

## CHAPTER 13

### GARBAGE AND REFUSE

#### 13.01 DEFINITIONS

(a) As used in this code, the words "garbage," "refuse" and "ashes" have the following meanings:

1. Garbage: Wastes resulting from the handling, preparation, cooking and consumption of food; wastes from the handling, storage and sale of produce.
2. Refuse: Combustible trash, including but not limited to paper, cartons, boxes, barrels, wood, excelsior, tree branches, yard trimmings, wood furniture, bedding; non-combustible 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, leaves, catch-basin dirt, contents of litter receptacle; provided, 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.
3. Ashes: Residue from fires used for cooking and for heating buildings.

#### 13.02 UNCOVERED GARBAGE

It shall be unlawful to place or permit to remain anywhere in the city any garbage or other material subject to decay other than leaves or grass excepting in a tightly covered metal container.

#### 13.03 WIND-BLOWN REFUSE

It shall be unlawful to cause or permit to accumulate any dust, ashes, or trash of such a material that it can be blown away by the wind anywhere in the city except in a covered container.

#### 13.04 DEPOSITS ON STREETS

It shall be unlawful to deposit or permit to fall from any vehicle any garbage, refuse or ashes on any public streets and/or city parkways and/or alleys in the city provided, that this section 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 or disposed of in the manner provided herein. All garbage containers shall be removed from the streets and/or city parkways within 12 hours after garbage pickup is made, and during such time as said containers are on the street all containers shall be tightly closes.

#### 13.05 CONTAINERS

All garbage, refuse and ashes for collection shall be placed in metal containers or plastic containers equipped with a tight fitting cover and equipped with handles so that they may be lifted and carried by one man. No such container shall have a capacity of less than 10 gallons nor more than 30 gallons.

#### 13.06 BURNING OF GARBAGE, LANDSCAPE WASTE

The burning of garbage, landscape waste or of other combustible materials is prohibited.

### 13.07 DUMPING REFUSE

It shall be unlawful for any person to dump or deposit and for any property owner to permit the dumping on his property of any refuse of any kind in the city. This section does not prohibit the filling or topping of ground with sand, stone, clay or loam.

### 13.08 RAT CONTROL

(a) **Rat Stoppage.** Every building or structure within the city shall be rat-stopped, freed of rats and maintained in a rat-stopped and rat-free condition.

The term "rat-stoppage" as used herein applies to a form of ratproofing to prevent the ingress of rats into or under buildings or other structures from the exterior or from one building or structure to another. It consists essentially of the closing of all openings in the exterior walls, ground or first floors, basements and foundations that may be reached by rats from the ground by climbing or by burrowing, with concrete, sheet iron, hardware cloth or other types of ratproofing material impervious to rat gnawing, approved by the Health Officer. Hardware cloth shall mean wire screen of such thickness and spacings as to afford reasonable protection against the entrance of rats.

The term "rat harborage" shall mean any condition which provides shelter or protection for rats, thus favoring their multiplication and continued existence in, under or outside a structure of any kind.

(b) **Inspection Notice.** It shall be the duty of the Health Officer to cause inspections of the interior and exterior of buildings or other structures to determine evidence of rat infestation and the existence of new breaks or leaks in the rat stoppage, and when any evidence is found indicating the presence of rats or openings through which rats may enter such building or structures, the Health Officer shall serve the owner, agent or occupant of such building or structure with written notice to abate the conditions found.

(c) **Maintenance.** The owner, agent or occupant in charge of all rat-stoppage buildings or structures shall maintain them in a rat-stopped condition and repair all breaks or leaks that may occur in the rat-stoppage.

(d) **Unlawful to Remove Rat-Stoppage.** It shall be unlawful for the owner, occupant, contractor, public utility company, plumber, or any other person to remove the rat-stoppage from any building or structure for any purpose and fail to restore the same in satisfactory condition, or to make any new openings that are not closed or sealed against the entrance of rats.

(e) **Rat-Stoppage by Owner; Lien.** Upon receipt of notice in writing from the Health Officer the owner, agent, or occupant in charge of any building, structure or premises specified in such notice shall take immediate measures for the rat-stoppage of such building or structure and for freeing the premises of all rats, and unless the work is completed in the time specified in the notice, in no event to be less than 15 days, or any written extension thereof that may be granted by the Health Officer, then the owner, agent or occupant in charge of the building, structure or premises shall be deemed guilty of a violation of this section.

