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CHAPTER 2

GARBAGE AND REFUSE

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7-2-1: **SUPERVISION:** All matters relating to or affecting the collection, removal, or disposal of garbage, household refuse, ashes, yard waste, or any other waste material shall be subject to such rules and regulations as the President and Board of Trustees may from time to time provide. (Ord. 81-33, 1-4-82; amd. Ord. 90-3, 6-18-90)

7-2-2: **ACCUMULATION PROHIBITED:** The owner, occupant, or lessee of any premises in the Village shall remove from said premises or otherwise dispose of all garbage, dead rodents, animals or fowls, ashes, tin cans, metalware, broken glass, crockery, stoneware, manure, and all refuse and rubbish of every description whatsoever and shall keep said premises at all times free and clear of any accumulation of garbage, dead rodents, animals or fowls, ashes, tin cans, metalware, broken glass, crockery, stoneware, manure, and all refuse and rubbish of every description whatsoever. Dumping of rubbish on vacant property or on streets, alleys, or other public places is prohibited. (1944 Code, Sec. 274)

7-2-3: **DEFINITION OF GARBAGE:** Garbage is defined to include all organic, household or kitchen waste such as unused food and food residues, and any paper used for wrapping.¹ Said garbage shall be removed from the premises weekly as near as practical throughout all the months of the year. Garbage receptacles must be of galvanized metal with close fitting covers, or of other material practical for such purposes, and said receptacles shall be watertight and shall have a capacity of not to exceed thirty two (32) gallons, and shall be kept in a sanitary condition. Ashes and other waste materials shall be placed in containers suitable for handling. (1944 Code, Sec. 275; amd. Ord. 90-3, 6-18-90)

7-2-4: **SWEEPING LITTER INTO GUTTERS AND STREETS; MERCHANTS:**

(A) No person shall sweep into or deposit in any gutter, street, or other public place within the Village, the accumulation of litter or rubbish from any building or lot or from any public or private sidewalk or driveway. Persons owning or occupying property shall keep the sidewalk in front of their premises free of litter.

(B) No person owning or occupying a place of business shall sweep or deposit in any gutter, street, or other public place within the Village the accumulation of litter or rubbish from any building or lot or from any public or private sidewalk or driveway. Persons owning or occupying places of business within the Village shall keep the sidewalk in front of their businesses free of litter. (Ord. 97-8, 7-7-97)

7-2-5: **OFFENSIVE SUBSTANCES:** No pile or deposit of manure, garbage, miscellaneous waste, or refuse of any kind whatsoever, nor accumulation of any offensive or nauseous substance shall be made within the limits of the Village, nor shall any person unload, discharge, or put upon the right of way of any railroad, street, alley, or public place within the Village, any manure, garbage, miscellaneous waste, refuse, or offensive or nauseous substance, nor shall any vehicles loaded with or having upon them any such substance or substances, be allowed to remain or stand or park on or along any railroad, street, alley, or other public place within the limits of the Village. (1944 Code, Sec. 277)

7-2-6: **LICENSE; FEE:**

(A) It shall be unlawful for any person to engage in the business of collecting, hauling, or transporting for hire for a fee, through the streets or public ways of the Village, any garbage, ashes, rubbish, yard waste, or other waste materials without first obtaining a license to engage in such business. This limitation shall apply only to those areas used for single-family dwellings or two-family dwellings, or mobile homes, or planned residential districts. (Ord. 81-33, 1-4-82; amd. Ord. 90-3, 6-18-90)

(B) The President and Board of Trustees shall have the authority to enter into an agreement with a person, firm, partnership, or corporation to provide the service referred to in subsection (A) of this Section. Said agreement shall be on such terms and conditions as are agreed to by the President and Board of Trustees.

The person, firm, partnership, or corporation entering into such agreement shall pay a yearly fee of five hundred dollars (\$500.00) for each year of service rendered and shall also be issued a license pursuant to the provisions of this Chapter. (Ord. 92-4, 6-15-92, eff. 7-1-92)

7-2-7: **REVOCATION:** Said license may be revoked by the Village if said licensee fails to perform his duties under his contract with the Village, or violates any of the provisions of this Chapter or any other provisions of this Code or the laws of the State. (1944 Code, Sec. 279)

¹ 65 ILCS 5/11-19-2.

