

ORDINANCE NUMBER 06 - 57

**ORDINANCE AMENDING TITLE V, PUBLIC WORKS, CHAPTER
50, GARBAGE AND REFUSE, BY ADDING A NEW
SECTION 50.08, TEMPORARY TRASH CONTAINERS**

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** be amended by adding a new Section 50.08, **Temporary Trash Containers**.

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**, of the Village of East Dundee Code of Ordinances is hereby amended by adding a new **Section 50.08, Temporary Trash Containers** as follows:

Section 50.08 Temporary Trash Containers

No person, firm or corporation shall place any temporary trash container, including dumpsters or roll-off boxes, in a public street or other public right-of-way without first obtaining a written permit therefor from the Public Works Department which shall be subject to the following regulations:

- (A) The applicant for a permit shall provide the following information:
- (1) The name, address and telephone number of the applicant;
 - (2) A 24-hour emergency contact name and telephone number;

(3) The size of the temporary trash container in cubic yards of storage and dimensions in feet; and

(4) The street address of the location of the temporary trash container.

(B) Permission must be obtained by the applicant from any affected property owner, if placed in front of a business or residence not affected by the work.

(C) Each permit issued shall cover a single temporary trash container.

(D) Each permit shall be for a period of time not to exceed five (5) days.

(E) The temporary trash container must be adjacent to or as close as possible to the work area, placed fifty (50) feet from any intersection, placed at least fifteen (15) feet of any hydrant, and maintain five (5) feet for pedestrian access when placed on a sidewalk.

(F) The temporary trash container must contain certain approved safety markings such as alternating red and white 2-inch-wide retroreflective tape or barricades with an attached flashing yellow light.

(G) Use of a temporary trash container is limited to public streets or ways wide enough to provide clearance for emergency vehicles when a temporary trash container is in use and will not interfere with the general flow of traffic in either direction.

(H) Use of a temporary trash container is limited to the temporary storage of trash, garbage or refuse generated at the location where the temporary trash container is placed.

(I) The area around the temporary trash container shall be kept free of debris and litter; any temporary trash container producing or causing noxious, foul or offensive odors shall be immediately removed or cleaned to eliminate the odor; and a full temporary trash container shall be removed from the property within two (2) days.

(J) A permit fee, as stated in the Village of East Dundee Code of Ordinances, shall be charged for each temporary trash container placed within a public street or other right-of-way.

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 20th day of NOV., 2006, pursuant to a roll call vote as follows:

AYES: Buffalo, VanOstenbridge, Scarpelli, O'Leary,
Garman, Curtini, Pres Bartels

NAYES: _____

ABSENT: _____

Approved by me this 20th day of NOV, 2006.

Jerald Bartels
JERALD BARTELS, President

Published in pamphlet form this 30th day of NOV, 2006, under the authority of the President and Board of Trustees.

ATTEST:
Susan Norton
SUSAN NORTON, Village Clerk

Recorded in the Village Records on NOV 30, 2006.

