitats.

Policy 8.5.4

The County will support efforts to control and eliminate invasive species.

Objective 8.6 Natural Areas and Habitat

Champaign County will encourage resource management which avoids loss or degradation of areas representative of the *pre-settlement environment* and other areas that provide habitat for native and game species.

Policy 8.6.1

The County will encourage educational programs to promote sound environmental stewardship practices among private landowners.

Policy 8.6.4

The County will require implementation of IDNR recommendations for *discretionary development* sites that contain endangered or threatened species, and will seek to ensure that recommended management practices are maintained on such sites.

Objective 8.7 Parks and Preserves

Champaign County will work to protect existing investments in *rural* parkland and natural area preserves and will encourage the establishment of new public *parks and preserves* and protected private lands.

Policy 8.7.2

The County will strive to attract alternative funding sources that assist in the establishment and maintenance of parks and preserves in the County.

Policy 8.7.4

The County will encourage the establishment of public-private partnerships to conserve woodlands and other significant areas of natural environmental quality in Champaign County.

Policy 8.7.6 The County will support public outreach and education regarding site-specific natural resource management guidelines that landowners may voluntarily adopt.

Champaign County  
Department of

**PLANNING &  
ZONING**

**Brookens Administrative  
Center**  
1776 E. Washington Street  
Urbana, Illinois 61802

(217) 384-3708  
zoningdept@co.champaign.il.us  
www.co.champaign.il.us/zoning

To: **Environment and Land Use Committee**

From: **John Hall, Director & Zoning Administrator**

Date: **September 30, 2014**

RE: **Zoning Ordinance Map Amendment Case 766-AM-13**

Request: **Amend the Champaign County Zoning Map to change the zoning district designation from the AG-1 Agriculture to B-1 Rural Trade Center Zoning District in order to authorize the proposed self-storage warehouse in related Zoning Case 767-S-13**

Petitioner: **Eric Sebens d.b.a. Prairieview Landscaping**

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**STATUS**

The Zoning Board of Appeals voted 4 to 1 to “Recommend Approval” of this amendment at the September 25, 2014, meeting. The ZBA also approved related Case 767-S-14 on a vote of 4 to 1.

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**BACKGROUND**

The subject property is a 5 acre tract of land in Section 9 of Tolono Township located at 1069 CR900E, Champaign, that is currently in the AG-1 Agriculture Zoning District.

A Special Use Permit for a Contractor Facility was authorized in Case 101-S-97 on 7/18/97.

The rezoning will allow the establishment of a self-storage warehouse that the Zoning Board of Appeals approved in related Case 767-S-13. The ZBA is the final authority on Case 767-S-13 and no County Board action is required.

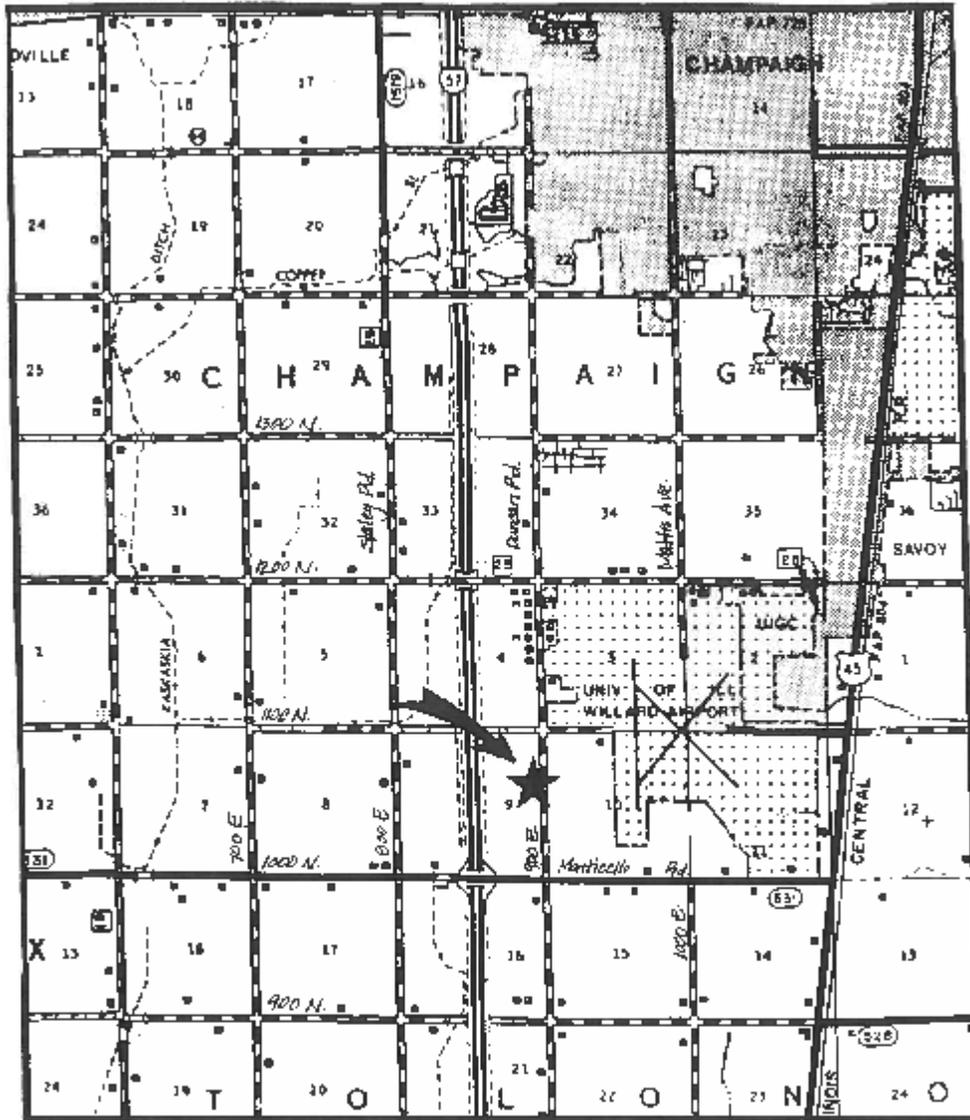
The subject property consists of best prime farmland but has not been in agricultural production since before the Zoning Ordinance was adopted in 1973.

**ATTACHMENTS**

- A Case Maps (Location, Land Use, Zoning)
- B Site Plan received 9/3/14 (final buildout)
- C Summary Finding of Fact

Attachment A. Case Maps (Location, Land Use, Zoning)  
September 30, 2014

LOCATION



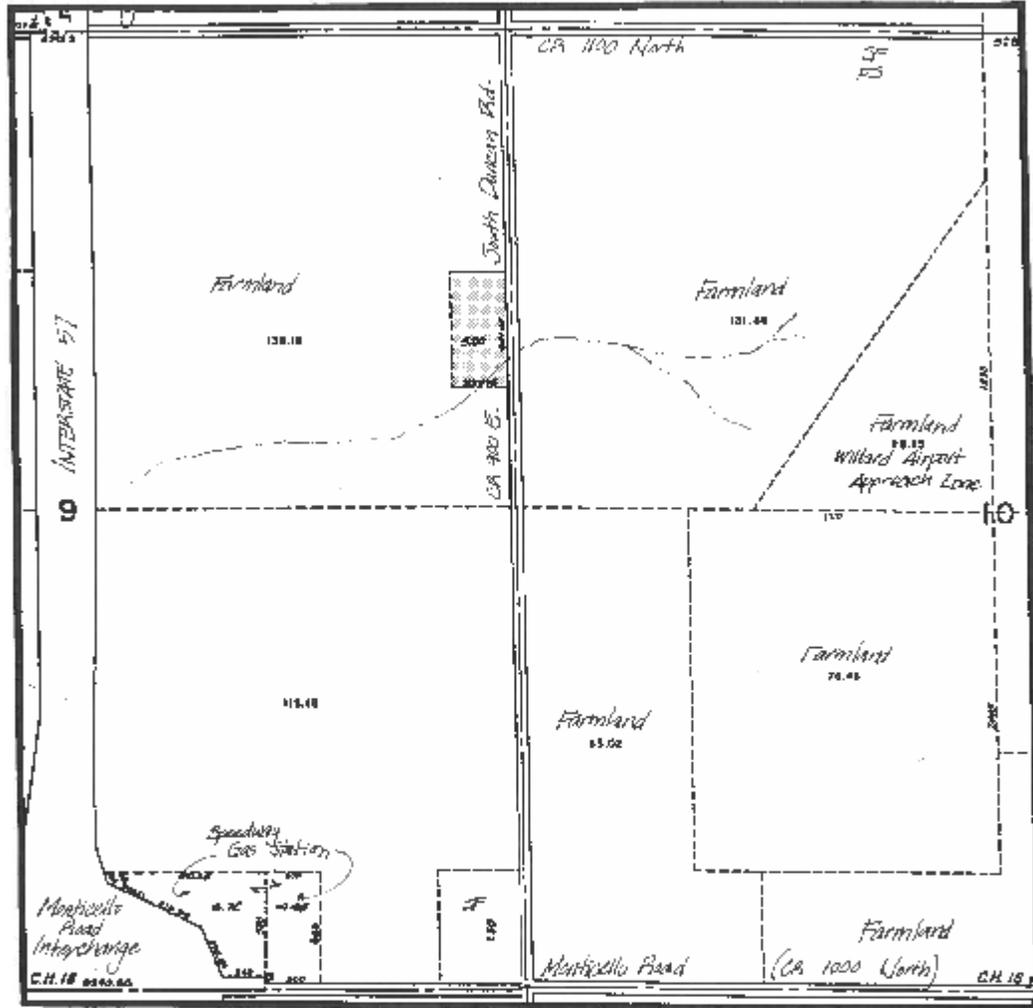
Area of Concern



Champaign  
County  
Department of  
PLANNING &  
ZONING

**Attachment A. Case Maps (Location, Land Use, Zoning)**  
September 30, 2014

**LAND USE**



	<b>Area of Concern</b>		Champaign County Department of <b>PLANNING &amp;          ZONING</b>
	<b>Single Family</b>		
	<b>Farmstead</b>		

