

ORDINANCE NO. 8283-34

AN ORDINANCE
AMENDING CHAPTER 10 OF THE
CODE OF ORDINANCES, CITY OF URBANA, ILLINOIS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

That certain sections of Article I of Chapter 10, entitled "Garbage and Refuse," are hereby amended to read as follows:

Sec. 10-1. Deposit of garbage, slops, filth, etc.

No person shall throw, discharge or deposit in any place within the city any garbage, animal matter, dead animals, or other refuse, rubbish or debris of any kind, except in receptacles made of impervious material having a solid bottom and tight-fitting lid which are stored and located on private property other than that owned or controlled by the city, including city right-of-way. The above provisions shall not apply, however to persons temporarily storing recyclable materials on such private property where such recyclable materials are generated on or collected from the same premises where stored, if such person has an existing agreement with a recycling service to remove such material at periodic intervals.

Sec. 10-2. Disposal of garbage.

(a) The keeper of every tenement house, lodging house, restaurant, boardinghouse, hotel, bakery, private residence or other place with a kitchen having refuse of an organic character commonly known as garbage shall provide for the dis-

posal of such garbage by a duly licensed sanitary hauler who shall be required to remove it at least once a week from the premises. No receptacles as required by Section 10-1 for such garbage shall be kept, maintained or stored by any person on city-owned or controlled right-of-way for the purpose of such disposal by a duly licensed sanitary hauler.

(b) No accumulated garbage within the city shall be allowed to become offensive to sight or smell, or dangerous to the health of occupants of the neighborhood; but it shall be removed often enough to meet the requirements of the health authority for the promotion of healthful conditions in the city.

(c) No material shall be placed upon any premises which shall be liable, on decomposition, to give off offensive or nauseating odors. (Code 1975, Sec. 14.5)

Sec. 10-4. Removal of useless junk and debris.

(a) The accumulation of useless junk, refuse, rubbish, debris, garbage or any cut vegetation residue of practically no value is hereby declared to be a public nuisance in the corporate limits of the City of Urbana, Illinois.

(b) Every person who is the owner or occupant of property within the city, or the agent in charge of such property for a nonresident owner, is charged with the duty of keeping such property free from the accumulation of useless junk, refuse, rubbish, debris, garbage or any cut vegetation residue of practically no value; and for the public health and safety, each owner, occupant or agent having charge of such property when notified in writing by the City of Urbana to re-

move such accumulation of useless junk, refuse, rubbish, debris, garbage or any cut vegetation residue of practically no value, shall be charged with the duty of removing such junk, refuse, rubbish, debris, garbage or any cut vegetation residue of practically no value and satisfactorily dispose of the same to the satisfaction of the City of Urbana within five (5) days of receipt of notice so to do.

(c) If any such owner, occupant or agent, upon receipt of such notice, shall fail to remove such junk, refuse, rubbish, debris, garbage or any cut vegetation residue of practically no value as required by this ordinance, the city can cause such junk, refuse, rubbish, debris or garbage or any cut vegetation residue of practically no value to be removed to a satisfactory disposal site and charge the reasonable cost of such removal to the owner, occupant or agent of the premises; and such a person shall be subject to the general penalty set out in Section 1-10 of the Urbana City Code for such failure, neglect or refusal to comply with the requirements of the said notice.

(d) Any subsequent accumulation of junk, refuse, rubbish, debris, garbage or any cut vegetation residue of practically no value on the same premises occurring within ninety (90) days of a prior accumulation of junk, refuse, rubbish, debris or garbage or any cut vegetation residue of practically no value for which a notice was sent under the provisions of paragraph (b) above or for which a notice of violation was issued pursuant to this subsection, shall subject the owner, oc-

