Committee Members:
Ralph Langenheim – Chair
Aaron Esry – Vice-Chair
Astrid Berkson
Stan Harper
Alan Kurtz
Pattsi Petrie
Jon Schroeder

I. Call to Order

II. Roll Call

III. Approval of Minutes
   A. ELUC Committee meeting – September 4, 2014

IV. Approval of Agenda/Addenda

V. Public Participation

VI. Communications

VII. For Information Only
   A. RPC Phone Survey of Fire Chiefs in unincorporated Champaign County
   B. Update: Establishment of a Cooperative Weed Management Area for East Central Illinois

VIII. Items to be Approved by ELUC for Recommendation to the County Board
   A. Case 776-AM-13 – Recommendation to Approve to the County Board for Eric Sebens d.b.a Prairieview Landscaping 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

IX. Monthly Reports
   A. August 2014

X. Other Business
   A. Regulation of livestock in urban areas – For Discussion Only
   B. Control of noxious weeds – For Discussion Only

XI. Chair’s Report

Champaign County strives to provide an environment welcoming to all persons regardless of disabilities, race, gender, or religion. Please call 217-384-3776 to request special accommodations at least 2 business days in advance.
XII. Designation of Items to be Placed on the Consent Agenda

XIII. Adjournment
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

<table>
<thead>
<tr>
<th>Present</th>
<th>Absent</th>
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<tbody>
<tr>
<td>Ralph Langenheim (Chair)</td>
<td>Astrid Berkson</td>
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<tr>
<td>Aaron Esry (Vice Chair)</td>
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<td>Stan Harper</td>
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<td>Alan Kurtz</td>
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<td>Pattsi Petrie</td>
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<td>Jon Schroeder</td>
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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
Clark Bullard, James Beauchamp, Stuart Levy, Glynnis Collins, Frank DiNovo, Sharon DeCelle – Against resolution to oppose the expansion of the federal definition of “Waters of the United States”

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

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

VI. Communications
None

VII. For Information Only
A. Cancellation of October 11, 2014 Countywide Residential Electronics Collection

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

VIII. Items to be Approved by ELUC for Recommendation to the County Board
A. Case 771-AM-14 – Recommendation to Approve a Zoning Map Amendment to change the zoning district designation from B-3 Highway Business to B-4 General Business - Randy & Sue Hopkins dba Atlantic Services, Inc.

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

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

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

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

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

IX. Monthly Reports
A. July 2014

MOTION by Mr. Esry to receive and place on file the Planning & Zoning Monthly Reports for July 2014; seconded by Mr. Kurtz. Upon vote, the MOTION CARRIED unanimously.
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.
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.
| Question 1.                                                                 | 1 correction received regarding contact information for an interim acting fire chief.  
| 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. | 9 responses received to confirm contact information.  
| 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. |
| Question 2.                                                                | All 10 respondents indicated they would like to receive information regarding any building activity (e.g., new construction or building expansions) within their district. |
| Interested in receiving additional information regarding any building activity (e.g., new construction or building expansions) within district? |  
| Question 3.                                                                | 7 respondents indicated ‘no.’  
| If this information were posted on the Champaign County website, is that something you would find useful? | 3 respondents indicated ‘yes.’ |
| Question 4.                                                                | Of the 7 ‘No’ respondents,  
| If ‘No,’ is there another way you’d like to obtain this information (e.g., quarterly or monthly mailing)? | 1 indicated ‘monthly mailing’  
| 2 indicated ‘either quarterly or monthly mailing’  
| 4 indicated ‘quarterly mailing’ | Of the 3 ‘Yes’ respondents,  
| Of the 7 ‘No’ respondents, | 1 indicated ‘the more info the better’  
| 1 indicated ‘quarterly mailing’  
| 1 indicated ‘either quarterly or monthly mailing’ | 1 respondent indicated ‘chief is trained.’ |
| Question 5a.                                                               | 7 respondents indicated ‘no.’ |
| 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? | 1 respondent indicated ‘we have an inspector that handles the inspections.’  
| Question 5b.                                                               |  
| Concerns/comments to share with County ELUC members regarding types of resources available to you/your volunteer staff to obtain this training? | 7 respondents indicated ‘no.’ |
| 1 responded: “Create more time. Firefighters work 40 plus hours; don’t like to add more at the end of their day.”  
| 1 responded: “wants to know about road closures in the County. Stumbled across a closure by accident.”  
<p>| 1 responded: “major training is done through Illinois Fire Safety Institute. Last one was about 3 years ago.” |<br />
| continued |</p>
<table>
<thead>
<tr>
<th>Question 6.</th>
<th>9 respondents answered. Responses are listed below:</th>
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<tr>
<td>In general, what are the biggest challenges that your fire protection</td>
<td>“Time.”</td>
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<td>district faces?</td>
<td>“Lack of code enforcement and codes present in</td>
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<td>district.”</td>
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<td></td>
<td>“Retention of volunteers. The last 5 years have been</td>
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<td></td>
<td>bad.”</td>
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<tr>
<td></td>
<td>“Lack of time.”</td>
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<td></td>
<td>“Lack of funding and lack of volunteers.”</td>
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<td></td>
<td>“Money.”</td>
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<td>“Needs more staff during the day. The night staff is</td>
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<td></td>
<td>fine.”</td>
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<tr>
<td></td>
<td>“Money, volunteers.”</td>
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<td></td>
<td>“Staffing, not enough volunteers.”</td>
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<th>Question 7.</th>
<th>6 respondents answered. Responses are listed below:</th>
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<td>Are there any other comments or suggestions to share with us at this time?</td>
<td>“Most training is 40 hours and firefighters all work 40–hour jobs.”</td>
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<td>“Likes mailing that keep fire chiefs up-to-date. He</td>
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<td></td>
<td>uses them at his meetings.”</td>
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<td></td>
<td>“We have two churches, no multifamily buildings or</td>
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<td></td>
<td>assisted living buildings.”</td>
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<td></td>
<td>“There is an old abandoned building, an old gas</td>
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<td>station falling in, an eyesore, sold for taxes. [--- ]</td>
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<td></td>
<td>is unincorporated, who can he talk to about how to</td>
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<tr>
<td></td>
<td>get rid of [this building]?</td>
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<td></td>
<td>“We are responsible for inspecting these public</td>
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<td>assemblies ... as a district. It is a job for local</td>
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<tr>
<td></td>
<td>municipalities. Should outside of village boundaries</td>
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<td>be responsibility of a village?”</td>
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<td></td>
<td>“We are faced with limited space in our current</td>
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<td>station. But perhaps our largest issue is the</td>
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<td>replacement of Wilber Road.”</td>
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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