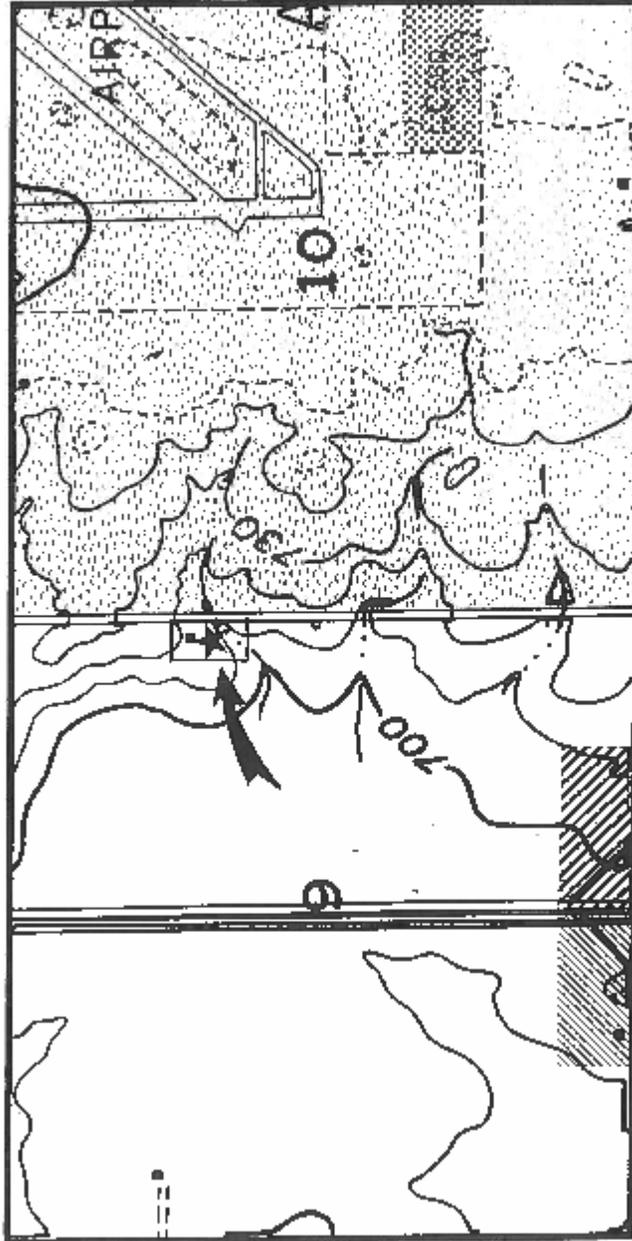
  
 NORTH

**Attachment A. Case Maps (Location, Land Use, Zoning)**  
September 30, 2014

**TOLONO**  
*1/10*

FOR INFORMATION ONLY - NOT  
 TO BE USED FOR ANY PURPOSES  
 WITHOUT THE WRITTEN APPROVAL OF  
 CHAMPAIGN COUNTY PLANNING AND ZONING  
 DEPARTMENT

**ZONING ATLAS**  
 OF CHAMPAIGN COUNTY



**ZONING**

Champaign County  
 Department of  
 Planning and Zoning  
 1200 N. Cambridge Avenue  
 Urbana, Illinois  
 Telephone: (317) 824-3388  
 Fax: (317) 824-2187

**B-5** Central Business  
**I-1** Light Industry  
**I-2** Heavy Industry

**B-2** Neighborhood Business  
**B-3** Highway Business  
**B-4** General Business

**R-4** Multiple Family Res.  
**R-5** Public Use Park  
**R-1** Single-Family Residence

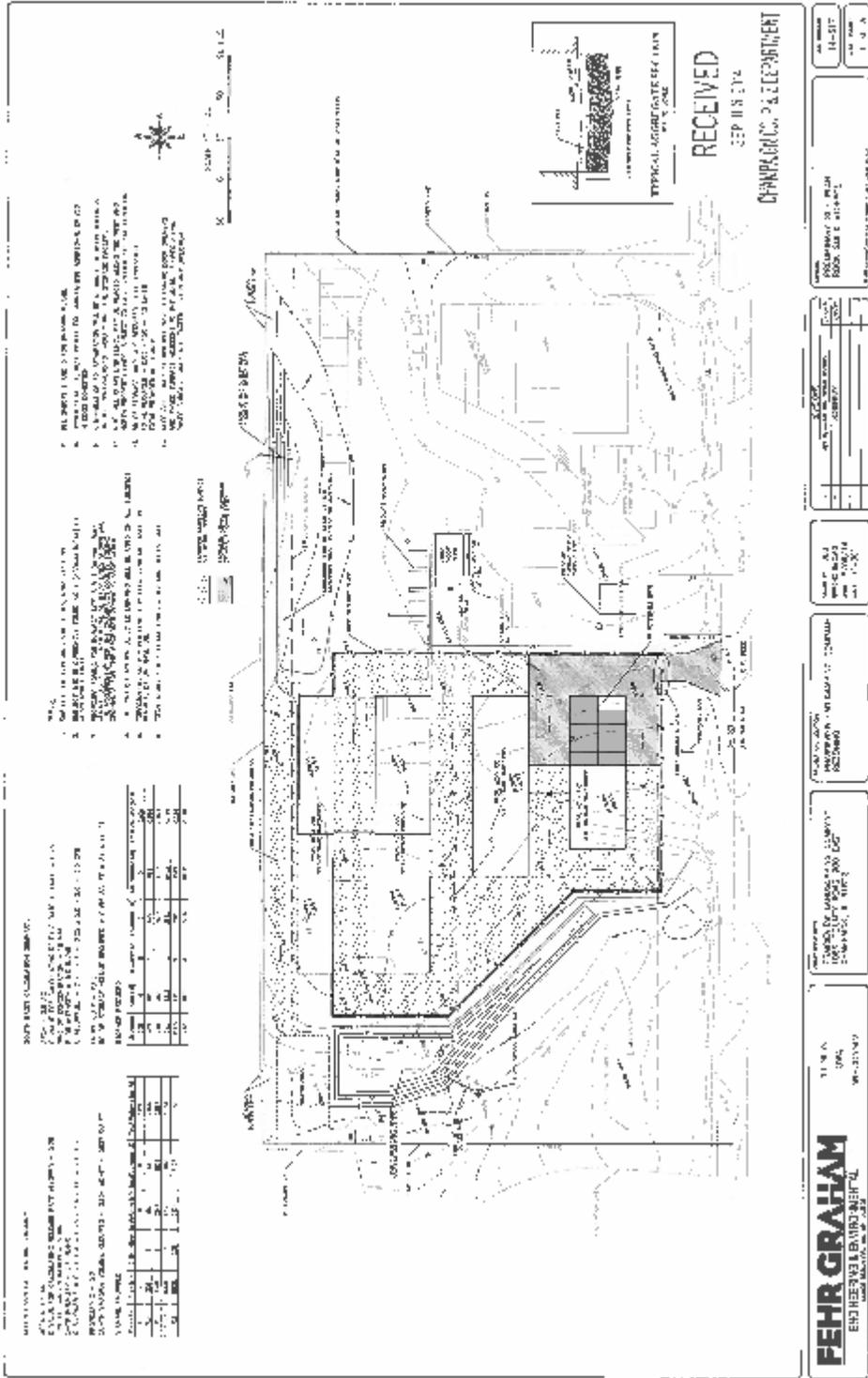
**R-1** Single Family Residence  
**R-2** Single Family Residence  
**R-3** Two-Family Residence

**AG-1** Agriculture  
**AG-2** Agriculture  
**C** Conservation/Recreation

**KEY**

★ **Area of Concern**

**Attachment B. Site plan**  
September 30, 2014



## Attachment C. Summary Finding of Fact

September 30, 2014

### SUMMARY FINDING OF FACT

From the documents of record and the testimony and exhibits received at the public hearing conducted on **January 30, 2014; March 13, 2014; June 12, 2014; July 17, 2014; September 11, 2014; and September 25, 2014**, the Zoning Board of Appeals of Champaign County finds that:

1. Regarding the effect of the proposed amendment on the Land Resource Management Plan (LRMP):

A. **Regarding Goal 3:**

- Although the proposed rezoning is **NOT DIRECTLY RELEVANT** to any of the Goal 3 objectives, the proposed rezoning will allow the petitioner to utilize the property somewhat more intensively and continue business operations in Champaign County.
- Based on achievement of the above and because it will either not impede or is not relevant to the other Objectives and Policies under this goal, the proposed map amendment **WILL HELP ACHIEVE Goal 3 Prosperity.**

B. **Regarding Goal 4:**

- It **WILL HELP ACHIEVE** Objective **4.3 requiring any discretionary development to be on a suitable site** because it **WILL HELP ACHIEVE** the following:
  - Policy **4.3.5 requiring that a business or non-residential use on best prime farmland only if it serves surrounding agriculture and is appropriate in a rural area (see Item 14.C.(4)).**
  - Policy **4.3.4 requiring existing public infrastructure be adequate to support the proposed development effectively and safely without undue public expense (see Item 14.C.(3)).**
  - Policy **4.3.3 requiring existing public services be adequate to support the proposed development effectively and safely without undue public expense (see Item 14.C.(2)).**
  - Policy **4.3.2 requiring a discretionary development on best prime farmland to be well-suited overall (see Item 14.C.(1)).**
- It **WILL HELP ACHIEVE** Objective **4.2 requiring discretionary development to not interfere with agriculture** because it **WILL HELP ACHIEVE** the following:
  - Policy **4.2.2 requiring discretionary development in a rural area to not interfere with agriculture or negatively affect rural infrastructure (see Item 14.B.(2)).**
  - Policy **4.2.1 requiring a proposed business in a rural area to support agriculture or provide a service that is better provided in the rural area (see Item 14.B.(1)).**
- It **WILL HELP ACHIEVE** Objective **4.1 requiring minimization of the fragmentation of farmland, conservation of farmland, and stringent**

## Attachment C. Summary Finding of Fact

August 27, 2014

development standards on best prime farmland because it **WILL HELP ACHIEVE** the following:

- Policy **4.1.6** requiring that the use, design, site and location are consistent with policies regarding suitability, adequacy of infrastructure and public services, conflict with agriculture, conversion of farmland, and disturbance of natural areas (see Item **14.A.(1)**).

