

ORDINANCE NUMBER 08 - 13

ORDINANCE AMENDING TITLE V, PUBLIC WORKS,
CHAPTER 50, GARBAGE AND REFUSE, GENERAL PROVISIONS,
BY ADDING A NEW SECTION 50.09, PICK-UP OF
RECYCLABLES BY UNAUTHORIZED PERSONS

WHEREAS, the Village of East Dundee is a home rule unit of local government under and pursuant to Section 6 of Article VII of the Constitution of the State of Illinois, has the authority to exercise any power and perform any function pertaining to its government and affairs, including but not limited to the power to regulate for the protection of the public health, safety, morals, and welfare; and

WHEREAS, the President and Board of Trustees of the Village of East Dundee having determined that it is in the best interests of the health, safety and welfare of the residents of the Village of East Dundee that Title V, Public Works, Chapter 50, Garbage and Refuse, General Provisions, be amended by adding a new Section 50.09, Pick-up of Recyclables by Unauthorized Persons.

NOW THEREFORE BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF EAST DUNDEE, COOK AND KANE COUNTIES, ILLINOIS, AS FOLLOWS:

Section One. That Title V, Public Works, Chapter 50, Garbage and Refuse, General Provisions, of the Village of East Dundee Code of Ordinances is hereby amended, by adding a new Section 50.09, Pick-up of Recyclables by Unauthorized Persons, as follows:

§ 50.09 PICK-UP OF RECYCLABLES BY UNAUTHORIZED PERSONS

(A) No persons or entities other than the Village's authorized waste removal company, its agents and employees, successors and assigns shall be authorized to pick up allowable recyclable materials set out by Village residents in the designated recycling bins or recycling bags. Allowable recycling materials shall include:

- (1) Mixed Paper
 - (a) Computer paper, white and colored; no carbon paper
 - (b) Junk mail, including white envelopes
 - (c) Magazines and catalogs
 - (d) Paper grocery bags
 - (e) Chipboard/paperboard, with windows, liners and handles removed
 - (f) Corrugated cardboard, flattened and placed under recycling bin; pieces not larger than 2' X 2'

- (2) Newspaper
 - (a) Newspapers
 - (b) Packing papers, clean, thin paper only

- (3) Commingles Recyclables
 - (a) Glass bottles and jars (rinsed)
 - (b) Aluminum cans, foils and trays (rinsed)
 - (c) Tin cans (rinsed)
 - (d) Plastic #1 through #7 (rinsed)
 - (e) Plastic 6-pack and 12-pack rings
 - (f) Milk/juice cartons (rinsed)
 - (g) Drink boxes (rinsed)

(B) Any unauthorized person or entity found to be collecting recycling materials as indicated herein shall be in violation of this Section.

(C) A person or entity having been found in violation of this Section shall be subject to fine by the Village of not less than one hundred dollars (\$100.00) nor more than two hundred and fifty dollars (\$250.00) for each violation thereof.

Section Two. Severability. If any section, paragraph or provision of this ordinance shall be held to be invalid or unenforceable for any reason, the validity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this ordinance.

Section Three. Repeal. All ordinances, resolutions, motions or parts thereof in conflict herewith shall be and the same are hereby repealed.

Section Four. Publication. This ordinance shall be in full force and effect forthwith upon its adoption, approval and publication in pamphlet form as provided by law.

Adopted this 7th day of April, 2008, pursuant to a roll call vote as follows:

AYES: Ruffalo, Gorman, Carlino, Lyman, Cichowski,
Mahony, Pres. O'Leary

NAYES: _____

ABSENT: _____

Approved by me this 7th day of April, 2008.

Daniel O'Leary

DANIEL O'LEARY, Village President

Published in pamphlet form this 9th day of April, 2008, under the authority of the President and Board of Trustees.

ATTEST:

Susan Norton

SUSAN NORTON, Village Clerk

Recorded in the Village Records on April 9, 2008.

