

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; FEES.**

(A) The license fee shall be **Five Hundred Dollars (\$500.00)** for each vehicle used, provided, if more than **three (3) months** of the calendar year have expired at the time of the application, the fee shall be prorated on the basis of quarters for the balance of the calendar year.

(B) The license fee shall be paid annually in advance on **May 1st** 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 INSURANCE. No applicant shall be granted a license unless such applicant shall furnish to the Village evidence of financial responsibility in the form of a liability insurance policy for the protection of persons who may suffer damages as a result of the operations of the applicant. The minimum amount of insurance required shall be as follows:

(A) **Three Hundred Thousand Dollars (\$300,000.00)** bodily injury (per person);

(B) **Five Hundred Thousand Dollars (\$500,000.00)** bodily injury (per accident);

(C) **Three Hundred Thousand Dollars (\$300,000.00)** property damage;

(D) **One Million Dollars (\$1,000,000.00)** business umbrella policy.

Said insurance coverage in said policy limits shall continue so long as the applicant engages in business in that category for which his license is issued. Said policy of insurance shall provide that the insurer shall be required to notify the Village at least **thirty (30) days** prior to the cancellation of said insurance coverage. A copy of said policy shall be furnished to the Village Clerk before a license shall be issued to the applicant.

16-1-5 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.

16-1-6 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 16-1-11** 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.

16-1-7 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.

16-1-8 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.

16-1-9 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.

16-1-10 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.

16-1-11 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.

16-1-12 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.

16-1-13 REVOCATION OF PERMIT. If the licensee fails to perform any services according to his application and rate schedule, the Mayor may revoke his permit.

16-1-14 TRASH AND GARBAGE RECEPTACLE REGULATIONS. Trash and garbage receptacles may not be placed in any alley or street, but may be placed next to the curb line adjacent to the alley or street no more than **twelve (12) hours** prior to or after scheduled pick up. Dwellings which front on Williams Street between Broadway Street and Washington Street in the Village shall be exempt from these requirements.

(See 65 ILCS Sec. 5/11-19-1, et seq.)