- It will either not impede or is not relevant to the other Objectives and Policies under this goal.
- Based on achievement of the above Objectives and Policies, the proposed map amendment **WILL HELP ACHIEVE Goal 4 Agriculture**.

### C. Regarding Goal 6:

- Objective **6.1** ensuring that development does not endanger public health or safety because it will **WILL HELP ACHIEVE** the following:
  - Policy **6.1.3** preventing nuisances created by light and glare to limit excessive night lighting.
- Based on achievement of the above Objectives and Policies and because it will either not impede or is not relevant to the other Objectives and Policies under this goal, the proposed map amendment **WILL HELP ACHIEVE Goal 6 Public Health and Public Safety** (see Item **16.A.(1)**).

### D. Regarding Goal 7:

- Objective **7.1** consider traffic impact in land use decisions because it **WILL HELP ACHIEVE** the following:
  - Policy **7.1.1** requiring traffic impact analyses for projects with significant traffic generation.
- Based on achievement of the above Objectives and Policies and because it will either not impede or is not relevant to the other Objectives and Policies under this goal, the proposed map amendment **WILL HELP ACHIEVE Goal 7 Transportation** (see Item **17.A.(1)**).

### E. The proposed amendment **WILL NOT IMPEDE** the following LRMP goal(s):

- **Goal 1 Planning and Public Involvement**
- **Goal 2 Governmental Coordination**
- **Goal 5 Urban Land Use**
- **Goal 8 Natural Resources**
- **Goal 9 Energy Conservation**
- **Goal 10 Cultural Amenities**

### G. Overall, the proposed map amendment **WILL HELP ACHIEVE** the Land Resource Management Plan.

## Attachment C. Summary Finding of Fact

August 27, 2014

2. The proposed Zoning Ordinance map amendment **IS** consistent with the *LaSalle* and *Sinclair* factors because of the following:
  - The amendment will allow the petitioners to continue to provide the existing landscaping services they offer and the proposed self-storage warehouses.
  - The subject property **IS** suitable (see item 21.E.) for the existing and proposed businesses.
  - The proposed Special Use **DOES CONFORM** to the Land Resource Management Plan (see item 21.H.).
3. The proposed Zoning Ordinance map amendment **WILL HELP ACHIEVE the purpose of the Zoning Ordinance.**
4. Regarding the error in the present Ordinance that is to be corrected by the proposed change:
  - Approval of the amendment would allow the current business activities to continue and allow more productive use of this small property because of the proposed Special Use to be established subject to related Case 767-S-13.

# MONTHLY REPORT for AUGUST 2014<sup>1</sup>

Champaign County  
Department of

**PLANNING &  
ZONING**

## Zoning Cases

The distribution of cases filed, completed, and pending is detailed in Table 1. One zoning case was filed in August and one zoning case was filed in August 2013. The average number of cases filed in August in the preceding five years was 2.0.

Two ZBA meetings were held in August and six cases were finalized. Two ZBA meetings were held in August 2013 and three cases were finalized. The average number of cases finalized in August in the preceding five years was 2.0.

By the end of August there were 7 cases pending. By the end of August 2013 there were also 7 cases pending.

**Brookens Administrative  
Center**  
1776 E. Washington Street  
Urbana, Illinois 61802

(217) 384-3708  
zoningdept@co.champaign.il.us  
www.co.champaign.il.us/zoning

**Table 1. Zoning Case Activity in August 2014 & August 2013**

Type of Case	August 2014 2 ZBA meetings		August 2013 2 ZBA meetings	
	Cases Filed	Cases Completed	Cases Filed	Cases Completed
	Variance	1	2	0
SFHA Variance	0	0	0	0
Special Use	0	3	0	1
Map Amendment	0	1	1	1
Text Amendment	0	0	0	1
Change of Non-conforming Use	0	0	0	0
Administrative Variance	0	0	0	0
Interpretation / Appeal	0	0	0	0
<b>TOTALS</b>	<b>1</b>	<b>6</b>	<b>1</b>	<b>3</b>
Total cases filed (fiscal year)	15 cases		24 cases	
Total cases completed (fiscal year)	14 cases		33 cases	
Case pending*	7 cases		7 cases	

## Planning & Zoning Monthly Report

AUGUST 2014

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\* Cases pending includes all cases continued and new cases filed but not decided

<sup>1</sup> Note that approved absences, sick days, the loss of the Associate Planner, supplemental help by Susan Chavarria, and two part-time interns resulted in an average staffing level of 75% or the equivalent of 3.7 staff members (of the 5 authorized) present on average for each of the 21 work days in August.

## Planning & Zoning Monthly Report

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### Subdivisions

One County subdivision application was reviewed, approved, and recorded in August. No municipal subdivision plats were reviewed for compliance with County zoning in August.

### Zoning Use Permits

A detailed breakdown of permitting activity appears in Table 2. A list of all Zoning Use Permits issued for the month is at Appendix A. Permitting activity in August can be summarized as follows:

- 18 permits for 18 structures were approved in August compared to 17 permits for 17 structures in August 2013. The five-year average for permits in August in the preceding five years is 16.4.
- 20 months out of the last 50 months have equaled or exceeded the five-year average for number of permits (including August 2014, July 2014, June 2014, May 2014, March 2014, November 2013, August 2013, July 2013, May 2013, December 2012, October 2012, September 2012, May 2012, April 2012, January 2012, December 2011, August 2011, February 2011, January 2011, September 2010).
- 7.0 days was the average turnaround (review) time for complete initial residential permit applications in August.
- \$1,279,126 was the reported value for the permits in August compared to a total of \$2,294,820 in August 2013. The five-year average reported value for authorized construction in August is \$1,425,355.
- 24 months in the last 60 months have equaled or exceeded the five-year average for reported value of construction (including June 2014, May 2014, March 2014, February 2014, November 2013, September 2013, August 2013, August 2013, June 2013, February 2013, January 2013, November 2012, August 2012, September 2012, May 2012, April 2012, February 2012, January 2012, December 2011, November 2011, August 2011, June 2011, April 2011, and August 2010).
- \$4,550 in fees were collected in August compared to a total of \$7,435 in August 2013. The five-year average for fees collected in August is \$4,171.
- 19 months in the last 60 months have equaled or exceeded the five-year average for collected permit fees (including August 2014, July 2014, June 2014, May 2014, March 2014, February 2014, August 2013, August 2013, February 2013, January 2013, October 2012, September 2012, May 2012, April 2012, February 2012, January 2012, December 2011, June 2011, and August 2010).
- There were also 13 lot split inquiries and 312 other zoning inquiries in August.
- Two existing addresses were changed in August. Notifications were provided to other relevant County Departments, service providers, and Postmaster.
- Minutes were completed for two ZBA meetings and approved for a third

**Planning & Zoning Monthly Report**

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**Table 2. Zoning Use Permits Approved in August 2014**

PERMITS	CURRENT MONTH			FISCAL YEAR TO DATE		
	#	Total Fee	\$ Value	#	Total Fee	\$ Value
AGRICULTURAL: Residential	2	0	422,000	7	0	1,437,000
Other	2	0	140,000	13	0	667,442
SINGLE FAMILY Resid.: New - Site Built	2	1,338	380,000	28	12,521	7,486,124
Manufactured	1	297	92,000	5	1,308	543,975
Additions	1	132	10,000	17	1,794	660,400
Accessory to Resid.	10	2,777	253,126	40	11,322	1,111,911
TWO-FAMILY Residential						
<b>Average turn-around time for permit approval</b>			7 days			
MULTI - FAMILY Residential						
HOME OCCUPATION: Rural				1	33	0
Neighborhood				8	0	0
COMMERCIAL: New				1	3,974	390,000
Other				9	4,790	3,900,865
INDUSTRIAL: New				1	1,283	147,255
Other						
OTHER USES: New						
Other						
SIGNS				4	710	44,427
TOWERS (Incl. Acc. Bldg.)						
OTHER PERMITS				13	1,082	19,700
<b>TOTAL APPROVED</b>	<b>18</b>	<b>\$4,544</b>	<b>\$1,297,126</b>	<b>147/125</b>	<b>\$38,817</b>	<b>\$16,409,099</b>

\* 18 permits were issued for 18 structures in August 2014; 18 permits require inspection and Compl. Certif.

◇ 147 permits have been issued for 125 structures since December 1, 2013 (FY2014)

**NOTE:** Home occupations and other permits (change of use, temporary use) total 22 since December 1, 2013, (this number is not included in the total # of structures).

There were 13 Zoning Use Permit Apps. *received* in August 2014 and 9 of those were *approved*.  
9 Zoning Use Permit App.s *approved* in August 2014 were *received* in prior months.

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AUGUST 2014

Zoning Use Permits (continued)

- In the absence of an Associate Planner, miscellaneous activities for Permitting staff in August included assisting applicants for new zoning cases and assisting the Director with preparation of memoranda for Zoning Cases.

**Conversion of Best Prime Farmland**

Table 3 summarizes conversion of Best Prime Farmland as a result of any County zoning approval so far in FY2014.

