

CHAPTER 16

HEALTH CODE

ARTICLE I – SOLID WASTE REGULATIONS

DIVISION I – GENERAL PROVISIONS

16-1-1 **DEFINITIONS.** For the purpose of this Chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

GARBAGE. Wastes resulting from the handling, preparation, cooking, and consumption of food; wastes from the handling, storage, and sale of produce.

RECYCLABLE MATERIAL.

(A) The following items shall be considered recyclable material and are acceptable for collection at the Drop-Off Recycling Center.

- (1) Aluminum cans - new and used aluminum beverage cans and aluminum foil.
- (2) Bi-metal cans - new and used bi-metal beverage cans, including steel and tin cans.
- (3) Glass - clear, brown, green and blue glass bottles and jars.
- (4) Plastic - new and used narrow necked bottles and containers with #1 - #7 symbols stamped on bottom.
- (5) Regular newsprint including, but not limited to, newspapers, supplements, mail fliers, advertising and magazine sections.
- (6) Magazines and catalogs - including any variety of subscription publications typically published on a monthly, weekly, or bi-weekly basis printed on "glossy" clay coated paper, including "junk mail."
- (7) Mixed paper - including bulk business mail, computer paper, typing paper, writing paper, envelopes, telephone books, wrapping paper and office paper.
- (8) Corrugated Cardboard - including shipping and packaging boxes having a layered construction.
- (9) Paperboard - (e.g. goes and cereal boxes).
- (10) Brown paper bags.

(B) The following items shall be considered non-recyclable material and are not acceptable for collection at the Drop-Off Recycling Center.

- (1) Plastic grocery bags.
- (2) Plastic trash bags.
- (3) Plastic film (plastic sheets, tarps, plastic wrap, etc.).
- (4) Clear polystyrene, expanded foam (Styrofoam).
- (5) Motor oil, herbicide, insecticide, or hazardous chemical containers.
- (6) Non-rinsed containers or paper contaminated with food.
- (7) Window glass, ceramics and pottery.

(Ord. No. 1374; 03-07-11)

RUBBISH. Combustible trash, including, but not limited to, paper, cartons, boxes, barrels, wood excelsior, wood furniture, bedding; noncombustible trash, including, but not limited to, metals, tin cans, metal furniture, dirt, small quantities of rock and pieces of concrete, glass, crockery, other mineral waste; street rubbish, including, but not limited to street

sweepings, dirt, catch-basin dirt, contents of litter receptacles provided, however, that refuse shall not include earth and wastes from building operations, nor shall it include solid wastes resulting from industrial processes and manufacturing operations such as food processing, wastes, boiler house cinders, lumber, scraps, and shavings.

YARD WASTE. Material such as tree branches, yard trimmings, leaves, and grass.

16-1-2 **LICENSE REQUIRED.** No person shall engage in the business as a residential or commercial collector of garbage and rubbish unless having first made application and secured a license from the Village. The fee shall be **Ten Dollars (\$10.00)** per year.

16-1-3 **DURATION OF LICENSE.** The license shall be for the fiscal year of the Village, commencing on **May 1st** and expiring on **April 30th**.

16-1-4 **APPLICATION FOR LICENSE.** Upon application for a license, the person applying for the same shall furnish the Village Clerk, along with the application, proof of insurance in the amount of **\$300,000/\$100,000** liability and property damage, and at that time, they shall file with the Clerk a rate schedule for services to be performed for a residential application. The rate schedule shall set forth the type of service to be offered and the price for same; including the size and number of cans per pickup for the charge, the charge for any extra cans, the charge for the bags, the size of the bags, and the charge for bundles and size of the bundles; also a rate schedule shall include an unlimited service charge; the schedule shall set forth whether this is once a week or twice a week pickup. The rate schedule shall also set forth the days or day of each week that the collector shall schedule his or her pickup within the Village. The hours of collection are to be between **6:00 a.m.** through **8:00 p.m.**, Monday through Friday; **8:00 a.m.** through **2:00 p.m.**, Saturday; and no pickup on Sunday. The rate schedule as filed shall be valid for **one (1) year** and the licensee shall not be permitted to increase his or her price on the schedule for a period of **one (1) year** from the date of filing of the rate schedule. The rate schedule shall be effective upon approval by the Village Board.

16-1-5 **REVOCAION OF PERMIT.** If the licensee fails to perform any service according to his or her application and rate schedule, the Mayor may revoke the permit.

16-1-6 **TRUCK REQUIREMENTS; CLEANLINESS AND THE LIKE.** The firm for the handling or collection of trash shall be of good character and give evidence that the equipment used by him or her is adequate for the purposes intended. The successful firm shall have a truck or trucks which shall be so designed that garbage and rubbish which is collected will be covered at all times or placed in containers that will be covered at all times, except in the loading of garbage or rubbish, so that offensive odors are not permitted to permeate the air and cause a nuisance within the Village. The trucks and all containers in which garbage is collected and transported shall be cleaned daily and the collector shall not collect garbage on any day without having a clean truck and hand containers, if containers are used.

