

**CHAPTER 16**

**GARBAGE**

**ARTICLE I - GENERAL REGULATIONS**

**16-1-1      DEFINITIONS.** As used in this Code, the following definitions shall apply:

**"GARBAGE"** shall mean wastes resulting from the handling, preparation, cooking and consumption of food; wastes from the handling, storage, and sale of produce.

**"RUBBISH"** shall mean 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.

**"YARD WASTE"** shall mean material such as tree branches, yard trimmings, leaves and grass.

**16-1-2      LICENSE REQUIRED; FEE.** No person shall engage in the business as a residential or commercial collector of garbage and rubbish unless such person shall have first made application to and secured a license from the Village.

The license fee shall be **Fifty Dollars (\$50.00) per year**. The fee shall be paid on or before **May 1<sup>st</sup>** of each year.

**16-1-3      APPLICATION FOR LICENSE.** Upon application for a license, the person applying for same shall furnish the Village Clerk, along with the application, proof of insurance for liability and property damage, and at that time, they shall file with the Clerk a rate schedule for services to be performed for a residential application. The rate schedule shall set forth the type of service to be offered and the price for same, including the size and number of cans per pickup for the charge, the charge for any extra cans, the charge for the bags, the size of the bags, and the charge for bundles and size of the bundles; also a rate schedule shall include an unlimited service charge; the schedule shall set forth whether this is once-a-week or twice-a-week pickup.

The rate schedule shall also set forth the day or days of each week that the collector shall schedule his pickup within the Village. The rate schedule as filed shall be valid for **one (1) year** and the licensee shall not be permitted to increase the price on the schedule for a period of **one (1) year** from the date of filing of the rate schedule. The rate schedule shall be effective upon approval by the Village Board.

**16-1-4      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 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.

**16-1-5      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 16-1-10** 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.

**16-1-6      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.

**16-1-7      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.

**16-1-8      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.

**16-1-9      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.

**16-1-10      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.

**16-1-11      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.

**16-1-12      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. 5/11-19-1, et seq.)**

**ARTICLE II – YARD WASTE**

**16-2-1      DEFINITIONS.** As used in this Article the following definitions shall apply:

**"Yard Waste"** shall mean material such as tree branches, yard trimmings, leaves, grass, bushes, paper yard bags, lumber not containing nails, flowers, and wood chips.

**"Pay for Hire Contractor"** shall mean anyone with a principal place of business in Marrow Bone Township who operates a lawn mowing or landscaping business as a profession or occupation. Said definition is not intended to include persons enrolled in a public or private school and who are engaged in mowing lawns as summer work while school is not in session.

**16-2-2      USE OF VILLAGE RUBBISH DUMP.** With the exception of Pay for Hire Contractors, only persons who are residents of the Village shall have the right to dispose of yard waste only from their own property at the Village rubbish dump only between the hours specified by the utilities manager.

**16-2-3      LICENSE REQUIRED.** Pay for Hire Contractors shall be required to obtain an annual license from the Village in order to dump yard waste at the Village rubbish dump. The annual fee for such license shall be the sum of **Two Hundred Fifty Dollars (\$250.00)**. See **Appendix "LL"** for license application form. A sticker shall be furnished to each licensee and must be displayed on the front windshield of each of licensee's vehicles delivering yard waste to the dump. If duplicate stickers are needed for additional vehicles owned by licensee the fee shall be **Ten Dollars (\$10.00)** for each additional sticker. Said stickers cannot be shared among other pay for hire contractors. Should a pay for hire contractor have been found to have shared said stickers with any other pay for hire contractor said action will be considered to be a violation of the terms and conditions of this Article. A penalty shall be imposed hereunder and said contractor shall lose his dump privileges for a term of **one (1) year** from the date of such offense.

**16-2-4      REGULATIONS.** The following material shall not be placed in the Village rubbish dump:

- (A) dirt
- (B) snow and/or ice
- (C) household garbage
- (D) furniture
- (E) televisions and appliances
- (F) plastic bags
- (G) flower pots

- (H) galvanized metal, steel or aluminum
- (I) concrete, brick, decorative rock, or raw rock
- (J) demolition materials, drywall, paneling, insulation, roofing
- (I) pallets

**16-2-5      PENALTY.** Any person convicted of a violation of this Article shall be fined not less than **Two Hundred Fifty Dollars (\$250.00)** for any one offense. A fine of **Five Hundred Dollars (\$500.00)** shall be assessed for any subsequent offense hereunder. In addition thereto, all court costs, which shall include all costs incurred by the Village in prosecuting any said case, to also include the fees of the prosecution attorney of the Village, shall be recoverable from anyone convicted of a violation under this Article. In addition to said fine, the Village may revoke the permit of the person convicted of a violation of the provisions of this Article. **(See Section 1-1-20 for penalties.)**

**(Ord. No. 719; 03-10-16)**

**ARTICLE III – RECYCLING PROGRAM**

**16-3-1      RECYCLING CONTRACT.** In order to implement its recycling program, the Village may, by action of the Village Board of Trustees, contract with, or authorize a contract with, any person, firm or corporation for the collection of recyclable materials within the Village from a specified location to be determined by the Board of Trustees.

**16-3-2      SERVICE CHARGE.** To provide for the expense of providing a recycling program for the citizens of the Village, the Village may, by action of the Board of Trustees, levy a charge on the owners and/or residents of all dwellings and buildings within the Village. The owners and/or residents of such dwellings and businesses shall be responsible for the payment of all charges levied under the provisions hereof. Charges are subject to change upon review and consideration by the Board of Trustees.

**16-3-3      CHARGE MANDATORY.** Any charge levied by the Trustees on any owner and/or resident pursuant to this Article shall be fully due and owing to the Village. As of the effective date of this Article, the charge assessed shall be **Fifty Cents (\$0.50)** per month per owner/resident.

**16-3-4      BILLING.** The Village shall be responsible for the billing and collection of any charges levied pursuant to this Article and such charges levied will appear on monthly utility bills issued by the Village.

**16-3-5      NO SCAVENGING.** It should be unlawful for any person to collect, obtain, possess or pick up any recyclable material placed for collection in or around the specified receptacle unless such person, firm or corporation has a valid and current contract with the Village to collect and remove recyclable material as authorized by this Article.

**16-3-6      PENALTY.** Any person, firm, corporation or entity in violation of this Article shall be fined not to exceed **Five Hundred Dollars (\$500.00)** for each separate violation of the provisions herein. Each day a violation occurs shall be considered a separate offense.

**(Ord. No. 754; 07-12-18)**