



## House Bill 633

*Title of Issue: Vegetable Garden Protection Act*

**ISACo Position:** Oppose

**To:** House Agriculture and Conservation Committee

**Date:** March 8, 2021

**From:** Joe McCoy, Executive Director  
Illinois State Association of Counties

The Illinois State Association of Counties (ISACo) respectfully opposes HB 633 which would create the Vegetable Garden Protection Act.

The bill would preempt local regulatory authority over vegetable gardens. While many small residential vegetable gardens are innocuous and may even go unnoticed, some home gardeners erect unpermitted structures known as “hoop houses” which serve as greenhouses intended to protect their gardens during cold weather. These structures can be unsightly, upsetting to neighbors and in violation of local ordinances concerning permissible structures on residential property. HB 633 would prevent local governments from prohibiting such structures.

Additionally, local governments may desire to restrict vegetable gardens to the backyards of residential property to protect neighborhood aesthetics and property values. HB 633 would undermine this regulatory authority.

When residents take umbrage with the structure or use of a property in their neighborhoods, they contact their local officials and expect the matter to be investigated and possibly addressed. HB 633 would remove the ability of local officials to constructively respond to complaints emanating from the location of, or structures within a vegetable garden. This would leave the complainants without redress, except to perhaps contact their state legislators since the local officials could no longer exercise regulatory authority.

Finally, the legislation includes a home rule preemption, which would extend the limitations to include Cook County. For all these reasons, ISACo opposes the legislation.