cupant or agent in charge of such premises to a fine of Twenty-five Dollars (\$25.00) for each day that such person suffers or allows the accumulation of junk, refuse, rubbish, debris, garbage or any cut vegetation residue of practically no value on the said premises after the owner, occupant or agent in charge of such premises has received from the City of Urbana a notice of such violation. The person so cited may satisfy the fine by paying the municipal collector, the sum of Twenty-five Dollars (\$25.00) within five (5) days of the receipt of such notice of violation. Failure to satisfy the violation by payment of Twenty-five Dollars (\$25.00) shall subject the person so cited to the general penalty set out in Section 1-10 of the Urbana City Code. Notice of violation issued under this subsection shall set forth the date of the accumulation of junk, refuse, rubbish, debris, garbage or any cut vegetation residue of practically no value and the location thereof. It shall be directed to the owner, occupant or agent in charge of the property where the accumulation of junk, refuse, rubbish, debris or garbage occurred and shall set forth the amount of the fine and how such may be satisfied together with a warning that failure to satisfy such fine within the time allotted can result in the person being cited being subject to the general penalties set out in Section 1-10 of the Urbana City Code.

In addition, if the accumulation of junk, refuse, rubbish, debris, garbage or any cut vegetation residue of practically no value is not removed in compliance with the notice under this subsection, the City can cause such junk, refuse,

rubbish, debris, garbage or any cut vegetation residue of practically no value to be removed to a satisfactory disposal site and charge the reasonable cost of such removal to the owner, occupant or agent of the premises; and such a person shall be subject to the general penalty set out in Section 1-10 of the Urbana City Code for such failure, neglect or refusal to comply with the requirements of the said notice.

Nothing in this Article shall be deemed to apply to liquid wastes or hazardous wastes, which such wastes must be disposed of in accordance with other applicable laws, rules and regulations pertaining to such disposal. As used in this Article, hazardous wastes shall mean waste or refuse with inherent properties which make such waste or refuse difficult or dangerous to manage by normal means including, but not limited to, chemicals, explosives, pathological wastes and other wastes defined as hazardous waste by the Resource Conservation and Recovery Act of 1976, as amended, and regulations promulgated thereunder and hazardous hospital waste as defined by the Illinois Environmental Protection Act and the regulations promulgated thereunder.

Except for the provisions of Sec. 10-2(a) which provide, "No receptacles as required by Section 10-1 for such garbage shall be kept, maintained or stored by any person on city-owned or controlled right-of-way for the purpose of such disposal by a duly licensed sanitary hauler," the remainder of this ordinance shall be in full force and effect from and after its passage and publication in accordance with the terms of

Section 1-2-4 of the Illinois Municipal Code. The above quoted provisions of Section 10-2, following such publication, shall be in full force and effect from and after the 30th day of April, 1983.

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a regular meeting of said Council.

PASSED by the City Council this 1st day of November, 1982.

Ruth S. Brookens
Ruth S. Brookens, City Clerk

APPROVED by the Mayor this 8th day of November, 1982.

Jeffrey T. Markland
Jeffrey T. Markland, Mayor

CERTIFICATION OF PUBLICATION

I, RUTH S. BROOKENS, City Clerk of the City of Urbana, Illinois, do herewith certify that I caused the above Ordinance to be duly published in the Champaign-Urbana News-Gazette on the 13th day of November, 1982.

Ruth S. Brookens
Ruth S. Brookens, City Clerk

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CERTIFICATE OF PUBLICATION IN The News-Gazette

The undersigned, M. J. Duca, THE CHAMPAIGN NEWS-GAZETTE, INCORPORATED, by

its controller, does hereby

certify that said Corporation is the publisher of The News-Gazette and that the same is
a daily secular newspaper of general circulation published in Champaign, Champaign
County, Illinois, and which said newspaper had been regularly published for more
than six months prior to the first publication of the annexed notice; said publisher
further certifies that the annexed notice was published once each week for _____
consecutive weeks in said newspaper, namely on the following dates:

Nov 13

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, A. D. 19

Said publisher further certifies that the date of the first paper containing the said
notice was on the first date hereinabove set forth, and that the date of the last paper
containing the said notice was on the last date hereinabove set forth.

CITY OF URBANA, ILL.
RECEIVED

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CITY CLERK'S OFFICE

The Champaign News-Gazette, Incorporated

By [Signature]

Controller

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