

CHAPTER 16

GARBAGE

ARTICLE I - LICENSING COLLECTORS

16-1-1 DEFINITIONS. The words "garbage", "refuse", "ashes", "waste", "residents", or "residences", have the following meanings:

(A) "GARBAGE": Waste resulting from the handling, preparation, cooking and consumption of food; and waste from the handling, storage, and sale of produce.

(B) "RUBBISH": Combustible trash, including, but not limited to paper, cartons, boxes, barrels, wood, excelsior, wood furniture, bedding; non-combustible trash, including, but not limited to, metals, tin cans, metal furniture, dirt, small quantities of rock and pieces of concrete, glass, crockery, other mineral waste; street rubbish, including, but not limited to street sweepings, dirt, catch-basin dirt, contents of litter receptacles, provided, however, that refuse shall not include earth and wastes from building operations, nor shall it include solid wastes resulting from industrial processes and manufacturing operations such as food processing, wastes, boiler house cinders, lumber, scraps and shavings.

(C) "ASHES": Residue from fires used for cooking and for heating buildings.

(D) "WASTE": Garbage, refuse and ashes.

(E) "RESIDENTS OR RESIDENCES": Single family dwelling, mobile home, and each unit of a two family dwelling, multi-family dwelling, or apartment building situated in the Village who are provided Village gas, water or sewage through the Sanitary District.

(F) The phrase "in compliance with applicable local, state and federal law regulations" shall specifically include compliance with all local, state and federal laws, ordinances and rules and regulations, with particular reference to, but not limited to:

- (1) the Environmental Protection Act of the State of Illinois,
- (2) rules and regulations governing land pollution, solid waste and refuse disposal, as established by the Illinois Pollution Control Board and the federal government, and
- (3) rules and regulations for refuse disposal, sites and facilities as established by the Environmental Protection Agency of the State of Illinois.

(G) "YARD WASTE": Material such as tree branches, yard trimmings, leaves and grass.

Revised Code

16-1-2 LICENSE. Any person, firm, or corporation, seeking to do business within the corporate limits of the Village as/and for the collection and disposal of waste, shall first obtain a license from the Board of Trustees of the Village. Any license granted by the Board of Trustees of the Village to any person, firm, or corporation to haul and dispose of waste within the Village limits, shall be granted only upon application to the Board. The application for license shall be reviewed by the mayor and the appropriate members of the Board of Trustees and, in their sole discretion, the Mayor and the Board of Trustees may grant a license to the applicant for the hauling of waste from the Village. It shall be unlawful for any firm, partnership, corporation, or individual to engage in the trash hauling business in the Village without having first obtained a license from the Board of Trustees. The Board of Trustees may, in their sole discretion, grant or deny a license to any applicant. Any applicant who is denied a license may ask for a full hearing before the entire Board. The license shall be effective for a period of one year, and may be revoked by the Board for violations of the conditions set forth to receive a license between the Village and the business.

16-1-3 MANDATORY PICK-UP. Each residence shall have mandatory garbage pick up within the Village limits. Each and every residential dwelling, the owners thereof, shall arrange for garbage pick up by one of the licensed haulers within the Village limits. A list of licensed haulers doing business in the Village shall be maintained by the Village office and any resident may obtain a listing of said haulers in order to select a hauler to service their residence. All of the waste defined above shall be collected and disposed of by a licensed hauler, so as to protect and preserve a clean and healthy environment. The number of collections per month by the hauler may vary with individual residences, however, it should not conflict with the goal of a clean and health environment. The number of collection times per month shall be maintained in order to prevent a health hazard or ascetic problem at any residence within the Village, and there must be a collection at each residence at least once per month.

16-1-4 HAULER'S CHARGE. The resident for whom the garbage is being collected shall agree with the hauler as to the price for collection services, and shall pay the hauler directly.

(Ord. No. 559; 8-19-91)

Revised Code

ARTICLE II - GENERAL REGULATIONS

16-2-1 TRUCK REQUIREMENT - CLEANLINESS. The firm that handles the collection of trash shall be of good character and give evidence that the equipment used by him is adequate for the purposes intended. The successful firm shall have a truck or trucks which shall be so designed that garbage and rubbish that is collected will be covered at all times or placed in containers that will be covered at all times except in the loading of garbage or rubbish, so that offensive odors are not permitted to permeate the air and cause a nuisance within the Village. The trucks and all containers in which garbage is collected and transported shall be cleaned daily and the collector shall not collect any garbage on any day without having a clean truck and hand containers if containers are used.

16-2-2 PARKED GARBAGE TRUCKS. No truck carrying garbage or rubbish, or both, shall be parked or be permitted to stand anywhere in the Village except as provided for in Section 14-1-10 any longer than is necessary to pick up containers; however, providing that the standing of such vehicle was made necessary by mechanical trouble, traffic conditions, accident or obedience to the direction of policemen or traffic signals, shall not be considered a violation of this Code.

16-2-3 TRUCK WASTEWATERS. A garbage truck or other equipment shall not be washed on Village streets or public property and will not be washed where the wastewaters will cause any offensive odors to adjoining property owners.

16-2-4 WINDBLOWN GARBAGE UNLAWFUL. It shall be unlawful to place garbage or rubbish in such a manner as to allow the same to be blown by the wind onto the property of other residents.

16-2-5 GARBAGE FALLING FROM TRUCK. It shall be unlawful to deposit or permit to fall from any vehicle any garbage, refuse or ashes on any public street or alley in the Village, provided that this Code shall not be construed to prohibit placing garbage, refuse, or ashes in a container complying with the provisions of this Code, preparatory to having such material collected and disposed of in the manner provided herein.

16-2-6 ACCUMULATION OF GARBAGE UNLAWFUL. The fact that garbage or rubbish remains on an occupant's premises in the Village in violation of this Chapter shall be prima facie evidence that the occupant of such premises is responsible for the violations of the Chapter occurring.

Revised Code

16-2-7 LOCATION OF YARDS FOR EQUIPMENT. A licensee shall designate the location of the yards on which his equipment will be parked while not in use and the equipment shall not be parked within the Village limits unless the designated location shall not, in the opinion of the Code Enforcement Officer, create any nuisance for adjoining property owners.

The licensee shall have as additional equipment a truck for the disposal of large or unusual items of rubbish which cannot be placed in the designated containers and shall have available for such pickups such equipment at least one (1) day each week or on such additional days as may be necessary to satisfy the needs of the public.

16-2-8 INDUSTRY, CONSTRUCTION, ETC. Nothing in this Code shall be deemed to prevent or regulate the hauling of rubbish or refuse from industrial processes, from construction projects or other matter not normally collected on a regular schedule and haulers of rubbish not normally collected in regular collections shall be excused from the requirements of obtaining a collector's license as provided in this Chapter.

16-2-9 REVOCATION OF PERMIT. If the licensee fails to perform any services according to his application and rate schedule, the Mayor may revoke his permit.

(See 65 ILCS Sec. 5/11-19, et seq.)