16-1-7 **PARKED GARBAGE TRUCK.** No truck carrying garbage or rubbish, or both, shall be parked or be permitted to stand anywhere in the Village, except as provided for in **Section 16-1-11**, any longer than is necessary to pickup containers, providing that the standing of such vehicle was made necessary by mechanical trouble, traffic conditions, accident, or obedience to the direction of policemen or traffic signals shall not be considered a violation of this Chapter.

16-1-8 **TRACK WASTE WATERS.** A garbage truck or other equipment shall not be washed on Village streets or public property and will not be washed where the waste waters will cause any offensive odors to adjoining property owners.

16-1-9 **WINDBLOWN GARBAGE UNLAWFUL.** It shall be unlawful to place garbage or rubbish in such a manner as to allow same to be blown by the wind onto the property of other residents.

16-1-10 **GARBAGE FALLING FROM TRUCK.** It shall be unlawful to deposit or permit to fall from any vehicle any garbage, refuse, or ashes on any public street or alley in the Village; provided that this Chapter shall not be construed to prohibit placing garbage, refuse, or ashes in a container complying with the provisions of this Chapter preparatory to having such material collected and disposed of in the manner provided herein.

16-1-11 **GARBAGE ON PREMISES UNLAWFUL.** The fact that garbage or rubbish remains on an occupant's premises in the Village in violation of this Chapter shall be prima facie evidence that the occupant of such premises is responsible for the violations of the chapter occurring.

16-1-12 **LOCATION OF YARDS FOR EQUIPMENT.**
(A) A licensee shall designate the location of the yards on which his or her equipment will be parked while not in use and the equipment shall not be parked within the Village limits, unless the designated location shall not create, in the opinion of the Village Board, any nuisance for adjoining property owners.

(B) The licensee shall have as additional equipment a truck for the disposal of large or unusual items or rubbish which cannot be placed in the designated containers and shall have available for such pickups such equipment at least **one (1) day** each week or on such additional days as may be necessary to satisfy the needs of the public.

16-1-13 **INDUSTRY, CONSTRUCTION, AND THE LIKE.** Nothing in this Chapter shall be deemed to prevent or regulate the hauling of rubbish or refuse from industrial processes, from construction projects, or other matter not normally collected on a regular schedule, and haulers of rubbish, not normally collected in regular collections, shall be excused from the requirements of obtaining a collector's license as provided in this Chapter.

16-1-14 UNAUTHORIZED USE OF RECEPTACLES.

(A) It shall be unlawful for any person to place, or permit another to place, any garbage or trash in any receptacle, at any refuse collection point, or in any refuse container used in the Village unless the refuse is from the premises served by the container or from the premises at which the receptacle or collection point is located.

(B) Trash containers are required for refuse for apartment house areas, businesses, and institutions within the Village limits, and refuse from outside the Village limits shall not be placed in these containers.

(C) It shall be unlawful for any person to place or deposit, or permit another to place or deposit, prohibited refuse in private garbage containers or to put anything on the ground at these locations.

ARTICLE II – RECYCLING CENTER REGULATIONS

16-2-1 USE OF THE DROP-OFF RECYCLING CENTER.

(A) Only residents of the Village of Freeburg and Freeburg Township may use the Drop-Off Recycling Center and only those materials deemed to be recyclable materials as defined herein shall be accepted at the Drop-Off Recycling Center.

(B) All recyclable material shall be placed and/or deposited only in the receptacles assigned to and designated for the respective recyclable materials.

(C) Materials shall not be placed on the ground or otherwise deposited outside of the designated receptacles provided.

(D) No materials shall be removed from the Drop-Off Recycling Center without the express permission of the Village.

16-2-2 OPERATION SCHEDULE.

(A) The Drop-Off Recycling Center shall be open for the receipt of acceptable recyclable material on days and at times established by the Board of Trustees.

(B) The Village reserves the right to temporarily close the Drop-Off Recycling Center when the receptacles are filled, when dangerous weather conditions exist, or at any other times that, in the opinion of the Village Administrator, it is in the best interest of the public or the Village to do so.

16-2-3 ENFORCEMENT AND PENALTIES.

(A) Any person or persons who shall violate any provision of this Article shall be subjected to a fine as provided in **Section 1-1-20**.

(B) Individuals who violate any provision of **Section 16-2-1** may be prohibited from further using the Village Drop-Off Recycling Center if deemed appropriate by the Village Board of Trustees.

(Ord. No. 1374; 03-07-10)

ARTICLE III – SOLID WASTE AGREEMENT

16-3-1 **AGREEMENT.** The Village agreement regarding solid waste collection with Waste Management is hereby included as **Appendix "A"**. **(Ord. No. 1399; 08-15-11)**