**Table 3. Best Prime Farmland Conversion**

	August 2014	FY 2014 to date
<b>Zoning Cases.</b> Approved by the ZBA, a Zoning Case August authorize a new principal use on Best Prime Farmland that was previously used for agriculture.	0.0 acres	0.00 acres
<b>Subdivision Plat Approvals.</b> Approved by the County Board, a subdivision approval August authorize creation of new Best Prime Farmland lots smaller than 35 acres: Outside of Municipal ETJ areas <sup>1</sup>	0.0 acre	0.0 acre
Within Municipal ETJ areas <sup>2</sup>	0.0 acre	0.0 acre
<b>Zoning Use Permits.</b> Approved by the Zoning Administrator, a Permit August authorize a new non-agriculture use on a lot that was not previously authorized in either a zoning case or a subdivision plat approval.	0.0 acres	4.71 acres
Agricultural Courtesy Permits	0.0 acre	0.0 acre
<b>TOTAL</b>	0.0 acres	4.71 acres
NOTES 1. Plat approvals by the County Board. 2. Municipal plat approvals.		

**Zoning Compliance Inspections**

- 37 zoning compliance inspections were made in August for a total of 235 compliance inspections so far in FY2014.
- Two zoning compliance certificates were issued in August for a total of 108 compliance certificates so far in FY2014 for an average of 2.8 certificates per week. The FY2014 budget anticipated a total of 246 compliance inspections and certificates for an average of 4.7 certificates per week.

## Planning & Zoning Monthly Report

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### Zoning and Nuisance Enforcement

Table 4 contains the detailed breakdown of enforcement activity for August 2014 and can be summarized as follows:

- 5 new complaints were received in August compared to 8 complaints that were received in August 2013. Three additional complaints were referred to other agencies in August and no complaints were referred to another agency in August 2013.
- 48 enforcement inspections were conducted in August compared to 57 in August 2013. Six of the August 2014 inspections were for the 5 new complaints received in August 2014.
- One contact was made prior to written notification in August and one was made in August 2013.
- 49 initial investigation inquiries were made in August for an average of 12.30 per week in August and 9.8 per week for the fiscal year. The FY2014 budget anticipates an average of 9.6 initial investigation inquiries per week.
- Four First Notices and No Final Notices were issued in August compared to 2 First Notices and no Final Notices in August 2013. The FY2014 budget anticipates a total of 32 First Notices.
- No case was referred to the State's Attorney in August and no case was referred in August 2013.
- 13 cases were resolved in August (1 of the resolved cases was received in August) and 7 cases were resolved in August 2013.
- 313 cases remain open at the end of August compared to 443 open cases at the end of August 2013.
- Miscellaneous activities for Enforcement staff in August included answering phones and helping customers in the absence of Zoning Technicians; helping with calls regarding Floodplain Development; continued coordination with the State's Attorney regarding follow-up from the court ordered inspection at one enforcement case property; and assisting the State's Attorney Office with enforcement cases that have become court cases.

### APPENDICES

**A Zoning Use Permit Activity in August 2014**

**B Zoning Compliance Certificates Authorized in August 2014**

**Table 4. Enforcement Activity During August 2014**

	FY2013 TOTALS <sup>1</sup>	Dec. 2013	Jan. 2014	Feb. 2014	March 2014	April 2014	May 2014	June 2014	July 2014	Aug. 2014	Sep. 2014	Oct. 2014	Nov. 2014	Dec. 2014	TOTALS <sup>1</sup> FY2014
Complaints Received	61	1	2	1	3	8	10	4	13	5					47
Initial Complaints Referred to Others	5	0	0	1	1	1	1	3	1	3					11
Inspections	484	2*	8*	8*	10*	54	34	147	62	48 <sup>4</sup>					373 <sup>5</sup>
Phone Contact Prior to Notice	5	0	0	1	0	3	3	0	1	1					9
First Notices Issued	28	0	3	0	0	5	0	2	1	4					15
Final Notices Issued	7	0	0	0	0	0	0	0	0	0					0
Referrals to State's Attorney	4	0	0	0	0	0	0	1	0	0					1
Cases Resolved <sup>2</sup>	99	3	0	1	0	8	18	64	29	13 <sup>6</sup>					136 <sup>7</sup>
Open Cases <sup>3</sup>	402	400	402	402	405	405	397	337	321	313					313 <sup>8</sup>

Notes

1. Total includes cases from previous years.
  2. Resolved cases are cases that have been inspected, notice given, and violation is gone, or inspection has occurred and no violation has been found to occur on the property.
  3. Open Cases are unresolved cases and includes any case referred to the State's Attorney or new complaints not yet investigated.
  4. 6 inspections of the 48 performed were for the 5 complaints received in August, 2014.
  5. 62 inspections of the 373 inspections performed in 2014 were for complaints received in 2014.
  6. 1 of the resolved cases for August, 2014, was for a complaint received in August, 2014.
  7. 13 of the 136 cases resolved in FY 2014 were for complaints that were also received in FY 2014 (100 of the 136 cases resolved in FY 2014 were for complaints from 1990-2009).
  8. Total open cases include 26 cases that have been referred to the State's Attorney, some of which were referred as early as 2001.
- \* Months in which there was extensive coordination with the State's Attorney and consultants regarding a court ordered inspection at one enforcement case property.

**Planning & Zoning Monthly Report**

AUGUST 2014

**APPENDIX A. ZONING USE PERMITS ACTIVITY DURING AUGUST 2014**

<b>Permit Number</b>	<b>Zoning District; Property Description; Address; PIN</b>	<b>Owner Name</b>	<b>Date Applied, Date Approved</b>	<b>Project (Related Zoning Case)</b>
65-14-01  I-2	Lots 13 – 18 and 43 – 50 in Wilber Heights Subdivision, Section 31, Somer Township; 413 Paul Avenue, Champaign, Illinois PIN: 25-15-31-377-026	Chris Vaughn & TJ Miller	03/06/14 08/15/14	Construct a detached garage for personal storage only
126-14-02  CR/AG-1	The SE ¼ of the SE ¼ of Section 4, Brown Township; 284 CR 3500N, Foosland, IL PIN: 02-01-04-400-001	Jeffrey Lahr and Donald Lahr	05/06/14 08/19/14	Amend permit to include an attached garage to the home
204-14-02  AG-1	A tract of land located in the SE Corner of the SE ¼ of Section 10, Sidney Township; 2196 CR 1000N, Sidney, Illinois PIN: 24-28-10-400-010	Danny Jenkins	07/23/14 08/01/14	Construct a detached storage shed
210-14-01  AG-1	A 164 acre tract of land located in the S ½ of the NW ¼ and the W ½ of the S ½ of the NE ¼ of Section 13, Ludlow Township; 1725 CR 3375N, Ludlow, Illinois PIN: 14-03-13-100-003	Reggie and Mary Peters	07/29/14 08/04/14	Construct a single family home with attached garage  Reconstruction from November 17, 2013 tornado (relocated)
211-14-01  R-1	Lot 1 of D.W. Pearson's Midway Acres Subdivision; Section 29, Hensley Township; 4205 Lindsey Road, Champaign, Illinois PIN: 12-14-29-176-007	Neal Stoller	07/30/14 08/11/14	Construct a detached storage shed
212-14-01  AG-2	A tract of land located in the NE ¼ of the NW ¼ of Section 2, Tolono Township; 1409 W. Old Church Road, Champaign, Illinois PIN: 29-26-02-100-006	Steve Mechling	07/31/14 08/12/14	Construct a detached storage shed for personal storage
212-14-02  AG-1	A 1.8 acre tract of land located Eleven rods and Five links South of the NW Corner of Section 4, South Homer Township; 1190 St. Route 49, Homer, Illinois PIN: 26-30-04-100-008 & 009	Elbert Rogers	07/31/14 08/12/14	Place a manufactured home on the subject property

**Planning & Zoning Monthly Report**

AUGUST 2014

**APPENDIX A. ZONING USE PERMITS ACTIVITY DURING AUGUST 2014**

<b>Permit Number</b>	<b>Zoning District; Property Description; Address; PIN</b>	<b>Owner Name</b>	<b>Date Applied, Date Approved</b>	<b>Project (Related Zoning Case)</b>
212-14-03  CR	Two tracts of land comprising 52 acres in the W ½ of the NE ¼ of Section 9, Sidney Township; 2053 CR 1100N, Sidney, Illinois PIN: 24-28-09-200-013	Jim Myers	07/31/14 08/20/14	Construct a single family home with attached garage
212-14-04  AG-1	A 9.26 acre tract of land in the S ½ of the NE ¼ of the NW ¼ of Section 10, Sidney Township; 1076 CR 2125E, Sidney, Illinois PIN: 24-28-10-100-025	Judy Chesnut	07/31/14 08/14/14	Construct a barn for horses, tack, feed and equipment
213-14-01  AG-1	A tract located in the NW ¼ of the SW ¼ of Section 20, Raymond Township; 244 CR 1900E, Longview, Illinois PIN: 21-34-20-300-005	Don Rennels	08/01/14 08/13/14	Construct a detached storage shed  Reconstruction after November 17, 2013 tornado
213-14-02  AG-1	A 4 acre tract of land located in the SW Corner of the E ½ of the SW ¼ of Section 10, Compromise Township; 2128 CR 2800N, Rantoul, IL PIN: 06-10-10-300-005	Mary Tamara Lee Evans	08/01/14 08/13/14	Construct a detached storage shed  Reconstruction after November 17, 2013 tornado
217-14-01  AG-1	Tract II of Nature's Landing Development, Section 25, Newcomb Township; 556 CR 2550N, Mahomet, IL PIN: 16-07-25-200-015	Ryan Kelsey	08/05/14 08/19/14	Construct a detached storage shed with an attached greenhouse
218-14-01  AG-1	A five acre tract of land located in the NE 1q/4 of Section 23, Compromise Township; 2269 CR 2700N, Gifford, Illinois PIN: 06-10-23-200-013	Leon and Barbara Flesner	08/06/14 08/19/14	Construct a detached garage
219-14-01  AG-1	A tract of land being the SW ¼ of the SW ¼ of Section 20, Stanton Township; 1908 CR 2000N, Urbana, Illinois PIN: 27-16-20-300-002	Sonna W. Kirby Trust	08/07/14 08/19/14	Construct a garage addition to an existing single family home