<table>
<thead>
<tr>
<th>LRMP Goal 6  Public Health and Public Safety</th>
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<tr>
<td>Champaign County will ensure protection of the public health and public safety in land resource management decisions.</td>
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<tr>
<th>Objective 6.2  Public Assembly  Land Uses</th>
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<td>Champaign County will seek to ensure that public assembly, dependent population, and multifamily land uses provide safe and secure environments for their occupants.</td>
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<tr>
<th>Policy 6.2.1</th>
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<tbody>
<tr>
<td>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.</td>
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</tbody>
</table>
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 the 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 CWMAs in Illinois at present:

- River to River CWMA http://www.rtrcwma.org/

Next Steps
Meetings to organize a CWMA in our region are underway. On September 29th, 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, or phone 217-333-7672.

Attachments:
A Excerpt from CWMA Cookbooks: A Recipe for Success
B CWMAs in the Northeast and Midwest
C Related Champaign County LRMP Goal, Objectives and Policies
What is a Cooperative Weed Management Area?

Cooperative Weed Management Areas, or CWMAs, 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). CWMAs 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.

CWMAAs 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 CWMAs 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.

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?

**CWMA 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.

**CWMA 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.

**CWMA 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.

**CWMA 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.

**CWMA 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.

**CWMA 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.
<table>
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<tr>
<th>ID #</th>
<th>CWMA Name</th>
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<tr>
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<td>Ramsey County CWMA</td>
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<td>Red Lake County CWMA</td>
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<td>Rice - Scott CWMA</td>
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<td>St. Louis County CWMA</td>
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<td>Lake Superior CWMA</td>
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<td>Wisconsin Headquarters Invasives Partnership</td>
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<td>Door County Invasive Species Team</td>
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<td>Itasca County CWMA</td>
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<td>Clay County CWMA</td>
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<td>56</td>
<td>Cook County CWMA</td>
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<td>Door County Invasive Species Team</td>
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<td>Baker County CWMA</td>
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<td>Washington County CWMA</td>
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<td>Kittson Invasive Species Management Area</td>
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<td>Lake Superior CWMA</td>
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<td>Monroe County Invasive Plant Team</td>
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<td>Cook County CWMA</td>
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<td>Brown County Cooperative Invasive Species Man</td>
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<td>Brown County Cooperative Invasive Species Man</td>
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</table>
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.
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

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.

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

A-1
Attachment A. Case Maps (Location, Land Use, Zoning)
September 30, 2014

LAND USE

A-2
ZONING ATLAS
OF CHAMPAIGN COUNTY

KEY
1. Agriculture
2. Village
3. Suburban...
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
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

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.

