

PAMPHLET
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VILLAGE OF HOPKINS PARK, KANKAKEE, COUNTY, ILLINOIS.
ORDINANCE NO. 2016-O- 01
GARBAGE AND REFUSE

Published in pamphlet form this 21 day of January, 2016, by Order of the Corporate Authorities of the Village of Hopkins Park, Kankakee County, Illinois.

By: _____
Village Clerk

ORDINANCE NO. 2016 - O - 01

GARBAGE AND REFUSE

WHEREAS, to better protect the public health, safety, and welfare and to better provide for the public wellbeing, the Village of Hopkins Park finds it necessary and desirable to adopt this Ordinance;

NOW, THEREFORE, BE IT ORDAINED by the President and the Board of Trustees of the Village of Hopkins Park, Kankakee County, Illinois, an Illinois home rule municipality, as follows:

Section 1: Chapter 14, Article II of the Municipal Code of the Village of Hopkins Park, Illinois, of 1984, entitled, “Garbage and Refuse,” is hereby repealed.

Section 2: Definitions.

The following words, terms and phrases, when used in this ordinance, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Garbage means rejected food wastes and includes every waste accumulation of animal; fruit or vegetable matter used or intended for food, and such paper as may necessarily be used for wrapping.

Landscape waste means all accumulations of grass, flowers, shrubbery cuttings, leaves, tree limbs and other materials accumulated as a result of the care of lawns, shrubbery, vines and trees.

Litter means garbage, refuse, and rubbish, as defined in this section, and all other waste material which, if thrown or deposited as is prohibited in this chapter, tends to create danger to public health, safety and welfare.

Manual collection means a system in which the contents of refuse containers are manually emptied; or bundles, plastic bags and other refuse placed for disposal in compliance with this ordinance and manually placed into an approved refuse collection vehicle.

Mechanized collection means a system in which the contents of refuse containers are mechanically emptied into an approved refuse collection vehicle.

Private premises means any dwelling, house, building, or other structure, designed or used either wholly or in part for private residential purposes, whether inhabited or temporarily or continuously uninhabited or vacant, and includes any yard, grounds, walk, driveway, porch, steps, vestibule, or mailbox belonging or appurtenant to such dwelling, house, building, or other structure.

Refuse means all solid wastes of the community including garbage, ashes, rubbish, dead animals, paper, sweepings, and solid market and industrial wastes.

Refuse collector means any person engaging in the collection and removing and disposing of refuse for a fee.

Rubbish means such matter as ashes, cans, metal ware, broken glass, crockery, dirt, sweepings, boxes, wood, grass clippings, or litter of any kind.

Scavenger means any person who collects wanted or usable material from refuse.

Single-family residence means an unattached building containing a group of rooms occupied or intended for occupancy as separate living quarters for a single housekeeping unit.

Section 3: Penalty for violation.

It shall be unlawful for any person to erect, use, occupy, own or maintain any building or structure in violation of any section of this ordinance or to cause, permit or suffer any such violation to be committed. **Prior to issuing a violation ticket to a resident of private premises, a warning ticket shall be issued. It shall be the responsibility of the offender to abate the violation as expeditiously as possible, and within not less than 3 days from the date of the warning ticket. If not abated within 3 days, a violation ticket shall be issued.** Each day that such violation is permitted to continue shall constitute a separate offense. Every person convicted of a violation of any section of this ordinance shall be punished by a fine of not more than \$300.00 for any one offense.

Section 4: Alternative penalties; compliance tickets.

Notwithstanding any other provision of this Ordinance, any person accused of a violation of this Ordinance **except a violation of either Section 8 or 9**, or any person failing to purchase, obtain and display any permit or license required under this Ordinance, such person may settle and compromise that ticket by paying to the village a fee within 15 days of the date of the

compliance ticket in the amount of \$25.00 and showing proof of the correction of the violation to the Village Code Enforcement Officer.

Compliance tickets shall be issued as a courtesy in lieu of instituting a prosecution for the alleged offense. If the person accused of the violation does not settle the claim as provided for above, the compliance ticket will be converted to a complaint, or notice to appear will be issued for that violation, and that person shall be subject to the penalties provided for in Section 3 above.

Section 5: **Accumulation prohibited.**

The owner, occupant or lessee of any single-family residence shall prepare all garbage, rubbish and refuse, other than landscape waste, for removal.

The owner, occupant or lessee of any premises in the village shall cause to be removed from such premises all garbage, refuse, and landscape waste.

All owners, occupants or lessees of any premises in the village shall keep such premises at all times free and clean from the accumulation of garbage, rubbish, refuse and landscape waste.