**Planning & Zoning Monthly Report**

AUGUST 2014

**APPENDIX A. ZONING USE PERMITS ACTIVITY DURING AUGUST 2014**

<b>Permit Number</b>	<b>Zoning District; Property Description; Address; PIN</b>	<b>Owner Name</b>	<b>Date Applied, Date Approved</b>	<b>Project (Related Zoning Case)</b>
220-14-01  AG-1	Tract 4 of the Maraba Gaynes tracts in the NE Corner of Section 36, Colfax Township; 691 CR 600E, Tolono, Illinois PIN: 05-25-36-200-007	Randy and Sally Harris	08/08/14 08/19/14	Construct a single family home with attached garage
220-14-02  CR	Commons area of Briarcliff Subdivision, Section 11, Mahomet Township; PIN: 15-13-11-301-013	Briarcliff Homeowner's Association	08/08/14 08/20/14	Construct a pedestrian bridge as an Eagle Scout project
224-14-01  R-1	Lot 30, Wiltshire Estates 4 <sup>th</sup> , Section 13, St. Joseph Township; 1207 Peters Drive, St. Joseph, Illinois PIN: 28-22-13-301-024	Steve Littlefield	08/12/14 08/25/14	Construct a single family home with attached garage
224-14-02  CR	A 2.36 acre tract of land located in the SW ¼ of the NW ¼ of Section 32, Somer Township; 3601 N. Lincoln Avenue, Urbana, Illinois PIN: 25-15-32-100-007	William and Sandra Gayer	08/12/14 08/25/14	Construct a detached garage
*237-14-01	Under review			
*238-14-01	Under review			
*239-14-01	Under review			
*241-14-01	Under review			

\*received and reviewed, however, not approved during reporting month

**Planning & Zoning Monthly Report**

AUGUST 2014

**APPENDIX B. ZONING COMPLIANCE CERTIFICATES ISSUED DURING AUGUST, 2014**

<b>Date</b>	<b>Permit Number</b>	<b>Property Description; Address; PIN</b>	<b>Project (Related Zoning Case)</b>
08/20/14	212-14-03	Two tracts of land comprising 52 acres in the W ½ of the NE ¼ of Section 9, Sidney Township; 2053 CR 1100N, Sidney, Illinois PIN: 24-28-09-200-013	A single family home with attached garage
08/26/14	302-01-01	A tract of land in the NE ¼ of Section 20, Mahomet Township; 2060A CR 125E, Mahomet, Illinois PIN: 15-13-20-100-023	A single family home

Champaign County  
Department of

**PLANNING &  
ZONING**

To: **Environment and Land Use Committee**

From: **John Hall, Director & Zoning Administrator**

Date: **November 30, 2011**

RE: **Control of noxious weeds**

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## **BACKGROUND**

The Noxious Weed Act is attached as background for the discussion on control of noxious weeds.

## **ATTACHMENT**

- A Illinois Noxious Weed Law (505 ILCS 100)**
- B Administrative Rules Implementing Illinois Noxious Weed Law (8 Illinois Administrative Code 220)**

**ILLINOIS NOXIOUS WEED LAW**  
**(Illinois Compiled Statutes Chapter 505, Act 100, Sections 100/1 et seq.)**

AN ACT concerning the control and eradication of noxious weeds, providing for a tax levy and penalties in connection therewith and repealing an Act therein named. P.A. 77-1037, approved Aug. 17, 1971, eff. July 1, 1972.

**Section 1 Short title**

This Act shall be known and may be cited as the Illinois Noxious Weed Law.

(Source: P. A. 77-1037, eff. July 1, 1972.)

**Section 2 Definitions**

As used in this Act:

- (1) "Person" means any individual, partnership, firm, corporation, company, society, association, the State or any department, agency, or subdivision thereof, or any other entity.
- (2) "Control", "controlled" or "controlling" includes being in charge of or being in possession, whether as owner, lessee, renter, or tenant, under statutory authority, or otherwise.
- (3) "Director" means the Director of the Department of Agriculture of the State of Illinois, or his duly appointed representative.
- (4) "Department" means the Department of Agriculture of the State of Illinois.
- (5) "Noxious weed" means any plant which is determined by the Director, the Dean of the College of Agriculture of the University of Illinois and the Director of the Agricultural Experiment Station at the University of Illinois, to be injurious to public health, crops, livestock, land or other property.
- (6) "Control Authority" means the governing body of each county, and shall represent all rural areas and cities, villages and townships within the county boundaries.
- (7) "Applicable fund" means the fund current at the time the work is performed or the money is received.

(Source: P. A. 77-1037, eff. July 1, 1972.)

**Section 3 Control and eradication of weeds**

Every person shall control the spread of and eradicate noxious weeds on lands owned or controlled by him and use such methods for that purpose and at such times as are approved and adopted by the Director of the Department of Agriculture.

(Source: P. A. 77-1037, eff. July 1, 1972.)

**Section 4 Enforcement of Act**

The duty of enforcing this Act and carrying out its provisions is vested in the Director, and the authorities designated in this Act acting under the supervision and direction of the Director. The Director, the Dean of the College of Agriculture of the University of Illinois and the Director of the Agricultural Experiment Station at the University of Illinois, shall determine what weeds are noxious for the purposes of this Act, and shall compile and keep current a list of such noxious weeds, which list shall be published and incorporated in the rules and regulations of the Department. The Director shall, from time to time, adopt and publish methods as official for control and eradication of noxious weeds and make and publish such rules and regulations as in his judgment are necessary to carry out the provisions of this Act.

(Source: P. A. 77-1037, eff. July 1, 1972.)

**Section 5 Powers of Director**

The Director is authorized to investigate the subject of noxious weeds; to require information and reports from any Control Authority as to the presence of noxious weeds and other information relative to noxious weeds and the control and eradication thereof in localities where such Control Authority has jurisdiction; to cooperate with Control Authorities in carrying out other acts administered by him; to cooperate with agencies of Federal and State Governments and persons, in carrying out his duties under this Act, and, with the consent of the Governor, in the conduct of investigations outside this State in the interest of the protection of the agricultural industry of this State from noxious weeds not generally distributed therein; with the consent of the Federal agency involved, to control and eradicate noxious weeds on Federal lands within this State, with or without reimbursement, when deemed by him to be

necessary to an effective weed control and eradication program; to advise and confer as to the extent of noxious weed infestations and the methods determined best suited to the control and eradication thereof; to call and attend meetings and conferences dealing with the subject of noxious weeds; to disseminate information and conduct educational campaigns with respect to control and eradication of noxious weeds; to procure materials and equipment and employ personnel necessary to carry out his duties and responsibilities; and to perform such other acts as may be necessary or appropriate to the administration of this Act.

(Source: P. A. 77-1037, eff. July 1, 1972.)

### **Section 6 Repealed by P.A. 79-1017, eff. Sept. 17, 1975.**

### **Section 7 Control authority - Duties and responsibilities**

Each Control Authority shall carry out the duties and responsibilities vested in it under this Act with respect to land under its jurisdiction in accordance with rules and regulations prescribed by the Department. Such duties shall include the establishment, under the general direction of the Control Authority, of a coordinated program for control and eradication of noxious weeds within the county.

A Control Authority may cooperate with any person in carrying out its duties and responsibilities under this Act.

(Source: P. A. 77-1037, eff. July 1, 1972.)

### **Section 8 Weed control superintendents - Qualifications - Compensation - Tenure - Duties - Examination of Land - Reports**

Each Control Authority may employ one or more Weed Control Superintendents who shall be certified by the Director to be qualified to detect and treat noxious weeds. The same person may be a Weed Control Superintendent for more than one Control Authority. Such employment may be for such tenure, and at such rates of compensation and reimbursement for travel expenses, as the Control Authority may prescribe. Each Weed Control Superintendent may be bonded for such sum as the Control Authority may prescribe.

Each Control Authority shall examine all land under its jurisdiction for the purpose of determining whether the provisions of this Act and the regulations of the Director have been complied with; compile such data on infested areas and areas

eradicated and such other reports as the Director or Control Authority may require; consult and advise upon matters pertaining to the best and most practical methods of noxious weed control and eradication, and render assistance and direction for the most effective control and eradication; investigate or aid in the investigation and prosecution of any violation of this Act. Control Authorities may cooperate and assist one another to the extent practicable in the carrying out of a coordinated control and eradication program within their counties.

(Source: P. A. 77-1037, eff. July 1, 1972.)

### **Section 9 Notices for control and eradication of noxious weeds**

Notices for control and eradication of noxious weeds shall be on a form prescribed by the Director and shall consist of 2 kinds: general notices and individual notices. Failure to publish general weed notices or to serve individual notices as provided in this Section does not relieve any person from the necessity of full compliance with this Act and regulations thereunder. In all cases such published notice is legal and sufficient notice.

General notice shall be published by each Control Authority, or any combination of Control Authorities among counties, in one or more legal newspapers of general circulation throughout the area, or areas, over which the Control Authority, or Control Authorities, have jurisdiction at such times as the Director may direct or the Control Authority may determine.

Whenever any Control Authority finds it necessary to secure more prompt or definite control or eradication of noxious weeds than is accomplished by the general published notice, it shall serve individual notices upon the person owning and the person controlling such land, and give notification of such notice to the record owner of any encumbrance thereon, giving specific instructions and methods when and how certain named weeds are to be controlled or eradicated.

(Source: P. A. 77-1037, eff. July 1, 1972.)