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

<table>
<thead>
<tr>
<th>Type of Case</th>
<th>August 2014</th>
<th>August 2013</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2 ZBA meetings</td>
<td>2 ZBA meetings</td>
</tr>
<tr>
<td></td>
<td>Cases Filed</td>
<td>Cases Completed</td>
</tr>
<tr>
<td>Variance</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>SFHA Variance</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Special Use</td>
<td>0</td>
<td>3</td>
</tr>
<tr>
<td>Map Amendment</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Text Amendment</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Change of Non-conforming Use</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Administrative Variance</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Interpretation / Appeal</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>TOTALS</strong></td>
<td><strong>1</strong></td>
<td><strong>6</strong></td>
</tr>
<tr>
<td>Total cases filed (fiscal year)</td>
<td><strong>15 cases</strong></td>
<td><strong>24 cases</strong></td>
</tr>
<tr>
<td>Total cases completed (fiscal year)</td>
<td><strong>14 cases</strong></td>
<td><strong>33 cases</strong></td>
</tr>
<tr>
<td>Case pending*</td>
<td>7 cases</td>
<td>7 cases</td>
</tr>
</tbody>
</table>
* Cases pending includes all cases continued and new cases filed but not decided

1 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.
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.


- 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.


- $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.


- 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
Table 2. Zoning Use Permits Approved in August 2014

<table>
<thead>
<tr>
<th>PERMITS</th>
<th>CURRENT MONTH</th>
<th>FISCAL YEAR TO DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>#</td>
<td>Total Fee</td>
</tr>
<tr>
<td>AGRICULTURAL:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Residential</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>Other</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>SINGLE FAMILY Resid.:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>New - Site Built</td>
<td>2</td>
<td>1,338</td>
</tr>
<tr>
<td>Manufactured</td>
<td>1</td>
<td>297</td>
</tr>
<tr>
<td>Additions</td>
<td>1</td>
<td>132</td>
</tr>
<tr>
<td>Accessory to Resid.</td>
<td>10</td>
<td>2,777</td>
</tr>
<tr>
<td>TWO-FAMILY Residential</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Average turn-around time for permit approval</td>
<td>7 days</td>
<td>7 days</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>MULTI - FAMILY Residential</td>
<td></td>
<td></td>
</tr>
<tr>
<td>HOME OCCUPATION:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rural</td>
<td>1</td>
<td>33</td>
</tr>
<tr>
<td>Neighborhood</td>
<td>8</td>
<td>0</td>
</tr>
<tr>
<td>COMMERCIAL:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>New</td>
<td>1</td>
<td>3,974</td>
</tr>
<tr>
<td>Other</td>
<td>9</td>
<td>4,790</td>
</tr>
<tr>
<td>INDUSTRIAL:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>New</td>
<td>1</td>
<td>1,283</td>
</tr>
<tr>
<td>Other</td>
<td></td>
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<tr>
<td>OTHER USES:</td>
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<td></td>
</tr>
<tr>
<td>New</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td></td>
<td></td>
</tr>
<tr>
<td>SIGNS</td>
<td>4</td>
<td>710</td>
</tr>
<tr>
<td>TOWERS (Incl. Acc. Bldg.)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>OTHER PERMITS</td>
<td>13</td>
<td>1,082</td>
</tr>
<tr>
<td>TOTAL APPROVED</td>
<td>18</td>
<td>$4,544</td>
</tr>
</tbody>
</table>

* 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.
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

<table>
<thead>
<tr>
<th>Zoning Cases. Approved by the ZBA, a Zoning Case August authorize a new principal use on Best Prime Farmland that was previously used for agriculture.</th>
<th>August 2014</th>
<th>FY 2014 to date</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>0.0 acres</td>
<td>0.00 acres</td>
</tr>
</tbody>
</table>

| Subdivision Plat Approvals. Approved by the County Board, a subdivision approval August authorize creation of new Best Prime Farmland lots smaller than 35 acres: | 0.0 acre | 0.0 acre |
|Outside of Municipal ETJ areas¹ | | |
|Within Municipal ETJ areas² | 0.0 acre | 0.0 acre |