The owner, occupant or lessee of any single-family residence shall cause to be removed from such premise all landscape waste.

Section 6: **Disposal generally.**

It shall be unlawful to dispose of or place any garbage or refuse in any street or any other public place within the village, nor shall any person dispose or place any garbage or refuse on private property, whether owned by such person or not, within the limits of the village, unless the garbage or refuse shall be enclosed in a suitable container or bundled and scheduled for pick up.

Section 7: **Duty of owner, occupant or lessee.**

Every owner, occupant, operator or manager of any residential premises, including a single-family residence, shall contract with a refuse collector licensed to do business in the village for the removal of all garbage, rubbish and refuse in accordance with the requirements of

this Ordinance and, if required elsewhere in this Ordinance, for the collection of all recyclable materials. Failure to provide for such removal and collection shall cause the Village to proceed to have such garbage, rubbish, refuse and recyclable materials collected, keeping the account of the expense therefore, and such expense shall be charged to and paid by the owner, occupant, operator or management failing to provide such collection. All containers for garbage, rubbish and refuse shall be provided by and kept in good repair by the owner, occupant, operator or management of the premises.

All household refuse shall be collected at least once each week.

All institutional, commercial and industrial refuse shall be collected daily.

Section 8: **Depositing in public places.**

No person shall throw or deposit litter in or upon any sidewalk, parkway, gutter, street, or other public place within the village except in public receptacles or in authorized receptacles for collection.

Section 9: **Depositing on private or vacant property.**

No person shall throw or deposit litter on any occupied private property within the village, whether owned by such person or not, except that the owner or person in control of private property may maintain public receptacles or authorized receptacles for collection in such a manner that litter will be prevented from being carried or deposited by the elements upon any place.

No person shall throw or deposit litter on any open or vacant private property within the village, whether owned by such person or not.

Section 10: **Throwing by persons in vehicles.**

No person, while an operator or passenger in a vehicle, shall throw or deposit litter upon any street, or other public place within the village, or upon private property, nor shall any operator of a vehicle allow or permit the throwing or disposing of any litter from such vehicle by himself or by any passenger thereof upon any street or other public place within the village, or upon private property.

Section 11: Cleanliness of sidewalks, parkways, gutters, streets.

Every person occupying any place of business, public building, or private premises shall keep such place of business, public building, or private premises, as the case may be, including the sidewalk, parkway, gutter, street to the centerline, adjoining or abutting to the place so occupied, free and clear of litter,

Section 12: Refuse Collectors - License Required.

It shall be unlawful for any person to engage in the business of refuse collector or collecting or removing garbage or any refuse, without first securing a license therefor. Any person desiring such license shall make application in writing to the village clerk on the form provided by the Village.

No license required for a refuse collector shall be issued unless the applicant for such license has first submitted proof of insurance in the form of a certificate or memorandum of insurance issued by an insurer duly authorized to issue such policies in the state; such insurance to be written by a company acceptable to the village board of trustees. Such certificate or memorandum shall show that the applicant for a license has public liability insurance covering his operation within the village, shall show the date of expiration of such insurance, and shall certify that the insurance shall not be cancelled without at least ten days' notice to the village manager. Upon cancellation or expiration without renewal of such insurance, the license issued under this division to the insured shall be void. Such insurance shall be in the amount of not less than \$500,000.00 for personal injuries including accidental death to any one person, in an amount not less than \$1,000,000.00 for each such accident and, as to property damage, not less than \$500,000.00 for each accident. The fee for the license shall be as established from time to time by the Village Board of Trustees.

Section 13: Collection vehicles.

All public or private vehicles used for the collection or disposal of refuse shall have enclosed bodies, or suitable provisions for covering the body.

Vehicles used for the collection or disposal of garbage or of refuse containing garbage shall have watertight, enclosed metal bodies of easily cleanable construction, shall be cleaned at sufficient frequency to prevent nuisance or insect breeding, and shall be maintained in good repair.

Section 12: That this Ordinance shall be in full force and effect from and after its passage, approval and publication as required by law. The Village Clerk is hereby ordered to publish this Ordinance in pamphlet form.

PASSED this 21st day of January, 2016, by the corporate authorities of the Village of Hopkins Park on a roll call vote as follows:

AYES: Louis Barnes, Rosemary Foster, Lonnie Jarrett, Ruthel Teague, Tonia Thomas

NAYES: _____

ABSENT: Jamol Robinson

APPROVED, this 21st day of January, 2016 by the Mayor of the Village of Hopkins Park.

Mayor

ATTEST:

Village Clerk

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