

SECTION 3. Chapter 10-32 of the Municipal Code of Chicago is hereby amended by adding a new Section 10-32-055, as follows:

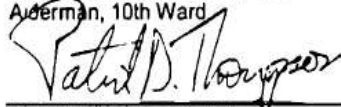
10-32-055 Managed native garden registry.

- (a) The Department of Planning and Development shall establish and maintain a registry of managed native gardens.
- (b) A managed native garden is a planned, intentional, and maintained planting of native plants.
- (c) Any person wishing to maintain a managed native garden on their property may register their property with the Department of Planning and Development. The managed native garden must be maintained in accordance with rules established by the Department. Managed native gardens in good standing on the registry shall not be subject to Section 7-28-120. Failure to maintain the managed native garden in accordance with this section and the rules may result in the Commissioner of Planning and Development removing the garden from the registry.
- (d) To be eligible to be in the registry:
- (1) the managed native garden shall be on an occupied property.
 - (2) the managed native garden shall contain only plants native to the Chicago region.
 - (3) the managed native garden shall not have plants taller than ten inches within three feet of a public sidewalk or property line. Similarly, if a permit for a managed native garden in the parkway is acquired, any managed native garden in a parkway shall not have plants taller than ten inches.
 - (4) the plants within the garden will have been intentionally planted by seed or transplantation into the garden. Owners need to be able to identify the plants contained within the garden.
- (e) Nothing in this section shall be construed to allow the section to conflict with the Illinois Noxious Weed Law, 505 ILCS 100/1 *et seq.*

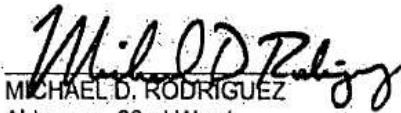
SECTION 4. This ordinance shall be in full force and effect following passage and approval.



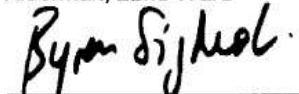
SUSAN SADLOWSKI GARZA
Alderman, 10th Ward



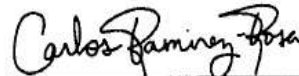
PATRICK D. THOMPSON
Alderman, 11th Ward



MICHAEL D. RODRIGUEZ
Alderman, 22nd Ward



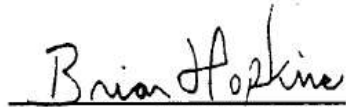
BYRON SIGCHO-LOPEZ
Alderman, 25th Ward



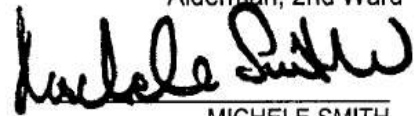
CARLOS RAMIREZ-ROSA
Alderman, 35th Ward



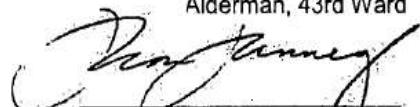
ANDRE VASQUEZ
Alderman, 40th Ward



BRIAN HOPKINS
Alderman, 2nd Ward



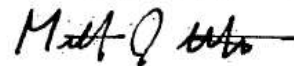
MICHELE SMITH
Alderman, 43rd Ward



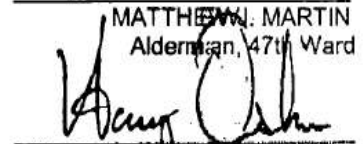
TOM TUNNEY
Alderman, 44th Ward



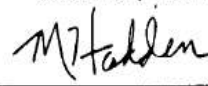
JAMES CAPPLEMAN
Alderman, 46th Ward



MATTHEW N. MARTIN
Alderman, 47th Ward



HARRY OSTERMAN
Alderman, 48th Ward



MARIA E. HADDEN
Alderman, 49th Ward

**City of Chicago
Department of Streets and Sanitation
Department of Environment**

**RULES AND REGULATIONS
FOR
WEED CONTROL**

**City of Chicago
Richard M. Daley
Mayor**

**Michael J. Picardi
Commissioner of Streets and Sanitation**

**Suzanne Malec-McKenna
Commissioner of Environment**

WHEREAS, The City of Chicago's Commissioner of Streets and Sanitation and Commissioner of Environment have authority to adopt rules and regulations necessary or proper to accomplish the purposes of Section 7-28-120 of the Municipal Code of Chicago; and