| Zoning Use Permits. 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 |

| TOTAL | 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.
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>
<thead>
<tr>
<th></th>
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<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Complaints Received</td>
<td>61</td>
<td>1</td>
<td>2</td>
<td>1</td>
<td>3</td>
<td>8</td>
<td>10</td>
<td>4</td>
<td>13</td>
<td>5</td>
<td>47</td>
<td></td>
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<td></td>
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<tr>
<td>Initial Complaints Referred to Others</td>
<td>5</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>3</td>
<td>1</td>
<td>3</td>
<td>11</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Inspections</td>
<td>484</td>
<td>2*</td>
<td>8*</td>
<td>8*</td>
<td>10*</td>
<td>54</td>
<td>34</td>
<td>147</td>
<td>62</td>
<td>48⁴</td>
<td>373⁵</td>
<td></td>
<td></td>
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<tr>
<td>Phone Contact Prior to Notice</td>
<td>5</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>3</td>
<td>3</td>
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<td>1</td>
<td>9</td>
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<tr>
<td>First Notices Issued</td>
<td>28</td>
<td>0</td>
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<td>5</td>
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<td>2</td>
<td>1</td>
<td>4</td>
<td>15</td>
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<tr>
<td>Final Notices Issued</td>
<td>7</td>
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<tr>
<td>Referrals to State’s Attorney</td>
<td>4</td>
<td>0</td>
<td>0</td>
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<td>0</td>
<td>0</td>
<td>1</td>
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<td>0</td>
<td>1</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Cases Resolved²</td>
<td>99</td>
<td>3</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>8</td>
<td>18</td>
<td>64</td>
<td>29</td>
<td>13⁶</td>
<td>136⁷</td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Open Cases³</td>
<td>402</td>
<td>400</td>
<td>402</td>
<td>402</td>
<td>405</td>
<td>405</td>
<td>397</td>
<td>337</td>
<td>321</td>
<td>313</td>
<td>313⁸</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>Permit Number</th>
<th>Zoning District; Property Description; Address; PIN</th>
<th>Owner Name</th>
<th>Date Applied, Date Approved</th>
<th>Project (Related Zoning Case)</th>
</tr>
</thead>
<tbody>
<tr>
<td>65-14-01</td>
<td>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</td>
<td>Chris Vaughn &amp; TJ Miller</td>
<td>03/06/14 08/15/14</td>
<td>Construct a detached garage for personal storage only</td>
</tr>
<tr>
<td>126-14-02</td>
<td>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</td>
<td>Jeffrey Lahr and Donald Lahr</td>
<td>05/06/14 08/19/14</td>
<td>Amend permit to include an attached garage to the home</td>
</tr>
<tr>
<td>204-14-02</td>
<td>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</td>
<td>Danny Jenkins</td>
<td>07/23/14 08/01/14</td>
<td>Construct a detached storage shed</td>
</tr>
</tbody>
</table>
| 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 |
## APPENDIX A. ZONING USE PERMITS ACTIVITY DURING AUGUST 2014

<table>
<thead>
<tr>
<th>Permit Number</th>
<th>Zoning District; Property Description; Address; PIN</th>
<th>Owner Name</th>
<th>Date Applied, Date Approved</th>
<th>Project (Related Zoning Case)</th>
</tr>
</thead>
<tbody>
<tr>
<td>212-14-03 CR</td>
<td>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</td>
<td>Jim Myers</td>
<td>07/31/14 08/20/14</td>
<td>Construct a single family home with attached garage</td>
</tr>
<tr>
<td>212-14-04 AG-1</td>
<td>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</td>
<td>Judy Chesnut</td>
<td>07/31/14 08/14/14</td>
<td>Construct a barn for horses, tack, feed and equipment</td>
</tr>
<tr>
<td>213-14-01 AG-1</td>
<td>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</td>
<td>Don Rennels</td>
<td>08/01/14 08/13/14</td>
<td>Construct a detached storage shed</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Reconstruction after November 17, 2013 tornado</td>
</tr>
<tr>
<td>213-14-02 AG-1</td>
<td>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</td>
<td>Mary Tamara Lee Evans</td>
<td>08/01/14 08/13/14</td>
<td>Construct a detached storage shed</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Reconstruction after November 17, 2013 tornado</td>
</tr>
<tr>
<td>217-14-01 AG-1</td>
<td>Tract II of Nature’s Landing Development, Section 25, Newcomb Township; 556 CR 2550N, Mahomet, IL PIN: 16-07-25-200-015</td>
<td>Ryan Kelsey</td>
<td>08/05/14 08/19/14</td>
<td>Construct a detached storage shed with an attached greenhouse</td>
</tr>
<tr>
<td>218-14-01 AG-1</td>
<td>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</td>
<td>Leon and Barbara Flesner</td>
<td>08/06/14 08/19/14</td>
<td>Construct a detached garage</td>
</tr>
<tr>
<td>219-14-01 AG-1</td>
<td>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</td>
<td>Sonna W. Kirby Trust</td>
<td>08/07/14 08/19/14</td>
<td>Construct a garage addition to an existing single family home</td>
</tr>
</tbody>
</table>
## APPENDIX A. ZONING USE PERMITS ACTIVITY DURING AUGUST 2014

