

ORDINANCE 16-13

**AN ORDINANCE AMENDING CHAPTER 4 DUMPSTERS AND MOBILE STORAGE
CONTAINERS OF TITLE 4 HEALTH, SANITATION AND SAFETY
RELATED TO COLLECTION BINS**

WHEREAS, the Village of West Dundee, Kane County, Illinois is a home rule municipality pursuant to Article VII, Section 6 of the Constitution of the State of Illinois, and the passage of this Ordinance constitutes an exercise of the Village's home rule powers and functions as granted in the Constitution of the State of Illinois; and

WHEREAS, West Dundee's Municipal Code in its current form does not specifically address regulations for the use and placement of collection bins; and

WHEREAS, the President and Board of Trustees have carefully considered the provisions of the proposed collection bin regulations and the impact such recommendations would have on individual properties and the community as a whole and have determined that the benefits provided by these changes will outweigh any potential adverse impacts and therefore would be in the best interest of the Village; and

NOW THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF WEST DUNDEE, KANE COUNTY, ILLINOIS, as follows:

Section 1: That the provisions of the Preamble herein above set forth are hereby incorporated herein by reference.

Section 2: That Section 4-4-4: Collection Bins be added to Chapter 4 Dumpsters And Mobile Storage Containers of Title 4 Health, Sanitation And Safety, as per the Exhibit A.

Section 3: If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

Section 4: All ordinance or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 5: That this Ordinance shall be in full force and effect upon its passage and approval, as provided by law.

PASSED by the Board of Trustees of the Village of West Dundee, Kane County, Illinois and approved by the President of said Village this 4th day of April, 2016.

AYES: Trustees Kemitzky, Price, Hanley, Yuscka, Pflanz and Wilbrandt

NAYS: None

ATTEST:

Barbara Traver

Barbara Traver
Village Clerk



Christopher Nelson
Village President

Prepared by:
Village of West Dundee
Community Development Department
100 Carrington Drive
West Dundee, IL 60118

EXHIBIT A

Title 4 HEALTH, SANITATION AND SAFETY

Chapter 4 DUMPSTERS, ~~AND~~ MOBILE STORAGE CONTAINERS AND COLLECTION BINS

4-4-1: DEFINITIONS:

4-4-2: STORAGE OF DUMPSTERS:

4-4-3: STORAGE OF MOBILE STORAGE CONTAINERS:

4-4-4: COLLECTION BINS:

4-4-1: DEFINITIONS

COLLECTION BIN: A secure steel or similar collection or storage container accessible to the public for the charitable donation of used clothing or other salvageable merchandise until retrieved by an authorized collection service.

DUMPSTER: A container designed to receive, transport and dump waste.

MOBILE STORAGE CONTAINER: Any container designed for on site exterior storage that is capable of being transported to distant locations by a motor vehicle. (Ord. 07-39, 9-24-2007)

4-4-2: STORAGE OF DUMPSTERS:

- A. Storage of dumpsters in the front of a residential property shall not be located on the public right of way and shall not exceed thirty (30) days. An extension of the thirty (30) day restriction must be approved by the board of trustees.
- B. Storage of dumpsters on the side or rear of a residential property shall not exceed sixty (60) days. An extension of the sixty (60) day restriction must be approved by the board of trustees.
- C. Storage of dumpsters on the street is allowed only when it can be demonstrated that alternative private property locations are not feasible. If permission is granted to store a dumpster on the street, it shall not remain on the street for more than fourteen (14) days, and reflective barricades and traffic cones must be in place.
- D. Motorized vehicles or trucks that serve as waste disposal options must also comply with the above regulations and time frames.
- E. The village regulations permit dumpsters in the following locations in priority order:
 1. Location in rear or side yard.

2. Front yards.

3. Public right of way or street (last resort). (Ord. 07-39, 9-24-2007)

4-4-3: STORAGE OF MOBILE STORAGE CONTAINERS:

A. Mobile storage containers are not allowed on the public right of way and must be located on a paved or gravel surface.

B. Storage of mobile storage containers shall not exceed thirty (30) days. An extension of the thirty (30) day restriction must be approved by the board of trustees. (Ord. 07-39, 9-24-2007)

4-4-4: COLLECTION BINS:

A. Generally: Steel or similar collection or storage containers are prohibited in the Village of West Dundee.

B. Exceptions. Churches are permitted to place collection bins in accordance with the following:

1. Premises devoted to churches are permitted to have no more than one (1) collection bin per zoning lot.
2. A collection bin shall be appropriately located so as not to interfere with sight triangles, on-site circulation, required setbacks, landscaping, or parking, and any other requirements that may have been imposed as part of the site plan approval for the premises,
3. A collection bin shall be placed on an appropriate hardscape surface.
4. A collection bin shall not cover a ground surface area in excess of twenty five (25) square feet nor be more than seven (7) feet in height.
5. A collection bin shall be of the type that is enclosed by use of a receiving door and locked so that the contents of the bin may not be accessed by anyone other than those responsible for the retrieval of the contents.
6. A collection bin must be regularly emptied of its contents so that it does not overflow, resulting in content being strewn about the surrounding area. The collection bin shall also include a legible notice prohibiting the placement of items outside the bin.
7. A collection bin shall be maintained in good condition with no structural damage, holes, or visible rust.

8. A permit for a collection bin shall be required. The permit shall be issued by the Community Development Director, and may only be granted when it is determined by the Community Development Director that:
 - a. The collection bin is for a church seeking charitable donations of used clothing or salvageable merchandise;
 - b. The collection bin is being placed in a suitable location as described by this section;
 - c. The proper type of collection bin is being used as described by this section;
 - d. A letter of authority/permission from the owner of the property upon which the collection bin is to be or is already located;
 - e. As owner/operator of the collection bin, the name, address, and phone number of the church shall be displayed. If applicable, the information of an affiliated charitable organization may also be included on the collection bin.
 - f. The collection bin shall have posted on it a legible notice prohibiting the placement of items outside the bin.

9. Allowable exceptions: The Village Board of Trustees may grant exceptions as follows:
 - a. A deviation in the physical size of a collection bin.
 - b. The number of collection bins on a zoning lot.

C. If any collection bin is placed without a permit or an inspection reveals that such a bin is not in compliance with this section, enforcement and abatement shall take place as generally provided under this article.