WHEREAS, The City of Chicago promotes the use of native vegetation as a means to conserve water and to reduce carbon dioxide emissions; and

WHEREAS, While promoting the use of native vegetation, the City of Chicago wants to continue to require property owners and persons in control of property to manage and maintain the vegetation growing on their property; now, therefore,

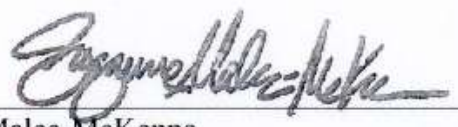
BY AUTHORITY VESTED IN THE COMMISSIONER OF STREETS AND SANITATION AND THE COMMISSIONER OF ENVIRONMENT PURSUANT TO THE GENERAL PROVISIONS OF SECTION 7-28-010 AND SECTION 2-30-030 RESPECTIVELY, AND THE SPECIFIC PROVISIONS OF SECTION 7-28-120, THE FOLLOWING RULES AND REGULATIONS REGARDING WEED CONTROL ARE ADOPTED HEREIN.

By Order of the Commissioner:



Michael J. Picardi
Commissioner of Streets and Sanitation

5/29/08
Date



Suzanne Malec-McKenna
Commissioner of Environment

May 28, 2008
Date

Published: April 10, 08
Effective: May 29, 2008

**CITY OF CHICAGO
DEPARTMENT OF STREETS AND SANITATION
and
DEPARTMENT OF ENVIRONMENT**

**RULES AND REGULATIONS
for
WEED CONTROL**

Section 7-28-120 Weeds—Penalty for violation—Abatement—Lien

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- 1.0 Scope and Purpose.** The purpose of these rules and regulations is to provide guidance on determining whether vegetation is a “weed(s)” within the meaning of Section 7-28-120 of the Municipal Code of Chicago, and as such is subject to the restrictions and abatement measures set forth in Section 7-128-120.
- 2.0 Definitions.** As used in Section 7-28-120 of the Municipal Code of Chicago and in these rules and regulations:
- “Weed ”or “weeds” means vegetation that is not managed or maintained by the person who owns or controls the property on which all such vegetation is located and which, on average, exceeds ten inches in height.
- 3.0 Fines and Abatement.** Any person who violates these rules and regulations shall be subject to the fine and abatement provisions set forth in Section 7-28-120.

§ 7-28-120. Weeds – Penalty for violation – Abatement – Lien.

Latest version.

(a) Any person who owns or controls property within the city must cut or otherwise control all weeds on such property so that the average height of such weeds does not exceed ten inches. Any person who violates this subsection shall be subject to a fine of not less than \$600 nor more than \$1,200. Each day that such violation continues shall be considered a separate offense to which a separate fine shall apply.

(b) All weeds which have not been cut or otherwise controlled, and which exceed an average height of ten inches, are hereby declared to be a public nuisance. If any person has been convicted of violating subsection (a) and has not cut or otherwise controlled any weeds as required by this section within ten days after the date of the conviction or finding of liability or judgement, , the city may cause any such weeds to be cut at any time. In such event, the person who owns or controls the property on which the weeds are situated shall be liable to the city for any and all costs and expenses incurred by the city in cutting the weeds, plus a penalty of up to three times the amount of the costs and expenses incurred by the city. Such monies may be recovered in an appropriate action instituted by the corporation counselor or in a proceeding initiated by the department of streets and sanitation or the department of health at the department of administrative hearings. The penalties imposed by this subsection shall be in addition to any other penalty provided by law.