### **Section 10 Cost of control or eradication done by authority upon failure of owner to do so - Lien**

Whenever the owner or person in control of the land on which noxious weeds are present has neglected or failed to control or eradicate them as required in this Act and any notice is given pursuant to Section 9, the Control Authority having jurisdiction shall have proper control and

eradication methods used on such land, and shall advise the owner, person in control, and record holder of any encumbrance of the cost incurred in connection with such operation. The cost of any such control or eradication shall be at the expense of the owner. If unpaid for 6 months, or longer, the amount of such expense shall become a lien upon the property. Nothing contained in this Section shall be construed to require satisfaction of the obligation imposed hereby in whole or in part from the sale of the property or to bar the application of any other additional remedy otherwise available. Amounts collected under this Section shall be deposited in the Noxious Weed Control Fund or other appropriate general fund of the Control Authority.

(Source: P. A. 77-1037, eff. July 1, 1972.)

**Section 11      Quarantine of land with infestation beyond ability of owner to control-Expense of quarantine and eradication**

When it appears to a Control Authority that upon any tract of land under its jurisdiction there is an infestation of noxious weeds beyond the ability of the owner and the person in control of such land to eradicate, the Control Authority, with the approval of the Director, may quarantine such land and put into immediate operation the necessary means for the eradication of such noxious weeds. The Control Authority shall, prior to the entry upon such land, serve individual notices on the owner and the person in control thereof and the record owner of any encumbrance thereon of such quarantine and entry, and shall also advise such persons of the completion of the eradication operation, and the cost thereof. The expense of such quarantine and eradication shall be borne as follows: 1/2 from the Noxious Weed Control Fund or other appropriate general fund of the Control Authority; and 1/2 from the person owning such land, which may be collected and deposited as provided in Section 10.

(Source: P.A. 77-1037, eff. July 1, 1972.)

**Section 12      Costs of controlling and eradicating noxious weeds on land owned or controlled by State department, agency, etc.  
- Land owned by control authority - Land owned by township, city, etc.**

The cost of controlling and eradicating noxious weeds on all land, including highways, roadways, streets, alleys and rights-of-way, owned or controlled by a State department, agency,

commission or board shall be paid by the State department, agency, commission or board in control thereof out of funds appropriated to its use.

The cost of controlling and eradicating noxious weeds on all land including highways, roadways, streets, alleys and rights-of-way, owned or controlled by a Control Authority shall be paid by the Control Authority in control thereof out of the Noxious Weed Control Fund, and until the establishment of such Fund, out of the general funds of such Control Authority. Until the establishment of the Noxious Weed Control Fund by a Control Authority, the cost of controlling and eradicating noxious weeds on all land, including highways, roadways, streets, alleys and rights-of-way, owned or controlled by a township or city or other municipal corporation shall be paid by the township or city or other municipal corporation in control thereof out of the general funds of such township or city or other municipal corporation. After the establishment of the Noxious Weed Control Fund of the county in which such township or city is located, such cost shall be paid from the Noxious Weed Control Fund of such county.

(Source: P. A. 77-1037, eff. July 1, 1972.)

**Section 13      Control and eradication of weeds without cost to owner**

Notwithstanding any other provisions of this Act relating to payment of cost, when determined by a Control Authority to be justified in the interest of an effective weed control program, such Control Authority may control and eradicate noxious weeds on land under its jurisdiction, without cost to the owner or person in control thereof.

(Source: P.A. 77-1037, eff. July 1, 1972.)

**Section 14      Prevention of dissemination of noxious weeds**

To prevent the dissemination of noxious weeds through any article, including machinery, equipment, plants, materials and other things, the Director, in consultation with the Dean of the College of Agriculture of the University of Illinois and the Director of the Agricultural Experiment Station at the University of Illinois, shall, from time to time, publish a list of noxious weeds which may be disseminated through articles and a list of articles capable of disseminating such weeds, and designate treatment of such articles as, in his opinion, would prevent such dissemination. Until such article is treated in accordance with the applicable regulations, it shall not be moved from such premises except under and in accordance with the written permission of the Control Authority

having jurisdiction of the area in which such article is located, and the Control Authority may hold or prevent its movement from such premises. The movement of any such article which has not been so decontaminated, except in accordance with such written permission, may be stopped by the Control Authority having jurisdiction over the place in which such movement is taking place and further movement and disposition shall only be in accordance with such Control Authority's direction.

(Source: P.A. 77-1037, eff. July 1, 1972.)

**Section 15 Noxious Weed Control Fund**

A Noxious Weed Control Fund may be established as provided in Section 16 for each Control Authority, without fiscal year limitation, which shall be available for expenses authorized to be paid from such Fund, including the necessary expenses of the Control Authority in carrying out its duties and responsibilities under this Act. The Weed Control Superintendents within the county shall ascertain each year the approximate amount of land within the county infested with noxious weeds, and the location thereof, and transmit such information to the Director and the Control Authority. On the basis of such information the Control Authority shall make payments from the Noxious Weed Control Fund. If a Noxious Weed Control Fund is not established as provided in Section 16, the expenses authorized to be paid from such Fund shall be paid out of any other appropriate general fund of the Control Authority.

(Source: P.A. 77-1037, eff. July 1, 1972.)

**Section 16 Repealed by P.A. 84-163, eff. Jan. 1, 1986.**

**Section 17 Purchase of materials, machinery and equipment - Deposit of funds from control and eradication - Records - Use of equipment to control weeds not noxious**

Control Authorities, independently or in combination, may purchase or provide for needed or necessary materials, machinery and equipment, including the cost of operation and depreciation of such machinery and equipment, for the control and eradication of weeds as provided in Sections 10 and 11, whether or not declared noxious on land owned or controlled by them or on other land under their jurisdiction. All funds received from such control and eradication of weeds shall be deposited in the Noxious Weed Control Fund or other appropriate general fund of the Control Authority. Each Control Authority shall keep a record showing the

procurement, sale and rental of materials, machinery and equipment, which record shall be open to inspection by citizens of this State. A Control Authority may use any equipment or material procured as provided for in this Section upon lands owned or directly controlled by it, or owned or controlled by a township or city which is not a Control Authority, for the treatment and eradication of weeds which have not been declared noxious.

(Source: P.A. 77-1037, eff. July 1, 1972.)

**Section 18 Protest of charge made by control authority - Hearing**

If any person is dissatisfied with the amount of any charge made against him by a Control Authority for control or eradication work, he may, within 5 days after being advised of the amount of the charge, file a protest with the Director. The Director shall hold a hearing thereon and has the power to adjust or affirm such charge.

(Source: P. A. 77-1037, eff. July 1, 1972.)

**Section 19 Review under Administrative Review Law**

All final administrative decisions of the Director or his representative are subject to judicial review under the Administrative Review Law. The term "administrative decision" is defined as in Section 3-101 of the Code of Civil Procedure. The filing for judicial review shall stay the order of the Director or his representative pending disposition of the order on judicial review. The court, upon its own initiative or upon motion by the Director, may in its discretion, when it deems it necessary to protect the interests involved, require the posting of additional bond in an amount it deems advisable, as a prerequisite to judicial review.

(Source: P.A. 77-1037, eff. July 1, 1972. Amended by P.A. 82-783, eff. July 13, 1982.)

**Section 20 Entry by director, control authority, weed control superintendent upon lands without consent of power**

The Director, any Control Authority, Weed Control Superintendent, or anyone authorized thereby, may enter upon all land under their jurisdiction for the purpose of performing their duties and exercising their powers under this Act, including the taking of specimens of weeds or other materials, without the consent of the person owning or controlling such

land and without being subject to any action for trespass or damages, if reasonable care is exercised.

(Source: P. A. 77-1037, eff. July 1, 1972.)

**Section 21 Notices to be written - Service of notices**

All individual notices, service of which is provided for in this Act, shall be in writing. Service of such notices shall be in the same manner as service of a summons in a civil action in the circuit court or by certified mail to the last known address to be ascertained, if necessary, from the last tax list.

(Source: P.A. 77-1037, eff. July 1, 1972.)

**Section 22 Violations - Penalties**

Any person violating any provision of this Act or any regulation issued hereunder is guilty of a petty offense and shall be fined not more than \$100 for the first offense and not more than \$200 for each subsequent offense.

(Source: P.A. 77-1037, eff. July 1, 1972.  
Amended by P.A. 77-2327, eff. Jan. 1, 1973; P.A. 78-255, eff. Oct. 1, 1973.)

**Section 23 Participation by director in control program - Use of funds**

The Director may participate in any noxious weed control program and, when called upon to do so by any such program, may use any funds available to him for the purposes of this Act in the matching of any federal funds made available to this State.

(Source: P.A. 77-1037, eff. July 1, 1972.)

**Section 24 Severability of invalid section or provision**

If any Section or provision of this Act is declared invalid for any reason, such invalidity shall not affect or impair any of the remaining Sections or provisions of the Act which can be given effect without the invalid Section or provision, and to this end the Sections and provisions of this Act are declared to be severable.

(Source: P. A. 77-1037, eff. July 1, 1972.)

**TITLE 8: AGRICULTURE AND ANIMALS  
CHAPTER I: DEPARTMENT OF AGRICULTURE  
SUBCHAPTER f: NOXIOUS WEEDS**

**PART 220  
ILLINOIS NOXIOUS WEED LAW**

<b>Section</b>	
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ILLUSTRATION D	Quarantine Notice

**AUTHORITY:** Implementing, and authorized by Section 4 of the Illinois Noxious Weed Law [505 ILCS 100].

**SOURCE:** Rules and Regulations relating to the Illinois Noxious Weed Law, filed December 20, 1972, effective January 1, 1973; unless otherwise noted. Authority Note amended at 4 Ill. Reg. 42, p. 7, effective October 7, 1980; codified at 5 Ill. Reg. 10518; amended at 26 Ill. Reg. 14644, effective September 23, 2002.

**Section 220.10 Duty of Every Person**

- a) It shall be the duty of every person to control the spread of and to eradicate all noxious weeds on lands owned or controlled by him in the State of Illinois.
- b) All noxious weeds shall be controlled or eradicated by methods approved and adopted pursuant to the Act and these rules.

