

17.26.050 – Completion and maintenance

A. Completion Guarantee

All required landscaping and screening materials shown on the approved Landscape Plan shall be installed prior to the issuance of an occupancy permit, weather permitting. In periods of weather conditions adverse to planting the landscaping materials shown on the approved Landscape Plan, a temporary occupancy permit may be issued prior to installation of landscaping and screening when the property owner provides the following:

1. A completion guarantee in the form of a cash escrow or irrevocable letter of credit in an amount equal to one hundred fifteen percent (115%) of the estimated cost of the landscaping installation, as certified by a landscape contractor or an Illinois registered landscape architect. (This completion guarantee shall not be required where the property owner is a unit of federal, state, or local government.)
2. Written permission from the property owner giving the City and its agents the right to enter upon the property to complete the installation of required landscaping, in case of forfeiture of the performance guarantee. (This provision shall not be required where the property owner is a unit of federal, state, or local government.) If the landscaping is not completed within six (6) months after the issuance of the temporary occupancy permit, the cash escrow or irrevocable letter of credit may be used by the City to complete the installation of the required landscaping.

B. Maintenance

The owner of the premises, and any lessee, shall be jointly and severally responsible to maintain, repair and replace all landscape materials and other improvements shown on the approved Landscape Plan over the entire life of the development. All trees and shrubs shall be maintained in good condition, including appropriate pruning. Planting beds shall be maintained by seasonal mulching and weed control, and shall be kept free of refuse and debris. Any plant materials such as trees, shrubs, perennials and ground covers that die, are in decline, or are supporting less than fifty percent (50%) of healthy leaf growth shall be replaced within six (6) months of notification by the City, in compliance with the approved Landscape Plan; however, the Director of Community Development may approve alternative materials if he determines that they would be more suitable than the originally approved plant materials and will provide an equivalent landscape effect. Plant materials that are diseased shall be treated, and if treatment is not successful, shall be replaced. Fences, refuse disposal areas, barriers and retaining walls shall be maintained in good repair. Irrigation systems, if provided, shall be maintained in good operating condition to promote the health of the plant material and the conservation of water. If existing vegetation that was used in lieu of new plantings to satisfy a requirement of this Chapter dies, the responsible party shall install new plant materials in conformance with the provisions of this Chapter and the approved Landscape Plan. For natural landscaping the following replacement thresholds shall apply. Plantings not meeting the minimum threshold shall be replaced after the time period specified.

1. Plantings of potted herbaceous perennials shall meet or exceed eighty-five percent (85%) survivorship of all plants and a minimum of seventy-five percent (75%) survivorship of any one species in healthy, vigorous condition, one full growing season following completion.
2. Plantings of seeded grasses, sedges and forbs shall meet or exceed seventy percent (70%) plant cover after one full growing season, eighty percent (80%) after two full growing seasons, and ninety-five percent (95%) after four full growing seasons following completion.