(c) The costs and expenses plus the amount of any applicable penalty incurred pursuant to subsection (b) of this section shall constitute a lien against the affected property if the city, or the person performing the service by authority of the city, in its or his own name, files a notice of lien in the office of the county recorder, or in the office of the registrar of titles if the property is registered under the Torrens System. The notice of lien shall consist of a sworn statement setting out:

- (1) A description of the real estate sufficient for identification thereof;
- (2) The amount of money representing the cost and expense incurred by the city or payable for the service plus the amount of any applicable penalty incurred pursuant to subsection (b) of this section;
- (3) The date or dates when the cost or expense was incurred by the city.

The notice of lien shall be filed within 60 days after the cost and expense and any applicable penalty is incurred; provided, however, that nothing in this section shall be construed to prohibit the City from collecting any amount of money owed to the City as set forth in the findings, decision and order of an administrative law officer or in a judgment entered by a court of competent jurisdiction or in any other manner permitted by law.

Upon payment, after notice of lien has been filed, of the amount of money representing the cost and expense incurred by the city, plus the amount of any applicable penalty incurred pursuant to subsection (b) of this section, the lien shall be released by the city for filing by the owner at the recorder of deeds.

Nothing in this section shall be construed to prevent the city from acting without notice to abate a nuisance under this section, where such nuisance poses an imminent threat to the public health, safety or welfare or in the event of any other emergency. Nor shall any provision of this section be construed to deny to any person any statutory or common law right to abate a nuisance, or to prevent the city from seeking any remedy that may be provided by law. If emergency abatement under this section is required, the city may recover any and all costs associated with such emergency abatement under Section 1-20-020 .

(Prior code § 99-9; Amend Coun. J. 12-20-89, p. 10123; Amend Coun. J. 12-4-02, p. 99931, § 4.3; Amend Coun. J. 7-28-10, p. 97912, § 4; Amend Coun. J. 11-16-11, p. 13798, Art. II, § 6; Amend Coun. J. 11-16-11, p. 14596, Art. II, § 1)

FULL SUN	KEY: * = Beneficial to Insects and Birds, RG = Rain Garden Plants, e = Edible	
Flowers (Forbs)		
24-36 inch*	Lead Plant	<i>Amorpha canescens</i>
8-12 inch	Pasque Flower	<i>Anemone patens</i>
24-72 inch ^{RG*}	Swamp Milkweed	<i>Asclepias incarnata</i>
18-24 inch	Butterfly Weed	<i>Asclepias tuberosa</i>
24 inch*	Heath Aster	<i>Aster ericoides</i>
60 inch	New England Aster	<i>Aster novae-angliae</i>
24-48 inch	White Wild Indigo	<i>Baptisia alba</i>
18-36 inch*	Sand Coreopsis	<i>Coreopsis lanceolata</i>
12-30 inch ^{RG}	Prairie Coreopsis	<i>Coreopsis palmata</i>
30 inch ^{RG*}	Purple Prairie Clover	<i>Dalea purpurea</i>
30 inch	Showy Tick Trefoil	<i>Desmodium canadense</i>
36 inch*	Pale Purple Coneflower	<i>Echinacea pallida</i>
36-42 inch*	Purple Coneflower	<i>Echinacea purpurea</i>
24-60 inch ^{RG*}	Rattlesnake Master	<i>Eryngium yuccifolium</i>
6 inch ^{RG}	Prairie Smoke	<i>Geum triflorum</i>
36-60 inch*	Early (False) Sunflower	<i>Heliopsis helianthoides</i>
12-42 inch	False Boneset	<i>Kuhnia eupatorioides</i>
24-60 inch*	Round Headed Bush Clover	<i>Lespedeza capitata</i>
24-60 inch ^{RG*}	Rough Blazing Star	<i>Liatris aspera</i>
48 inch ^{RG}	Prairie Blazing Star	<i>Liatris pycnostachya</i>
36-48 inch*	Spiked (Dense) Blazing Star	<i>Liatris spicata</i>
24 inch	Pale Spiked Lobelia	<i>Lobelia spicata</i>
24-36 inch	Wild Quinine	<i>Parthenium integrifolium</i>