- 7-2-8: **DUMPING:** No garbage or waste material shall be dumped within the Village limits, but must be hauled to a place outside the Village limits, at a distance which will not create a nuisance to any resident within the Village limits.¹ (1944 Code, Sec. 280)
- 7-2-9: **RATES AND SERVICE:** (Rep. by Ord. 92-4, 6-15-92, eff. 7-1-92)
- 7-2-10: **COLLECTION:** Fees for the collection of garbage and waste materials shall be paid semi-annually to the licensee, or as agreed upon between the licensee and owner of said business house, tavern, restaurant, or butcher shop. The licensee shall give to each person paying fees a receipt therefor. If service charges are not paid promptly, all services shall cease and no more services shall be rendered to said delinquent until all charges are fully paid. (Ord. 268, 5-7-62)
- 7-2-11: **SCOPE:** All garbage and other waste materials embraced within this Chapter will be called for and disposed of by the licensee hereunder, and shall not be collected or disposed of, for hire, in any other manner, except as provided herein; and no garbage or waste material shall be allowed to accumulate on any property or premises within the Village for a period longer than the time between calls by said licensee. (1944 Code, Sec. 283)
- 7-2-12: **YARD WASTE:** Special provisions with respect to the collection of yard waste shall be subject to approval of the President and Board of Trustees. Any license granted hereunder shall also include the right to collect yard waste. (Ord. 90-3, 6-18-90)
- 7-2-13: **COMMINGLING OF WASTE PROHIBITED:** No "landscape waste", as defined by Public Act 85-1429 as now in effect or as may be amended from time to time, or garbage and rubbish (other than recyclable material) shall be placed in any recycling bin. No garbage and rubbish or recyclable material shall be placed in any containers for landscape waste. (Ord. 92-9, 7-20-92)
- 7-2-14: **REPLACEMENT OF RECYCLING BINS:** Any damage to or loss of recycling bins shall be reported to the Village of Morton Police Department by the person to whom the recycling bins are registered or by the person responsible for the damage or loss within twenty four (24) hours of the damage or loss. The cost to repair or replace recycling bins damaged or lost due to negligence shall be borne by the person responsible for the damage or loss. (Ord. 92-9, 7-20-92)
- 7-2-15: **TITLE TO RECYCLING BINS:** All recycling bins are the property of the Village of Morton, and they shall not be removed from the property on which the dwelling unit is located. (Ord. 92-9, 7-20-92)
- 7-2-16: **UNLAWFUL REMOVAL OF RECYCLABLE MATERIAL:** It shall be unlawful for any person, firm, or corporation, except a refuse collector contracting with the Village of Morton, to remove any item of recyclable material including newspaper, aluminum, or bimetal cans, clear glass or number one or number two plastic placed in or adjacent to Village recycling containers. (Ord. 92-9, 7-20-92)
- 7-2-17: **UNLAWFUL DAMAGE TO VILLAGE RECYCLING CONTAINERS:** Except as authorized by the Board of Trustees, it shall be unlawful for any person, firm, or corporation to remove, from a residential premises at which it is located, or to damage, any Village recycling container. (Ord. 92-9, 7-20-92)
- 7-2-18: **DISPOSAL OF LANDSCAPE WASTE:** "Landscape waste" as defined in Section 7-2-13 of this Chapter shall not be commingled with garbage and refuse or with recyclable materials, but shall be disposed of in compliance with State law. (Ord. 92-9, 7-20-92)
- 7-2-19: **PROHIBITION ON REMOVAL OF PREPAID BAGS OR STICKERS:** It shall be unlawful for any person, other than the Village's contracted refuse hauler, to remove any prepaid bags or stickers from any refuse left at a dwelling unit for collection. (Ord. 92-9, 7-20-92)

¹ 65 ILCS 5/11-19-5.