**Section 220.20 Duty of Director**

It shall be the duty of the Director of Agriculture or his designated representative to enforce the provisions and intent of the Act and these rules.

**Section 220.30 Duty of Each Control Authority**

It shall be the duty of each "Control Authority" to carry out its duties and responsibilities as set forth in the Act and these rules.

**Section 220.40 Control Authority Membership**

- a) The governing body of each county in the State shall be the Control Authority for its respective county and hereafter shall be referred to as the "Control Authority."
- b) Each Control Authority shall develop and coordinate a program for the control and eradication of noxious weeds within its boundaries.

**Section 220.50 Definitions**

Terms defined for the purpose of this Part, unless the context requires otherwise.

"Act" means the Illinois Noxious Weed Law [505 ILCS 100].

"Control", as applied to weed control, means to prevent weeds from spreading or being spread by dissemination of seed or other propagating parts.

"Control Authority" means the governing body of each county, and shall represent all rural areas and cities, villages and townships within the county boundaries.

"Director" means the Director of the Department of Agriculture of the State of Illinois, or his duly appointed representative.

"Eradicate" means the complete killing or destruction of weeds, seeds or other propagating parts of weeds by the use of cutting, chemicals, tillage, cropping systems, pasturing, livestock or crops, or any one or all of these in effective combination.

"Land" means any area capable of sustaining growth of a noxious weed.

"Noxious Weed Control Fund" means the fund established by a Control Authority as authorized in Section 15 of the Act for receiving and disbursing monies collected from a tax levy for weed control and eradication.

"Noxious Weed" means an annual, biennial, or perennial plant propagated by seed or vegetative parts that is designated in this Part as being a noxious weed in accordance with Section 2(5) and Section 4 of the Act.

(Source: Amended at 26 Ill. Reg. 14644, effective September 23, 2002)

#### **Section 220.60 Noxious Weeds**

The following plants within the sovereign territory of the State of Illinois are designated and declared noxious weeds:

- a) Marihuana (*Cannabis sativa* L.);
- b) Giant Ragweed (*Ambrosia trifida* L.) within the corporate limits of cities, villages, and incorporated towns;
- c) Common Ragweed (*Ambrosia artemisiifolia* L.) within the corporate limits of cities, villages, and incorporated towns;
- d) Canada Thistle (*Cirsium arvense*);
- e) Perennial Sowthistle (*Sonchus arvensis*);

f) Musk Thistle (*Carduus nutans*);

g) Perennial members of the sorghum genus, including johnsongrass (*Sorghum halepense*), sorghum alnum, and other johnsongrass X sorghum crosses with rhizomes; and

h) Kudzu (*Pueraria labata*).

(Source: Amended at 26 Ill. Reg. 14644, effective September 23, 2002)

#### **Section 220.70 Noxious Weed Description and Control (Repealed)**

(Source: Repealed at 26 Ill. Reg. 14644, effective September 23, 2002)

#### **Section 220.80 Control Authorities' Responsibilities**

Each Control Authority shall carry out the duties and responsibilities set forth in the Act and these rules with respect to the land under its jurisdiction. These duties shall include, but not be limited to the following:

- a) Establish, under its general direction, a coordinated program for the control and eradication of noxious weeds within its jurisdiction.
- b) Examine all land under its jurisdiction for compliance.
- c) Compile data on infested areas and areas eradicated.
- d) Advise persons responsible for controlling and eradicating noxious weeds of the best and most practical methods of noxious weed control and eradication.
- e) Investigate or aid in the investigation and prosecution of violations of the Act.
- f) Publish notices for control and eradication of noxious weeds as set forth in the Act and these rules and as prescribed by the Director.
- g) Cooperate with Federal, State, and local authorities in carrying out the provisions of the Act and its rules.

**Section 220.90 Weed Control Superintendents Certified by Director; Control Authority to Set Compensation, Bonding, Etc.**

Each Control Authority may employ one or more weed control superintendents who must be certified by the Director to carry out the Authority's duties and responsibilities. The Control Authority shall set the rates of compensation, tenure, bonding and reimbursement for travel expenses for each weed control superintendent in its employ.

**Section 220.100 Appointing Weed Control Superintendents**

Each Control Authority may appoint or designate one or more weed control superintendents who shall be responsible for the enforcement of the Act and its rules within the Control Authority's jurisdiction.

**Section 220.110 Deadline for Appointing Superintendents**

The appointment or designation of weed control superintendents by the Control Authority shall be made by no later than March 15 each year.

**Section 220.120 Submitting Name and Resume of Person Appointed Superintendent to the Director; Application for Weed Control Superintendent Certification**

The name and address and a resume of the qualifications of each person appointed as a weed control superintendent shall, within ten days after such appointment, be sent by the county clerk to the Director of Agriculture for his certification of the appointee's qualifications to detect and treat noxious weeds. The form as shown in Illustration A which is supplied by the Department shall be used by the county clerk for this purpose.

**Section 220.130 Superintendent Must Be Familiar with Types of Weeds and Methods of Control**

Each person appointed as a weed control superintendent must be familiar with the noxious types of weeds and the recognized methods for their control and eradication. Each appointee must also be capable of being bonded and able to carry out the duties and responsibilities of the appointment. A weed control superintendent engaged in the application of pesticides for the eradication or control of noxious weeds shall be licensed in accordance with the Illinois Pesticide Act [415 ILCS 60].

(Source: Amended at 26 Ill. Reg. 14644, effective September 23, 2002)

**Section 220.140 Allowable Expenses Set by Control Authority; Expenses Paid from General Fund or Noxious Weed Control Fund**

Compensation and allowable expenses for each weed control superintendent shall be set by the Control Authority and paid out of the General Fund of the county until a "Noxious Weed Control Fund" is established as provided for in the Act; therefore, he shall be paid out of the "Noxious Weed Control Fund."

**Section 220.150 Duties of Weed Control Superintendent**

The weed control superintendent shall control and eradicate noxious weeds and shall:

- a) Examine all lands, highways, roads, alleys, and public grounds in the territory over which the Control Authority has jurisdiction for the purpose of determining if the Control Authority is in compliance with the Act and this Part.
- b) Become acquainted with the location of all noxious weeds within the Control Authority area.
- c) Through personal contact, by letter, telephone, or other means, encourage noxious weed control or eradication by all persons so responsible within the Control Authority area.
- d) Cooperate with other Control Authorities, University of Illinois Extension representatives, land owners and users, government entities and others to further the purposes of the noxious weed control program.
- e) Investigate complaints received by himself, the Control Authority or the Director. On complaints received and forwarded to him by the Director, the superintendent shall report his findings to the Director.
- f) Take samples, pictures, or pressed specimens of the noxious weeds in those cases where he must control such weeds because of the failure of the property owner to act. These samples must be kept and maintained as evidence for a period of at least two years following the application of the control or eradication procedures.
- g) Give individual notice in writing on the form prescribed by the Director to the owner, occupant,

agent of any owner of non-resident lands, or proper public official requiring noxious weeds to be controlled or eradicated in the manner and within the time or times specified in the notice.

(Source: Amended at 26 Ill. Reg. 14644, effective September 23, 2002)

**Section 220.160 Written Report by Superintendent to Director**

Each weed control superintendent shall on or before the first day of November of each year make a written report to the Control Authority with a copy to the Director. The report shall contain:

- a) The name and location of all infestations of noxious weeds, and any new weeds which appear to be a serious pest.
- b) A detailed statement identifying the infested tracts which includes the treatment used for eradication of weeds on such tracts together with the cost and results.
- c) A detailed summary of the weed situation within his jurisdiction, together with suggestions and recommendations for control and/or eradication.

**Section 220.170 Comprehensive Work Plan for Coming Year Submitted to Director and Control Authority**

Prior to December 31 of each year, each weed control superintendent shall prepare and submit to the Control Authority, with a copy to the Director, a comprehensive work plan for the coming calendar year. The plan shall include:

- a) A map of the Control Authority area with detailed information as to type and location of noxious weeds.
- b) Suggested eradication or control methods for each infestation.
- c) Information and dates for general weed notices.
- d) Suggested budget for year with justification, including state and federal cooperation when and where applicable.
- e) Calendar of events for year.
- f) Other material pertinent to the Act and program.

**Section 220.180 General Notices**

- a) Each Control Authority shall publish general notices to control and eradicate noxious weeds on all areas subject to its jurisdiction. These public notices shall be made on a schedule determined by the Control Authority to secure the best results in the control and eradication program for noxious weeds within the Authority's area of jurisdiction, unless otherwise advised by the Director.
- b) General notices shall be published by Control Authorities in accordance with the requirements of Section 9 of the Act, which requires that such notices be published in a newspaper of general circulation within the area of their jurisdiction.
- c) The form for general notices shall be as shown in Illustration B of this Part.

(Source: Amended at 26 Ill. Reg. 14644, effective September 23, 2002)

**Section 220.190 Individual Notices**

- a) Each Control Authority shall serve individual notices to control and eradicate noxious weeds in accordance with Sections 9, 10, and 21 of the Act.
- b) The form for individual notices shall be as shown in Illustration C of this Part.
- c) Copies of the notice in Illustration C shall be made available to the following: Landowner; Illinois Department of Agriculture; Control Authority; Tenant, if any; and Mortgage Holder, if any.

(Source: Amended at 26 Ill. Reg. 14644, effective September 23, 2002)

**Section 220.200 Quarantine of Land; Approval by Director; Notice of Quarantine Form**

- a) When a Control Authority deems it necessary to quarantine land under the provisions of Section 11 of the Act, it shall immediately request the approval of the Director prior to initiating the quarantine. This written request for approval shall be sent by certified mail to the Director and shall include a complete statement of the conditions that require the quarantine and a description of the area affected.
- b) The Control Authority shall also submit to the Director a completed "Notice of Quarantine" for his approval. Upon receipt of this request, the

Director shall conduct an investigation to determine whether the quarantine is necessary. Within reasonable time, the Director will notify the Control Authority of his findings and approval or disapproval of the request.