24-48 inch	Garden Phlox	<i>Phlox paniculata</i>
24 inch	Prairie Phlox	<i>Phlox pilosa</i>
36 inch	Prairie Cinquefoil	<i>Potentilla arguta</i>
48 inch	Yellow Coneflower	<i>Ratibida pinnata</i>
12 inch	Wild Petunia	<i>Ruellia humilis</i>
18-24 inch	Gray Goldenrod	<i>Solidago nemoralis</i>
36 inch	Riddell's Goldenrod	<i>Solidago reddellii</i>
24-48 inch	Ironweed	<i>Vernonia fasciculata</i>
6 inch	Prairie Violet	<i>Viola pedatifida</i>
Grasses		
48-96 inch	Big Bluestem	<i>Andropogon gerardii</i>
24-36 inch	Little Bluestem	<i>Schizachyrium scoparium</i>
24-30 inch	Side Oats Grama	<i>Bouteloua curtipendula</i>
48 inch	Blue Joint Grass	<i>Calamagrostis canadensis</i>
24 inch	Purple Love Grass	<i>Eragrostis spectabilis</i>
24 inch	June Grass	<i>Koeleria cristata</i>
36-72 inch	Switch Grass	<i>Panicum virgatum</i>
36-84 inch	Indian Grass	<i>Sorghastrum nutans</i>
24 inch	Prairie Dropseed	<i>Sporobolus heterolepis</i>
36-48 inch	Porcupine Grass	<i>Stipa spartea</i>
Shrubs		
6-12 ft	American Filbert	<i>Corylus americana</i>
5-15 ft	Winterberry	<i>Ilex verticillata</i>
5-12 ft	Elderberry	<i>Sambucus canadensis</i>
2-6 ft	Meadowsweet	<i>Spiraea alba</i>

6-12 ft	Highbush Blueberry	<i>Vaccinium corymbosum</i>
6-12 ft	Arrowwood Viburnum	<i>Viburnum dentatum</i>
PART SHADE	KEY: * = Beneficial to Insects and Birds, RG = Rain Garden Plants, e = Edible	
Flowers (Forbs)		
12-24 inch	Nodding Wild Onion	<i>Allium cernuum</i>
12-24 inch	Prairie Thimbleweed	<i>Anemone cylindrica</i>
18-36 inch	Smooth Blue Aster	<i>Aster laevis</i>
60 inch	New England Aster	<i>Aster novae-angliae</i>
18-36 inch	Sky Blue Aster	<i>Aster oolentangiensis</i>
24-48 inch	White Wild Indigo	<i>Baptisia leucantha</i>
18-24 inch	Shooting Star	<i>Dodecatheon meadia</i>
36-60 inch	Spotted Joe Pye Weed	<i>Eupatorium maculatum</i>
24-48 inch	Common Boneset	<i>Eupatorium perfoliatum</i>
24-36 inch	Blue Flag Iris	<i>Iris virginica shrevei</i>
48-60 inch	Cardinal Flower	<i>Lobelia cardinalis</i>
30-48 inch	Wild Bergamot (Bee Balm)	<i>Monarda fistulosa</i>
24-36 inch	Foxglove Beardtongue	<i>Penstemon digitalis</i>
15-30 inch	Smooth Phlox	<i>Phlox glaberrima interior</i>
24-36 inch	Black-Eyed Susan	<i>Rudbeckia hirta</i>
18-30 inch	Ohio Goldenrod	<i>Solidago ohioensis</i>
24-48 inch	Spiderwort	<i>Tradescantia ohioensis</i>
5-15 ft	Culver's Root	<i>Veronicastrum virginicum</i>
12-30 inch	Heart-Leaved Meadow Parsnip	<i>Zizia aptera</i>
30 inch	Golden Alexander	<i>Zizia aurea</i>
Grasses		