- 7-2-20: **COMBUSTIBLE REFUSE:** It shall be unlawful to permit or store any combustible refuse in such a way as to create a fire hazard. (Ord. 97-8, 7-7-97)
- 7-2-21: **DEFINITION OF LITTER:** Any uncontainerized man-made or man-used waste which, if deposited within the Village otherwise than in a litter receptacle, tends to create a danger to public health, safety, and welfare, or to impair the environment of the people of the Village. Litter may include, but is not limited to, any “garbage”, as defined in Section 7-2-3 of this Chapter or any “rubbish” as defined in Section 7-2-22 of this Chapter or newspaper, magazines, plastic, or paper. (Ord. 97-8, 7-7-97)
- 7-2-22: **DEFINITION OF RUBBISH:** Nonputrescible solid waste consisting of both combustible and noncombustible wastes, such as paper, wrappings, cigarettes, cardboard, construction materials, concrete, asphalt, and other paving materials, tin cans, yard clippings, leaves, other yard or garden wastes, wood, tree trunks, tree limbs, glass, bedding, crockery, and similar materials. (Ord. 97-8, 7-7-97)
- 7-2-23: **LITTER IN PUBLIC PLACES:** No person shall throw or deposit litter in or upon any street, sidewalk, or other public place within the Village, except in public receptacles or in authorized private receptacles for collection. (Ord. 97-8, 7-7-97)
- 7-2-24: **THROWING LITTER FROM VEHICLES:** No person, while a driver or passenger in a vehicle, shall throw or deposit litter upon any street or other public place within the Village. (Ord. 97-8, 7-7-97)
- 7-2-25: **LITTER COLLECTION IN STORAGE AREAS:** Every owner, occupant, or lessee of a house or building used for residence, business, or commercial purpose shall maintain litter collection and storage areas in a clean condition and ensure that all litter is properly containerized. Failure to so maintain clean litter collection in storage areas shall constitute a violation of this Section. (Ord. 97-6, 7-7-97)
- 7-2-26: **NOTICE TO REMOVE LITTER:** The responsible Village officials are authorized and empowered to notify the owner of any open or vacant private property within the Village or the agent of such owner to properly dispose of litter located on such owner’s property which is dangerous to public health, safety, or welfare. Such notice shall be by certified or registered mail, addressed to such owner at his last known address or by personal service. (Ord. 97-8, 7-7-97)
- 7-2-27: **ACTION UPON NONCOMPLIANCE:** Upon the failure, neglect, or refusal of any owner or agent notified to properly dispose of litter within fourteen (14) days after receipt of written notice provided for in Section 7-2-26, or within fourteen (14) days after the date of such notice in the event the same is returned to the Village Post Office Department because of its inability to make delivery thereof, provided the same was properly addressed to the last known address of such owner or agent, the Village officials are authorized and empowered to do either of the following:
- (A) To pay a third party to dispose of such litter or to order its disposal by the Village; or
 - (B) To file appropriate civil actions for temporary restraining order, temporary injunction, permanent injunction, or for damages, against any person violating this Chapter. (Ord. 97-8, 7-7-97)
- 7-2-28: **LIABILITY FOR EXPENSE OF REMOVAL BY VILLAGE:** In the event the Village elects to remove dangerous litter from private property, the owner of the premises shall be liable to the Village for expenses incurred by the Village in removing and disposing of such litter. A statement shall be rendered to the owner or occupant of the premises for the cost thereof, and if not paid, suit may be instituted. (Ord. 97-8, 7-7-97)
- 7-2-29: **UNLAWFUL DEPOSITS:** It shall be unlawful for any person to place garbage or litter in a container owned or leased by another person without that person’s consent. (Ord. 97-8, 7-7-97)

7-2-30: **CONSTRUCTION SITES:** The property owners and the prime contractors in charge of any construction site shall maintain the construction site in such a manner that litter will be prevented from being carried by the elements to adjoining premises. All litter from construction activities or any related activities shall be picked up at the end of each working day and placed in containers which will prevent litter from being carried by the elements to adjoining premises. (Ord. 97-8, 7-7-97)

7-2-31: **PENALTY:** Any person, firm, corporation, partnership, or other legal entity violating any provisions of this Chapter shall be fined not less than fifty dollars (\$50.00) nor more than seven hundred fifty dollars (\$750.00) for each offense. (Ord. 97-8, 7-7-97; amd. Ord. 99-37, 12-6-99)