Whenever the owner, agent or occupant in charge of the building, structure or premises, after being served with notice as provided in this section, has failed within the time fixed in the notice to perform all work necessary to prevent the ingress of rats to said building or structure or to exterminate rats from the premises described in the notice, the Health Officer or person duly authorized by him may go on the premises and do such work as is necessary to free said premises from rats and to maintain said premises in a rat-stopped condition. The cost and expense incurred for all works and materials shall be charged to and collected from the owners and persons interested in the premises and the city or persons performing such work or furnishing such materials therefor shall have a lien on the premises and may enforce the same as provided by statute.

### **13.09 DUMPING AND LANDFILL**

(a) **Dumping Prohibited.** It shall be unlawful to dump any landfill or other waste material for the purpose of preparing any land for construction unless a permit is granted by the Building Commissioner. All dumping and development must comply with the provisions of Ordinance No. 89-20 pertaining to flood plains.

### **13.10 TOPSOIL REMOVAL**

It is hereby declared to be a nuisance for any person, except as incidental to building, to cause the removal of topsoil or other soil structure from any land within the limits of the city without first having secured a permit therefor from the Building Commissioner. Any person desiring a permit shall file a written application therefor with the Building Commissioner. Accompanying the application shall be a survey of the land involved, a profile before soil removal and a profile projected after soil removal, showing necessary grades, elevations, and provisions for adequate drainage. The applicant for a permit shall furnish such bonds with corporate sureties as shall be required by the City Council. Permit fees shall be set by the City Council on each application. All permits before issuance shall bear the approval of the City Engineer, and all work done thereunder shall be under the supervision and inspection of the City Engineer and the City Council.

### **13.11 LANDSCAPE WASTE/RECYCLING**

It shall be unlawful for any person to:

- (a) Mix landscape waste with any other waste;
- (b) Dump landscape waste on any property except that landscape waste may be spread or composted on the property from which it was collected;
- (c) Place landscape waste in any container for collection unless that type of container has been approved by the City;
- (d) Compost landscape waste within 50 feet of any residential structure located on another property;
- (e) Burn any landscape waste;
- (f) Place landscape waste into a collection container of another person;
- (g) Take any material which has been placed in a recycling bin or container; or
- (h) Take any newspaper or paper set out for recycling collection.

For the purpose of this section "landscape waste" means accumulations of grass or shrubbery cuttings, leaves, tree limbs and other materials accumulated as a result of the care of lawns, shrubbery, vines and trees. Landscape waste also includes Christmas trees.

### **13.12 GARBAGE AND REFUSE REMOVAL**

Every occupant and owner of a structure shall provide for weekly collection of garbage, refuse and landscape waste by a licensed scavenger.

### **13.13 SCAVENGER SERVICE**

(a) Every occupant and owner of a single family residential structure and every townhouse (provided that there is separate utility billing therefor) shall pay for weekly collection of garbage, landscape waste, and recyclables provided through the City.

(b) It shall be unlawful for any person to collect garbage, landscape waste or recyclables from single family residential structures and townhouses (provided that there is separate utility billing therefor) except under contract with the city.

(c) A scavenger service fee of \$24.30 per month (provided that senior households which are eligible for the reduced water rate shall pay a scavenger fee of \$23.30 per month) is hereby established for the collection of garbage, landscape waste, and recyclables. The occupant and owner of each dwelling unit which is serviced under any scavenger services agreement shall be responsible for payment of such scavenger service fee.

(d) The owners of the premises, the occupant thereof, and the user of the service shall be jointly and severally liable to pay for the service on such premises and the service is furnished to the premises by the city only upon the condition that the owner of the premises, occupant and users of this service are jointly and severally liable therefor to the city. In any case where a bill remains delinquent for a period of more than 30 days, the City Clerk may file a notice of lien in the Office of the Recorder of Deeds of Cook County.

(e) Failure to pay for scavenger service such that charges remain delinquent for a period of more than 30 days shall be cause to terminate water service to the premises after notice has been provided.

### **13.14 SCAVENGER SERVICE-MULTI FAMILY RESIDENCE**

(a) Every owner of a multi family residential structure shall provide for collection of garbage, landscape waste, and recyclables. At a minimum, the recyclables to be collected shall include glass containers (clear, amber and green), food and beverage cans (aluminum, steel and tin), plastic containers (Society of Plastics Industry Code 1-4), and old newspaper.

(b) Collection of garbage, landscape waste, and recyclables shall be provided not less than once a week. Collection of landscape waste is required only from April 1 through December 1 and only if the owner does not have a landscape service maintain the property and haul away the landscape waste.

(c) It shall be unlawful for any person to supply garbage collection services to any multi family residential structure unless the owner thereof has made provision for the collection of landscape waste and recyclables as required herein. Nothing herein shall be construed to require an owner of a multi family residential structure to contract with any specific company for the provision of any services nor to require that one company provide all of the required services.