- c) The form for a Notice of Quarantine shall be as shown in Illustration D of this Part.
- d) Copies of the Notice of Quarantine shall be distributed to the following: Landowner; Illinois Department of Agriculture; Control Authority; Tenant, if any; and Mortgage Holder, if any.

(Source: Amended at 26 Ill. Reg. 14644, effective September 23, 2002)

**Section 220.210 Noxious Weeds Designated as Capable of Dissemination Through Articles**

The following noxious weeds are designated as being capable of dissemination through articles as outlined in Section 220.220:

- a) Marihuana (*Cannabis sativa* L.);
- b) Canada Thistle (*Cirsium arvense*);
- c) Perennial Sowthistle (*Sonchus arvensis*);
- d) Musk Thistle (*Carduus nutans*);
- e) Perennial members of the sorghum genus, including johnsongrass (*Sorghum halepense*), sorghum alnum, and other johnsongrass X sorghum crosses with rhizomes; and
- f) Kudzu (*Pueraria lobata*).

(Source: Amended at 26 Ill. Reg. 14644, effective September 23, 2002)

**Section 220.220 Articles Designated as Capable of Disseminating Noxious Weeds**

Articles designated as capable of disseminating noxious weeds include, but are not limited to, the following:

- a) Machinery or equipment, particularly combines, hay balers, earth-moving machinery and well drilling rigs;
- b) Farm truck and common carriers;
- c) Grain or seed;

- d) Hay, straw, or other material of similar nature;
- e) Nursery stock and sod;
- f) Seed and screenings sold for livestock feed;
- g) Fence posts, fencing or railroad ties;
- h) Manure, fertilizers, or material of similar nature; and
- i) Soil.

(Source: Amended at 26 Ill. Reg. 14644, effective September 23, 2002)

**Section 220.230 Removal of Articles or Weeds from Premises; Treatment**

An article, infested with noxious weeds, noxious weed seed, or other propagating part of a noxious weed, shall not be moved from the premises where the infestation occurred without permission of the Control Authority, unless such article is properly treated or transported as follows:

- a) A threshing machine, combine, seed huller, hay baler, or any other equipment used in the harvesting of crops must be cleaned by removing all loose material, by sweeping or by blowing, or by any other manufacturer suggestions for cleaning the machine.
- b) Seed, grain screenings or feed must be contained in leak or scatter proof containers. Screenings or any other material shall not be sold or furnished to a person except when delivered for the purpose of destroying the viability of the noxious weed, noxious weed seed or other propagating part present within the noxious weed or noxious weed seed. Seed or livestock feed shall not be sold or furnished until properly processed. All trucks, vehicles or other common carriers having carried such infested materials shall be thoroughly cleaned before placing the vehicles or receptacles in service again.
- c) Grain, seed or screenings sold for livestock feed, nursery stock, fence posts, fencing, railroad ties, hay, straw, or other materials of a similar nature that contain or are impregnated with noxious weed seed, or parts of the plant that could cause new growth, shall not be removed from the premises upon which it is located until cleaned of weed seed or plant parts.
- d) Soil or sod, manure or fertilizer, or material of a

similar nature that contains noxious weed seed or parts of the plant that could cause new growth shall not be removed from the premises upon which it is located, unless removed in such a manner or to a place as not to cause the spread of noxious weeds.

(Source: Amended at 26 Ill. Reg. 14644, effective September 23, 2002)

**Section 220.240 Hearing and Procedure on Protest of Charges by Control Authority**

- a) If any person is dissatisfied with the amount of any charge made against him by a Control Authority for control or eradication work, he may file a written protest with the Director. Such protest shall be filed within 5 days after being advised of the amount of the charge.
- b) Upon receipt of a protest, the Director shall set the matter for hearing within 30 days and shall notify the owner and Control Authority at least 10 days prior to the hearing.
- c) All hearings shall be conducted in accordance with 8 Ill. Adm. Code 1.

(Source: Amended at 26 Ill. Reg. 14644, effective September 23, 2002)

**Section 220.250 Severability**

If any Section, subsection, sentence or clause of this Part is judged invalid, that adjudication shall not affect the validity of this Part as a whole or any Section, subsection, sentence or clause of this Part not judged invalid.

(Source: Added at 26 Ill. Reg. 14644, effective September 23, 2002)

**Section 220. ILLUSTRATION A Application for Weed Control Superintendent Certification**

**STATE OF ILLINOIS  
DEPARTMENT OF AGRICULTURE  
Bureau of Environmental Programs  
P. O. Box 19281  
Springfield, Illinois 62794-9281**

**APPLICATION FOR WEED CONTROL SUPERINTENDENT CERTIFICATION**

Please typewrite or print.

1. \_\_\_\_\_  
Name of Applicant

2. \_\_\_\_\_  
County in which you live Telephone Number

3. \_\_\_\_\_  
Home Address City State Zip Code

4. \_\_\_\_\_  
Business Name and Address Telephone Number

5. Please list all the previous employment for the last five positions. (List most recent job first.)

	Employer (Name and Address)	Date Started	Date Terminated	Reason for Leaving
A.	_____	_____	_____	_____
B.	_____	_____	_____	_____
C.	_____	_____	_____	_____
D.	_____	_____	_____	_____
E.	_____	_____	_____	_____

6. Education

High School \_\_\_\_\_ Graduated \_\_\_\_\_

College \_\_\_\_\_ Graduated \_\_\_\_\_

Major \_\_\_\_\_ Minor \_\_\_\_\_

Other Advance Training \_\_\_\_\_

Additional Information \_\_\_\_\_

I certify the above information to be true.

\_\_\_\_\_  
Signature Date

Date Approved: \_\_\_\_\_ Approved: \_\_\_\_\_

Director,  
Illinois Department of Agriculture

(Source: Amended at 26 Ill. Reg. 14644, effective September 23, 2002)

**Section 220.ILLUSTRATION B Public Notice**

**PUBLIC NOTICE**

NOTICE IS HEREBY GIVEN PURSUANT TO THE "ILLINOIS NOXIOUS WEED LAW" to the owners, occupants, agents and public officials in charge or control of any land in \_\_\_\_\_ County that they are required to control or eradicate all NOXIOUS WEEDS growing upon land under their control prior to the blooming, maturing of seed or other propagating of such weeds.

NOXIOUS WEEDS: (List) \_\_\_\_\_  
\_\_\_\_\_

NOTICE IS FURTHER GIVEN that if the persons responsible for the control of any lands in \_\_\_\_\_ County fail to comply with the provisions of the Illinois Noxious Weed Law the Control Authority of \_\_\_\_\_ County or the Department of Agriculture of the State of Illinois will take any necessary action to control or eradicate such weeds and the cost thereof will be assessed against the owner of the land involved. If unpaid for 6 months or longer, such assessment shall become a lien upon the property.

Date at \_\_\_\_\_ County, Illinois, this \_\_\_\_\_ day \_\_\_\_\_ month, \_\_\_\_\_ year.

Signed: \_\_\_\_\_  
Weed Control Superintendent

\_\_\_\_\_ County Weed Control Authority

**Section 220.ILLUSTRATION C Individual Notice to Control or Eradicate Weeds**

\_\_\_\_\_ COUNTY WEED CONTROL AUTHORITY

**INDIVIDUAL NOTICE TO  
CONTROL OR ERADICATE WEEDS**

\_\_\_\_\_  
Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Address

\_\_\_\_\_  
City

\_\_\_\_\_  
Zip

Dear Landowner:

Inspection of lands owned or operated by you and located \_\_\_\_\_  
\_\_\_\_\_ shows that the noxious weed  
\_\_\_\_\_ is present on this property. The Illinois Noxious Weed Law defines your duty to  
control or eradicate these weeds and prevent them from propagating. **IN THE EVENT OF YOUR FAILURE TO  
CONTROL OR ERADICATE THESE WEEDS, THE CONTROL SUPERINTENDENT SHALL ENTER AND HAVE  
THEM CONTROLLED OR ERADICATED; THE COST OF DOING SO TO BE A LIEN AGAINST THE PROPERTY  
UNTIL PAID BY THE OWNER.** In addition, you shall be subject to a fine of not more than \$100 for the first offense  
and not more than \$200 for each subsequent offense.

You are hereby given notice to control or eradicate these weeds within \_\_\_\_\_ days from the above date as follows:

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Weed Control Superintendent

\_\_\_\_\_ County Weed Control Authority

The above notice was served on:

\_\_\_\_\_  
by \_\_\_\_\_

on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

Signature \_\_\_\_\_

(Source: Amended at 26 Ill. Reg. 14644, effective September 23, 2002)

**Section 220.ILLUSTRATION D Quarantine Notice**

\_\_\_\_\_ COUNTY WEED CONTROL AUTHORITY  
QUARANTINE NOTICE

\_\_\_\_\_  
Name Date

\_\_\_\_\_  
Address City Zip

Dear Landowner:

Inspection of lands owned or operated by you and located \_\_\_\_\_  
\_\_\_\_\_ shows that the noxious weed  
\_\_\_\_\_ is present on this property. Due to your inability to control this noxious weed and  
pursuant to Section 11 of the Illinois Noxious Weed Law, your land has been quarantined. The Control Authority shall  
enter upon your land and eradicate the noxious weeds and upon completion you will be advised of the cost.

\_\_\_\_\_  
Weed Control Superintendent

\_\_\_\_\_  
County Weed Control Authority

Approved: \_\_\_\_\_  
Director,  
Illinois Department of Agriculture

The above notice was served on:

\_\_\_\_\_

By \_\_\_\_\_

(Source: Amended at 26 Ill. Reg. 14644, effective September 23, 2002)