

Ordinance No. 17-40

**ORDINANCE OF THE VILLAGE OF EAST DUNDEE, KANE AND COOK COUNTIES,  
ILLINOIS AMENDING CHAPTER 50 OF THE CODE OF ORDINANCES  
(GARBAGE AND REFUSE)**

**BE IT ORDAINED** by the President and Board of Trustees of the Village of East Dundee, Cook and Kane Counties, Illinois, that Chapter 50 and Chapter 37 of the Code of Ordinances are hereby amended as follows:

*Section 1.* Section 50.01 of Chapter 50 is hereby amended by deleting said Section in the entirety and replacing it with the following:

*50.01. Definitions.*

The following words and phrases, when used in this Chapter shall have the meanings as hereinafter specified.

*Bulk Materials.* Any items set forth as refuse which are too large to fit into an approved refuse container or which exceed, in total, fifty (50) pounds in weight. Examples include sofas, large tables and chairs, dressers, televisions, bookcases, mattresses and box springs, other large household furniture, and large appliances which do not contain CFC or HCFC refrigerant gas, PCB containing capacitors, mercury switches, or other hazardous components.

*Curbside.* Positions immediately behind the curb and within the parkway are used for the collection of Refuse, Yard Waste, and Recycling containers.

*Household Construction and Demolition Debris.* Materials from “do-it-yourself” interior and exterior household construction, remodeling, and repair projects, including, but not limited to, drywall, plywood, paneling, lumber, and other building materials; cabinets; carpeting; disassembled household fixtures; and small amounts of sod, earth, clay, sand, concrete, rocks, and similar materials.

*Household Garbage.* All organic household or kitchen wastes, such as rejected or unused food and food residues, paper used in wrapping food, household rubbish, inorganic and incombustible household waste (*i.e.* cans, metal ware, broken glass, crockery, stoneware and similar waste resulting from the regular operation of the household) empty cartons and crates, discarded toys, discarded clothing and furniture, and similar materials.

Housing garbage shall not include waste from any manufacturing process, construction materials, broken concrete, lumber, large rocks, and other similar materials.

*Refuse.* Household Garbage, Household Construction and Demolition Debris, and Bulk Materials.

*Refuse Containers.* Refuse containers shall include:

*Toter:* A wheeled plastic container with a tight-fitting top, not to exceed ninety-five (95) gallons in size, requiring a semi-automated mechanism for collection. All toters must be approved by and shall be initially supplied by the Village Garbage collector. All additional toters shall be purchased by the user.

*Kraft Paper Bag:* A special biodegradable paper bag not to exceed thirty-five (35) gallons in size, which will shred and degrade quickly in the composting process.

*Bundle:* any material allowed under the definition of Yard Waste such as limbs, branches, or other loose items which do not exceed four (4) feet in length and fifty (50) pounds in weight. Each branch shall not exceed two (2) inches in diameter, with the total diameter of the bundle not to exceed twenty-four (24) inches.

*Recyclables.* (Also referred to as recyclable materials.) Materials which have a useful second life in the economic cycle if they are successfully collected, separated, processed, and marketed for return to the economic mainstream. Recyclable materials shall include, but not be limited to glass, aluminum cans, bi-metal cans, glass containers, mixed paper, card paper, newspaper and other paper products.

*Yard Waste.* Grass and garden clippings, leaves, pruning of small diameter stemmed shrubs, weeds, plant material, limbs, branches, or other loose items which do not exceed four (4) feet in length and fifty (50) pounds in weight.

*Village Garbage Collector.* The contractor hired by the Village pursuant to Section 50.05 hereof.

*Waste Materials.* Refuse, Recyclables and Yard Waste.

**Section 2.** Sections 50.02, 50.03, 50.04 and 50.05 of Chapter 50 are hereby amended by deleting each section in its entirety and replacing said sections with the following new Sections 50.02, 50.03, 50.04 and 50.05:

*Section 50.02. Regulations.*

A. All Waste Materials shall be collected at least once each week throughout the year in accordance with Sections 50.03 and 50.04.

B. No collection of Waste Materials shall be made by the Village Garbage Collector at or from any store, restaurant or other place of business, nor from any mill, industrial or manufacturing plant, nor any property zoned residential-business, nor any property containing more than three dwelling units.

C. Refuse shall be placed for Curbside collection in such a manner that it will not blow or scatter during the storage period or allow moisture to spill when the material is removed.

D. All Recyclables shall be placed in a Toter for Curbside collection in a manner that it will not blow or scatter during the storage period.

E. No Waste Materials shall be deposited, thrown away or permitted to accumulate or remain in any street or alley or any other public place or in any condition where its presence

would constitute a nuisance to others or a potential or actual hazard to health, sanitation or safety.

F. Yard Waste materials shall be placed in Toters, containers, garbage cans or Kraft Paper Bags not exceeding a capacity of 35 gallons. All Yard Waste material not suitable for placement in Toters, containers, garbage cans or Kraft Paper Bags shall be placed in Bundles. Only those garbage cans containing yard waste marked with an "X" shall be collected.

G. No Waste Materials shall be placed upon the tree bank, parkway, driveway or front yards earlier than 12:00 p.m. (noon) on the evening before the scheduled collection date. All containers must be removed from the tree bank, parkway, driveway or front yards no later than 12:00 p.m. (noon) on the day after the scheduled collection. This division does not include commercial properties with private refuse pick-up service.