12-30 inch ^{RG}	Sedges	<i>Carex sp.</i>
24-36 inch*	Northern Sea Oats	<i>Chasmanthium latifolium</i>
36-60 inch	Common Wood Reed	<i>Cinna arundinacea</i>
36-60 inch	Canada Wild Rye	<i>Elymus canadensis</i>
12-48 inch	Virginia Wild Rye	<i>Elymus virginicus</i>
24-42 inch*	Fowl Meadow (Manna) Grass	<i>Glyceria striata</i>
30-60 inch	Bottlebrush Grass	<i>Hystrix patula</i>
24-42 inch	Rice Cut Grass	<i>Leersia oryzoides</i>
4-8 ft	Great Bulrush	<i>Scirpus validus</i>
30-48 inch*	Dark Green Rush	<i>Scirpus atrovirens</i>
3-7 ft	Prairie Cord Grass	<i>Spartina pectinata</i>
Shrubs		
6-10 ft	Red Chokeberry	<i>Aronia arbutifolia</i>
10-15 ft*	Common Witch Hazel	<i>Hamamelis virginiana</i>
3-5 ft	Smooth Hydrangea	<i>Hydrangea arborescens</i>
5-10 ft	Ninebark	<i>Physocarpus opulifolius</i>
3-5 ft	Wild Black Currant	<i>Ribes americanum</i>
6-8 ft*	Swamp Rose	<i>Rosa palustris</i>
SHADE	KEY: * = Beneficial to Insects and Birds, RG = Rain Garden Plants, e = Edible	
Flowers (Forbs)		
12-36 inch*	Wild Columbine	<i>Aquilegia canadensis</i>
12-36 inch*	Jack-in-the-Pulpit	<i>Arisaema triphyllum</i>
4-8 inch	Wild Ginger	<i>Asarum canadense</i>
24-36 inch ^{RG}	White Turtlehead	<i>Chelone glabra linifolia</i>
4-8 ft	Dutchman's Breeches	<i>Dicentra cucullaria</i>

12 inch	Yellow Trout Lily	<i>Erythronium americanum</i>
12-36 inch*	Bigleaf Aster	<i>Eurybia macrophylla</i>
12-30 inch	Wild Geranium	<i>Geranium maculatum</i>
12-24 inch	Virginia Waterleaf	<i>Hydrophyllum virginianum</i>
12-30 inch	Virginia Bluebells	<i>Mertensia virginica</i>
12-18 inch	Mayapple	<i>Podophyllum peltatum</i>
12-36 inch	Jacob's Ladder	<i>Polemonium reptans</i>
24-42 inch*	Solomon's Seal	<i>Polygonatum canaliculatum</i>
12-14 inch	Bloodroot	<i>Sanguinaria canadensis</i>
30 inch	False Solomon's Seal	<i>Smilacina racemosa</i>
12 inch	Foamflower	<i>Tiarella spp.</i>
12-18 inch	Trillium	<i>Trillium spp.</i>
6-16 inch	Canada Violet	<i>Viola canadensis</i>
Grasses		
2.5-5 ft	Bottlebrush Grass	<i>Elymus hystrix</i>
Shrubs		
6-12 ft	Bottlebrush Buckeye	<i>Aesculus parviflora</i>
3-12 ft	Oak Leaf Hydrangea	<i>Hydrangea quercifolia</i>

This list was adopted from the USEPA [Greenacres Program](#)'s Native Plant List for the Great Lakes region. This list is not comprehensive, however does include species that are commonly available at garden centers and nurseries and are relatively easy to grow. The list is provided for residents doing a modest first planting.

If you are interested in purchasing species native to the region, beyond those listed here, you are welcome and encouraged to apply for the rebate program. We will add new commonly purchased native species to this list over time. Please send suggestions or comments on this list to info@sustainablebackyards.org.

Species eligible for the [Chicago Sustainable Backyard Program](#) Native Plant Rebate are those perennials native to the Midwestern region and not listed on [Chicago's discouraged invasive species list](#). Please note some eligible native shrubs are listed on the [City's Recommended Tree List](#).