<table>
<thead>
<tr>
<th>Permit Number</th>
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<th>Project (Related Zoning Case)</th>
</tr>
</thead>
<tbody>
<tr>
<td>220-14-01</td>
<td>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</td>
<td>Randy and Sally Harris</td>
<td>08/08/14 08/19/14</td>
<td>Construct a single family home with attached garage</td>
</tr>
<tr>
<td>220-14-02</td>
<td>CR Commons area of Briarcliff Subdivision, Section 11, Mahomet Township; PIN: 15-13-11-301-013</td>
<td>Briarcliff Homeowner’s Association</td>
<td>08/08/14 08/20/14</td>
<td>Construct a pedestrian bridge as an Eagle Scout project</td>
</tr>
<tr>
<td>224-14-01</td>
<td>R-1 Lot 30, Wiltshire Estates 4th, Section 13, St. Joseph Township; 1207 Peters Drive, St. Joseph, Illinois PIN: 28-22-13-301-024</td>
<td>Steve Littlefield</td>
<td>08/12/14 08/25/14</td>
<td>Construct a single family home with attached garage</td>
</tr>
<tr>
<td>224-14-02</td>
<td>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</td>
<td>William and Sandra Gayer</td>
<td>08/12/14 08/25/14</td>
<td>Construct a detached garage</td>
</tr>
<tr>
<td>*237-14-01</td>
<td>Under review</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>*238-14-01</td>
<td>Under review</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>*239-14-01</td>
<td>Under review</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>*241-14-01</td>
<td>Under review</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*received and reviewed, however, not approved during reporting month
## APPENDIX B. ZONING COMPLIANCE CERTIFICATES ISSUED DURING AUGUST, 2014

<table>
<thead>
<tr>
<th>Date</th>
<th>Permit Number</th>
<th>Property Description; Address; PIN</th>
<th>Project (Related Zoning Case)</th>
</tr>
</thead>
<tbody>
<tr>
<td>08/20/14</td>
<td>212-14-03</td>
<td>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</td>
<td>A single family home with attached garage</td>
</tr>
<tr>
<td>08/26/14</td>
<td>302-01-01</td>
<td>A tract of land in the NE ¼ of Section 20, Mahomet Township; 2060A CR 125E, Mahomet, Illinois PIN: 15-13-20-100-023</td>
<td>A single family home</td>
</tr>
</tbody>
</table>
To: Environment and Land Use Committee
From: John Hall, Director & Zoning Administrator
Date: November 30, 2011
RE: Control of noxious weeds

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 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 lands 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 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 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.


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

Section 220.10 Duty of Every Person
220.20 Duty of Director
220.30 Duty of Each Control Authority
220.40 Control Authority Membership
220.50 Definitions
220.60 Noxious Weeds
220.70 Noxious Weed Description and Control (Repealed)
220.80 Control Authorities' Responsibilities
220.90 Weed Control Superintendents Certified by Director; Control Authority to Set Compensation, Bonding, Etc.
220.100 Appointing Weed Control Superintendents
220.110 Deadline for Appointing Superintendents
220.120 Submitting Name and Resume of Person Appointed Superintendent to the Director; Application for Weed Control Superintendent Certification
220.130 Superintendent Must Be Familiar with Types of Weeds and Methods of Control
220.140 Allowable Expenses Set by Control Authority; Expenses Paid from General Fund or Noxious Weed Control Fund
220.150 Duties of Weed Control Superintendent
220.160 Written Report by Superintendent to Director
220.170 Comprehensive Work Plan for Coming Year Submitted to Director and Control Authority
220.180 General Notices
220.190 Individual Notices
220.200 Quarantine of Land; Approval by Director; Notice of Quarantine Form
220.210 Noxious Weeds Designated as Capable of Dissemination Through Articles
220.220 Articles Designated as Capable of Disseminating Noxious Weeds
220.230 Removal of Articles or Weeds from Premises; Treatment
220.240 Hearing and Procedure on Protest of Charges by Control Authority
220.250 Severability

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


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 220.70 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.

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 220.90 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.)

<table>
<thead>
<tr>
<th>Employer (Name and Address)</th>
<th>Date Started</th>
<th>Date Terminated</th>
<th>Reason for Leaving</th>
</tr>
</thead>
<tbody>
<tr>
<td>A.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>B.</td>
<td></td>
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<tr>
<td>C.</td>
<td></td>
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</tr>
<tr>
<td>D.</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>E.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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)
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)