H. In the event that a holiday falls on a weekday, Waste Material collection services shall be delayed one day after the recognized holiday.

*Section 50.03. Three or Less Dwelling Units.*

The following provisions apply only to occupied buildings containing three (3) or less dwelling units.

A. All Waste Materials will be collected by the Village Garbage Collector; provided, however, that no collection shall be made unless all of the provisions of §50.02 and this Chapter are fully complied with.

B. All Waste Materials must be placed on the parkway adjacent to a public or private street in front of the owner's premises and must be easily accessible to the Village Garbage Collector on the day of collection. On all days excepting the day of collection, containers must be stored on the owner's premises away from the parkway on the premises behind the front

building line in the side yard or rear yard behind the building line setback out of sight from the public right-of-way screened or behind the primary structures.

C. Each dwelling unit to which the Village Garbage Collector provides Waste Material collection shall be billed bi-monthly at the rate set forth in Chapter 37: Fees and Fines of the Village Code subject to Section 51.38: Billing Provisions of the Village Code.

*Section 50.04. Other Buildings or Premises.*

The following regulations pertain to all buildings and premises other than occupied residential buildings containing three (3) or less dwelling units, as defined in §50.03:

A. All buildings and premises shall be served by licensed private scavengers as often as may be required to prevent a nuisance or a threat to public health, welfare and safety, but, in no event, shall the service be less than once a week.

B. The standards for collection shall meet all requirements of health, sanitation and safety set by the Board of Trustees.

*Section 50.05. Village Garbage Collector.*

A. A garbage collector shall be hired upon a contract with the Village to collect and dispose of Waste Materials.

B. The garbage collector shall do all of the work and furnish all necessary equipment and labor to cause to be removed Waste Materials as hereinbefore specified.

C. The garbage collector shall furnish a truck for the purpose which shall be suitably covered and shall have a suitable body so as to prevent any Waste Materials either to leak through the truck or to spill over the same and to, at all times when not actually engaged in the business of collecting Waste Materials, keep the truck covered and particularly to keep the same covered while driving to or from a garbage route.

D. The garbage collector may retain as many employees as he or she may see fit, but shall, in all respects, be personally responsible for the performance of his or her duties in compliance with the contract.

**Section 3.** Section 50.07 of Chapter 50 is hereby amended by deleting said Section in the entirety and replacing it with the following:

*Section 50.07 Senior Citizen Discount.*

A. Any person aged sixty-five (65) or older who receives a bill for Waste Material collection in said person's name under this Chapter shall receive a twenty-five percent (25%) discount upon the fee provided for in Section 37.01(D)(3) hereof commencing the first month after application for such a discount upon a form provided by the Finance Director.

B. The Village will provide a rebate to Village Green and Gardiner Place senior apartments based upon the number of persons aged sixty-five (65) or older registered as residents. The number of eligible residents shall be limited to the number of units within each facility. The rebate shall be twenty-five percent (25%) of the Village Garbage Collector monthly fee provided for in Section 37.01 (D)(3).

**Section 4.** Section 37.01(D) of Chapter 37 is hereby amended by deleting said Section in the entirety and replacing it with the following:

*(D) Garbage and Refuse (Chapter 50).*

(1) Pick-up of Recyclables by Unauthorized Person(s): \$100.00

(2) All other garbage and refuse violations: \$60.00

(a) Prepayment Reduction of Fine. Full fine amount is due and may be payable by mail within 30 days of issue. 50% of the fine amount may be paid by mail if done so within 15 days of issue date.

- (3) Each dwelling unit to which the Village Garbage Collector provides Waste Material collection shall be billed bi-monthly at the monthly set forth below:

September 1, 2017 through September 30, 2018: \$19.90;

October 1, 2018 through September 30, 2019: \$19.90 + CPI\*;

October 1, 2019 through September 30, 2020: (Price as of September 30, 2019) + CPI\*;

October 1, 2020 through September 30, 2021: (Price as of September 30, 2020) + CPI\*;

October 1, 2021 through September 30, 2022: (Price as of September 30, 2021) + CPI\*.

\*The CPI rate shall be the Consumer Price Index for all urban consumers in the Chicago-Gary-Kenosha area for the 12 months before October 1<sup>st</sup> and shall not be less than one and one-half percent (1.5%) and not greater than three percent (3.0%).

*Section 5.* This Ordinance shall automatically sunset on April 30, 2018, unless otherwise extended by the Board of Trustees

*Section 6.* This Ordinance shall be in full force and effect upon its passage, approval, and publication in pamphlet form as provided by law.


ADOPTED this 7<sup>th</sup> day of Aug, 2017 pursuant to a roll call vote as follows:

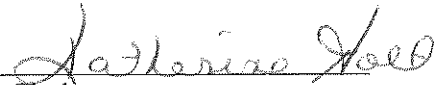
AYES: Trustees Selep, Wood, Mahony and Andresen

NAYS: Trustees Lynam and Hall

ABSENT: Ø

APPROVED by me this 7<sup>th</sup> day of Aug, 2017.

  
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Village President

Attest:   
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Village Clerk